

2024 GSA General Election

CRO Decision in the Matter of Selina Fan and Jack Traver Namatsi
Friday, February 23rd, 2024

A formal complaint was filed by Selina Fan, a candidate for the position of Vice-President Student Services in the GSA General Election (hereafter “the Complainant”), against Jack Traver Namatsi, a candidate for the position of Vice-President Student Services (hereafter “the Respondent”), on Thursday, February 22nd, 2024.

Complaint: The Complainant noticed that the Respondent uploaded an Instagram post with a screenshot of another account that used the GSA logo as their profile picture. The Complainant also alleges that as the respondent was leading in the “poll” shown in the screenshot, it is slander against other candidates involved.

Response: The Respondent noted that they did not deliberately use the GSA logo and they were unaware of the legitimacy of the poll account. The Respondent removed the story from their page when they were made aware of the issues surrounding the other account.

Relevant Bylaw and Policy:

I.POL.10.2 No form of campaigning (verbal, electronic, and visual) will contain slander, discriminatory content, or ad hominem attacks of individuals.

I.POL.10.10.d.i Candidates will not use the University or GSA logos on any physical or electronic campaign materials.

Consultation with the Elections and Referenda Committee (ERC): The CRO, DRO, and ERC created pre-determined guidelines for issuing penalties for violating each campaign rule before the campaign period began. The CRO reached out to ERC and presented two options: 1) dismiss the complaint and resolve it informally with the Respondent or 2) impose a penalty for the violation. Suggestions from members of ERC ranged from giving the Respondent a warning to giving a penalty of up to 10% vote deduction, with potentially further more serious penalties for slander.

Decision: The post is in clear violation of the mentioned policy, and gave the Respondent a potential advantage as their campaign material contained a GSA logo, which could influence voters into thinking the poll account is legitimate and official. However, the CRO acknowledges that the Respondent rectified the situation when they were made aware of the issues surrounding the account and that the Respondent did not deliberately use the GSA logo. While the CRO understands this may put the other candidates involved in the poll in a negative light, it is not enough to be considered slander. The CRO’s decision is to issue a penalty of a 3% vote deduction in this election. The reason for this amount is that the logo could have added perceived legitimacy to the poll and therefore could have influenced voters during the time the post was online. This candidate was already penalized for the same offense, therefore there is no penalty assigned corresponding to this particular complaint.

Appeals: As per GSA Bylaw and Policy, “decisions of the CRO are subject to appeal to the GSA Appeals and Complaints Board (GSA ACB)” (Section I.POL.11.6) and “candidate(s) or

referendum campaign member(s) have twenty-four (24) hours from the time the CRO's decision is deemed delivered to submit an Appeal (Section H.POL.15.2.b). "Deemed Delivered" is defined such that an email is deemed to have been delivered twenty-four (24) hours from the time it was sent (GSA Bylaw and Policy, Section H: Definitions).