



ASU Overturns Election Results by Punishing Students' Speech on @Tempebarstool Post

Expect More Election Victory Delayed
Tuesday - June 8th, 2020

In direct contradiction of Dr. Michael Crow's public commitment and the policies of both Arizona State University and the Arizona Board of Regents, ASU's actions have overturned the election of the victorious *Expect More* campaign.

We maintain that *Expect More* followed the Election Code of Arizona State University completely. We assert that the penalties assigned to the campaign by the student court are both a failure of reason and a failure to apply the Election Rules as written.

Unfortunately for the 2,239 students who voted for *Expect More*, the ASU administration believes student speech on [@Tempebarstool](#) account was analogous to shouting down a speaker.

Rather, the student speech expressed in the comments section of the [@tempebarstool](#) post is more akin to a rally. In a rally, both campaigns organize supporters hoping that the support of these voters will be more visible than the support given to their opponent.

Expect More supporters added "comments" and "likes" in an effort to increase visibility of the campaign in relation to our opponent. To be clear, comments were never destroyed, tampered, removed or drowned out any comments on the post. There was substantial competition from both campaigns in the comment section of the [@Tempebarstool](#) post to the point where neither campaign dominated.

ASU students know and in fact, our faculty teach us that civic engagement includes exactly this type of display of enthusiasm and is the very nature of protected competitive political activity.

Despite multiple requests to Dr. Crow and ASU administration to provide legal expertise to the student judges, conduct a legal review and preserve the victory of *Expect More*, ASU provided inadequate oversight necessary to comprehend how modern political speech is exercised in digital media or to protect the First Amendment Rights of *Expect More* candidates and of our supporters.

In truth, the election results were not close. With 344 votes more than our opponent, *Expect More* won by nearly 10%. Yet, through the erroneous enforcement of the Election Code, the university staff deprived students of the candidate of their choice.

Expect More campaigned that it would “firmly defend every student’s constitutionally protected free speech occurring in a public forum”. Win or lose, we seek to restore the freedom of speech of all students and the election results.

We view this as an unjust attempt by ASU to silence the voices of the majority of students who voted in the 2020 student elections. Therefore, on June 7th, we took the first steps to request injunctive relief from the federal courts. Today our arguments are no longer about a campaign victory, which is forever secure, but rather about protecting the constitutional rights for all students to express support for candidates free from penalty.

Upon success in federal courts, the *Expect More* injunction will correct ASU’s mistakes and honor the intention of Dr. Crow’s statement on Freedom of Speech from November 20, 2019, where he eloquently said,

“ASU has an opportunity to be a model for the rest of society....ASU is committed to free, robust and uninhibited sharing of ideas among all members of the university community and we strive to provide an environment that fosters the fullest degree of intellectual freedom and free expression.”

Never again, shall ASU students be silenced for their support of students.

ASU may deny voters their choice in candidates, but the facts will always remain that Expect More:

- Won the election nearly 10% more votes and, contrary to the requirement, no damages were ever shown.
- Was punished for encouraging the speech of student supporters on Instagram
- Was penalized for not preventing students from voicing their support of Expect More in a Zoom class.
- Was the only ticket to lead with social justice and publicly support equal treatment for Arizona Dreamers.

As Expect More stated during the campaign, it will firmly defend every student’s constitutionally protected free speech.

The Expect More Team

