

**The University of Alabama**  
**Student Government Association**  
***Student Elections Board Ruling***

**ELECTION:** Spring 2023 SGA General Election

**HEARING DATE:** Monday, February 27, 2023

**COMPLAINANT:** Robbie Khalil

**ALLEGED:** John Richardson, Presidential Candidate

**ELECTION CODE VIOLATION:** XI.F.1. Campaigns must be considerate of academic classes and other activities taking place on campus. No campaigning shall be allowed inside any University building or within twenty-five (25) feet of any entrance to a University building. Specifically exempt are candidate organizational meetings and meetings of registered student organizations and The University of Alabama Student Center and Plaza. This also includes all University of Alabama Student Center awnings. Also exempt is the wearing of and/or display of campaign buttons on clothing and backpack/bags in academic buildings.

**ELECTIONS BOARD DECISION:** By a vote of 7-0, the Elections Board found the Richardson Campaign in violation of XI.F.1. It is the opinion of the Board that the video itself clearly does involve a speaking engagement and display of campaign material, which classifies the video in question as campaigning. The Board also agrees that while the video would not qualify as early campaigning, it is still campaigning that occurred in breach of XI.F.1. While the Board is supportive of provision XI.D.1, in which “candidates may begin preparation in advance of the established campaign period” and allows for campaign preparation, including any work done outside the public eye to prepare for announcement of candidacy, candidates cannot violate rules explicitly outlined in the Elections Manual. Consequently, the Board cannot rule that this is not a violation, as it would set a precedent that any video taken prior to the start of the campaign period would not be subject to rules or regulations regarding production and content.

**PENALTY:** The Richardson Campaign is awarded 1 point for a minimal campaign violation.

Q1.1.

## The University of Alabama Student Government Association

### ELECTIONS VIOLATION COMPLAINT FORM *All information/blanks must be completed in order to be reviewed by the Elections Board*

Any member of The University of Alabama community shall have the right to file a complaint. Complaints must be filed in writing. Oral complaints will not be accepted.

Complaints must contain the following:

1. Name of the candidate and/or individual(s) who committed the alleged violation
2. Brief description of the alleged violation, including date and time of the incident and reference to the relevant provisions of the [Student Elections Board Manual](#)
3. Any applicable evidence
4. Printed name of the person filing the complaint
5. Signature of the person filing the complaint

No anonymous complaints will be reviewed. Further, complaints must be filed within 24 hours of the violation or within 24 hours of when the violation is known.

If you have questions regarding filing an Elections Violation Complaint Form, please email [sgaelections@ua.edu](mailto:sgaelections@ua.edu).

Q1.2. Name of person filing complaint:

Robbie Khalil

Q1.3. Phone Number:

6

Q1.4. UA Crimson Email Address:

Q1.5. Date of Incident/Violation: (mm/dd/yyyy)

02/20/2023

Q1.6.  
**ALLEGED**

Person(s) committing the alleged violation and for whom, the complaint is being filed against.

John Richardson

Q1.7.  
**ELECTION CODE VIOLATIONS**

List specific election codes that were allegedly violated. Refer to the [Elections Manual](#) for the relevant provisions of the code.

Campaigning On Campus 1. Campaigns must be considerate of academic classes and other activities taking place on campus. No campaigning shall be allowed inside any University building or within twenty-five (25) feet of any entrance to a University building. Specifically exempt are candidate organizational meetings and meetings of registered student organizations and The University of Alabama Student Center and Plaza. This also includes all University of Alabama Student Center awnings. Also exempt is the wearing of and/or display of campaign buttons on clothing and backpack/bags in academic buildings.

Q1.8.  
**DESCRIPTION/NARRATIVE**

Please provide a brief description of the alleged violation, including date, time, and location of the incident; along with a list of individuals who may have knowledge of the alleged violation.

Date: 2/20/2023 Time: 12:12 pm Persons: John Richardson and his team Violation: Filming inside of an academic building, specifically Hewson Hall. Attached is one angle of the building, however I have additional photos of the video and the video itself that I can submit should you need further information. Campaigning inside academic buildings is strictly prohibited and this is a clear violation as it is located inside Hewson Hall.

Q2.1.

## APPLICABLE EVIDENCE

Attach additional information and/or files for consideration.



[RPreplay\\_Final1676916987.MOV](#)

1.5MB

video/quicktime

Q2.2.

## PRINTED NAME

Please type your full name to indicate that you understand that this complaint report is not confidential and may be posted publicly per Section XVIII.F. VIOLATIONS of the Elections Manual.

Robbie Khalil

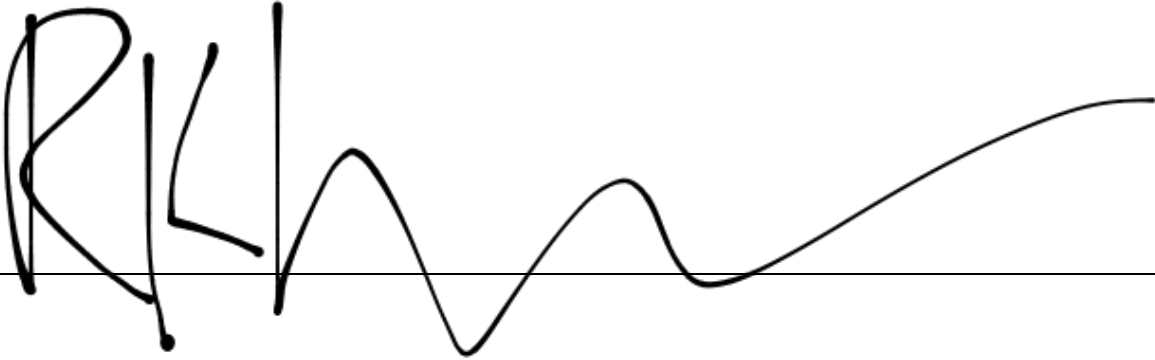
Q2.3.

## ELECTRONIC SIGNATURE & POLICY ACKNOWLEDGEMENT

Knowingly filing a frivolous or bad faith complaint may result in the individual or campaign filing the complaint being subject to sanctions and/or referral to the Office of Student Conduct (OSC).

By signing below, I confirm my understanding of the aforementioned Elections Board policy on filing complaints and certify that all information contained in this report is true and correct to the best of my knowledge.

*A signature is required to submit this form. Please sign below using your mouse cursor (or finger, if you are using a tablet or other mobile device with touchscreen capabilities) to indicate your acceptance of the above stated terms.*



A handwritten signature, appearing to be 'RKL', is written in black ink on a horizontal signature line. The signature is stylized and cursive. To the left of the line is a small 'x' icon, and to the right is the word 'clear' in red text.

**Subject:** Re: Elections Board Notice of Reported Campaign Violation #2  
**Date:** Monday, February 20, 2023 at 10:56:05 PM Central Standard Time  
**From:** Zach Johnson [REDACTED]  
**To:** sgaelections <sgaelections@ua.edu>

Good evening Elections Board members! Thanks for reaching out regarding the following complaint. Our campaign wishes to respond to a complaint filed regarding alleged campaigning within Hewson Hall, an alleged violation of the following:

*XI.F.1. Campaigns must be considerate of academic classes and other activities taking place on campus. No campaigning shall be allowed inside any University building or within twenty-five (25) feet of any entrance to a University building. Specifically exempt are candidate organizational meetings and meetings of registered student organizations and The University of Alabama Student Center and Plaza. This also includes all University of Alabama Student Center awnings. Also exempt is the wearing of and/or display of campaign buttons on clothing and backpack/bags in academic buildings.*

The complaint alleges that the filming of a portion of our campaign announcement video inside Hewson Hall violates the above *XI.F.1* on the grounds that the filming of the video is defined as campaigning. We contest this assertion on several grounds.

In order to respond to this accusation, we wish to bring your attention first to the definition of campaigning, as featured in *XI.A* of the Elections Manual. This definition conclusively labels campaigning, in reference to SGA elections, as

*any written statement, speaking engagement, display, or active distribution of any campaign material and/or activity during the official campaign period that is intended to encourage voting for an individual candidate or group of candidates.*

It is the specific dichotomy of this definition that we wish to address in reference to the video. We argue that in the case of this video, only the second definition can apply, as the filming of the video itself does not involve any *written statement, speaking engagement, display, or active distribution of campaign material* in the public eye. While the display of the video on social media platforms falls under this definition, no complaint was raised against our use of the video, only the circumstances under which it was produced. Therefore, as only the latter clause of the definition could apply, the burden rests on the complainant's ability to demonstrate that the activity of filming the video occurred *during the official campaign period*. This has assuredly not been established.

The video was filmed on the Saturday prior to the opening of the campaign period, clearly outside of the campaign period. Therefore, as both definitions of campaigning cannot apply to the filming of this video, we deny that any violation of elections policy occurred within Hewson Hall.

Furthermore, as the filming of this video occurred before the campaign period, it falls under

the regulations outlined in *XI.D*. According to the provisions provided in *XI.D.1*, candidates are explicitly allowed to conduct *any work done outside the public eye to prepare for the announcement of candidacy*. The filming of the video, which occurred in Hewson Hall on a Saturday when the building was not in academic use, clearly falls under this provision, as the video was created out of the public eye to prepare for the announcement of candidacy, which was self-evidently the purpose of the video's creation. Further, also within *XI.D.1*, candidates are expressly allowed to create *materials and photos, etc.* before the campaign period begins without punishment.

Therefore, as the creation of the video does not fall under the definition of campaigning as provided in the Manual, and as the Manual elsewhere specifically allows for the creation of material like videos, without qualification, and as the production of the video did not violate the rules laid out in *XI.D*, the complaint is unfounded and a penalty should not be assessed in this case.

Let me know if there's anything else I can help you with. Have a good night!

## Zachary Johnson

*Vice President, Alabama International Relations Club  
Undersecretary General of General Assemblies and Special Assemblies, AIRMUNC IV  
Class of 2022, Blackburn Institute*

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Phone [REDACTED] | [REDACTED]

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**From:** sgaelections <sgaelections@ua.edu>  
**Sent:** Monday, February 20, 2023 3:45 PM  
**To:** John Richardson [REDACTED]  
**Cc:** sgaelections <sgaelections@ua.edu>; Zach Johnson [REDACTED]  
**Subject:** Elections Board Notice of Reported Campaign Violation #2

John,

This email is to notify you that an Elections Violation Complaint was received against your campaign. The complaint was filed by Robbie Khalil and the submission alleges a violation of Election Code ***XI.F.1. Campaigns must be considerate of academic classes and other activities taking place on campus. No campaigning shall be allowed inside any University building or within twenty-five (25) feet of any entrance to a University building. Specifically exempt are candidate organizational meetings and meetings of registered student organizations and The University of Alabama Student Center and Plaza. This also includes all University of Alabama Student Center awnings. Also exempt is the wearing of and/or display of campaign buttons on clothing and backpack/bags in academic buildings.***

According to the complaint, John Richardson and team were “filming inside of an academic building, specifically Hewson Hall. Attached is one angle of the building, however I have additional photos of