

## **STUDENT SENATE MINUTES**

### **January 28th, 2020**

The Senate President called the Senate meeting to order at 7:31pm and announced that the meeting may be filmed or audio recorded and may be available to the public. The Pledge of Allegiance was recited.

#### **ROLL CALL:**

Roll was called and quorum was established with 66 senators present.

#### **Not there for roll call:**

- Alexander
- Diaz
- Espinoza
- Girschick
- Goel
- Le
- Maniti
- Muralidhara
- Oni
- Portugues
- Shaw
- VanDeGrift
- White
- Wray

#### **PUBLIC COMMENT:**

- Senator Solomon:
  - Asks how many would like to go to professional school.
    - Mentions that those who want to do that should not go to UF.
  - Graduate students make up a large part of the campus.
  - Notes all of the seats that are open.
  - There is not any outreach towards graduate seats.
  - There is not any support for graduate seats.
  - The majority party does not give graduate seats based on the “minutia” criteria.
  - This past weekend, Robert Ocampo applied to a graduate seat.
    - Studying mental health.
  - Despite four open graduate seats, this applicant’s approval was not given.
  - Graduates pay more fees than anyone else does, yet they are disrespected.
    - They are not represented as well as they should be in senate.
  - It is “abysmal and disgusting.”
  - The Inspire caucus will be moving to open the floor for nominations for an open graduate seat.
- Mark Merwitzer:
  - Reveals a presentation in regards to the Supreme Court hearing that occurred last Thursday.

- William Zellin was “rudely interrupted” during his farewell speech.
- The video was audio recorded and public streamed.
- The next day, however, the video was taken down from Facebook.
- Chou was asked about this, and told Merwitzer that the video was permanently taken down.
- Public requested the video, but in return received only a document
  - No audio recording received.
- In the hearing, it was decided that the audio recording would have to be turned over.
- One senator involved with this no longer holds a chair.
- The video was not sent to him.
- Senator Bindi:
  - Bindi is talking about a specific instance that occurred on October 14 in an Inspire Caucus meeting.
  - Bindi did not vote in this decision, though it was an overwhelming “Yes”.
  - The minutes were missing attendance records, votes, time of adjournment, essentially everything important.
  - These minutes were not like the minutes he saw while he was in the Inspire caucus.
  - Bindi sent in a PRR for the agenda as well as the minutes.
  - Shocked to see that everything was doctored and missing information.
  - Missing discussions relating to legislation, as well as the vote to take down the video.
  - Most importantly, there was a vote to take down the livestream on October 8.
  - Amrose removed the minutes and put them in a folder that was locked and unavailable to other Inspire Caucus members.
  - Explored 300 codes for expulsion and censure for former Senator Amrose.
  - Submitted a request for expulsion based on the evidence he had gathered.
  - 72-hour notice for this hearing must be complied with.
  - Senator Amrose resigned from Senate at 2:30pm on January 27, dropping charges that were held against him.
  - This is about accountability in the senate.
- Majority Party Leader Hernandez:
  - This is in regards to the green-dot training program that took place over the weekend.
  - This is something that was very notable and should be discussed.
    - Felt more should have attended.
  - Noted that the green dot training is engaging and has empowered her to take action.
  - Presented with challenges and scenarios in a safe place was thoroughly enjoyed.
  - Acts as a safe space.
  - Hopes to see everyone that was not present at the training over the weekend participates in one of the next three trainings that are coming up.
  - Any other student leaders should reach out to an organization to do this Green Dot program.
    - Has already spoken with the Panhellenic Council.

- Believes everyone can benefit from this training.
- Alfredo Ortiz:
  - Thanks the Senate President.
  - This morning, members of his party fell victim to a smear campaign.
  - Members of the Alligator publicized propaganda against his party.
  - It is a felony to record someone in a private space when there is a reason to feel that this conversation is private.
  - The conversation between him and Nick Bindi was done to better understand what would go with and without their political party.
  - Will be consulting outside professionals in legal action in lieu of this.
  - This is done because he decided to not drop out of the running.
  - The press wants to thwart a “grass roots” movement.
  - Ortiz called out factual errors against the Alligator, and now there is bias against him.
  - Can confidently say that the Alligator is “Inspires propaganda arm.”
  - Minority party members have been recorded against their will.
  - If interested, reach out to me, to put an end to this “disgraceful tradition.”
- Senator Chou:
  - Signed up for the public comment to discuss Kognito.
  - Kognito ambassadors were invited to the chamber a few weeks ago.
  - The training gives you a virtual space for you to practice helping people through times of crisis.
  - He and Senator Diaz discussed with these ambassadors and talk about how to benefit student government with these trainings.
  - This training will be mandatory for faculty and student leaders in the coming semesters.
  - It would be extremely helpful to have a resolution in the Senate to have as many people take the training as possible.
  - There cannot be any harm for people to complete this training.
  - Asks for support in raising awareness of the Kognito training.
  - Contact Senator Chou if you are interested in contributing to this resolution.
  - If you are interested in collaborating or sponsoring, he wants to hear from you.
  - In regards to the public streaming, public comment took place after the meeting adjourned.
  - The minutes provided by the Senate Secretaries did not have any writing after the meeting was adjourned due to failure to meet quorum.
  - There was only one case opinion, written by Merwitzer.
  - Wants to emphasize the importance of looking past drama.
  - Cannot look past the projects in Senate that can benefit the students on campus.
- Senator Jackson yields her time to the chair.

***\*\*If you wish to hear any speeches given during public debate please request the recordings from [senatesecretary@sg.ufl.edu](mailto:senatesecretary@sg.ufl.edu)\*\****

**AMENDMENTS TO THE MINUTES:**

- There was none.

### **AMENDMENTS TO THE AGENDA:**

- Majority Party Leader Hernandez moves to approve the Replacement and Agenda Committee Recommendation for the open District B permanent replacement seat: Franco Luis by unanimous consent. Objected.
- Majority Party Leader Hernandez moves to approve the Replacement and Agenda Committee Recommendation for the open District C permanent replacement seat: Kyle Garner by unanimous consent. Objected.
- Majority Party Leader Hernandez moves to approve the Replacement and Agenda Committee Recommendation for the open Information and Communications committee seat: Noemi Galleano by unanimous consent. Approved.
- Majority Party Leader Hernandez moves to approve the Replacement and Agenda Committee Recommendation for the open Budget and Appropriations committee seat: Madeleine Bennett by unanimous consent. Approved.
- Majority Party Leader Hernandez moves to approve the Replacement and Agenda Committee Recommendation for the open Rules and Ethics committee seat: Feraby Hoffman by unanimous consent. Approved.
- Majority Party Leader Hernandez moves to approve the Replacement and Agenda Committee Recommendation for the open Allocations committee seat: Olivia Potthast by unanimous consent. Approved.
- Chairwoman Morris moves to approve the Rules and Ethics Committee recommendation for the approved absence block by unanimous consent. Approved.

### **OFFICE OF THE STUDENT BODY VICE PRESIDENT:**

- There was none.

### **SENATE PRESIDENT'S REPORT:**

- Welcomes Captain Sasser back to the podium to teach the senators more about the campus and become better representatives.
  - Welcomes Brian Kramer and Pamela Gordon from the District's Attorney Office.
- Each will discuss their perspectives in regards to sexual battery.
- Kramer was asked to talk about the prosecution of sexual battery.
- Could spend several hours talking about this issue, but will present an overview
- Process and procedures, legal standard to file, filing decision considerations, and special protections for victims of sexual battery will be discussed.
- Process and procedure:
  - Intake: The police have sent to the attorney office a case, which includes evidence, photographs, witnesses, DNA, and anything else that can build a case.
    - They then begin the process of going through the case and determining a file decision.
  - A decision needs to be made under short time frames.
    - Testimonies are made and witnesses are called in.
  - The case is then filed in some cases.
  - In the discovery step, everything is handed to the defense, including all evidence.
  - The defense lawyer has the right to take sexual battery assault victims depositions.

- Plea negotiations will then occur; the attorney is required to speak to the victim to see what they want out of the case.
- A trial is held if necessary (most end in plea negotiations, but some end in trial). If the case is extremely serious, it will likely make trial.
  - 8-10 years in state, jail is common with serious sexual battery cases.
  - You may be marked as a sexual predator.
- US Constitution allows the victim to be cross-questioned (According to Amendment 6).
- The Legal standard to file is that the prosecutor must have a reasonable degree of legal certainty of obtaining a conviction at trial based upon the admissible testimony and evidence, as she understands it at the time of filing.
  - Kramer unpacks this definition.
    - Filing will not occur if the attorneys are sure they will lose.
- Factors that are looked at to determine if a case is filed:
  - Corroborative evidence (Video/picture/in public).
  - Credibility of victim and witnesses.
  - Credibility of the defendant.
  - Criminal history of the defendant.
  - Attendant circumstances of the offense.
  - Similar fact evidence.
    - Refers to Harvey/Weinstein case.
    - This is one reason why PRs are stored and never destroyed.
  - Exculpatory evidence.
  - Victim advocates.
    - Keeps the communication between the attorneys and the victim.
  - Closed courtroom testimony.
  - Telepresence of the victim or the defendant.
  - Rape Shield law.
    - Limits what can be brought out in the trial in the victim's past history.
  - Service animals.
    - Permitted while victims go to the stand.
    - Mainly in regards to children.
  - Public records exemptions and exclusions.
    - Marcy's Law.
- Chou asks a question about the 175 day law:
  - Kramer responds that unless the defendant asked for more time, the state requires that the case must be filed in 175 days or less. If this does not happen, the case is scrapped.
- Senator Karim asks about the percentages of minors that are victims of sex crimes.
  - Kramer responds that overall, there are more adult victim sex crimes in Gainesville.
  - Gordon responds that she currently is dealing with more child rape cases than adult cases.

- Chou asks if Kramer has any advice on how to deal with the whole process as a victim.
  - Kramer responds that it was very common in the past overlook victims of sex crimes, but today attorneys had better understand the headspace of a victim and they will never say that. Victims are never discouraged to discuss their case.
- Karim asks if Kramer has any advice if they see something bad going on.
  - Kramer states that if you see something going on to document it in any way you can. A picture, a video, a voice recording, in writing, anything that is able to help the victim.
  - Captain Sasser stands to state that in regards to helping a friend, empower them to make their own decision and believe them no matter what. Become familiar with the different options in the community, and let them know you are there to support them.
- Senator asks about sexual battery in regards to immigration status.
  - Kramer states that there are ways to protect immigration status in regards to asexual battery case. A victim will not be persecuted against or asked about their immigration status is.
  - Gordon states that if there is a language barrier, there are interpreters and translators available.
- Karim asks about an illegal relationship between a minor and an adult.
  - If it is a counselor or a teacher, it is required that it is reported.
  - Kramer answers that it is a complicated question and that Karim should visit his office for further comments.
- Thanks the senators for being so attentive.
- Welcomes Senator Bindi to discuss the Problem Solvers Caucus, regardless of what political party senators are affiliated with.
  - Thanks the previous speakers for coming in, as well as the Senate president for allowing him to talk about his caucus.
  - This new caucus is not affiliated with the Problem Solvers Caucus in the United States Legislative system.
  - Is meant to be a group of senators from all parties, affiliated or unaffiliated.
  - So far, the same number of Gator, Inspire and Independent senators have signed up for this caucus.
  - Bindi explains that the goal of the caucus is to create legislation that is bipartisan by nature.
  - Will likely meet before senate meetings next week.
  - Bindi will send out a google form to all senators following the meeting.
  - Wants to talk about all relevant issues.
  - There are senators starting initiatives in common with each other.
  - Shows there is a want for both parties to work together, and Bindi hopes that this will lead to new legislation and goals.
  - The relationships fostered will allow people to be comfortable in drafting legislation.
  - Many senators are afraid to write legislation because they are scared that it will be rejected.

- Goes over the Problem Solver Caucus's mission statement.
- Reach out to Senator Bindi or Senate President Dunson if anyone is willing to be a part of the caucus.
- Bindi states that the meetings for the caucus will be held before Senate meetings, about 15-20 minutes before.

### **REPLACEMENT AND AGENDA COMMITTEE RECOMMENDATIONS:**

Senator Solomon moves to open the floor for nominations for the open Graduate permanent replacement seat. Senate President Dunson rules that because the seat was not on the agenda as a nominated seat, this is a dilatory motion.

#### **District B: Franco Luis**

Majority Party Leader Hernandez moves to call the previous question. In the eyes of the chair that motion passes.

In a standing vote, in the eyes of the chair, Franco Luis is approved to fill the open District B permanent replacement seat.

Senator Solomon moves to approve the Replacement and Agenda Committee Recommendation for the open District C permanent replacement seat: Kyle Garner by unanimous consent.

Approved.

- Senator President Pro-Tempore Sandifer welcomes the senators.
- Wants to address comments made earlier about the R&A committee.
  - Believes they have one of the most unbiased committees, with a great process.
  - Members of both parties voted to table the graduate seat.
- Open Permanent Seats:
  - District D.
  - Education.
  - Graduate (4).
  - Journalism.
  - Liberal Arts and Sciences (3).
  - Nursing.
  - Engineering.
  - Sophomore.
  - District A.
  - Dentistry.
- Open Committee Seats:
  - Allocations.
  - Judiciary.
  - Rules and Ethics.
- The applications for all of these seats close next Friday, February 7<sup>th</sup>.
- Open permanent seats must be announced twice before it can be interviewed.
- The committee voted unanimously to postpone the application for the graduate seat.
- Senator asks where he can obtain information on potential senators.

- Unanimously voted to postpone.
- Anyone is welcome to the Replacement and Agenda committee.
- You are able to PRR the applications and minutes.

Senator Solomon moves to appeal the decision of the chair on it being a dilatory motion. In the eyes of the chair, that motion fails.

### **COMMITTEE REPORTS:**

### **REPLACEMENT AND AGENDA:**

### **BUDGET & APPROPRIATIONS:**

- Chairman Brown welcomes the senators.
- Committee has finished allocating all rollover funds.
- The totals will be sent to the Listserv once the bills are complete.
- Allocated over \$1,000,000 for the spring semester.
- Reads a speech from Senator Diaz regarding Green Dot.

### **ALLOCATIONS:**

- There was no report.

### **JUDICIARY:**

- Chairman Pearson welcomes the senators.
- Meeting will be tomorrow at 5:00pm in the SG Conference room.
- All legislation will be reviewed at the meeting next week because it was not submitted 24 hours in advance.
- SAI is launching a new program: Critical Issues Series Program.
- The program is about facilitating difficult conversations.
- A guest speaker will be brought in to discuss how to talk to someone that hates you.
- Small breakout sessions will take place after the speaker presents.
- An email will be sent out tonight and a link to register will be available.

### **RULES & ETHICS:**

- Chairwoman Morris welcomes the senators.
- Probation Constituency was due tonight when the gavel hit.
- If you did not complete constituency requirements, you are required to attend the Rules and ethics meeting that is taking place this Thursday.
- Will be meeting in the SG Conference Room at 8:00am tomorrow morning.
- Absence forms will be put on the SG website in the coming week.
- Congratulates Senator Hoffman on joining the committee.

### **INFORMATION & COMMUNICATION:**

- Chairwoman Jones welcomes the senators.
- This week, tabling information will be emailed out.

### **FIRST READINGS:**

- Majority Party Leader Hernandez Moves to approve Student Senate Bill 2020-1000 300 Code Revisions by unanimous consent. Approved.
- Majority Party Leader Hernandez Moves to approve Student Senate Bill 2020-1001 Line Item Transfer for Black Graduate Student Organization by unanimous consent. Approved.
- Majority Party Leader Hernandez Moves to approve Student Senate Bill 2020-1002 Line Item Transfer for Student National Cannabis Bar Association by unanimous consent. Approved.

**SECOND READINGS:**

- There was none.

**BILLS PENDING SIGNATURES:**

- There was none.

**ANNOUNCEMENTS:**

- Senator Solomon: Would like the senators to find a Graduate student to apply for Senate. Break the Wall is happening next week.
- Senator Jackson: Gator Nights is this Friday to recognize the arts. Crafts and a movie will take place. Counts as constituency.
- Senator Karim: Gator Comics GBM's are every Thursday in the New Physics Building at 7:00pm
- Senator Clavijo-Gomez: Dream team is hosting a 5k February 8.

**ROLL CALL:**

- There was a motion to use voting records for final roll call by unanimous consent. Approved.

**ADJOURNMENT:**

- The meeting was adjourned at 9:13pm.