California Democratic Party Rules Committee Agenda  
Saturday, July 25, 2020 at 10:00am

FULL PACKET CAN BE FOUND HERE: https://cadem.org/our-party/standing-committees/rules-committee/

I. Roll Call

II. Meeting Called to Order

III. Adoption of Meeting Agenda  p.2-3

IV. Review Proposed Bylaw Amendments / June 14th Committee Report– review to  p.4-40 determine correctness only
   A. Bylaw Amendments Adopted at the June 14, 2020 Special Rules Committee Meeting
   B. Bylaw Amendments Adopted at the Rules Committee Meetings of August 24, 2019 and November 15, 2019 to be Considered for Adoption by the Executive Board

V. Subcommittee Reports  p.41-84  
   A. ADEMs - Coby King  p.41-64  
   B. County Bylaws - Peter Chiu  p.65-73  
   C. Endorsement - Coby King  
   D. Miscellaneous Issues - Garry Shay  p.74-80  
      1. Receive and file - refer back to subcommittee  
   E. Standing Committees - Garry Shay  p.81-82  
   F. Reminder of Sub Committee Assignments  p.83-84

VI. Caucus Certification, Recertification and Decertification Sub-Committee - Laurence Zakson
   A. The Chicano Latino Caucus has been previously fully certified. Therefore, no action is needed.  
   B. The following Caucuses are recommended for full certification at this time: Senior; Arab American; Computer & Internet  
   C. The following Caucuses appear on track for full certification, but still must produce to the Lead Co-Chairs evidence of adoption of verifiable goals, Code of Conduct & a final, approved copy of the Rules Committee approved Bylaws for posting. They should be conditionally fully certified and the Lead Co-Chairs are delegated authority to convert this conditional full certification to full certification upon receipt of the required documents: Labor; Veterans; Irish American; Women’s; Filipino American; LGBT; Disabilities; Environmental; Progressive; African American; Rural; Asian Pacific Islander; Children’s; Native American.  
      (Special Note: Recommendation as to Disabilities Caucus is dependent upon adoption of Rules Committee-approved bylaws amendments as to Code of Conduct.)  
   D. The following Caucus is out of compliance, but appears to be acting in good faith. Accordingly, continued provisional certification is warranted: Business & Professions
VII. Compliance Review Commission (CRC) Appeals Referred to Rules p.85-126
   1. Appeal p.85-91
   2. CRC Decision p.92-95
   3. Original Complaint p.96-107
   4. No Testimony in Support or Opposition
   1. Appeal p.108-110
   2. CRC Decision p.111-115
   3. Original Complaint p.116-126
   4. No Testimony in Support or Opposition
Contra Costa Bylaws located at the end of this packet

C. Receive and File p.127-143
   1. Veterans Caucus Challenge p.127-131
   2. Veterans Caucus Request for Reconsideration p.132-133
   3. Contra Costa Challenge p.134-137
   4. Contra Costa Challenge p.138-140
   5. Santa Cruz Challenge p.141-143

VIII. New Business

IX. Adjournment
REVIEW PROPOSED BYLAW AMENDMENTS
I. **CALL TO ORDER:**
Meeting Called to Order, 1:05pm.

II. **QUORUM ESTABLISHED:**
With 27 Members a Quorum was present.

III. **ADOPTION OF AGENDA:**
MSP Adoption of Meeting Agenda.

IV. **REPORT FROM THE ADEMS SUBCOMMITTEE**
Proposed By-law amendments re: Article VI Assembly District Election Meetings; Article XII Compliance Review Commission; Article XIII General Policies.

The ADEMS Sub-Committee report was presented and amended with the following changes:

**Amendments**

**CDP Bylaws, Article VI, Section 1.b(2) - Adopted**

Such decisions under this section may be adjusted for each ADEM cycle, but will otherwise carry over from the previous ADEM cycle, until the finalization of the next reapportionment.

**CDP Bylaws, Article VI, Section 1.i(1) - Adopted**

Upon conclusion of the election conducted pursuant to the previous paragraph, the Convener shall immediately transmit by the methods set forth in the ADEM Procedures by telephone, fax, or e-mail to the Chair of this Committee (or their designee) the number of ballots, names and titles of those elected.

**CDP Bylaws, Article VI, Section 1.i(4) – Motion Referred back to Subcommittee on ADEMs 22yes / 2no**

Added subsection 4
4) Each voter in an ADEM election may use their registration code to confirm via a searchable online system maintained by this committee that their vote has been received and counted. Such Information shall be available at the time that the ADEM results are released.

CDP Bylaws, Article VI, Section 1.j(1) - Motion Passes
Motion to empower the Chair of the ADEM Subcommittee to draft language to revise Article VI, Section 1.j(1)… to offer the Executive Board position to a candidate who has indicated they would run in the application process. Subject to review by Coby King, Garry Shay and Ryan Skolnick before being brought to July EBoard meeting.

Changes to CRC Procedures: Remove extra “is”
Section 7: Appeal
H. The CRC shall determine whether a decision is subject to appeal and, if so, if it is an appeal is to the Credentials Committee or to the Rules Committee in any order it issues.

The amendment to Compliance Review Commission Procedural Rules was adopted pursuant to CDP Bylaws Article V, Section 5, b and is now in effect.

The Sub-Committee report regarding By-laws Amendments for consideration by the Executive Board was adopted as amended and is attached as Exhibit “A”

V. **CHANGES TO COMPLIANCE REVIEW PROCEDURES:**
At the request of several CRC members, Co-Lead Co-Chair Shay presented proposed amendments to the Compliance Review Commission Procedural Rules to amend Section 5, D, 5, and to renumber succeeding sub-clauses and sections accordingly. Corrections for spelling and pagination were made.

The following is the adopted amendment after spelling corrections were made, and, pursuant to CDP Bylaws Article V, Section 5, b and is now in effect and are attached at the end of this Report.

**Section 5: Powers**

5. Dismiss or deny without requesting responses, any filing that they have determined:
a. that even if all of the alleged facts were true the challenge would still be denied or dismissed,
b. is frivolous or without merit,
c. is primarily meant to vex, annoy, or harass the respondent, and/or,
d. manifests an absence of:
   (1) good faith in bringing, or,
   (2) a substantive argument underlying,
   the challenge which makes requiring a response and hearing detrimental to the best interests of the Democratic Party as a whole;

provided, however, that if any member of CRC requests the matter be heard, responses and a hearing will be scheduled.

VI. REMOTE MEETINGS:
At the request of CDP Chair Hicks, Co-Chair Zakson proposed an amendment to the bylaws to allow for meetings other than in person during declared emergencies.

The proposal was amended to make clear it applied to official governmental orders or a finding of similarly extraordinary circumstances by the Chair of This Committee. The proposal was adopted as amended and is attached as Exhibit “B”, for consideration by the Executive Board.

VII. DISMISSAL OF RENTERS CAUCUS APPLICATION:
Due to the decision of the proponents of a potentially new Renters’ Caucus to apply for status as a Statewide chartered Organization through the O&D Committee process, instead, the Application previously filed was dismissed.

VIII. BEZIS APPEAL FROM RULING OF CRC:
M/S/P Motion of Co-Chairs to Continue Hearing on Appeal to the July Executive Board, meeting of CDP Rules Committee.

IX. NEW BUSINESS:
There was no new business.

X. ADJOURNMENT: It was M/S/P to adjourn at 6pm.

POST SCRIPT: The Rules Committee adopted additional amendments at prior meetings which were included in its reports, which have not as yet been considered by the Executive Board, and are scheduled for consideration at this next meeting. They are attached hereto as Exhibit “C”.
By-law Amendments as approved by the Rules Committee, June 14, 2020

Part 1: Revise Article VI to read as follows:

ARTICLE VI: ASSEMBLY DISTRICTS AND ASSEMBLY DISTRICT
ELECTION MEETINGS

Section 1. ASSEMBLY DISTRICT ELECTION MEETINGS

a. Regular, biennial Assembly District Election Meetings shall be held within each Assembly District in the State for the purpose of electing from each Assembly District 14 members to this Committee and one representative to the Executive Board:

   (1) The Election Meetings shall be held on the Saturday or Sunday of the weekends immediately prior to and following the weekend when the Martin Luther King, Jr. holiday is celebrated second Monday in January in odd-numbered years, with such meeting beginning no earlier than 10 am nor begin later than 3:30 pm, with the time for registration to be open for a two-four-hour period.

   (2) Persons eligible to participate shall be all registered Democrats residing in the Assembly District, who have agreed in writing to abide by the Code of Conduct.

   (3) Persons eligible to be candidates for Assembly District representative or Assembly District Representative to the Executive Board shall be all registered Democrats who were eligible to participate as such in the preceding General Election; provided however, that if a person turned 18, or became a United States citizen by virtue of naturalization, after the last day for registration for said election, execution on or before the end of the filing period referred to in Section 1(i) of the Article of a legally valid voter registration form showing a residence within the Assembly District shall constitute prima facie evidence of eligibility to participate; and has agreed in writing to abide by the Code of Conduct.

   (4) The Convener of the Election Meeting shall be selected by the Chair of this Committee in consultation with the Regional
Director responsible for the Assembly District, no later than September 15 of the year prior to the ADEM meeting. Should no person be selected by September 15, the Chair of This Committee shall select a person. The selected Convener must be a registered Democrat and pledge not to seek a DSCC seat nor an Executive Board position from that ADEM.

b. Locations

(1) There shall be at least one ADEM location in each Assembly District.

(2) Prior to the 2021 ADEMs and prior to the first ADEMs after each decennial reapportionment is finalized, the Chair of This Committee shall publicize a list of Assembly Districts in which more than one ADEM location shall be established. In deciding which Assembly Districts shall have more than one location, the Chair shall consider whether there exists good cause to do so. For the purposes of this subsection, The Convener of the Election Meeting may request a variance from the date, time, and registration period duration of the Election Meeting as set out in Article VI, section 1.a.(1) to another date and time during the second weekend in January in odd-numbered years, or to allow for the holding of the Election Meeting simultaneously at more than one site in the Assembly District, or to modify the duration of the registration period, by filing an application with the State Chair by November 1, or next business day if the date falls on a state holiday or weekend, of the year preceding the holding of the Election Meeting showing good cause for such a variance. "Good cause" may include the necessity of traveling very long distances, traveling in heavy traffic through dense population centers, or traveling in hazardous weather conditions. The State Chair must reply by November 10, or next business day if the date falls on a state holiday or weekend. It is the intent of the Executive Board that the two weekends be utilized to spread the Election Meetings within a particular Region over the two different weekends. It is also

1 The language “Prior to the 2021 ADEMS and” shall be deleted from these Bylaws upon the finalization of the reapportionment following the 2020 Census.
the intent of the Executive Board that the provision for the simultaneous holding of more than one meeting is meant to apply primarily to the very large districts connected by often-closed mountain passes. Such decisions may be adjusted for each ADEM cycle, but will otherwise carry over from the previous ADEM cycle, until the finalization of the next reapportionment.

(3) In consultation with the Regional Director(s) resident in the Assembly District and with other local interested persons appointed by the Chair, and consistent with paragraph (2) above, the Chair shall identify one or more appropriate locations in each Assembly District by November 15 of the year preceding the ADEM. The location selection shall be guided by criteria provided in the ADEM Procedures and shall be posted on the Party’s website.

(4) For the convenience of Democrats registered in geographically large Assembly Districts, The Chair of This Committee may designate one or more ADEM locations to serve more than one Assembly District, as long as each Assembly District is served by at least one location within that Assembly District.

(5) Challenges on location decisions:

(a) Any member of This Committee may challenge location decisions affecting the Assembly District in which they are registered to vote to the Compliance Review Commission by November 22 of the year preceding the scheduled ADEM. Such filings may challenge decisions as to specific locations or as to the number of locations for a particular Assembly District.

(b) As to challenges concerning specific locations, such an appeal must contain an immediately available alternative to the selected location that also meets the location criteria in the ADEM Procedures at a similar cost. The Compliance Review Commission may, in its sole discretion, dismiss such a challenge if it does not contain
the required information on an alternative location as to its availability and suitability.

(c) Notwithstanding any other language in these Bylaws, the Compliance Review Commission may follow an expedited schedule to make a decision by December 15, and the decision of the Compliance Review Commission on matters in this subsection shall be final.

c. The Chair of This Committee, in consultation with the appropriate Regional Directors and the Conveners shall, no later than November 15 of the year preceding the holding of the Election Meeting, or next business day if date falls on state holiday or weekend, publicize on the Party’s website notify the Chair of This Committee and the Chair of each County Committee which lies wholly or in part in the district of the date, time, and place of the Election Meetings. Failure to do so by that date shall empower the Chair of This Committee to designate a new Convener who shall provide such notice no later than December 3 of the year preceding the holding of the Election Meeting, or next business day if date falls on state holiday or weekend. The Chair of This Committee shall post this information on the Party’s website.

d. The Convener and the Chair of This Committee, as indicated below, shall make every reasonable effort to make known to all registered Democrats in the Assembly District of the date, time, place, and purpose of the Election Meeting, the rules for participation in the Election Meeting, and the filing deadlines and rules for candidates for delegate, by transmitting notice of the Election Meeting no later than December 21 of the year preceding the holding of the Election Meeting, or next business day if date falls on state holiday or weekend, to the following persons:

(1) All members of This Committee residing in the District (to be notified by the Chair of This Committee).

(2) All members of the County Committee residing in the District (if one or more counties lie wholly within the District, then the notice shall be transmitted to all members of those County Committees) (to be notified by the Convener, to the list of members to be obtained from the Chairs of any County Committees which lie wholly or in part within the Assembly District).
(3) All attendees of the previous Assembly District Election Meeting (to be notified by the Chair of This Committee).

e. Proof of compliance with the provisions of the preceding subsection shall create a rebuttable presumption of compliance with Article XIII, sections 3, 5 and 6.

f. The Convener or the Convener’s designee shall preside at the Election Meeting as chair, and Convener shall be responsible for conducting the Election Meeting in conformance with the ADEM Procedures in effect at that time, forward a list of names, addresses, e-mail addresses, and phones of all persons attending the Election Meeting as participants to the Chair of This Committee within three days after the Election Meeting is held.

g. In order to receive a ballot, eEach Election Meeting participant shall agree be asked, on via a form provided by the Secretary of This Committee, to allow the Party to use the contact information they submit as part of the registration process for outreach purposes, indicate their willingness to assume an organizational responsibility for one or more precincts within the district or to assume another specified organizational responsibility for the Party. Copies of a list of the persons so expressing such willingness to assume responsibility and of the responsibility each person is agreed to assume shall be sent by the Convener to the Chair of This Committee and the Chair(s) of the appropriate County Committee(s).

h. The Rules Committee of This Committee shall promulgate ADEM Procedures governing the organization and conduct of the Election Meetings, including the election of 14 delegates to This Committee as set forth in Article II, Section 5, and one representative to the Executive Board, as set forth in Article VII, Section 2(e), which Rules Procedures shall include: a process for applying as a candidate for delegate, including an opportunity to indicate a willingness to serve as Representative to the Executive Board if elected as provided in Section 1(j)(1) below for candidates for delegate and for candidates for Representative to the Executive Board, a filing fee of $30 (which may be waived due to hardship and such waiver shall be available as an option online and on all written forms) for candidates for delegate, a filing period of 30 days which shall start 60 days prior to the date of the first biennial Assembly District Election Meetings and end 30 days after the start of the filing period, and call provide for the posting of eligible
candidate names (to be updated no less than once per week starting with the opening of the filing period) on the Party's website, along with statements by the candidates, with the proviso that such statements be no longer 2400 characters and shall not mention the name of any other candidate. Statements shall be published as submitted; no additions, corrections, or other edits shall be made once submitted. Candidate may also provide a link to a video campaign statement as long as such statement does not mention the name of any other candidate.

i. Post-ADEM Procedures:

(1) When the time for balloting has ended according to the ADEM Procedures, the Convenor shall proceed to count the number of ballots (but not the votes) according to the ADEM Procedures. Upon conclusion of the election conducted pursuant to the previous paragraph, the Convener shall immediately transmit by telephone, fax or e-mail to the Chair of This Committee (or their designee) the number of ballots, names and titles of those elected. The ballot box shall be sealed with the voted ballots, blank ballots and all supporting materials, and delivered to one or more addresses designated by the Chair of This Committee.

(2) Upon receipt of the ballot boxes, and after a process to verify participant eligibility is completed, The Chair of This Committee (or his designee) shall cause the eligible ballots to be counted and shall publicize the results on the CDP’s website. The Chair shall then start the process of offering the position of Assembly District Representative to the State Executive Board to the appropriate persons as provided in subsection (j)(1) below. Upon acceptance of the position, those persons’ names shall also be so publicized. Within 72 hours of the conclusion of the election conducted pursuant to the previous paragraph, the Convener shall transmit to the Chair of This Committee various materials as detailed in the procedures governing the conduct of the Election Meeting, including but not limited to the sign in sheet listing the participants in the Election Meeting, the election results, the ballots, a copy of the list of the persons expressing willingness to assume district-level or other responsibilities and of the responsibility each person agreed to assume, and whatever dues are collected at the Election Meeting.
3) Failure by the Convener to return the materials referred to in the previous paragraph shall result in the withholding of that Convener’s credential to, or ability to register for, any meeting of This Committee and its Executive Board for the remainder of the term, until such time as the Chair of This Committee certifies that the materials have been returned as required or upon the Chair’s finding of good cause, waives same.

j. Assembly District Representatives to the State Executive Board:

(1) An Assembly District Representative to the State Executive Board shall be chosen at each Assembly District Election Meeting as follows: after the results are finalized, from among those persons who will be delegates (resident in the respective Assembly District) to the forthcoming biennial convention of This Committee by virtue of being a member of This Committee pursuant to Article II, Section 2b, 2d, 2e; Article II, Section 3; or Article II, Section 5. In the event that no qualified candidate is elected at an Assembly District Election Meeting, then the highest vote-getting candidate from among those who both won a seat as a delegate and had indicated their willingness to serve as the Executive Board representative at the time of the filing of their candidate application (for the purpose of this paragraph, “E-Board Candidates”) for Assembly District Representative shall be provided the opportunity to serve as Executive Board Representative if that person so chooses. If that person declines to serve as Executive Board Representative, then the opportunity shall be offered to each E-Board candidate in the order of votes received. Any ties shall be resolved by methods provided in the ADEM Procedures. If all E-Board candidates decline the opportunity, then a caucus of those members of This Committee from the resident in the Assembly District as described above (except those elected by a county committee pursuant to Article II, section 4), shall meet at the next meeting of This Committee to elect an Assembly District Representative to the State Executive Board, who must be qualified under the same criteria as used for direct election at the Assembly District Election Meeting.

(2) In the event that an Assembly District has not been represented at
two successive meetings of the Executive Board, the Representative shall be subject to removal from the board upon notification of the Regional Director in whose region the Assembly District is contained.

(3) In the event of a subsequent vacancy of the office of Assembly District Representative to the State Executive Board (either by operation of this subsection j(2) or otherwise), the Regional Director for the applicable Assembly District shall call a public meeting of the members of This Committee resident in the Assembly District, who shall fill the vacancy from among those persons enumerated in paragraph (1) of this subsection j. This meeting shall be called with at least 10 days notice to the members of This Committee resident in the Assembly District. For the purpose of this meeting only, a quorum shall be 5 (five) members of This Committee resident in the Assembly District. Once the vacancy is filled, the person who called the meeting to fill the vacancy shall notify, in writing, the State Chair of the Party of the selection made pursuant to this subdivision.

Part 2: revise Article XII, Section 2, (e), (1) to read:

ARTICLE XII: COMPLIANCE REVIEW COMMISSION AND CONDUCT COMMISSION

All appeals of decisions of the Compliance Review Commission subject to appeal must be received by the Secretary of This Committee, with copies to the Chair of This Committee, within twelve (12) days of the decision of the Compliance Review Commission. Upon receipt of an appeal, the Secretary shall notify the members of the Compliance Review Commission, the Chair of This Committee, and the prevailing parties of the receipt of an appeal. All responses shall be filed with the Secretary of This Committee with copies to the Chair of This Committee, the members of the Compliance Review Commission and the appellants, within 12 days of receipt of the appeal by the Secretary of This Committee.

Part 3: STRIKE Article XIII, Section 9 a and b and substitute as follows:

ARTICLE XIII: GENERAL POLICIES
Section 9. SECRET BALLOT AND VOTER’S RIGHT TO KNOW

a. The Democratic Party is committed to:

   (1) the preservation of the right of the voter to a secret, secure, and counted ballot at the first determining step of the national delegate selection process,

   (2) the voter’s right to know how their representatives have voted.

b. Based upon Resolution of the DNC Rules Committee adopted on June 23, 1994 no vote by secret ballot may be taken at any meeting of any official Democratic Party body beyond the first determining step at which an individual Democrat expresses their personal and individual preference on an action that constitutes part of the delegate selection process for the Democratic National Convention.
AMENDMENT TO THE BYLAWS ALLOWING FOR MEETINGS OTHER THAN IN PERSON DURING DECLARED EMERGENCIES

ARTICLE V: STANDING COMMITTEES AND SPECIAL COMMITTEES

* * *

Section 8: PROCEDURES FOR COMMITTEE PROCEEDINGS

Committee proceedings shall be governed by these bylaws, and when not in conflict therewith, such rules and procedures as may be adopted pursuant to the provisions of these bylaws. Any matter not covered by either these bylaws or said procedures shall be governed by the latest edition of Robert's Rules of Order.

a. Standing Committees, sub-committees thereof, and/or any of its members, may meet in person, by telephone, or by other means of electronic communication.

b. Except as may be otherwise allowed herein, in order for a Standing Committee, a sub-committee thereof, or any of its members to meet other than in person, the Chair of This Committee must:

   (1) After considering the nature of the meeting, make a determination that allowing it to be conducted other than in person does not impose any undue burden, does not fundamentally alter the nature of the proceeding, and that the need for physical presence is not a paramount component of the meeting, so long as each member can speak and be heard by the other members,

   (2) Provide at least seven (7) days notice to all interested persons that proceedings may be conducted other than in person, and

   (3) Provide a means for all other interested persons to likewise attend, at least via "listen/view-only" mode.

c. Except as may be otherwise allowed herein, rules allowing for meetings of standing committees and subcommittees other than in person, shall only apply to such meetings that are not concurrent with a Convention or Executive Board meetings of This Committee.
ARTICLE VI: ASSEMBLY DISTRICTS AND ASSEMBLY DISTRICT ELECTION MEETINGS

Section 1. ASSEMBLY DISTRICT ELECTION MEETINGS

a. Except as may be otherwise allowed herein, regular biennial Assembly District Election Meetings shall be held within each Assembly District in the State:

ARTICLE VII: EXECUTIVE BOARD

* * *

Section 4. EXECUTIVE BOARD MEETINGS

a. Except as may be otherwise allowed herein, the Executive Board . . .[continue with rest of subsection].

ARTICLE XII: COMPLIANCE REVIEW COMMISSION AND CONDUCT COMMISSION

* * *

Section 3. CONDUCT COMMISSION

a. COMPOSITION

The Conduct Commission shall consist of five (5) individuals, who need not be members of This Committee, but must be registered Democrats. Members shall include at least two (2) members who are experts in the prevention of sexual harassment and at least one (1) member who has substantial experience in representing complainants. The Conduct Commission may meet by telephone or other means of electronic communication.
ARTICLE XIV: ELECTRONIC NOTICE AND OTHER THAN IN-PERSON MEETINGS

* * *

Section 3. Other Than In-Person Meetings:

a. It is the express preference of This Committee that meetings should, when possible, be held in person; however, notwithstanding any other provisions of these bylaws, the Chair of This Committee may, in the event of:

(1) the existence of official government orders prohibiting or limiting the gathering of persons, or,
(2) a finding of similarly extraordinary circumstances by the Chair of This Committee with the concurrence of 2/3rds of the State Officers of This Committee, as defined in Article III, Section 4, a,

allow for any meeting of This Committee or its constituent parts to be conducted, by appropriate remote communications technologies provided that the Chair of This Committee shall assure full and fair access to the meeting by the members of This Committee and all members of the Democratic Party consistent with the provisions of Article XIII of these bylaws and the Policy Statement By the Rules Committee of the California Democratic Party on the Open Meeting Rule. Any such determination shall be final.

b. Nothing herein shall preclude the individual chairing/presiding at the meeting from using technology restricting the opportunity to speak to those recognized to speak.

c. This Section is in addition to other sections of these bylaws allowing for Other Than In-Person Meetings.
Bylaw Amendments Adopted at the Rules Committee Meetings of August 24, 2019 and November 15, 2019 to be Considered for Adoption at the CDP’s Executive Board Meeting held on July 26, 2020, Virtually via Zoom

I. Adopted at the Rules Committee meeting held on August 24, 2019

PARTICIPATION BY THOSE INELIGIBLE TO REGISTER TO VOTE:
Amend Article II, Section 1.d as follows:
d. All members of This Committee must be of voting registration age and be either (i) duly registered members of the Democratic Party of California, or (ii) ineligible to register as Democrats, but have expressed an intent to register as a member of the California Democratic Party upon becoming eligible to do so.

Amend Article II, Sections 11.b as follows:
b. Any member who fails to pay the prescribed dues maybe removed from This Committee in the manner prescribed in Section 9 of this Article, except that payment of dues shall not be obligatory for any member who self-identifies and affirms in writing either they are (i) a person to whom it such a payment constitutes an economic hardship or (ii) someone who cannot make such a payment because of an objective impediment to the making thereof.

Amend Article II, Section 11.c as follows:
c. The failure to pay any uniformly imposed fee included in the registration materials for a meeting of This Committee shall preclude the member from being credentialed, but shall not be grounds for removal from membership, except that payment of fees shall not be obligatory for any member who self-identifies and affirms in writing either they are (i) a person to whom it such a payment constitutes an economic hardship or (ii) someone who cannot make such a payment because of an objective impediment to the making thereof.

II. Adopted at the Rules Committee meeting held on November 15, 2019

NUMBER OF EXECUTIVE BOARD MEETINGS:
The Executive Board shall convene in regular meetings at least three two times in each calendar year, or at least one time in each calendar year in which This Committee convenes more than once. Such
regular meetings shall be held at such time and place as the Executive Board may designate so long as no two consecutive meetings are held in the same county.

**CYD AMBASSADORS**

Article V: Section 3. Appointment of Members of Committees

a. Except as set forth herein below, The Chair of This Committee shall appoint from fifteen to thirty members of This Committee to each of the Standing Committees mentioned herein. For all Committees without exception, The Chair of This Committee, in making these appointments, shall take into consideration the Party’s commitment to non-discrimination, affirmative action, inclusiveness, and diversity including, but not limited to such things as: race, color, creed, national origin, sex, gender identity, age, religion, ethnic identity, sexual orientation, persons with disabilities as defined by the Americans with Disabilities Act of 1990, economic status. The geographical location of the appointees, including their residence in urban, suburban, or rural communities, shall also guide the Chair of This Committee in making appointments to each Standing Committee.

b. The Chair of This Committee may also appoint up to three (3) members of the California Young Democrats (CYD) to each Standing Committee to serve as nonvoting Ex Officio members, with right of voice. These Ex Officio members shall be known as “CYD Ambassadors”. In the appointment of these CYD Ambassadors, the overall appointment of such members shall, in their total number, adhere to the Equal Division Rule.
Compliance Review Commission  
Procedural Rules  
Promulgated and Adopted by the CDP Rules Committee  
Pursuant to CDP Bylaws Article V, Section 5, b  
June 15, 2020  

It is imperative to the effectiveness of the Compliance Review Commission (CRC) that it be transparent and that the parties understand their roles in it. To that end, the Rules Committee of the California Democratic Party (CDP), pursuant to Article V, Section 5, b, of the Bylaws of the CDP, hereby promulgates and adopts the following Procedural Rules of the CRC [NOTE: The italicized language below is contained in the CDP Bylaws]:

**Section 1: Composition and Quorum; Meetings and Hearings**

A. *The Compliance Review Commission shall be composed of three (3) members of the Standing Committee on Credentials and three (3) members of the Standing Committee on Rules, as designated by the Chair of This Committee.* The CRC is, and shall function as, a continuing body.

B. *A quorum shall be a majority of those persons.* In the event of a vacancy, the quorum shall be a majority of the filled positions.

C. The CRC shall elect two (2) Co-Chairs, one from the Standing Committee on Credentials, and one from the Standing Committee on Rules who shall preliminarily determine jurisdiction for any appeal and shall assign the challenge to a member of the CRC from the Standing Committee determined to have appellate jurisdiction, to present the matter to the CRC and lead its deliberations.

D. *The Compliance Review Commission may meet by telephone or other means of electronic communication.*

E. Because of the need for timely action the CRC will ordinarily decide cases based on written testimony but it may, on rare occasion, and at its sole discretion, schedule and hear oral testimony, either in person, or via electronic means, if it decides oral testimony is needed to secure a just result.

**Section 2: Jurisdiction**
A. *The Compliance Review Commission shall have initial jurisdiction over all challenges and/or appeals arising under the Bylaws of the California Democratic Party (CDP).*

B. A person or the persons seeking redress from an action arising under the CDP By-laws [the Proponent(s)] must file a challenge and/or appeal that complies with Section 4 below. In addition, the challenge must contain plain, concise, and specific statements that:

1. Cites the section of the CDP Bylaws, or Roberts Rules of Order, alleged to have been violated,
2. Explains the basis of CRC’s jurisdiction,
3. Explains the basis of the Proponent(s) Standing to bring the challenge.
4. Contains a statement setting forth sufficient facts and supporting evidence, that if proven, by a preponderance of the evidence, would prove the violation alleged,
5. Provides the facts and evidence that are required to establish jurisdiction and a violation; conjecture, or mere conclusions, are in contrast, insufficient.

If the CRC cannot discern the section of the CDP Bylaws alleged to have been violated or which grants jurisdiction to the CRC, it may dismiss the challenge. [NOTE: Violations of another body’s bylaws may fall under CDP Bylaws, Article XIII, Sections 1, 3, 5, 6, 7, and/or 9. In such cases, the sections of the organization’s bylaws alleged to have been violated must be cited as well in order to establish CRC jurisdiction.]

Upon the failure to state jurisdiction as outlined in this section, the Proponent(s) of the challenge will be given a reasonable opportunity of not less than three (3) days, nor more than five (5) days, to correct the filing. Failure to adequately correct the filing within that time frame may result in dismissal of the challenge and/or appeal.

C. The CRC does not hear “Statements of Charges” regarding removal from membership of a member of This Committee arising under Article II, Section 9. Such charges are under the direct jurisdiction of the Statewide Officers of This Committee.
D. The CRC does not hear “Statements of Charges” filed against an Officer of this Committee under Article III, Section 6. Such charges are under the direct jurisdiction of the Executive Board of This Committee.

E. Challenges to the credentials of members initiated after the 42nd day prior to any meeting of This Committee or its Executive Board shall be processed by the Credentials Committee.

1. The purpose of this rule is to allow for the orderly conduct of This Committee’s business, and, if necessary, the scheduling of remedial action during a time frame which allows for thoughtful decision making prior to depriving, even temporarily, the rights of members at the last minute prior to a meeting of This Committee or its Executive Board.

2. By its terms, the CRC may not waive this time frame.

F. All other challenges initiated after the 42nd day prior to any meeting of This Committee or its Executive Board may either be heard and decided by the Compliance Review Commission or referred to either the Standing Committee on Credentials or the Standing Committee on Rules in the discretion of the Compliance Review Commission. Accordingly, challenges not affecting the credentials of members initiated after the 42nd day prior to a meeting of This Committee or its Executive Board may be heard by the CRC, or referred to the Rules or Credentials committee, upon a majority vote of the CRC.

G. Challenges arising under Article VIII shall only be heard by the Compliance Review Commission if the challenge was made when the plenary session of This Committee was not in session. The Plenary Session of This Committee is the highest body of the CDP and the ultimate determiner of its Rules and Policies and as such decides any challenges made while it is in session.

H. During the period 120 days prior to any Primary or General Partisan Election, the Compliance Review Commission may, upon written request by the Chair of This Committee, issue an Order of Temporary Suspension of Charter, for a period of thirty days, of any charter issued by This Committee, for alleged violation of any of the provisions of the CDP Bylaws, provided the request of the Chair of This Committee for suspension sets forth in writing the reasons therefore, and said request is served on the Chair of the Organization in question at his/her last known address of record on file with This
Committee, the Secretary of This Committee, and the Chairs of the Rules, Credentials, and Organizational Development Committees of This Committee.

I. In the event of the issuance of an Order of Temporary Suspension of Charter, the Compliance Review Commission shall also issue an Order to Show Cause why the suspension should not become permanent and request written argument thereon be submitted to the Secretary of This Committee within ten days, after which the Compliance Review Commission may take action under Section 5 herein, including the issuance of an Order of Revocation of Charter or rescission of the Order of Temporary Suspension of Charter.

J. Except as otherwise provided in a CRC Decision limiting its own jurisdiction, or a Decision of the Rules Committee or Credentials Committee extending its jurisdiction, the CRC shall maintain jurisdiction over all of its decisions up until:

1. The time for an appeal has passed and the report of the meeting of the Rules Committee or Credentials Committee at which a timely appeal would have been heard has been submitted to the Executive Board or to This Committee or,

2. An appeal is heard by either the Credentials Committee or the Rules Committee of This Committee.

During this time of continuing jurisdiction, the CRC shall have the power and authority to modify, rehear, dismiss, or make other changes to its decision as may be necessary during that time period.

Section 3: Standing and Exhaustion of Remedies:

A. Any party to a challenge must be adversely affected to bring the challenge.

B. In order to present a challenge and/or appeal, Proponent(s) of a challenge must indicate how they are harmed by the act that is being challenged.

C. Subordinate bodies must be allowed to carry out their functions without undue interference and be given an opportunity to correct their own errors. Accordingly, Proponent(s) of a challenge must indicate what local remedies
they understand are available and that they have either exhausted those local remedies, or can demonstrate that they are inadequate or futile. In evaluating whether a claim is properly before it, the CRC must determine that the Proponents of a challenge have exhausted all local remedies, (e.g., Appealing the Ruling of the Chair), where remedies exist and are appropriate, unless the CRC further determines that:

1. Based on the evidence presented, such remedies are inadequate, or

2. Requiring Exhaustion of Remedies would be:
   a. Unduly burdensome,
   b. Prejudicial, or cause unwarranted delay,
   c. Futile, and/or
   d. Counter to the interests of justice.

Section 4: Challenges and Responses

A. All challenges must be commenced by the filing of a written challenge with the Secretary of This Committee, with copies served on the Chair of This Committee, as well as the appointing person, and the chair of the relevant organization, where applicable no later than seven (7) calendar days after the alleged violation occurred.

B. Proponent(s) of a challenge must state the remedy requested. Upon the failure to state a requested remedy the Proponent(s) of the challenge will be first given a reasonable opportunity of not less than three (3) days, nor more than five (5) days, to correct the filing. Failure to adequately correct the filing within that time frame may result in dismissal of the challenge and/or appeal.

C. Procedural Rules, the challenge must:

1. State the name, address, telephone number, email address, and Assembly District of the Proponent(s) of a challenge, and, if more than one Proponent of a challenge is listed, identify a primary contact person responsible for managing the challenge who shall have authority to make any changes to the challenge or accept stipulation(s) on behalf of all the Proponents of the challenge.
2. Clearly set forth the factual basis for the challenge and provide a plain, concise, and specific statement of the alleged violation to afford all parties notice of what is being challenged and why.

3. Be in writing, in 12 point type, double spaced, not to exceed five (5) pages, to the Secretary of This Committee, and be served on the Chair of This Committee. Exhibits shall be limited to an additional ten (10) pages.

4. If bylaws of an organization are alleged to have been violated, provide an internet link to the full and complete text of the bylaws, with a citation to the provision in issue; full copies of bylaws need not be provided.

5. Video evidence, if any, is considered as supportive of the written allegations and therefore should be described in the text of the challenge, including who took the video, and the mark of time specifically indicating the portion of the video the proponent seeks consideration of.

6. No challenge shall be denied for merely being in the wrong font size, spacing, or page length, or other non-conformance with the provisions of this paragraph, without the Proponent(s) of the challenge having first been given a reasonable opportunity of not less than three (3) days, nor more than five (5) days, to correct the filing. The date of the original filing will govern as to the timeliness of any such amended filing.

D. The filing of a challenge with The Secretary of This Committee and service upon the Chair of This Committee may be effectuated via email. [NOTE: Proponent(s) of a challenge are advised to verify receipt of any challenge with Party Staff. Additionally, Article XIV of the CDP Bylaws governing Electronic Notice applies to CRC proceedings.]

E. Proponents of a challenge affecting the credentials of a member of This Committee holding membership by virtue of appointment under Article II, Section 3, must serve the member’s appointor with a copy of the challenge.

F. Proponents of a challenge:

1. Affecting the credentials of a member of This Committee
holding membership by virtue of appointment under Article II, Section 4, or,

2. Concerning the actions of a County Central Committee,

must serve the Chair of the relevant County Central Committee with a copy of the challenge.

G. Proponents of a challenge concerning the actions of any organization must serve the chair, president, or person of similar positional title of that organization with a copy of the challenge.

H. Filing and service of a challenge must occur on or before the seventh day after the alleged violation occurred.

I. In the event of a filing after the seventh (7th) day after the alleged violation occurred, the Proponent(s) must state, and the CRC must find by unanimous vote, good cause for waiving this requirement for the challenge to proceed. In the event such a finding is made, the facts constituting the basis for waiving the time frame for filing must be stated in the Decision of the CRC.

J. Subsequent filings after the seventh (7th) day after the alleged violation occurred pertaining to a timely filed challenge, may be heard and relied upon by the CRC, in its discretion, upon a finding of good cause, including, but not limited to, such things as: the reason for the late filing, newly discovered evidence, or the best interests of the Party.

K. In addition to the notice and service of challenges to the challenged parties by the Proponent(s) of the challenge, the Secretary of This Committee shall notify the challenged Parties of any such filing(s).

L. Upon a determination that the challenge is properly filed, the CRC may set a deadline for submitting evidence in response to a challenge. Such a deadline shall generally be (twelve) 12 days after notification by the Secretary of This Committee to the challenged parties of the filing and service of the challenge, but shall not be less than five (5) days nor more than fifteen (15) days, after such notification.

M. Proponents of a challenge may provide additional supporting evidence, in writing, provided the time for submitting evidence has not expired. However, if the time for submission of evidence has expired, the CRC may in its sole
discretion consider such late evidence in its discretion upon a finding of good cause, as noted above.

N. Respondent parties may provide rebuttal testimony in writing (or orally if authorized by the CRC), provided:

1. Respondents state their name, address, telephone number, email address, and Assembly District.

2. Respondents clearly set forth their factual basis of the rebuttal argument and provide a plain, concise, and specific statement:
   a. As to whether or not jurisdiction is in dispute,
   b. As to whether or not standing is in dispute, and,
   c. Setting forth the rebuttal to the challenge so as to afford all parties notice of what is being refuted and why.

3. The Response is in writing, in 12-point type, double spaced, not to exceed five (5) pages, served on the Secretary of This Committee and the Chair of This Committee. Exhibits shall be limited to an additional ten (10) pages.

4. If bylaws of an organization are relied upon in rebuttal, an internet link to the full and complete text of the bylaws, with a citation to the provision in issue; full copies of bylaws need not be provided.

5. Video evidence, if any, is considered as supportive of the written allegations and therefore should be described in the text of the challenge, including who took the video, and the mark of time specifically indicating the portion of the video the proponent seeks consideration of.

6. No Response shall be rejected for merely being in the wrong font size, spacing, or page length, or other non-conformance with the provisions of this paragraph, without the Respondent to the challenge having first been given a reasonable opportunity of not less than three (3) days, nor more than five (5) days, to correct the filing. The date of the original filing will govern as to the
timeliness of any such amended filing.

Section 5: POWERS

A. The Compliance Review Commission shall have the power and authority to take such actions as are necessary to provide a fair and just remedy including, but not limited to, the holding of new elections.

B. Regardless of whatever remedy may be requested by the Proponent(s) of a challenge, CRC, as noted above, has the power and authority to take such actions as are necessary to provide a fair and just remedy including, but not limited to the holding of new elections and is not limited by the request, and may impose lesser or greater remedies than requested.

C. If, upon review of the challenge of the Proponent(s), the CRC determines that even if all of the alleged facts were true the challenge would still be denied, it may do so without requesting responses. [Examples include but are not limited to: a challenge filed after the deadline without stating good cause; a challenge based on a provision CRC does not have initial jurisdiction over; and/or a challenge that does not state factual allegations constituting the alleged violation.]

D. The Co-Chairs, if in agreement, or the CRC by majority vote, may:
   1. While still maintaining CRC jurisdiction, refer a matter back to the challenged party (e.g. - County Central Committee) for further proceedings or development of the record,
   2. While still maintaining CRC jurisdiction, refer a matter to another Standing Committee or a hearing officer in order to:
      a. gather additional evidence,
      b. attempt to reach a stipulated agreement for approval by the CRC, and/or,
      c. make a recommendation to the CRC,
   3. Attempt to reach a stipulated agreement among the parties for approval by the CRC,
   4. Appoint a member, other person, Committee, or other body or group to monitor and/or enforce compliance with CRC Orders, with such powers and authority as may be necessary,
5. Dismiss or deny without requesting responses, any filing that they have determined:
   a. that even if all of the alleged facts were true the challenge would still be denied or dismissed,
   b. is frivolous or without merit,
   c. is primarily meant to vex, annoy, or harass the respondent, and/or,
   d. manifests an absence of:
      (1) good faith in bringing, or,
      (2) a substantive argument underlying,
      the challenge which makes requiring a response and hearing detrimental to the best interests of the Democratic Party as a whole;
   provided, however, that if any member of CRC requests the matter be heard, responses and a hearing will be scheduled.

6. Upon motion of an interested party supported by a showing that the challenger has a history of filing frivolous or vexatious claims, dismiss, without seeking testimony from the challenged parties, any challenge determined not to have a likelihood of success, filed by a proponent who has failed to prevail, in the determination of the Co-Chairs, or the CRC, in three (3) or more matters filed by the proponent, in the previous four (4) years,

7. Upon a finding of non-compliance with a CRC Order or Decision, by the Co-Chairs, issue an Interim Order suspending or denying representation to This Committee, including its Executive Board, subject to review by the CRC, or,

8. Upon a finding of non-compliance with a CRC Order or Decision, by the CRC, issue an Order, suspending or denying representation to This Committee, including its Executive Board, subject to appeal.

E. The date of the original filing will govern as to the timeliness of any such filing referred back to the Proponent(s) of a challenge, other Committee, or a Hearing Officer, for further action.
F. County Central Committees are not subordinate units of the CDP; they are independent organizations established under separate legal authority, and the CRC’s ability to penalize County Central Committees for violations is generally limited to denial of representation at meetings of This Committee, its Executive Board, and its subordinate bodies. The separate existence of County Central Committees and the limited authority of the CRC strongly mitigates in favor of deference to decisions of County Central Committees, including their interpretations of their own bylaws, even where the CRC does not agree with such decisions and, thus, any finding of a violation must be firmly based on:

1. A Bylaw or other rule of This Committee that is binding on the County Central Committee, or,

2. Conduct by the County Central Committee that cannot be justified under its own reasonable construction of its Bylaws or other duly promulgated and noticed internal rules.

G. In the case of a County Central Committee, one of the remedies requested by the Proponent of a challenge must be a request for denial of representation of that County Central Committee at meetings of This Committee, its Executive Board, and/or its subordinate bodies. Proponents of a challenge to the actions of a County Central Committee should be prepared to show why such a serious remedy is justified. No challenge shall be denied for merely failing to make such request without the Proponent(s) of the challenge having first been given a reasonable opportunity of not less than three (3) days, nor more than five (5) days, to correct the filing. The date of the original filing will govern as to the timeliness of any such amended filing.

Section 6: Deliberations and Decisions


B. Pursuant to the Open Meeting Rule Policy Statement, Executive Sessions of the CRC may be held in matters involving:
1. Personnel Issues,
2. Contract Issues,
3. Litigation Issues,
4. Campaign Strategy, and/or,
5. Member Disciplinary and Other Proceedings Involving the Right to Privacy.

C. Unless covered by an exception to the Open Meeting Rule Policy Statement, all filings with, and decisions of, the CRC are public documents and shall be made available on its web portal in “.pdf” format.

D. Decisions of the CRC shall be made in writing, provided, however, that if:

1. A decision is made at a hearing where in person testimony or deliberation occurs, it may initially issue an oral decision, which shall be reduced to written form, or,

2. It is found that based upon unusual and compelling circumstances, the best interests of the Party require otherwise; such unwritten decisions should be rare and not lightly decided upon, and must be concurred in by a unanimous decision of the CRC and with the approval of the Chair of This Committee.

E. The drafting and editing of Decisions shall, in most cases, be conducted by CDP staff and it is not required to be done during a meeting of the CRC. Due to the nature of the decision-making process, votes of the CRC are preliminary until reduced to written decision. Based upon individual consultation with the members of the CRC, the written decision of the CRC prepared by staff, and signed on to individually by the members of the CRC, may vary from its preliminary decision.

F. If, after submission for decision or deliberations, and during the drafting process, additional facts come to light, or the CRC finds it necessary to conduct additional investigations, hearings, or deliberations, to obtain additional evidence, or decide unresolved issues, it may do so, provided it notifies the parties of the action and the reasons underlying it. In such cases, the CRC shall allow for the submission of additional written testimony under
such terms and conditions as may be fair and just.

G. Pursuant to Article XIII of the CDP Bylaws, no vote of the CRC shall be taken by secret ballot.

H. Decisions shall be made based upon the preponderance of the evidence.

I. Although certain violations, such as substantial failures to provide adequate notice or failure to provide meaningful opportunities to cast a ballot, may raise a presumption the outcome of an election or other decision was affected, Proponents of a challenge to an Assembly District Election Meeting or other election or decision must demonstrate by a preponderance of the evidence that there is a reasonable likelihood that the conduct and/or actions complained of made a difference in the outcome that would not have been present absent that conduct and/or action and that said conduct or actions resulted in an outcome adverse to the Proponent(s) of the challenge.

J. The CRC may issue interim Orders to preserve:

1. Evidence,
2. The status quo, or,
3. The ability to provide a meaningful remedy,

pending issuance of a final decision of the CRC.

K. Notice of CRC meetings to consider challenges and appeals shall be posted on the CDP web site at least seven (7) days prior to any such meeting, subject to the exceptions stated in the Open Meeting Rule Policy Statement.

L. Members not having participated in deliberations, but having read any challenges or responses, may, none-the-less concur or dissent from the result, but may not change the result reached by the fully participating members of the CRC. Such concurrence or dissent shall be listed as “Concurring in (or dissenting from) decision, but not participating in deliberations or vote on result.”

Section 7: APPEAL

A. All appeals must be received by the Secretary of This Committee, with copies
to the Chair of This Committee, within twelve (12) days of the decision of the Compliance Review Commission.

B. Appellants must submit their appeal in writing, in 12-point type, double spaced, not to exceed five (5) pages, to the Secretary of This Committee. No Appeal shall be denied for merely being in the wrong font size, spacing, or page length, without the Appellant having first been given a reasonable opportunity of not less than three (3) days, nor more than five (5) days, to correct the filing. The date of the original filing will govern as to the timeliness of any such amended filing.

B. The time frame for an Appeal is mandatory and may not be waived by the CRC.

C. Upon receipt of an appeal, the Secretary shall notify the members of the Compliance Review Commission, the Chair of This Committee, and the prevailing parties of the receipt of an appeal. The Secretary shall also notify the Chair(s) of the Committee hearing the appeal.

D. All responses shall be filed with the Secretary of This Committee with copies to:

1. the Chair of This Committee,
2. the members of the Compliance Review Commission,
3. the appellants, and,
4. the Chair(s) of the Committee hearing the appeal,

within 12 days of receipt of the appeal by the Secretary of This Committee.

E. The filing of an appeal shall not stay any decision of the Compliance Review Commission. Accordingly, decisions of the CRC remain in effect, pending the outcome of any appeal and the CRC may continue to process and enforce its Orders.

F. With respect to challenges to the credentials of a member of This Committee or its Executive Board, appeal of an order of the Compliance Review Commission shall be to the Credentials Committee of This Committee.
G. *Appeals of all orders not affecting the credentials of a member of This Committee or its Executive Board shall be to the Rules Committee of This Committee.*

H. The CRC shall determine whether a decision is subject to appeal and, if so, if it is an appeal to the Credentials Committee or to the Rules Committee in any order it issues.

I. While the Rules Committee may not, on its own, set rules barring the members of the CRC from voting on Appeals in their respective Standing Committees, and still recognizing both that the participation of CRC’s members in discussion of appeals may be vital to the decision-making of the Standing Committee sitting as an Appellate body and that, as an analogy, Federal Court of Appeals Judges participate in re-hearings on appeal to the full Court sitting en banc, the Rules Committee also recognizes that the casting of a vote on an appeal, by a CRC member in committee, can generate the appearance of a bias toward affirmation of the CRC’s Decision, and therefore, the Rules Committee wishes to express its concern regarding, and discouragement of, CRC members voting on appeals, while still welcoming their opinion and discussion.
SUBCOMMITTEE REPORTS
Procedures for 2021 Assembly District Election Meetings
(Promulgated July 25, 2020 by CDP Rules Committee
Pursuant to CDP Bylaws Article VI Section 2)

Saturday, January 9 or Sunday, January 10, 2021
and
Saturday, January 23 or Sunday, January 24, 2021

Introduction

The California Democratic Party (“CDP”) Bylaws (Article VI) provide that an Assembly District Elections Meeting (“ADEM”) shall be held in each of the 80 Assembly District in January of each odd-numbered year in order to elect representatives (referred to herein as “Assembly District delegates” or “ADDs”) to the California Democratic Party State Central Committee (referred to in the Bylaws as “This Committee”) and a representative to the CDP Executive Board (referred to herein as “E-Board representatives”).

Further, the By-laws set out certain parameters standardizing how the elections are to be conducted, and provide, in Article VI Section 1(i), as follows:

"The Rules Committee of This Committee shall promulgate procedures governing the conduct of the Election Meeting, including the election of 14 delegates to This Committee as set forth in Article II, Section 5, and one representative to the Executive Board, as set forth in Article VII, Section 2(c). ..."

These Procedures are intended to set out those rules and provide additional details on how the ADEMs are to be organized and conducted.

In these Procedures, *italics* are used to indicate rules that are specifically set out by the CDP By-laws. The current CDP By-Laws may be found online at [www.cadem.org/our-party/by-laws](http://www.cadem.org/our-party/by-laws). The relevant Bylaws are also included as Section IV of this document.

These Procedures are in general mandatory. ADEMs which violate these Procedures may be subject to challenge, which, especially where it can be shown that the rights of a participant or candidate was violated, could lead
to the results being voided in whole or in part, and the convening of a new ADEM.

NOTES:

These Procedures assume that certain amendments to the By-laws that add new language and are indicated by underline will be adopted at the meeting of the CDP Executive Board scheduled for Sunday, July 26, 2020. If such amendments are adopted, these Procedures will be finalized according to those changes. If any of the amendments are not adopted then appropriate revisions shall be made to ensure that these Procedures are in conformance with the By-laws that will be in effect for the 2021 ADEM. Note that for ease of understanding and readability, most deletions from the By-laws are omitted.

These Procedures may be supplemented by CDP Staff in consultation with the CDP Chair and the Lead-Co-chairs of the Rules Committee or their designee(s).

Finally, these Procedures are split into four major sections.

- Section I provides a step-by-step guide on how the ADEM are to be located, organized, and run, and how balloting, voter verification, and ballot counting shall be conducted.
- Section II provides information on eligibility for candidates and how the E-Board Representative is selected.
- Section III provides other information.
- Section IV provides the relevant provisions from the CDP By-laws.

**Section I**

*The ADEM, Balloting, Voter Verification, and Vote Counting*

**The Election Meeting**

**When**

The biennial meeting to elect ADDs and E-Board representatives shall be held on the Saturday or Sunday of the weekends immediately prior to and following the weekend when the Martin Luther King, Jr. holiday is celebrated in odd-numbered years, with such meeting beginning no earlier than 10 am nor begin later than 2 pm, with the time for registration to be open for a four-hour period.

For 2021, the meeting dates will be Saturday, January 9 and Sunday, January 10, 2021 and Saturday, January 23 and Sunday, January 24, 2021.
It is the intent of the CDP E-Board that the two weekends be utilized to spread ADEMs within a particular region over the two different weekends.

Where

In general, there shall be at least one ADEM location in each Assembly District. However, via a process set out in the By-laws, the Chair shall publicize a list of Assembly Districts in which more than one ADEM location shall be established. In deciding which Assembly Districts shall have more than one location, the Chair shall consider whether there exists good cause to do so. For the purposes of this subsection, “Good cause” may include the necessity of traveling very long distances, traveling in heavy traffic through dense population centers, or traveling in hazardous weather conditions.

The chair shall make these decisions in consultation with the Regional Director(s) responsible for the relevant Assembly District and with other interested parties appointed by the chair.

In addition to adding one or more additional locations to an Assembly District, the chair may designate a location as serving more than one Assembly District. In such locations, there will be separate check-ins and balloting for each Assembly District served. (Regardless of the establishment of such dual-AD locations, the bylaws quoted above require that there be at least one location within every Assembly District.)

These decisions shall be made by November 15, 2020 and may be appealed to the Compliance Review Commission in a process set out in Article VI.

Non-Discrimination in Meeting Date and Time

Based on Article XIII, Section 1 which states:

“All public meetings at all levels of the Democratic Party shall be open to all members of the Democratic Party regardless of race, color, creed, national origin, sex, age, religion, ethnic identity, sexual orientation, gender identity, persons with disabilities as defined by the Americans with Disabilities Act of 1990 or economic status. Accordingly, the scheduling of Democratic Party affairs at all levels shall consider the presence of any religious minorities of significant numbers of concentration whose level of participation would be affected.”

Thus, every effort should be made to avoid conflicts with weekly religious observances, including the Jewish Sabbath and Sunday morning church, depending on the Assembly District. Thus, scheduling the Election Meeting anytime on Saturday or on Sunday morning is discouraged and will be reviewed for compliance with Article XII, Section 2 of the CDP By-laws, which prohibits discrimination based upon religion or creed.
Criteria for Location Selection

The ADEM location should provide a reasonable balance between population centrality and geographic centrality; should, if possible, provide access to transit; and must fulfill the following characteristics:

- **a.** ADA compliance, including path of travel all the way from parking to registration and voting tables. Locations where stairs, regardless of elevator availability, are required to reach the registration and balloting area, should be avoided since elevators can fail.
- **b.** Sufficient room for queuing, preferably inside the building, but if necessary to include outside portions, such outdoor areas must be protected from the elements.
- **c.** Sufficient parking, including sufficient ADA-compliant parking.
- **d.** Sufficient room for registration tables, which may be dramatically increased in number.

Robust cell service and preferably strong Wi-Fi service are strongly encouraged but not mandatory.

Who Runs the ADEM

The By-laws give responsibility for convening and running the meeting to a “Convener.”

The Bylaws provide that the Convener “shall be selected by the Chair of this Committee in consultation with the Regional Director responsible for the Assembly District, no later than September 15 of the year prior to the ADEM meeting. The selected Convener must be a registered Democrat and pledge not to seek a DSCC seat from that ADEM.”

The Responsibilities of the Convener

The Convener has four basic responsibilities:

1) Assist the Chair and CDP Staff in finding and securing a **location** for the Election Meeting

2) Assist the Chair and CDP Staff in sending **notice** regarding the Election Meeting

3) **Act as the person in charge at** the Election Meeting, or, if the Convener so chooses, **designate** any registered Democrat who is not
standing as a candidate for ADD representative to assume these responsibilities for the Election Meeting. This includes overseeing check-in and balloting and enforcing these Procedures.

4) **Transmit** various information to the CDP after the Election Meeting is over.

In addition, Conveners are encouraged to provide support for languages other than English that are commonly spoken in their Assembly District.

**Notice of the ADEM**

*The Convener and the Chair of This Committee shall make every reasonable effort to make known to all registered Democrats in the District of the date, time, place, and purpose of the Election Meeting, the rules for participation in the Election Meeting, and the filing deadlines and rules for candidates for delegate, by transmitting notice of the Election Meeting no later than December 3 of the year preceding the holding of the Election Meeting.*

*The Notice of the ADEM must, at a minimum, be sent to:*

1) **All members of This Committee residing in the District** (to be notified by the Chair of This Committee).

2) **All members of the County Committee residing in the District** (if one or more counties lie wholly within the District, then the notice shall be transmitted to all members of those County Committees) (to be notified by the Convener, to the list of members to be obtained from the Chairs of any County Committees which lie wholly or in part within the Assembly District).

3) **All attendees of the previous Assembly District Election Meeting** (to be notified by the Chair of This Committee).

*Proof of compliance with the provisions of the preceding subsection shall create a rebuttable presumption of compliance with the notice requirements in the CDP By-laws.* In addition, it is recommended that notice be sent, via press release, to at least one newspaper serving the area, and that e-mail notice on list serves known to be frequented by interested persons, be given with a link to the CDP website page noticing the meeting.

**Running the ADEM**

ADEMs serve one purpose: to elect the 14 ADDs and the AD E-Board representative. No other business or program is to be conducted. Given this, the business of the meeting is simple:

1) Facilitate check-in of participants
2) Provide a ballot to each checked-in participant
3) Collect Ballots into the ballot box
4) Publicly count the following:
a. number of ballots cast
b. number of spoiled ballots (if any)
c. number of hand-filled registration forms (if any)
d. number of voter registration affidavits (if any)

5) Fill out a form that accurately reflects the number of items in number 4
6) Publicly seal the ballot box
7) Deliver the ballot box to an approved shipper for delivery to a designated CDP office

The Convener shall also be in charge of taking reasonable steps to enforce the electioneering rules, which prohibit campaign activity inside the room where the check-in and balloting activities take place, or if there is no “room” than electioneering shall be prohibited within 100 feet of the tables where the check-in and balloting processes are taking place.

Check-in Process

Each person wishing to participate must be eligible and must check-in through the ADEM registration system.

Eligibility: Each person wishing to cast a ballot must be a registered Democrat residing in the relevant Assembly District and who has completed the registration process.

NOTE: there are NO other qualifications for participation. No voter registration checks or challenges to eligibility shall occur at the ADEM itself. If a person wishing to participate is unsure of their registration status, they may fill out, sign, and submit a new voter registration affidavit, which must be submitted at the time check in.

Registration:

All participants must be registered in the ADEM registration system in order to receive a ballot. This registration system essentially consists of an online form for each participant to fill out and register. Those who are unable or unwilling to use the online registration system can fill out a registration form at the ADEM.

The online form will ask for enough information to later verify the participant’s eligibility and if necessary to contact the participant by email if the participant’s eligibility cannot be confirmed by the information submitted. After completing the online form, the system will generate an identification code that must be presented at registration. That online code will be entered directly onto the ballot, allowing post-ADEM eligibility checks.

The online form can be filled out via a smart phone or a computer prior to the ADEM. Alternatively, a participant may fill out the form on their smart
phone while waiting in line at the ADEM (assuming there is sufficient cell service to allow this function).

For those who do not want to or cannot use the online registration system (either prior to or at the ADEM), paper forms may be used instead. Upon completion of the form, the registrar shall assign a registration number to the participant and that number must be entered on the form the participant filled out and ballot. If the form is so illegible that the participant’s eligibility cannot be determined, then that participant’s ballot will be rejected during the post-DEM verification process.

[Note that no personally identifiable information (name, phone number, email address, etc.) will be entered onto the ballot itself. The unique registration number is used to eliminate ballots of participants who are later found to be ineligible. In addition, the information that is collected from the registration process will be used for CDP outreach purposes (and a disclaimer to that effect will be included on the form).]

**Ballots**

The CDP will provide an adequate supply of machine-readable ballots. The ballots shall contain the names of all qualified candidates (sorted by gender), a place to enter a unique registration identifying number, and shall indicate which candidates have agreed to serve as representative to the executive Board if they are offered the position under the Bylaws.

**Balloting**

Once a participant has properly registered, they will be issued a ballot marked with the participant’s unique registration number. Upon receiving the ballot, the participant may mark their choices to vote for up to 14 candidates (regardless of gender), ensure that their unique registration number is entered on the ballot, and deposit it into the ballot box. The ballot box shall be monitored at all times to prevent tampering.

If a participant needs assistance in marking their ballot, such assistance may be rendered by any person of the participant’s choosing, except that no candidate may provide such assistance.

At the designated time to close registration, the convener shall announce that registration is closing. If any people seeking to vote remain in the line, the convener shall cause a volunteer to stand at the end of the line. No person arriving after that time shall be allowed to check in, but all persons in line at the time of the close of registration shall be allowed to check in. Upon the close of registration or when the last person in line at the close of registration has checked in (whichever is later), the convener shall announce that check in has been completed and that balloting will be closed in five minutes. Upon the expiration of that five minutes, the convenor shall announce that balloting is closed.
Post-Balloting Procedures

Upon the close of balloting, the convenor shall publicly and at a location visible to as many people as possible remove the ballots from the ballot box and shall cause (by a method promulgated by CDP staff) number of ballots to be counted. No person shall handle the ballots except the Convener and/or their designee(s). No ballot counter shall be a candidate for ADD.
The number of spoiled ballots, hand-filled registration forms, new voter registration affidavits shall also be counted.

Once the ballots, spoiled ballots, hand-filled registration forms, and registration affidavits have been counted, the form provided by the CDP shall be filled out with the information requested on the form, a photo shall be taken of the form, and the form, the voted ballots, any hand-filled registration forms, any voter registration affidavits, and any extra materials shall be placed back into the box. The photo of the form shall be transmitted via email to the CDP via an email address provided by the CDP. The CDP shall post an image of the form on the CDP website.

The box shall be sealed and the convener and at least one other person shall deliver the ballot box to a designated shipper for delivery to a designated CDP office. Note: in those locations (if any) serving more than one Assembly District, each AD will have its own ballot box.

Post-Meeting Transmittal of Materials:

After the meeting is over, the Convener shall immediately transmit to a designated office of the CDP the ballot box containing the cast ballots and other materials as described in the previous section.

Voter Verification

The system of registration, voting and verification is designed to:

1) Preserve the confidentiality of a participant’s ballot to the greatest extent possible while
2) Providing a system whereby each participant’s eligibility to vote may be confirmed.

Upon receipt of each ballot box, CDP staff will do the following:

1) Store the box in a secure location
2) Open the box and remove the material
3) Scan all the ballots into individual PDFs – each scanned PDF ballot shall be able to be identified by the voter by their unique identifying number, to the extent technology allows.
4) Cause to be entered into the online registration system any hand-filled forms that were not already entered

5) Cause the list of participants to be checked against voter registration records.
   a. If a participant’s information matches a voter record and confirms that the participant was eligible to vote, that participant’s ballot shall be counted
   b. If a participant filed a new voter registration affidavit as a Democrat as part of the check-in process, that address will be checked for eligibility in the relevant Assembly District.
      i. If the address is eligible the ballot will be counted
      ii. If the address is not eligible the ballot will not be counted
   c. For all other participants, if a participant’s information cannot be matched to an eligible voter record based on the information that the participant supplied, then:
      i. The participant shall be sent an email stating that their status could not be confirmed and providing instructions on providing information to confirm their eligibility. (For example, correcting an address or the spelling of the participant’s name as registered.) Such participants shall have no less than 72 hours to provide this information to the CDP. NOTE that the participant shall NOT be permitted to update their actual voter registration status at this point in the process, but must demonstrate that they were actually eligible to participate in their ADEM on the date of the ADEM.
      ii. If a participant so contacted provides information that confirms their eligibility to vote in the relevant ADEM, then their ballot shall be counted.
      iii. If a participant (a) could not be contacted because they did not provide a valid email address, (b) does not respond to the email sent by the CDP, or (c) responds but the information does not, in the CDP staff’s opinion, confirm their eligibility, then their ballot shall not be counted.

6) To the extent technologically feasible, shall provide a system so that each participant may check the status of their ballot without compromising the confidentiality of the ballots.

7) All paper materials shall be securely preserved for 6 months after the date of the last ADEM in each cycle.

Vote Counting

After the verification process is completed, CDP staff shall, in a public process, machine count the eligible ballots. If any result that could affect a candidate’s election as an ADD or as the AD E-Board representative is found to be closer than 2%, the process shall be repeated for that ADEM. The results will be promptly posted on the CDP website.
Representative to Executive Board: As provided in the Bylaws, the position of AD Representative to the Executive Board shall be offered to the highest-finishing ADD who had indicated their willingness to serve if elected at the time of their application for ADD. CDP Staff shall follow the procedure outlined in the Bylaws, including the process to be followed if the person offered the position declines it.

Section II

Candidate Eligibility and Selection of E-Board Representative

Who May Run for Assembly District Delegate to the California State Central Committee and How to Apply

The qualifications for running for Assembly District Delegate to the California State Central Committee are the same as those for participating in the ADEM, with four important caveats: 1) the candidate must file their application to the CDP during a filing period that starts 30 days prior to the first ADEM and ends 30 days later, so that they can be checked for eligibility, 2) the candidate must pay a $30 filing fee to the CDP (which will be waived if the candidate declares a hardship); and 3) the candidate must be registered to vote as a Democrat in the Assembly District in which they are applying to run as of the preceding general election (for 2021, November 3, 2020), unless the candidate turned 18 or was naturalized after that deadline, and is registered to vote at the time of candidacy filing; and 4) a candidate does not need to be present to be eligible for election. Prospective candidates should use the form on the CDP website to apply to be a candidate.

For 2021, the filing period will open on Tuesday, November 10, 2020 and close at 5 pm on Thursday, December 10, 2020.

Candidates should confirm receipt of filing prior to the deadline. The CDP will not be responsible for failed, delayed, unreadable, or corrupted filings whether by hardcopy delivery or electronic filings such as faxes or emails.

Requirements to Run for Assembly District Representative to the Executive Board

As provided in Section 1(j), the position of AD Representative to the Executive Board shall be offered to the highest-finishing ADD who had indicated their willingness to serve if elected at the time of their application for ADD. The form by which a candidate shall file for ADD shall include an place to indicate that the candidate would serve the E-Board representative if selected. As the bylaws provide, [i]f that person declines to serve as Executive Board Representative, then the opportunity shall be offered to each E-Board candidate in the order of votes received. Any ties shall be
resolved by methods provided in the ADEM Procedures. If all E-Board candidates decline the opportunity, then a caucus of those members of This Committee resident in the Assembly District (except those elected by a county committee pursuant to Article II, section 4), shall meet at the next meeting of This Committee to elect an Assembly District Representative to the State Executive Board.

Publicity of candidacy on CDP Website

The CDP shall post eligible delegate (ADD) candidate names (to be updated no less than once per week starting with the opening of the filing period) on the Party's website, along with statements by the candidates, with the proviso that such statements be no longer than 2400 characters and shall not mention the name of any other candidate. Statements shall be otherwise published as submitted; no additions, corrections, or other edits shall be made once submitted.

Further, as Section 1(h) now provides, “Candidates may also provide a link to a video campaign statement as long as such statement does not mention the name of any other candidate.” This video statement may be posted to the service of the candidate’s choice.

Section III

Other Information

Additional Information for Conveners

The Democratic Party office in Sacramento will be open (at 10AM) to answer all questions” 916.442.5707

In addition to the information above, conveners should follow the following Procedures to ensure a successful meeting:

A. ADEM registration, check-in and balloting must be open for at least four hours after the time called for in the notice of the meeting. All publicity should state that doors open at the time called for in the notice of the meeting (earlier if needed, especially in big turnout venues).

B. The Convener should ensure that the CDP is informed of the name of the building, room number, address, accurate intersection details and directions, and an on-site phone number. Further, the CDP should be given the names and mobile numbers of the Convener and their deputies.

C. The Convener must ensure that the ADEM site is available and open by time called for in the notice of the meeting (set-up should start at least one hour before doors are to open). No one will be allowed to vote in the ADEM who has not arrived by four hours after the time when registration
and check-in opens, which can be no earlier than the time called for in the notice of the meeting. (People standing in line to get in at that time are considered to have arrived in time);

D. The CDP will provide the following materials:

1) Machine readable ballots with eligible candidates’ names pre-printed on the ballots.
2) Sufficient pens or pencils to mark the ballots
3) Blank registration forms
4) Voter registration affidavits
5) Form for reporting the number of ballots voted, registration forms received, and voter registration affidavits received
6) A ballot box (more than one where the location serves more than one Assembly District)
7) Signage explaining the process and the link for the online registration form (including that filling out the registration form and obtaining a unique registration form is mandatory to be able to receive and cast a ballot)
8) Signage prohibiting electioneering within the room where the check-in and balloting processes are taking place. (If there is no “room” than electioneering shall be prohibited within 100 feet of the tables where the check-in and balloting processes are taking place.)
9) Materials to seal the box
10) Information on how to return the ballot box(es) to the CDP

E. The Convener should ensure that there are adequate tables and chairs to run the check-in and balloting processes and that there are adequate volunteers (the CDP will assist with this as well)

F. The Convener or their designee (not a candidate for ADD) should oversee the check-in process. With regard to this process, note that there are no challenges to registration. Each participant must either provide their unique registration number (generated through the online system) or receive one after filling out by hand the registration form.

G. At the time designated for the close of registration, all persons not yet registered yet wishing to be participants and who are standing in line at that time shall be allowed to check-in. Registration shall not be closed until all such persons have been registered or found to be ineligible. However, persons who are not standing in line at the time of the close of registration shall not be allowed to register and receive a ballot.

H. The Convener should appoint three or more individuals to serve as witnesses to the counting of ballots cast at the ADEM. All counters must be registered Democrats. Neither the Meeting Chair nor any of such witnesses shall be ADD or E-Board representative candidates. Each of the witnesses shall sign an affidavit attesting to the results of the voting
I. Immediately following the close of balloting of the ADEM, the Convener shall follow the Post-Balloting Procedures in Section I above.

J: A few reminders about balloting

1) Upon receipt of the ballot, a participant may vote for between 1 and 14 candidates. Voting for more than 14 candidates will invalidate the ballot.

2) A participant may distribute their votes among genders as they wish, as long as they do not vote for more than 14 candidates in total.

3) If a mistake is made that cannot be corrected, the participant should ask for a replacement ballot. The previously marked ballot should have the word “SPOILED” written across it and placed in the ballot box. The participant’s same unique identification number should be entered on the replacement ballot.

4) There is no proxy voting.

5) Once a participant receives their ballot, they may vote and leave.

K: Challenges to Participants: There are NO challenges to participants. Anyone who believe they are eligible may check in and vote. ALL ballots will be verified for eligibility prior to counting.

L: A few other notes:

1. Sometimes an ADEM site is open, but someone forgets to bring the keys to the bathrooms or there is no toilet paper. Be sure to get the contact information including cell phone for the person in charge of the site (such as an office).

2. All ADEMs are open to the public and the media.

3. Electioneering: Candidates for ADD can hand out literature (e.g., flyers, slate cards) at the ADEM. Candidate or slates may set information tables, food tables, etc. However, no such activity, including talking to voters in line, may occur inside the room where the check-in and balloting activity is taking place. (If there is no “room” than electioneering shall be prohibited within 100 feet of the tables where the check-in and balloting processes are taking place.) Conveners should have signage indicating where electioneering is prohibited.
4. There may be an ADEM with a person(s) who shows up claiming that they filed as a candidate before the deadline but their name is not listed on the ballot. It is too late to be added, and they were required to check with the CDP to confirm their candidacy during the candidate filing period between November 10 and December 10, 2020.

5. The Co-Lead Chairs of the Rules Committee of This Committee may make amendments to these Procedures to conform to changes in the CDP By-laws that occur prior to the ADEMs.

Questions and Answers:

- Must candidates be present at the ADEM?
  - No.

- Can participants register or reregister to vote at the ADEM?
  - Yes. Simply fill out a voter registration affidavit and turn it in to the registrar.

- Are ballots secret or open?
  - Ballots are confidential. No personally identifiable markings are placed on the ballot. The unique identifier placed on each ballot is used in the post-balloting voter verification process. If a voter was found to be ineligible to participate during that process and was not able to demonstrate eligibility during the “cure” process, the identifier will be used to exclude the ineligible participant’s ballot.

- May a participant request assistance in marking their ballot?
  - Yes. If a participant needs assistance in marking their ballot, such assistance may be rendered by any person of the participant’s choosing, except that no candidate may provide such assistance.

Section IV

Bylaws applicable to the ADEMs, showing changes to be considered/adopted on July 26, 2020
Draft Amendments as approved by the Rules Committee, June 14, 2020

Part 1: Revise Article VI to read as follows:

ARTICLE VI: ASSEMBLY DISTRICTS AND ASSEMBLY DISTRICT ELECTION MEETINGS

Section 1. ASSEMBLY DISTRICT ELECTION MEETINGS

a. Regular, biennial Assembly District Election Meetings shall be held within each Assembly District in the State for the purpose of electing from each Assembly District 14 members to this Committee and one representative to the Executive Board:

(1) The Election Meetings shall be held on the Saturday or Sunday of the weekends immediately prior to and following the weekend when the Martin Luther King, Jr. holiday is celebrated second Monday in January in odd-numbered years, with such meeting beginning no earlier than 10 am nor begin later than 32 pm, with the time for registration to be open for a two-four-hour period.

(2) Persons eligible to participate shall be all registered Democrats residing in the Assembly District, who have agreed in writing to abide by the Code of Conduct.

(3) Persons eligible to be candidates for Assembly District representative or Assembly District Representative to the Executive Board shall be all registered Democrats who were eligible to participate as such in the preceding General Election; provided however, that if a person turned 18, or became a United States citizen by virtue of naturalization, after the last day for registration for said election, execution on or before the end of the filing period referred to in Section 1(i) of the Article of a legally valid voter registration form showing a residence within the Assembly District shall constitute prima facie evidence of eligibility to participate; and has agreed in writing to abide by the Code of Conduct.

(4) The Convener of the Election Meeting shall be selected by the Chair of this Committee in consultation with the Regional Director responsible for the Assembly District, no
later than September 15 of the year prior to the ADEM meeting. Should no person be selected by September 15, the Chair of This Committee shall select a person. The selected Convener must be a registered Democrat and pledge not to seek a DSCC seat nor an Executive Board position from that ADEM.

b. **Locations**

(1) **There shall be at least one ADEM location in each Assembly District.**

(2) **Prior to the 2021 ADEMs and**¹ **prior to the first ADEMs after each decennial reapportionment is finalized, the Chair of This Committee shall publicize a list of Assembly Districts in which more than one ADEM location shall be established. In deciding which Assembly Districts shall have more than one location, the Chair shall consider whether there exists good cause to do so. For the purposes of this subsection, The Convener of the Election Meeting may request a variance from the date, time, and registration period duration of the Election Meeting as set out in Article VI, section 1.a.(1) to another date and time during the second weekend in January in odd-numbered years, or to allow for the holding of the Election Meeting simultaneously at more than one site in the Assembly District, or to modify the duration of the registration period, by filing an application with the State Chair by November 1, or next business day if the date falls on a state holiday or weekend, of the year preceding the holding of the Election Meeting showing good cause for such a variance. "Good cause" may include the necessity of traveling very long distances, traveling in heavy traffic through dense population centers, or traveling in hazardous weather conditions. The State Chair must reply by November 10, or next business day if the date falls on a state holiday or weekend. It is the intent of the Executive Board that the two weekends be utilized to spread the Election Meetings within a particular Region**

¹ The language “Prior to the 2021 ADEMS and” shall be deleted from these Bylaws upon the finalization of the reapportionment following the 2020 Census.
over the two different weekends. It is also the intent of the Executive Board that the provision for the simultaneous holding of more than one meeting is meant to apply primarily to the very large districts connected by often-closed mountain passes. Such decisions may be adjusted for each ADEM cycle, but will otherwise carry over from the previous ADEM cycle, until the finalization of the next reapportionment.

(3) In consultation with the Regional Director(s) resident in the Assembly District and with other local interested persons appointed by the Chair, and consistent with paragraph (2) above, the Chair shall identify one or more appropriate locations in each Assembly District by November 15 of the year preceding the ADEM. The location selection shall be guided by criteria provided in the ADEM Procedures and shall be posted on the Party’s website.

(4) For the convenience of Democrats registered in geographically large Assembly Districts, The Chair of This Committee may designate one or more ADEM locations to serve more than one Assembly District, as long as each Assembly District is served by at least one location within that Assembly District.

(5) Challenges on location decisions:

(a) Any member of This Committee may challenge location decisions affecting the Assembly District in which they are registered to vote to the Compliance Review Commission by November 22 of the year preceding the scheduled ADEMs. Such filings may challenge decisions as to specific locations or as to the number of locations for a particular Assembly District.

(b) As to challenges concerning specific locations, such an appeal must contain an immediately available alternative to the selected location that also meets the location criteria in the ADEM Procedures at a similar cost. The Compliance Review Commission may, in its
sole discretion, dismiss such a challenge if it does not contain the required information on an alternative location as to its availability and suitability.

(c) Notwithstanding any other language in these Bylaws, the Compliance Review Commission may follow an expedited schedule to make a decision by December 15, and the decision of the Compliance Review Commission on matters in this subsection shall be final.

c. The Chair of This Committee, in consultation with the appropriate Regional Directors and the Conveners shall, no later than November 15 of the year preceding the holding of the Election Meeting, or next business day if date falls on state holiday or weekend, publicize on the Party’s website notify the Chair of This Committee and the Chair of each County Committee which lies wholly or in part in the district of the date, time, and place of the Election Meetings. Failure to do so by that date shall empower the Chair of This Committee to designate a new Convener who shall provide such notice no later that December 3 of the year preceding the holding of the Election Meeting, or next business day if date falls on state holiday or weekend. The Chair of This Committee shall post this information on the Party’s website.

d. The Convener and the Chair of This Committee, as indicated below, shall make every reasonable effort to make known to all registered Democrats in the Assembly District of the date, time, place, and purpose of the Election Meeting, the rules for participation in the Election Meeting, and the filing deadlines and rules for candidates for delegate, by transmitting notice of the Election Meeting no later than December 21 of the year preceding the holding of the Election Meeting, or next business day if date falls on state holiday or weekend, to the following persons:

(1) All members of This Committee residing in the District (to be notified by the Chair of This Committee).

(2) All members of the County Committee residing in the District (if one or more counties lie wholly within the District, then the notice shall be transmitted to all members of those County Committees) (to be notified by the Convener, to the list of members to be obtained from the Chairs of any County
Committees which lie wholly or in part within the Assembly District).

(3) All attendees of the previous Assembly District Election Meeting (to be notified by the Chair of This Committee).

e. Proof of compliance with the provisions of the preceding subsection shall create a rebuttable presumption of compliance with Article XIII, sections 3, 5 and 6.

f. The Convener or the Convener’s designee shall preside at the Election Meeting as chair, and Convener shall be responsible for conducting the Election Meeting in conformance with the ADEM Procedures in effect at that time, forward a list of names, addresses, e-mail addresses, and phones of all persons attending the Election Meeting as participants to the Chair of This Committee within three days after the Election Meeting is held.

g. In order to receive a ballot, each Election Meeting participant shall agree be asked, on via a form provided by the Secretary of This Committee, to allow the Party to use the contact information they submit as part of the registration process for outreach purposes, indicate their willingness to assume an organizational responsibility for one or more precincts within the district or to assume another specified organizational responsibility for the Party. Copies of a list of the persons so expressing such willingness to assume responsibility and of the responsibility each person is agreed to assume shall be sent by the Convener to the Chair of This Committee and the Chair(s) of the appropriate County Committee(s).

h. The Rules Committee of This Committee shall promulgate ADEM Procedures governing the organization and conduct of the Election Meetings, including the election of 14 delegates to This Committee as set forth in Article II, Section 5, and one representative to the Executive Board, as set forth in Article VII, Section 2(c), which Rules Procedures shall include, a process for applying as a candidate for delegate, including an opportunity to indicate a willingness to serve as Representative to the Executive Board if elected as provided in Section 1(j)(1) below for candidates for delegate and for candidates for Representative to the Executive Board, a filing fee of $30 (which may be waived due to hardship and such waiver shall be available as an option online and on all written forms) for candidates for
delegate, a filing period of 30 days which shall start 60 days prior to the date of the first biennial Assembly District Election Meetings and end 30 days after the start of the filing period, and shall provide for the posting of eligible candidate names (to be updated no less than once per week starting with the opening of the filing period) on the Party’s website, along with statements by the candidates, with the proviso that such statements be no longer 2400 characters and shall not mention the name of any other candidate. Statements shall be published as submitted; no additions, corrections, or other edits shall be made once submitted. Candidate may also provide a link to a video campaign statement as long as such statement does not mention the name of any other candidate.

i. Post-ADEM Procedures:

(1) When the time for balloting has ended according to the ADEM Procedures, the Convenor shall proceed to count the number of ballots (but not the votes) according to the ADEM Procedures. Upon conclusion of the election conducted pursuant to the previous paragraph, The Convener shall immediately transmit by telephone, fax or e-mail to the Chair of This Committee (or their designee) the number of ballots, names and titles of those elected. The ballot box shall be sealed with the voted ballots, blank ballots and all supporting materials, and delivered to one or more addresses designated by the Chair of This Committee.

(2) Upon receipt of the ballot boxes, and after a process to verify participant eligibility is completed, The Chair of This Committee (or his designee) shall cause the eligible ballots to be counted and shall publicize the results on the CDP’s website. The Chair shall then start the process of offering the position of Assembly District Representative to the State Executive Board to the appropriate persons as provided in subsection (j)(1) below. Upon acceptance of the position, those persons’ names shall also be so publicized. Within 72 hours of the conclusion of the election conducted pursuant to the previous paragraph, the Convener shall transmit to the Chair of This Committee various materials as detailed in the procedures governing the conduct of the Election Meeting, including but not limited to the sign-in sheet listing the participants in the Election Meeting, the election results, the ballots, a copy of the list of the persons expressing willingness
to assume district-level or other responsibilities and of the responsibility each person agreed to assume, and whatever dues are collected at the Election Meeting.

3) Failure by the Convener to return the materials referred to in the previous paragraph shall result in the withholding of that Convener’s credential to, or ability to register for, any meeting of This Committee and its Executive Board for the remainder of the term, until such time as the Chair of This Committee certifies that the materials have been returned as required or upon the Chair’s finding of good cause, waives same.

j. Assembly District Representatives to the State Executive Board:

(1) An Assembly District Representative to the State Executive Board shall be chosen at each Assembly District Election Meeting as follows: after the results are finalized, from among those persons who will be delegates (resident in the respective Assembly District) to the forthcoming biennial convention of This Committee by virtue of being a member of This Committee pursuant to Article II, Section 2b, 2d, 2e; Article II, Section 3; or Article II, Section 5. In the event that no qualified candidate is elected at an Assembly District Election Meeting, then the highest vote-getting candidate from among those who both won a seat as a delegate and had indicated their willingness to serve as the Executive Board representative at the time of the filing of their candidate application (for the purpose of this paragraph, “E-Board Candidates”) for Assembly District Representative shall be provided the opportunity to serve as Executive Board Representative if that person so chooses. If that person declines to serve as Executive Board Representative, then the opportunity shall be offered to each E-Board candidate in the order of votes received. Any ties shall be resolved by methods provided in the ADEM Procedures. If all E-Board candidates decline the opportunity, then a caucus of those members of This Committee from the resident in the Assembly District as described above (except those elected by a county committee pursuant to Article II, section 4), shall meet at the next meeting of This Committee to elect an Assembly District Representative to the State Executive Board, who must be qualified under the same criteria as used
for direct election at the Assembly District Election Meeting.

(2) In the event that an Assembly District has not been represented at two successive meetings of the Executive Board, the Representative shall be subject to removal from the board upon notification of the Regional Director in whose region the Assembly District is contained.

(3) In the event of a subsequent vacancy of the office of Assembly District Representative to the State Executive Board (either by operation of this subsection j(2) or otherwise), the Regional Director for the applicable Assembly District shall call a public meeting of the members of This Committee resident in the Assembly District, who shall fill the vacancy from among those persons enumerated in paragraph (1) of this subsection j. This meeting shall be called with at least 10 days notice to the members of This Committee resident in the Assembly District. For the purpose of this meeting only, a quorum shall be 5 (five) members of This Committee resident in the Assembly District. Once the vacancy is filled, the person who called the meeting to fill the vacancy shall notify, in writing, the State Chair of the Party of the selection made pursuant to this subdivision.

Part 2: revise Article XII, Section 2, (e), (1) to read:

All appeals of decisions of the Compliance Review Commission subject to appeal must be received by the Secretary of This Committee, with copies to the Chair of This Committee, within twelve (12) days of the decision of the Compliance Review Commission. Upon receipt of an appeal, the Secretary shall notify the members of the Compliance Review Commission, the Chair of This Committee, and the prevailing parties of the receipt of an appeal. All responses shall be filed with the Secretary of This Committee with copies to the Chair of This Committee, the members of the Compliance Review Commission and the appellants, within 12 days of receipt of the appeal by the Secretary of This Committee.

Part 3: STRIKE Article XIII, Section 9 a and b and substitute as follows:

Section 9. SECRET BALLOT AND VOTER’S RIGHT TO KNOW

a. The Democratic Party is committed to:

   (1) the preservation of the right of the voter to a secret, secure, and
counted ballot at the first determining step of the national delegate selection process,

(2) the voter’s right to know how their representatives have voted.

b. Based upon Resolution of the DNC Rules Committee adopted on June 23, 1994 no vote by secret ballot may be taken at any meeting of any official Democratic Party body beyond the first determining step at which an individual Democrat expresses their personal and individual preference on an action that constitutes part of the delegate selection process for the Democratic National Convention.
MEMORANDUM

To: Garry Shay and Kathy Bowler, Lead Co-Chairs of the CDP Rules Committee
From: Peter Y. Chiu, Chair of the Subcommittee on County Bylaws
Date: July 5, 2020
Re: Status Report and Recommendations of the Subcommittee on County Bylaws

Background

Pursuant to Article VIII, Section 4 of the California Democratic Party (CDP) Bylaws, a Democratic candidate for nonpartisan office who has been endorsed by their County Central Committee (County Committee) shall also be considered to be the endorsed candidate of the CDP provided that among other things the endorsing provisions of the relevant County Central Committee Bylaws (County Bylaws) have been reviewed and approved by the CDP as consistent with the CDP Bylaws and with the fundamental rules of fairness.

The Subcommittee on County Bylaws of the CDP Rules Committee was formed on February 23, 2018 and was charged with the task to review the County Bylaws if so requested by the County Committees. The Subcommittee will determine among other things if the County Bylaws and other County Committee governing documents such as standing rules, policies, and procedures are consistent with the CDP Bylaws and with the fundamental rules of fairness. The Subcommittee will then make a recommendation to the CDP Rules Committee whether the CDP should approve the endorsing provisions of the County Bylaws. (Please see Attachment A of this memo for the Subcommittee review process of the County Bylaws, Attachment B for the review criteria of the County Bylaws, and Attachment C for the review check form of the County Bylaws.)

Status Report

1. Contra Costa County

The endorsing provisions of the Democratic Party of the Contra Costa County (DPCCC) Bylaws were first approved by the CDP for the endorsement of nonpartisan offices on July 14, 2018. Subsequently, the DPCCC amended its Bylaws on January 16, 2020 and submitted the amended Bylaws and the DPCCC Rules and Procedures to CDP for review. In addition, the DPCCC also submitted for review the DPCCC Complaint and Due Process Policy and Procedure dated February 20, 2020, the DPCCC 2020 Endorsement Committee Procedures dated May 23, 2020, and the DPCCC 2020 Endorsement Committee Membership List dated May 21, 2020.

The Subcommittee on County Bylaws has completed the review of the amended DPCCC Bylaws as well as the other DPCCC submitted documents. However, the Subcommittee did not review the DPCCC 2020 Endorsement Committee Membership List since it is beyond the scope of the Subcommittee review.

It is the conclusion of the Subcommittee that the amended DPCCC Bylaws and the other current DPCCC governing documents as reviewed are at least minimally sufficient as per the current CDP Bylaws and the Open Meeting Rule Policy Statement of the CDP Rules Committee. Therefore, the Subcommittee recommends that the endorsing provisions of the amended DPCCC Bylaws dated January 16, 2020 should be approved by the CDP for the endorsement process of nonpartisan offices,

Page 1 of 3
so that the endorsement of the DPCCC for nonpartisan offices may become the official endorsement of the CDP.

2. Marin County

The Democratic Central Committee of Marin (DCCM) submitted its amended Bylaws dated July 2, 2020 to the CDP for review after the DCCM had accepted the Bylaws changes suggested by the Subcommittee on County Bylaws. The Subcommittee has completed the review of the amended DCCM Bylaws as well as the DCCM Standard Operating Procedure on Endorsements (adopted July 2, 2020) and Standing Rules on Endorsements (adopted July 2, 2020).

It is the conclusion of the Subcommittee that the amended DCCM Bylaws and the other current DCCM governing documents as reviewed are at least minimally sufficient as per the current CDP Bylaws and the Open Meeting Rule Policy Statement of the CDP Rules Committee. Therefore, the Subcommittee recommends that the endorsing provisions of the amended DCCM Bylaws dated July 2, 2020 should be approved by the CDP for the endorsement process of nonpartisan offices, so that the endorsement of the DCCM for nonpartisan offices may become the official endorsement of the CDP.

3. Santa Cruz County

The Santa Cruz County Democratic Central Committee (SCCDCC) submitted its amended Bylaws dated June 24, 2020 and the Santa Cruz County Democratic Party Procedures Manual dated June 24, 2020 to the CDP for review after the SCCDCC had accepted the Bylaws changes suggested by the Subcommittee on County Bylaws. The Subcommittee has completed the review of the amended SCCDCC Bylaws as well as the Procedures Manual.

It is the conclusion of the Subcommittee that the amended SCCDCC Bylaws and the other current SCCDCC governing documents as reviewed are at least minimally sufficient as per the current CDP Bylaws and the Open Meeting Rule Policy Statement of the CDP Rules Committee. Therefore, the Subcommittee recommends that the endorsing provisions of the amended SCCDCC Bylaws dated June 24, 2020 should be approved by the CDP for the endorsement process of nonpartisan offices, so that the endorsement of the SCCDCC for nonpartisan offices may become the official endorsement of the CDP.

4. Riverside County

The Riverside County Democratic Party (RCDP) Bylaws were first approved provisionally by the CDP until the November 2018 CDP Executive Board meeting, by which time the RCDP Bylaws should have been modified in order to conform with the Open Meeting Rule Policy of the CDP. Subsequently, the RCDP amended its Bylaws on October 14, 2019 with many changes. The Subcommittee on County Bylaws completed a preliminary review of the amended RCDP and identified more deficiencies, such as meeting notice requirements. Suggested changes were given to the RCDP in December 2019. So far, the Subcommittee has not received any response from the RCDP. Currently, the RCDP Bylaws are no longer provisionally approved.

5. Imperial County

The Imperial County Democratic Central Committee (ICDCC) Bylaws dated May 14, 2018 were provisionally approved by the CDP until the November 2018 CDP Executive Board meeting, by which time they should have been modified in order to conform with the CDP's Open Meeting Policy.
However, the Subcommittee is still waiting to receive the necessary modifications of the County Bylaws from the Imperial County Democratic Central Committee. Currently, the Imperial County Bylaws are no longer provisionally approved.

6. Eleven Counties with Previously Approved County Bylaws

Since the formation of the Subcommittee on County Bylaws, the following seven (7) County Bylaws have been recommended for approval by the CDP Rules Committee for endorsement of nonpartisan offices:

- 7/14/2018: El Dorado, San Luis Obispo, Ventura, and Sacramento Counties
- 5/31/2019: Mariposa and Fresno Counties
- 8/24/2019: Santa Barbara County

In addition, four (4) County Bylaws (Los Angeles, Nevada, Placer, and Sonoma Counties) were approved by the CDP prior to the formation of the Subcommittee on County Bylaws.

7. Seven Counties Previously Not Recommended for Approval

Previously the Subcommittee also reviewed seven (7) other County Bylaws (Del Norte, Humboldt, Lake, Monterey, Orange, San Bernardino, and San Joaquin Counties) and did not recommend approval of these Bylaws because of the deficiencies identified in the Bylaws.

Recommendations:

1. The Subcommittee recommends that the endorsing provisions of the amended Democratic Party of Contra Costa County (DPCCC) Bylaws dated January 16, 2020 should be approved by the CDP for the endorsement process of nonpartisan offices pursuant to Article VIII. Section 4 of the CDP Bylaws since the amended DPCCC Bylaws and the other current DPCCC governing documents as reviewed are at least minimally sufficient as per the current CDP Bylaws and the Open Meeting Rule Policy Statement of the CDP Rules Committee.

2. The Subcommittee recommends that the endorsing provisions of the amended Democratic Central Committee of Marin (DCCM) Bylaws dated July 2, 2020 should be approved by the CDP for the endorsement process of nonpartisan offices pursuant to Article VIII. Section 4 of the CDP Bylaws since the amended DMCC Bylaws and the other current DCCM governing documents as reviewed are at least minimally sufficient as per the current CDP Bylaws and the Open Meeting Rule Policy Statement of the CDP Rules Committee.

3. The Subcommittee recommends that the endorsing provisions of the amended Santa Cruz County Democratic Central Committee (SCCDCC) Bylaws dated June 24, 2020 should be approved by the CDP for the endorsement process of nonpartisan offices pursuant to Article VIII. Section 4 of the CDP Bylaws since the amended SCCDCC Bylaws and the other current SCCDCC governing documents as reviewed are at least minimally sufficient as per the current CDP Bylaws and the Open Meeting Rule Policy Statement of the CDP Rules Committee.
Attachment A

To: Gary Shay and Kathy Bowler, Lead Co-Chairs of the CDP Rules Committee  
From: Peter Y. Chiu, Chair of the Subcommittee on County Bylaws  
Date: June 8, 2020  
Re: Subcommittee Review Process of the County Central Committee Bylaws

The purpose of this memo is to delineate the Subcommittee on County Bylaws review process of the County Central Committee Bylaws.

The California Democratic Party (CDP) Bylaws Article VIII, Section 4 states that a Democratic candidate for nonpartisan office who has been endorsed by his/her County Central Committee shall also be considered to be the endorsed candidate of the CDP provided that the endorsing provisions of the relevant County Central Committee By-laws have been reviewed and approved by the CDP as consistent with its own Bylaws and with the fundamental rules of fairness.

The Subcommittee on County Bylaws of the CDP Rules Committee was formed on February 23, 2018 and was charged with the task to review the County Central Committee Bylaws (County Bylaws) if so requested by the Chair of the County Central Committees (County Committee). The following is the current Subcommittee review process of the County Bylaws:

1) County Chair Requesting CDP Review of the County Bylaws

The Chair of the County Committee requests in writing a review by the CDP of the most recently adopted County Bylaws and includes a copy of those Bylaws.  
(Estimated time to complete this step: 1 day)

2) CDP Staff Forwarding Request to CDP Rules Committee and Subcommittee on County Bylaws

The CDP staff forwards both the review request and a copy of the County Bylaws to the CDP Rules Committee Lead Co-Chairs and the Chair of the Subcommittee on County Bylaws.  
(Estimated time to complete this step: 1-7 days)

3) The Subcommittee Initiating the Review of County Bylaws

The Subcommittee Chair or a member of the Subcommittee will contact the County Chair and request the County Chair to send the Subcommittee a copy of any additional governing documents of the County Committee such as a separate constitution, standing rules, policies, and procedures. In order to determine whether the endorsing provisions of the County Bylaws are consistent with the CDP Bylaws and with the fundamental rules of fairness, the Subcommittee will review the entire County Bylaws as well as all the governing documents of the County Committee since they all might have an impact on the endorsement provisions of the County Bylaws. For example, provisions of the County Bylaws on notice of agendas and meetings, on open meetings, and on voting procedures can all have an effect on the outcome and fairness of endorsement. Furthermore, some County Committees include the endorsement procedures in a separate document that is not part of the County Bylaws.  
(Estimated time to complete this step: 1-7 days)
Attachment A

4) The Subcommittee Conducting the Review

The Chair of the Subcommittee will conduct the review or will assign the review of the County Bylaws to one or more of the Subcommittee members. The review criteria will be based on the CDP Bylaws Article VIII, Section 4, b, (1). Article VIII, Section 4, c, (1)-(4). Article XIII, Section 9, and Article XIII, Sections 1, 3, 5, 6, 7, 10, and 11, as well as the Open Meeting Policy of the CDP Rules Committee. (Please see the attachments for the review criteria and for the CDP Review Check Form for County Central Committee Bylaws on Endorsement.)

(Estimated time to complete this step: 7-35 days)

5) The Subcommittee Making Recommendation to the CDP Rules Committee

Once the review is completed, the Subcommittee will prepare a report and make a recommendation whether the endorsing provisions of the County Bylaws should be approved. The recommendation will be presented at the next Rules Committee meeting for action.

(Estimated time to complete this step: 7-90 days depending on the timing of the CDP Rules Committee meeting)

6) The CDP Rules Committee Making Recommendations to the DSCC or the Executive Board

Based on the recommendation of the Subcommittee, the CDP Rules Committee will make the final recommendation on the endorsing provisions of the County Bylaws. The Lead Co-Chair of the CDP Rules Committee will present the recommendation at the next Democratic State Central Committee (DSCC) meeting or the DSCC Executive Board meeting for final action on the approval or disapproval of the endorsing provisions of the County Bylaws.

(Estimated time to complete this step: 1-90 days depending on the timing of the next DSCC or Executive Board meeting)

7) The DSCC or the Executive Board Making Decision on the County Bylaws

Based on the recommendation of the CDP Rules Committee, the DSCC or the Executive Board will decide whether the endorsing provisions of the County Bylaws should be approved. The CDP staff or the Rules Committee Co-Chair will then inform the County Committee Chair about the decision. Deficiencies identified in the review will be given to the County Chair if the County Bylaws are not approved.

(Estimated time to complete this step: 1-2 days)

8) County Chair Resubmitting County Bylaws for Review

If the endorsing provisions of the County Bylaws are not approved, the County Committee can work with the Subcommittee to address the deficiencies identified in the previous review and to amend the County Bylaws to meet the approval requirements. The County Chair can then resubmit the amended Bylaws to the CDP for another review and approval.

If the endorsing provisions of the County Bylaws are approved, but at a later date the County Committee further amends the County Bylaws in such a way that might affect the endorsing provisions, the County Chair will need to resubmit the amended County Bylaws to the CDP for another review. Based on the new review, the CDP will decide if the endorsing provisions still meet all the requirements for approval.
Review Criteria of the Subcommittee on County Bylaws of the CDP Rules Committee for the Endorsing Provisions of the County Central Committee Bylaws (July 2020)

In order to determine whether the endorsing provisions of the County Central Committee Bylaws (County Bylaws) are consistent with the CDP Bylaws and with the fundamental rules of fairness, the Subcommittee reviews the entire County Bylaws as well as all the governing documents of the County Central Committee (County Committee) such as standing rules, policies, and procedures since they all might have an impact on the endorsing provisions of the County Bylaws. For example, provisions of the County Bylaws on notice of agendas and meetings, on open meetings, and on voting procedures can all have an effect on the outcome and fairness of endorsement. It should be noted that some County Committees delineate the endorsement procedures in a separate document that is not part of the County Bylaws.

The followings are the review criteria of the Subcommittee on County Bylaws:

A) CDP Bylaws Article VIII, Section 4.b.(1)

The CDP Bylaws Article VIII, Section 4.b.(1) states that a Democratic candidate for partisan office who has been endorsed by their County Central Committee shall also be considered to be the endorsed candidate of the CDP provided that among other things the endorsing provisions of the relevant County Central Committee Bylaws have been reviewed and approved by the CDP as consistent with the CDP Bylaws and with the fundamental rules of fairness.

B) CDP Bylaws Article VIII, Section 4.c.(1) to (4)

The CDP Bylaws Article VIII, Section 4.c.(1) to (4) states:
“In order for the endorsement of the County Central Committee to become the official endorsements of the California Democratic Party, the following must be met:
(1) A Democratic County Central Committee endorsement shall be extended only to registered Democrats.
(2) Endorsement shall not be given to more candidates than there are seats open for the office in question.
(3) All endorsements shall be made in accordance with the County Committee’s duly adopted By-Laws provisions.
(4) No vote on endorsement shall be taken by secret ballot.”

C) CDP Bylaws Article XIII, Section 9

The CDP Bylaws Article XIII, Section 9 prohibits secret ballots in general. Article XIII has always been interpreted by the CDP as governing policy for the CDP as a whole. Therefore, the County Bylaws should prohibit secret ballots in order to be consistent with the CDP Bylaws.
D) CDP Bylaws Article XIII, Sections 1, 3, 5, 6, 7, 10, and 11

The County Bylaws should be consistent with the following sections in Article XIII of the CDP Bylaws because the County Committee members and endorsement candidates should be properly informed and noticed of the endorsement procedures and meetings:

Section 1. Public Meetings
Section 3. Notice of Agenda and Meetings
Section 5. Full Publication of Selection Procedures
Section 6. Timely Publication of Selection Procedures
Section 7. Timely Publication of Selection Qualifications
Section 10. E-mail Notice
Section 11. Notice by Web Posting

E) Open Meeting Policy of the CDP Rules Committee

The County Bylaws should be consistent with the Open Meeting Policy of the CDP Rules Committee. In particular, the Policy states:
"The Rules Committee notes that less than seven (7) days written notice by first class mail, or five (5) days personal notice, actually received and acknowledged, or five (5) days email notice if allowed by their bylaws is impermissible, except in emergency situations, in which case additional means of notice such as the telephone, hand-delivery, or other similar means should be provided for and employed to the maximum extent practicable."
Attachment C

Review Check Form for the Endorsing Provisions of the County Central Committee Bylaws  (Revised June 2020)

Name of County Central Committee: ________________________________

Name of Reviewer (CDP Rules Committee Co-Chair/Rules Committee Member): ____________________________

I. Please select one of the following two options regarding review of additional governing documents of the County Central Committee:

(A) Yes ___ During the review of the County Central Committee Bylaws, I have contacted the County Chair and determined that there are no additional governing documents such as a separate constitution, standing rules, policies, and procedures.

Initial __________

(B) Yes ___ During the review of the County Central Committee Bylaws I have contacted the County Chair and obtained and reviewed the following additional governing documents that have an impact on the endorsing provisions:

Initial __________

II. The endorsing provisions of the County Central Bylaws have been reviewed based on the following criteria (A through F):

A. The County Central Committee Bylaws meet the following requirements of the CDP Bylaws:
   (Article VIII, Section 4, c)

   (1) A Democratic County Central Committee endorsement shall be extended only to registered Democrats.

      Yes _____ See County Bylaws Article _____ Section _____ Page _____
      No _____ See County Bylaws Article _____ Section _____ Page _____

      Initial __________

   (2) Endorsement shall not be given to more candidates than there are seats open for the office in question.

      Yes _____ See County Bylaws Article _____ Section _____ Page _____
      No _____ See County Bylaws Article _____ Section _____ Page _____

      Initial __________

   (3) All endorsements shall be made in accordance with the County Committee’s duly adopted Bylaws provisions.

      Yes _____ This finding is based on: (e.g., “discussion with County Chair”) ____________________________
      No _____ This finding is based on: ________________________________________________________________

      Initial __________

   (4) No vote on endorsement shall be taken by secret ballot.

      Yes _____ See County Bylaws Article _____ Section _____ Page _____
      No _____ See County Bylaws Article _____ Section _____ Page _____

      Initial __________
B. The County Central Committee Bylaws prohibit secret ballots as required by CDP Bylaws. (Article XIII, section 9)
Yes _____ See County Bylaws Article _____ Section _____ Page _____
No _____ See County Bylaws Article _____ Section _____ Page _____
Initial __________

C. The County Central Committee Bylaws are consistent with the CDP Bylaws and with the fundamental rules of fairness to which the CDP is committed. (Article VIII, Section 4, b, 1)
Yes _____ This finding is based on: __________________________________________
No _____ This finding is based on: __________________________________________
Initial __________

D. The County Central Committee Bylaws contain a clear description of the candidate endorsement process.
Yes _____ See County bylaws Article _____ Section _____ Page _____
No _____ See County bylaws Article _____ Section _____ Page _____
Initial __________

E. The County Central Committee Bylaws utilize a method of notifications for endorsement candidates in a manner consistent with the policies of the CDP. (CDP Bylaws Article XIII, Section 1. Public Meetings; Section 3. Notice of Agenda and Meetings; Section 5. Full Publication of Selection Procedures; Section 6. Timely Publication of Selection Procedures; Section 7. Timely Publication of Selection Qualifications; Section 10. E-mail Notice; and Section 11. Notice by Web Posting)
Yes _____ See County bylaws Article _____ Section _____ Page _____
No _____ See County bylaws Article _____ Section _____ Page _____
Initial __________

F. The County Central Committee Bylaws do not contain any provisions that are outdated or do not make sense.
Yes _____
No _____ See County bylaws Article _____ Section _____ Page _____
Initial __________
Remarks on items above:
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

As the CDP Rules Committee Co-Chair/Member designated to review the Bylaws of the County Central Committee, (circle one) I recommend/I do not recommend that the endorsing provisions of the ________________ County Central Committee Bylaws be considered at least minimally sufficient, as per the current CDP Bylaws and the CDP Rules Committee Open Meeting Rule Policy Statement.

________________________  __________________________  __________
Signature                  Print Name                  Date
TO: Rules Committee, California Democratic Party

FR: Sub-Committee on Miscellaneous Issues: Garry S. Shay, Cub-Committee Co-Chair; Mary Strobridge, Saundra Andrews, Drexel Heard II, Phillips, and, Laurance Zakson; and ExOfficio Member Co-Lead Co-Chair, CDP Rules Committee Kathy Bowler

RE: Status of Matters referred to Rules Sub-Committee on Miscellaneous Issues

DA: 26 February 2020

The Sub Committee reviewed the last Sub-Committee and Rules Committee Minutes and Packets, and the matters which were referred to our Subcommittee, and their status, is as follows:

I. **Pending for Consideration by the Executive Board:**
   M/S/P to adopt the Ramos proposal to amend Article VII, Section 4, as follows:

   a. The Executive Board shall convene in regular meetings at least three two times in each calendar year, or at least one time in each calendar year in which This Committee convenes more than once. Such regular meetings shall be held at such time and place as the Executive Board may designate so long as no two consecutive meetings are held in the same county.

   Adopted by Rules Committee, and forwarded to Executive Board (11/15/19) for consideration, 3/22/20 (Visalia)

II. **Referred to other Committees:**

   1. **Credentials:**
      A. M/S/P to refer the Atkins proposal issue dealing with a nondemocrat switching parties post-election to the Credentials Committee for comment. The subcommittee prefers to provide the nominee (highest vote getting Democrat) with their allotted DSCC appointments while providing the new incumbent with appointing rights for the remainder of what would rightfully exist for an incumbent. Both the nominee and the incumbent would be a DSCC member by virtue of their status as either a nominee or incumbent. (10/21/19).

   2. **Credentials and The Federation of County Central Committees:**
      A. M/S/P to refer the Ramos proposal on the timing of Executive Board appointments to the Credentials Committee and the Federation of DCC for input. (10/21/19),

   3. **Voter Services:**
      A. M/S/P to refer the Election of Precinct Leaders Resolution to the Voter Services committee requesting input on how to accomplish this task and provide recommendations to the Rules Committee (10/21/19).

III. **Matters found to be moot:**

   1. M/S/P to find moot the Resolutions Committee referral on Extend Membership to Non-Citizens as Bylaws were passed at the last meeting dealing with this issue. (10/21/19)
IV. **Testimony Requested:**
M/S/P to take testimony regarding the Ramos proposal on the Removal of Officers and allow the Lead Co-Chairs of the Rules Committee to determine timing. (10/21/19).

V. **Died for Lack of Motion:**
Blue Revolution proposal to create open meetings at all levels.
Contact authors to inform them about the Open Meeting Policy Statement (10/21/19)

V. **Died for Lack of Motion:**
Blue Revolution proposal regarding conflicting times of officer elections (10/21/19).

**END OF MEMO**
MEMORANDUM

To: Rules Sub-Committee on Miscellaneous Issues
From: Credential Committee, Voter Services Committee
Date: July 23, 2020
Re: Referral of Bylaws – Referred Committee Responses

Referred to other Committees:
1. Credentials:
A. M/S/P to refer the Atkins proposal issue dealing with a nondemocrat switching parties post-election to the Credentials Committee for comment. The subcommittee prefers to provide the nominee (highest vote getting Democrat) with their allotted DSCC appointments while providing the new incumbent with appointing rights for the remainder of what would rightfully exist for an incumbent. Both the nominee and the incumbent would be a DSCC member by virtue of their status as either a nominee or incumbent. (10/21/19).

Credentials Response:
In relation to the Atkins bylaws proposal dealing with non-Democrats switching parties post election referred by the Miscellaneous Subcommittee, the Credentials Committee found that relating to the general policy its interest is that a clear standard be established and that that standard not result in the undue of unfair disenfranchisement of delegates. The Committee further finds that the specific proposal preferred by the subcommittee meets that standard and is therefore acceptable.

2. Credentials and The Federation of County Central Committees:
A. M/S/P to refer the Ramos proposal on the timing of Executive Board appointments to the Credentials Committee and the Federation of DCC for input. (10/21/19).

Credentials Response:
In relation to the Ramos bylaws proposal dealing with the timing of Executive Board appointments referred by the Miscellaneous Subcommittee, the Credentials Committee found that relating to the general policy its interest is that a clear standard be established and that that standard not result in the undue of unfair disenfranchisement of delegates. The Committee further finds that the specific proposal meets that standard and is therefore acceptable.

3. Voter Services:
A. M/S/P to refer the Election of Precinct Leaders Resolution to the Voter Services committee requesting input on how to accomplish this task and provide recommendations to the Rules Committee (10/21/19).

Voter Services Response:
Assigned to Voter Services working group – will be finalized after EBoard meeting
MEMORANDUM

To: Kathy Bowler
From: Chris Myers
Date: March 16, 2020
Re: Referral of Bylaw Amendments

Below are the three referrals of bylaw amendments or resolutions including the original proposal as presented to either the subcommittee or the full Rules Committee.

**Atkins: Bylaw Amendment referred to the Credentials Committee**
The Rules Miscellaneous Subcommittee referred the Atkins proposal issue dealing with a non-democrat switching parties post-election to the Credentials Committee for comment. The subcommittee prefers to provide the nominee (highest vote getting Democrat) with their allotted DSCC appointments while providing the new incumbent with appointing rights for the remainder of what would rightfully exist for an incumbent. Both the nominee and the incumbent would be a DSCC member by virtue of their status as either a nominee or incumbent.

**Ramos: Bylaw Amendment referred to the Credentials Committee and the Federation of DCC Members**
The Rules Miscellaneous Subcommittee referred the Ramos proposal on the timing of Executive Board appointments to the Credentials Committee and the Federation of DCC for input.

**Casady: Bylaw amendment referred to the Voter Services Committee**
The Rules Committee referred the Election of Precinct Leaders Resolution to the Voter Services committee requesting input on how to accomplish this task and provide recommendations to the Rules Committee.

CDP Bylaws, Article V, Section 5, states:
“h. Voter Services Committee: The Voter Services Committee shall be comprised of 50-80 members. It shall be the duty of the Voter Services Committee: (1) To develop a system of grass roots organizing at the precinct level to facilitate active participation of voters in Democratic Party activities;”
PROPOSAL BY DAVID ATKINS

Bylaws Committee,

I am suggesting the following changes to deal with the issue of a non-Democrat switching party registration to Democratic after winning the election.

Suggested Language

ARTICLE II Section 2.d
In the case of an office named in subdivision (a) of this section to which a Democrat has not been selected at the most recent general election in which a nomination for that office was made, the Democratic Party nominee at the most recent primary election shall be a member of This Committee during the two-year period commencing at the first regular meeting of an odd-numbered year or until such time during that period that a Democrat is elected or designated to hold that office. This nominee shall maintain membership and appointment privileges even if the winner of the relevant general election later becomes a registered Democrat.

ARTICLE II Section 3: APPOINTED MEMBERS

a. Provided that they ran as "Party Preference: Democratic" in the last relevant election, each member identified in Section 2b or 2c of this Article shall be entitled to appoint six members; except that members elected to the House of Representatives and the State Assembly shall be entitled to appoint five members. Equal Division shall be adhered to in all appointments made under this section.

b. Provided that they ran as "Party Preference: Democratic" in the last relevant election, each member identified in Section 2d or 2e of this Article shall be entitled to appoint three members; except that nominee members for Congress and the State Assembly shall appoint two members. Equal Division shall be adhered to in all appointments under this section.

c. Provided that they ran as "Party Preference: Democratic" in the last relevant election, the following officials shall each be entitled to appoint an additional thirty (30) members; Equal Division shall be adhered to in all appointments under this section:

Why?
Currently there is a perverse incentive in difficult districts for a candidate to eschew the Democratic label to get elected, then switch to Democratic after the election to help secure their endorsement--at the expense of a candidate who actually ran as a Democrat. There is also some confusion as to whether the loser of the general election who ran as a Democrat still gets membership and appointments.

This change would clarify that the candidate who ran as a Democrat retains all their privileges. It would allow the newly registered Democratic legislator to have membership on DSCC, but deny them appointments so that they do not have an undue advantage.

Thank you!
Amendment No. 3 – Timing of Executive Board Appointments.

Explanation: This amendment would require county parties to appoint their representatives to the CDP Executive Board by their first meeting after the State Convention in an odd-numbered year, instead of requiring the appointments to be made at that meeting, thereby allowing county committees to appoint their representatives sooner.

Rationale: This would codify existing practice where county committees often appoint their Executive Board representatives before their meeting following the State Convention.

Amend Article VII, Section 2, Subdivision b, Paragraph (2) by striking “at” and inserting “no later than”, as follows:

(2) County Committee representatives to the Executive Board shall be elected by their respective County Committees as provided in their bylaws no later than their first regular meeting following This Committee's state convention in an odd-numbered year. Only Democratic State Central Committee Members who hold their membership by virtue of Article II, Section 4 shall be eligible for such election.
Resolution 19-05.117

Election of Precinct Leaders

WHEREAS the most effective election organization of the Democratic Party ideally depends on having as least one, and preferably two, permanent precinct leaders in every precinct in California, and

WHEREAS Will Rogers once said, "I belong to no organized political party--I'm a Democrat," and this must change if Democrats are to maximize their ability to control the outcome of elections in the face of more and more money from corporations and wealthy individuals and their PACs being used against Democrats, and

WHEREAS research shows that precinct workers who live in the neighborhood where they perform precinct work are the most effective way to counteract the influence of radio and television ads, political mailers, robocalls, social media, signage and other things money buys,

THEREFORE BE IT RESOLVED that the California Democratic Party, meeting in convention in 2019, calls for the election of resident precinct leaders in every California precinct as is done in Washington State and Texas, which will grant much needed status as elected officials to precinct workers and inspire more people to participate in this important democratic work, and

BE IT FURTHER RESOLVED that the California Democratic Party communicate with all Democratic Party legislators, statewide elected officials and Governor Newsom, urging them to enact legislation for the election of resident precinct workers as soon as possible.

Author: Derek Casady, Assembly District 78
Sponsored by La Jolla Democratic Club

Main Contact Derek Casady / 858 457 0246 / dcasady@outlook.com
TO: Rules Committee  
FR: Subcommittee on Standing Committees  
DA: March 2020  
RE: Proposed letter to Standing Committee Chairs re: Blue Revolution / Carrie Scoville  
Proposal on Committee Procedures

_________________________________________  
____________________________________________

Background:

Carrie Scoville and “Blue Revolution” submitted a proposal (copy attached) to provide for Procedures for each Standing Committee largely patterned after, but supplanting, CDP Bylaws Article IV, Section 8 governing Resolutions Procedures.

Rules Subcommittee Action:

The Rules Sub-Committee on Standing Committees met and Lead Co-Chair Garry Shay and member Drexel Heard were tasked with developing a questionnaire to solicit input from the other Standing Committees on the Attached proposal.

Proposed questions were developed and submitted to the Sub-Committee for consideration, and approved and forwarded to you for consideration and approval.

Upon approval by the Rules Committee, they will be formatted into a memo for transmission to the other Standing Committees for their response.

Proposed Questions:

1. Does your committee currently have a process for submission of proposals?
2. If so, is it written, or unwritten?
3. Does your Standing Committee currently accept and consider proposals brought before it by non-members or do you only consider matters that are first moved and seconded by a Standing Committee member?
4. If so, how often does this occur: rarely, occasionally, frequently, or, at every meeting?
5. If proposals are rarely submitted by persons outside the Standing Committee what was the last one that was submitted?
5. Should proposals from outside of the Standing Committee have to be submitted by more than one person or organization in order to be considered? If so, who should be allowed to submit?
6. Should proposals submitted from outside of the Standing Committee have to also be moved and seconded by Standing Committee members to be brought to a vote?

7. How should proposals be submitted? Typed? Emailed?

8. To whom should proposals be submitted? CDP Secretary? Committee Lead Chairs? All members of the Committee?

8. Should there be a cut-off date for submission of proposals?

9. If so, what should it be? 30 days? 15 days? 7 days? Other?

10. Should there be an exception to a cut-off date for exigent circumstances?

11. If so, how should it be determined? Committee vote? Lead-Chairs? CDP Chair? Other?

12. Is there any reason proposals should not be posted in advance of the meeting, or provided to Committee members in advance of the meeting?

13. How many physical copies should a proponent be prepared to bring to a meeting, if any?

14. If a proposal is stalled in Committee for an unreasonable period of time, should there be a method to bring a defeated matter before the Executive Board such as a “Discharge Petition” signed by a majority of members of the Executive Board? Some other method?

15. If a proposal is rejected by the Committee, should there be a method to bring it to the floor?

16. If so, what should that method be given that a “Discharge Petition” already requires a majority of the Executive Board to be in agreement?

17. Should “minority reports” be allowed?

18. If so, what percentage of the committee would have to agree to do so?

19. If a proposal is presented, but not considered because it dies for lack of a motion and/or second, should there be a method to bring it to the floor?

20. If so, how?
TO: Rules Committee
FR: Lead Co-Chairs; Kathy Bowler and Garry S. Shay
DA: 07/17/2020
RE: Reminder of Sub-committees and Assignments

We have previously assigned members to the various sub-committees and wish to take this opportunity to remind members of their assignments, as noted below.

You will recall that in order to increase diversity in participation and decision-making and increase potential for “mentoring” of as many members as possible, we have tried to include everyone in a sub-committee, or two, and have designated Sub-Committee Lead Co-Chairs and Co-Chairs, a departure from the past.

Additionally, we have allowed for the possibility of non-Rules Committee Co-Chairs to participate in sub-committees as Co-Chairs of the sub-committee.

We have a new member of the Rules Committee, Ryan Skolnick, and two members have been elevated to Co-Chair Status since we last visited this issue. One Chair of a subcommittee requested to have another Rulers Co-Chair take the helm. We also now have CYD Ambassadors who have requested their assignments, as well. The below takes all this into consideration.

When the sub-committees were first assigned, the Rules Committee adopted the following to allow for faster and more timely processing of matters brought before us:

1. As in the past, Lead Co-Chairs will be ex-officio members of any sub-committee, but without vote, unless they are a full member, and, as a new matter,

2. Lead Co-Chairs, if in agreement, may form and constitute, new sub-committees, without need to have approval of the full Rules Committee, subject to ratification at the next meeting of the Rules Committee.

Any further changes should await the election of officers at the next Convention. With that in mind, we request your ratification and approval of the following sub-committees and assignments, 95% of which are the same as previously presented:

<table>
<thead>
<tr>
<th>SubCommittee</th>
<th>Lead Chair Sub-Committee</th>
<th>Co-Chair Sub-Committee</th>
<th>Members</th>
<th>CYD Ambassador Assignments</th>
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<tbody>
<tr>
<td>ADEMS</td>
<td>King</td>
<td>Fernandez</td>
<td>Bowler, Gale, Carrillo, and Wingard</td>
<td>Luis Zamora</td>
</tr>
<tr>
<td>CAUCUSES</td>
<td>Zakson</td>
<td>Wood-Gray</td>
<td>Alcala, Bartholomeusz, Kim, Miller, and Soto</td>
<td>Brooke Pritchard and Luis Zamora</td>
</tr>
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<td>ENDORSEMENTS</td>
<td>King</td>
<td>Hernandez</td>
<td>Blackerby, Hurd, Rafiei, Weber, Wong</td>
<td>Luis Zamora</td>
</tr>
<tr>
<td>MISCELLANEOUS</td>
<td>Shay</td>
<td>Strobridge</td>
<td>Andrews, Heard II, Phillips, and Zakson</td>
<td>Brooke Pritchard</td>
</tr>
<tr>
<td>COUNTY BYLAWS</td>
<td>Chiu</td>
<td>Woods</td>
<td>Dauber, Devermont, Hansen, and Narayana</td>
<td>Brooke Pritchard</td>
</tr>
<tr>
<td>STANDING COMMITTEES</td>
<td>Woods-Gray</td>
<td>Hansen</td>
<td>Wong, Rafiei, Carrillo, and Heard II</td>
<td>Luis Zamora</td>
</tr>
<tr>
<td>OFFICERS, ELECTIONS, DUTIES, ETC.</td>
<td>Hansen</td>
<td>Hernandez</td>
<td>Bowler, Skolnick, Wong, Zakson</td>
<td>Brooke Pritchard</td>
</tr>
<tr>
<td>Caucus ReCertification Grouping</td>
<td>Lead Chair Sub-Committee</td>
<td>Co-Chair Sub-Committee</td>
<td>Members</td>
<td>Caucus</td>
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<tr>
<td>Caucus Group A</td>
<td>Hansen</td>
<td>Wingard</td>
<td>Andrews, Bartholomeusz, Carrillo, and Fernandez</td>
<td>Irish, Women's, Filipino, and LGBT</td>
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<td>Caucus Group B</td>
<td>Bowler</td>
<td>Gale</td>
<td>Blackerby, Dauber, Gale, and Heard II</td>
<td>Disabilities, Environmental, Progressive, and Senior</td>
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<td>Caucus Group C</td>
<td>Zakson</td>
<td>Narayan</td>
<td>Hurd, Devermont, Strobridge, and Woods</td>
<td>African American, Business &amp; Professions, Veterans, and Rural</td>
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<td>Caucus Group D</td>
<td>Chiu</td>
<td>Weber</td>
<td>Kim, Hernandez, Miller, and Soto</td>
<td>Chicano/Latino, Arab American, Computer &amp; Internet, Labor</td>
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<td>Caucus Group E</td>
<td>Alcala</td>
<td>Rafiei</td>
<td>King, Phillips, Shay, and Woods-Gray</td>
<td>Asian Pacific, Childrens', Native American</td>
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</tbody>
</table>
COMPLIANCE REVIEW COMMISSION (CRC) REFERRED TO RULES
APPEAL #1
April 13, 2020

Rules Committee
California Democratic Party
c/o Jenny Bach  c/o Rusty Hicks
Secretary, California Democratic Party  Chair, California Democratic Party
secretary@cadem.org

cc: CDP staff member Unique Wilson (unique@cadem.org)

VIA E-MAIL TO: secretary@cadem.org; unique@cadem.org

Re: Appeal of CRC Decision of March 31, 2020 Concerning Complaint/Challenge Concerning Bylaws Amendments Approved by Democratic Party of Contra Costa County at January 16, 2020 Meeting

To the California Democratic Party Rules Committee (c/o Secy. Bach & Chair Hicks):

Jason Bezis (AD16) appeals the March 31, 2020 decision of the Compliance Review Commission (4-2 vote) rejecting his January 2020 complaint concerning Democratic Party of Contra Costa County Central Committee (hereinafter “DPCCC”) bylaws.

Appellant is a member of the DPCCC who is adversely affected by actions of the DPCCC. He filed this complaint/challenge in his personal, individual capacity. This appeal concerns bylaws amendments ostensibly approved by the DPCCC at its January 16, 2020 meeting. For reasons set forth in his January 23, 2020 complaint, Appellant contends on procedural grounds that some of these bylaws amendments were not duly adopted. On substantive grounds, Appellant argues that some of these bylaws amendments are offensive to core Democratic Party values and fundamental fairness. The bylaws amendments undermine the legitimacy of future DPCCC endorsements by violating CDP bylaws, which say in part, “In order for the endorsement of the

APPEAL OF CRC DECISION OF MARCH 31, 2020 CONCERNING CONTRA COSTA CO. DEM. CENTRAL COMM. MTG. OF 1/16/2020 (BYLAWS AMENDMENTS)
County Central Committees to become the official endorsements of the California Democratic Party, the following must be met … [a]ll endorsements shall be made in accordance with the County Committee’s duly adopted By-Laws provisions.” Article VIII, Section 4(c). The endorsements also are not “consistent … with the fundamental rules of fairness to which the California Democratic Party is committed.” Article VIII, Section 4(b).

The CDP Compliance Review Commission (CRC) considered this complaint at its March 4, 2020 meeting. CRC found no jurisdiction under the CDP Bylaws and denied the challenge. This appeal is submitted pursuant to the March 31, 2020 CRC decision.

**March 31, 2020 Decision Is Erroneous: Based Off of Wrong Exhibits/Evidence/Facts**

First, the March 31, 2020 CRC decision is erroneous because it is based off of wrong facts and evidence. The “Documents Initially Received and Reviewed” section of the March 31, 2020 decision refers to Exhibits A (“Agenda”), B (“IBEW Letter”), C (“No on Measure J Mailer”). Appellant did not submit those exhibits for this complaint. Appellant instead submitted “Exhibits 1, 2, 3,” which are entirely different documents from the ones listed in the CRC decision.

**March 31, 2020 Decision Is Erroneous: Disallows “Facial” Challenges**

Second, the March 31, 2020 CRC decision is erroneous because it disallows a “facial” challenge to an endorsement process (e.g., for March and November 2020 elections and thereafter) and to the DSCC representative selection process (e.g., election of DSCCC representative at the January 2021 DPCCC meeting and election of DSCC Executive Board members at the June 2021 DPCCC meeting). The heart of the March 31, 2020 CRC decision said:

The challenge submitted by Mr. Bezis failed to provide any basis for jurisdiction under the CDP Bylaws. The CRC did discuss the possibility that any amendment to a county committee’s bylaws that would affect membership in the county committee could theoretically have an impact on (1) the outcome of a local endorsement that could be subsequently adopted by the CDP or (2) the outcome of a vote for
representatives to the CDP State Central Committee. However, the CRC decided on a vote of 4 to 2 (Mr. Allison and Ms. Fernandez dissenting) that without a stronger connection to a violation of the CDP bylaws, such theoretical impacts on too tenuous to find jurisdiction.

The CRC’s reasoning is inconsistent with CDP Rules Committee and CRC past decisions. Those decisions generally have rigidly ruled (wrongly in Appellant’s belief) that challenges to County committee actions must be filed within seven days of the initial action. If Appellant were to wait to file a challenge to the affected bylaws amendments until after they had been applied (such as to actual endorsement votes or to the County committee’s actual selection of DSCC representatives), then Appellant expects that the CDP CRC would rule that such a challenge would be “untimely” because Appellant should have challenged any bylaws amendments when first adopted in January 2020.

Furthermore, it is extremely difficult to obtain evidence of a violation in an “as applied” context, even a challenger filed a complaint with the CDP within seven days of a county committee endorsement vote or county committee election of representatives to the DSCC or DSCC Executive Board. One example is the DPCCC endorsement votes at its February 2020 meeting (subject of a separate complaint to the CDP CRC). The DPCCC membership refused to permit a roll call vote on an endorsement vote. Since the DPCCC bylaws permit voting credentials to be passed back and forth between appointing powers and alternates during meetings, it’s extremely difficult to determine who actually participated in the votes, including how they voted. DPCCC elections of DSCC representatives and DSCC Executive Board representatives generally are not conducted by public ballot. It’s difficult to determine who actually participated in the votes, including how they voted.

//

APPEAL OF CRC DECISION OF MARCH 31, 2020 CONCERNING CONTRA COSTA CO. DEM. CENTRAL COMM. MTG. OF 1/16/2020 (BYLAWS AMENDMENTS)

Third, by claiming that the CRC has no jurisdiction, the CRC is evading review of DPCCC bylaws amendments that are offensive to core Democratic Party values and fundamental fairness, along with federal and/or state law.

Appellant objects particularly and especially to the creation of a new “Executive Committee Member” category of regular voting member under the amended Bylaws. It adds up to ten new voting memberships that could influence the outcome of future DPCCC-CDP endorsement votes. The new “Executive Committee Member” category of voting member would be unfair to add in the middle of the Central Committee organizational term. When these Executive Committee members were elected in January 2019, the electors could not have foreseen that “associate members” elected to the Executive Committee would be converted mid-term to voting memberships in the full body, with the same power as voting members elected by 10,000+ Democrats in the 2016 presidential primary election. County districts that elected “associate members” as district director effectively are being given more votes than county districts that elected current a voting member as district director. With the voting power of the county party committee members elected in the presidential primary elections further diluted by addition of these new voting members, this raises bigger questions as to why the general public (including nonpartisan voters) is conducting and subsidizing county party committee elections on the public ballot every four years with public funds.

Appellant especially objects to this DPCCC bylaw amendment ostensibly January 16, 2020: “Any Member may be removed for dereliction of duty or responsibility as defined by Article II, Section 4 or if their actions are found to be injurious to the DPCCC or the Democratic Party.” The
“Rationale” provided by the DPCCC (Exh. 3, ¶17) says, “This permits removal of any member … including ... Ex-Officios.” This sweeping assertion received not one second of discussion or debate by the DPCCC. As Appellant noted in his Minority Report (Exh. 2), the term “injurious” is not defined and therefore is vague and ambiguous. Any Member could be expelled simply for endorsing a “no party preference” incumbent in a school board election. Moreover, the CDP should NOT delegate power to a county committee to expel a Democrat based on a claim that Democrat’s action was “injurious to ... the Democratic Party.” A local party committee should not usurp such authority (especially potent, unbridled authority) from the state and national party committees. This implicates the Bipartisan Campaign Reform Act and the issue of whether or not county committees directly or indirectly establish, finance, maintain or control a state party committee and vice versa. A state party committee should not be willfully blind to abuse by local party committees.

The Democratic Party at all levels across the country, including California county committees, right now should be focused on a “big tent” Democratic Party to defeat Mr. Trump. The California Democratic Party should not be giving local party committees free license to persecute fellow Democrats because local party committees contend that Democrats whom they disfavor for petty, parochial, or non-existent reasons are “injurious ... to the Democratic Party.”

Respectfully submitted,

JASON A. BEZIS, Appellant; Member, Contra Costa County Democratic Central Committee
CRC DECISION
MEMORANDUM

TO: All Interested Parties
FROM: Compliance Review Commission (CRC)
DATE: March 31, 2020
RE: COMPLIANCE REVIEW COMMISSION (CRC) DECISION RELATING TO A CHALLENGE FILED BY JASON BEZIS

INTRODUCTION:

Jason Bezis filed a challenge relating to the actions of the Democratic Party of Contra Costa County Central Committee (DPCCC). The challenge alleges that the DPCCC’s adoption of various bylaw amendments at its January 16, 2020 meeting was not in compliance with the DPCCC’s own bylaws, parliamentary procedure, and/or the CDP’s rules and therefore affect the California Democratic Party endorsements in November 2020 and beyond. Mr. Bezis also challenged the adoption of various bylaws amendments on substantive policy grounds.

A preliminary review of Mr. Bezis’ challenge found that more information was needed.

DOCUMENTS INITIALLY RECEIVED AND REVIEWED:

Documents received and reviewed by the CRC associated with the challenge included the following:

   1. Exhibit A – Agenda
   2. Exhibit B – IBEW Letter Endorsing Contra Costa County 2020 Measure
   3. Exhibit C – No on Measure J Mailer by SEIU

No other timely testimony was received from Mr. Bezis or any of the interested parties.

TIMELINESS:

According to CDP Bylaws, Article XII, Section 4:

“All challenges must be commenced by the filing of a written challenge with the Secretary of This Committee, with copies served on the Chair of This Committee, as well as the appointing person, and the chair of the relevant organization, where applicable no later than seven (7) calendar days after the alleged violation occurred. Upon a showing of good cause, sustained by unanimous vote, the Compliance Review Commission may waive this requirement.”

(All By-Law references are to the California Democratic Party Bylaws, as amended through November 2019, unless otherwise indicated.)
The action against which Mr. Bezis filed his challenge was the adoption of certain bylaws amendments by the DPCCC on January 16, 2020. Mr. Bezis filed his challenge within 7 days on January 23, 2020, and thus, the challenge was timely.

**JURISDICTION:**

Article XII, Section 2 states:

“The Compliance Review Commission shall have initial jurisdiction over all challenges and/or appeals arising under these Bylaws.”

Further, the CRC Procedural Rules, Section 2, B. 2. state in pertinent part that a challenge must,

“Explain[] the basis of CRC’s jurisdiction… If the CRC cannot discern the section of the CDP Bylaws alleged to have been violated or which grants jurisdiction to the CRC, it may dismiss the challenge.”

The challenge submitted by Mr. Bezis failed to provide any basis for jurisdiction under the CDP Bylaws. The CRC did discuss the possibility that any amendment to a county committee’s bylaws that would affect membership in the county committee could theoretically have an impact on (1) the outcome of a local endorsement that could be subsequently adopted by the CDP or (2) the outcome of a vote for representatives to the CDP State Central Committee. However, the CRC decided on a vote of 4 to 2 (Mr. Allison and Ms. Fernandez dissenting) that without a stronger connection to a violation of the CDP bylaws, such theoretical impacts on too tenuous to find jurisdiction.

**STANDING:**

According to Article XII, Section 3:

“Any party to a challenge must be adversely affected to bring the challenge.”

Standing did not have to be reached as the CRC found no jurisdiction to hear the challenge.

**FINDINGS:**

As noted and explained above, the challenge submitted by Mr. Bezis failed to provide any basis for jurisdiction under the CDP Bylaws.

**ORDERS AND COMMENTS:**

Based upon the above facts and Bylaws of the CDP, the CRC makes the following order:

1. Based on the information presented, the CRC finds no jurisdiction under the CDP Bylaws and denies the challenge.
Appeal of this order, if any, must be filed with the CDP Secretary, with copies to the Chair of the CDP State Central Committee, within twelve days of the date of this decision. Thus, any appeal must be filed on or before April 13, 2020 with the Sacramento office of the California Democratic Party, and shall be an appeal to the next meeting of the CDP Rules Committee.

Please note that per CDP Bylaws, Article XII, Section 6b, the filing of an appeal shall not stay any decision of the CRC. Parties may additionally respond in person, if so desired, provided there has been a timely filing of an appeal and notice of intent to testify is provided in writing to the Lead Chair of the Rules Committee by 5 PM on April 25, 2020, at the Sacramento office of the California Democratic Party. The Rules Committee may accept such additional testimony, written or oral, considering the nature and import thereof, as well as the time available for its proper consideration, as it deems appropriate, in its discretion.

Accordingly, this decision is so ordered, and is in effect, unless, and until, a successful appeal is made, decided, and contrary orders made whether by the CRC, or by the Rules Committee. CRC shall retain jurisdiction up until the time of an appeal, if any, is heard by the Rules Committee.

Respectfully submitted by a 4-2 vote of the members of the CRC,

Tim Allison, Co-Chair, Credentials Committee
Kathy Bowler, Co-Lead Chair, Rules Committee
Nicole Fernandez, Co-Chair, Rules Committee
Coby King, Co-Chair, Rules Committee, and Co-Chair of the CRC
Lara Larramendi, Co-Lead Chair, Credentials Committee, and Co-Chair of the CRC
Keith Umemoto, Co-Chair, Credentials Committee
ORIGINAL COMPLAINT
January 23, 2020

Compliance Review Commission
California Democratic Party
c/o Jenny Bach c/o Rusty Hicks
Secretary, California Democratic Party Chair, California Democratic Party
secretary@cadem.org

cc: CDP staff member Chris Myers (chris@cadem.org); Democratic Party of Contra Costa County Central Committee Chair (mlalegria@comcast.net)

VIA E-MAIL TO: secretary@cadem.org; chris@cadem.org; mlalegria@comcast.net

Re: Complaint/Challenge Concerning Bylaws Amendments Approved by Democratic Party of Contra Costa County at January 16, 2020 Meeting

To the California Democratic Party Compliance Review Commission (c/o Secy. Bach & Chair Hicks):

Petitioner Jason Bezis (ADϭϲ) is a member of the Democratic Party of Contra Costa County Central Committee (hereinafter “DPCCC”) who is adversely affected by actions of the DPCCC. He is filing this complaint/challenge in his personal, individual capacity. This letter is to serve as a complaint/challenge concerning bylaws amendments ostensibly approved by the DPCCC at its January 16, 2020 meeting. Petitioner contends that some of these bylaws amendments were not duly adopted and therefore would undermine the legitimacy of future DPCCC endorsements by violating CDP bylaws, which say in part, “In order for the endorsement of the County Central Committees to become the official endorsements of the California Democratic Party, the following must be met ... [a]ll endorsements shall be made in accordance with the County Committee’s duly adopted By-Laws provisions.” Article VIII, Section 4(c). This complaint/challenge is submitted pursuant to CDP Bylaws, Article XII. In compliance with Article XII, Section 4, Petitioner has filed CHALLENGE CONCERNING CONTRA COSTA CO. DEM. CENTRAL COMM. MTG. OF 1/26/2020 (NEW BYLAWS)
this written challenge “no later than seven (7) calendar days after the most recent “alleged violation[s] occurred” and has served it upon the required parties on January 23, 2020. The State Party Compliance Review Commission has jurisdiction over this complaint because it concerns an endorsement under Article VIII of the CDP Bylaws [CDP Bylaws, Article XII, Section 2(a)].

**DPCCC “Executive Committee Member” Bylaw Amendment Was Not Duly Adopted.**

Petitioner objects particularly and especially to the creation of a new “Executive Committee Member” category of regular voting member under the amended Bylaws:

Any member of the DPCCC who is not a Regular Member through any other means but is elected to serve as an Officer of this Committee, is elected to serve as a District Director, or serves as Past Chair on the Executive Committee shall be a Regular Member with all the rights and responsibilities of Regular Membership including the right to vote and to appoint an Alternate.

First, Petitioner contends that the “Executive Committee Member” bylaw amendment was not “duly adopted” by the DPCCC. The vote occurred very late in the meeting, after the previously announced 9:00 p.m. end of business. The agenda for the January 16, 2020 meeting issued on December 31, 2019 said, “7:00PM - 9:00PM.” See attached Exhibit 1. Relying on this agenda time, an exodus of voting members took place after 9:00 p.m. Many remaining voting members objected to the continuing of business after 9:00 p.m. based on the agenda. The acting Parliamentarian ruled that business needed to cease because 9:00 p.m. had passed, but the voting on bylaws amendments carried on. A little later, Petitioner specifically suggested the absence of a quorum. But the Past Chair/former Parliamentarian, among a few others, invented a non-existent rule that quorum is determined once during a meeting, and that since quorum had been established at the beginning of the meeting, it was out of order to conduct a quorum call after quorum had been established earlier in the meeting. (The final vote of the meeting was on a resolution. Just 18 votes total and no abstentions were recorded, well below the quorum.) The
“Executive Committee Member” by-law amendment was considered by the body well after 9:30 p.m. Due to the late hour, debate was shortened and members were confused as to what this amendment actually meant, erroneously believing that it just concerned Executive Committee meeting votes (not voting rights in the Full Body). It should be declared null and void by CDP on the basis that it was not “duly adopted” and it creates up to ten new voting memberships that could influence the outcome of future DPCCC-CDP endorsement votes.

Petitioner objects to the “eleventh hour” surprise addition of “Executive Committee Member” to the DPCCC bylaws amendments. Petitioner is a member of the DPCCC Rules Committee and attended all meetings that discussed Bylaws amendments in summer 2019. Those proposed Bylaws amendments were presented to the full body in August 2019 and discussed in great detail. The “Executive Committee Member” category was not a part of that proposal. When the CDP informed DPCCC that any Bylaws amendments adopted in August 2019 would be too late for the CDP to approve before the March 2020 DPCCC endorsements process, DPCCC Leadership announced that the Bylaws amendments would be tabled until the January 2020 meeting. The Rules Committee apparently approved this controversial addition to the Bylaws amendments in December 2019 at a meeting that Petitioner was unable to attend. The Rules Committee chair, the current “Past Chair,” is a direct beneficiary. Petitioner was unaware that “Executive Committee Member” had been added to the bylaws amendments until the January 16, 2020 DPCCC meeting. Therefore, he did not include it on the “Minority Report” that he prepared and distributed to DPCCC members at the January 16, 2020 DPCCC meeting. See Exhibit 2.

The official “Rationale” (Exh. 3) for creation of the new “Executive Committee Member” member category in the agenda packet was misleading. It mischaracterizes the inability of Associate Members who are Officers and District Directors to vote in the DPCCC as a mere “oversight.”
The new “Executive Committee Member” category of voting member would be unfair to add in the middle of the Central Committee organizational term. It theoretically adds up to up to ten (10) new voting members to the body: First Vice Chair, Second Vice Chair, Secretary, Controller, Past Chair and five District Directors. Based on Bylaws amendments first adopted in August 2018, all of these positions can be occupied by Associate Members. By this new “Executive Committee Member” category of voting member ostensibly adopted at the January 16, 2020 DPCCC meeting, any Associate Member henceforth occupying these positions would be given a voting membership in the full body. Many of the other DPCCC voting members were elected by 10,000+ registered Democrats, but these “Executive Committee Members” are given equal voting rights.

The new “Executive Committee Member” category of voting member also would encourage peculiar behavior that would cause further distortions in the DPCCC voting membership. Officers and District Directors who already are voting members through other means (such as Club Representative) would be encouraged to resign those voting memberships in order to open up those positions for cronies. A game of “musical chairs” of voting memberships would follow.

The new “Executive Committee Member” voting member category also would create disparity between the county’s five districts. A district that elected an Associate Member as District Director in January 2019 now effectively has one more seat than a district that did not. If this bylaw amendment is to be implemented before the November 2020 DPCCC-CDP endorsement votes, then the other districts should be given an opportunity to re-do their District Director elections to consider electing Associate Members so that their districts will be disproportionately and adversely affected by other districts’ election of Associate Members as District Director. Furthermore, the CDP should disapprove of DPCCC’s “Executive Committee Member” category of voting member bylaw amendment because it bestows voting rights upon an individual without approval of the full
body of that bestowing of voting rights. In stark contrast, whenever a vacancy occurs in a voting member seat elected during a Presidential Primary, the FULL BODY votes on the replacement. In stark contrast, the FULL BODY votes on the granting of Club charters that in turn grant a voting member from a Club. In stark contrast, the FULL BODY elects Officers. Why should a small fraction of the body be able to grant voting rights in the full body through a District Director election?

**County Parties Should Not Be Permitted to Expel Members for Actions “Injurious” to the “Party”**

Finally, Petitioner objects to this DPCCC Bylaw amendment also adopted after 9:00 p.m. on January 16, 2020: “Any Member may be removed for dereliction of duty or responsibility as defined by Article II, Section 4 or if their actions are found to be injurious to the DPCCC or the Democratic Party.” The “Rationale” (Exh. 3, ¶17) says, “This permits removal of any member ... including ... Ex-Officios.” This sweeping assertion received not one second of discussion or debate. As Petitioner noted in his Minority Report, the term “injurious” is not defined. Any Member could be expelled simply for endorsing a “no party preference” incumbent in a school board election. Moreover, the CDP should NOT delegate power to a County Committee to expel a Democrat based on a claim that Democrat’s action was “injurious to ... the Democratic Party.” I foresee abuse of this overbroad punitive provision that will embroil Ex-Officios and State and National Democratic parties into parochial county internecine fights over “disrespect for the County party’s essential endorsement for the crucially important election of Smallville dogcatcher.” County committees should be focused on a “big tent” Democratic Party to defeat Mr. Trump, not persecuting fellow Democrats because they are ambiguously “injurious ... to the Democratic Party.” CDP and DNC: Please nip this in the bud before it metastasizes, inspires other County committees and creates a maelstrom.

Sincerely,

JASON A. BEZIS, Petitioner; Member, Contra Costa County Democratic Central Committee

CHALLENGE CONCERNING CONTRA COSTA CO. DEM. CENTRAL COMM. MTG. OF 1/26/2020 (NEW BYLAWS)
IBEW Local 302
1875 Arnold Drive, Martinez, CA
Thursday, January 16, 2020 @ 7:00PM-9:00PM

THIS IS AN OFFICIAL BUSINESS MEETING TO APPROVE:
DPCCC BYLAW AMENDMENTS

1. Call to Order

2. Flag Salute

3. Welcoming of Guests (5 minutes)

4. Approval and Additions to Agenda

5. Approval of Minutes: November 21, 2019 (attached)

6. Officer/Committee Chair Reports (Action Items): (90 minutes)
   a. Chair & Executive Committee Report:
      i. Report on CADEM DPCCC Coordinated County Campaign Initiative: Co-Chairs Katie Ricklefs & Sue Hamill
      ii. Bylaw Amendments: Bylaws Chair: Jeff Koertzen (Report is attached) (Action)
   b. 1st Vice Chair:
      i. Issues Committee: (Action)
   c. 2nd Vice Chair: (Action)
   d. Secretary (Action)
   e. Controller: (Action)
   f. Past Chair
   g. District Directors (Action)

7. Unfinished Business: NONE

8. New Business:

9. Officers, District Directors and Standing Committees Reports: (as time permits) (Please provide “highlights” and a written report) 30 minutes
   i. Chair: Maria Alegria
      1. 2020 Meeting Format
      2. Rules/Bylaws: Jeff Koertzen
   ii. 1st Vice Chair: Katie Ricklefs
      1. Elections Committee: Renee Zeimer
      2. Endorsements Committee: Chuck Carpenter
      3. MOE Administrator: Rachel Tolmachoff
iii. 2nd Vice Chair: Sue Hamill
   1. Club Development: Robyn Kuslits
   2. Training: Marilyn Lucey
   3. Recruitment: John Stevens

iv. Controller: Greg Sanborn
   1. Finance: Greg Sanborn
   2. Fundraising: John Stevens
      a. Roosevelt Dinner Report

v. Secretary: John Hall
   1. Member Communications: Ryan Buckley
   2. Publications: Ellis Goldberg

vi. Past Chair: Jeff Koertzen


10. Future Agenda item (to be referred to Executive Committee) (5 minutes)
   a. 2020 US Census Presentation
   b. Healthcare for All: The Power to Heal

11. Announcements (5 minutes)
   a. Legislative Updates
   b. Other

12. Adjournment

Important Dates:

1. February 5, 2020 @ 7pm: DPCCC Executive Committee Meeting
2. February 20, 2020 @ 7pm: DPCCC Membership Meeting

GROUND RULES FOR DPCCC MEETINGS (re-affirmed 3.21.18)

• PURPOSE: to conduct the official business of the DPCCC.
• At DPCCC meetings, members and guests will be:
  ○ Respectful and civil when recognized to speak.
  ○ Individuals wishing to speak on a motion will be placed on a list and asked to come speak in front of the membership when called upon.
  ○ Time limits per speaker will be limited to 2 minute. Depending on the number of speakers, the Chair will adjust time limits, allowing both sides of the issue to be fairly represented.
  ○ Members have the right to criticize DPCCC policies, procedures, programs or services or the actions or omissions of the body or its committees.
  ○ If a member’s remarks maliciously attack the character of any individual, the Chair will call a “point of privilege” or “point of order” and warn the member to refrain from such comments or else be ruled out of order.
  ○ The Chair will stop the meeting and ask individuals who engage in conversations that disrupt the proceedings to take their conversations outside the meeting room.
• A Parliamentarian will be appointed to assist with the interpretation of rules, procedures and by-laws.
Minority Report – DPCCC Bylaws Amendments


“Any Member may be removed for dereliction of duty or responsibility as defined by Article II, Section 4 or if their actions are found to be injurious to the DPCCC or the Democratic Party.”

The “injurious” standard for removal cannot be placed in the Bylaws. It invites intimidation of the minority. It would permit arbitrary and capricious removal of members who validly criticize the DPCCC for failure to follow its own Bylaws. Aggrieved members would be dissuaded from filing valid complaints with the Registrar of Voters, National Party, State Party, the news media and/or with the county’s 300,000+ registered Democrats out of fear of removal. This standard could be applied unevenly. For example, a major union leader who openly endorses a Republican candidate for countywide office against an incumbent Democrat in 10,000s of mailers might go unpunished (true case), but a member who endorses an incumbent non-Democrat in her community’s nonpartisan school board election might be removed from the DPCCC for “injuring” an endorsed candidate. This Body has no proven due process protections or procedures in place for fair accusation and trial. We should not misdirect our resources to punish dissent.

DPCCC Bylaws define “dereliction of duty or responsibility” to include “the duty ... to ... [a]ttend meetings of committees to which they are assigned.” If the Bylaws permit Committee Chairs to exclude members with whom they disagree (see below), then disfavored members would not be able to fulfill their “duty” and could be removed for failure to attend committee meetings.

Committees Would Become Fiefdoms of Officers and Unaccountable to This Body (Art. 5, § 5)

“Committee chairs shall be appointed by and report to the designated officer ... Committee chairs may be removed at any time by the designated/appointing officer.”

The draft Bylaws would convert Committees into fiefdoms absolutely controlled by individual officers. Officers could directly appoint whomever they want as Committee chairs without any say whatsoever from this Body. According to discussion during Rules Committee meetings, most Committee Chairs then would have the sole power to select Committee members. The draft Bylaws would remove this Body’s oversight powers; this line would be stricken from the Bylaws: “Committees shall report their current activities to the DPCCC at each regular meeting.” Committees would “adopt rules and procedures for themselves.” If the Body no longer confirms Committee Chairs and Committee Chairs select their own members and adopt their own rules, and Committees no longer regularly report to the Body, then the Committees would become fiefdoms of individual officers. This Body would be unwise to delegate such unbridled power.

The current Bylaws are better. The Body confirms Committee Chairs. All members are free to serve on most Committees. Committees report on their activities to the Body, often most efficiently through written reports. We need a bylaw provision that requires Committees to take minutes of all actions taken and that such reports must be presented to the Body for oversight and ratification or approval of major actions taken by Committees not expressly delegated.

Furthermore, the Rules Committee that considered these bylaw amendments refused to seat as a committee member a duly elected DPCCC member who won more than 11,500 votes in the 2016 DPCCC election, yet seated as committee members Associate Members, Appointed Mem-
bers and Elected Members, all of whom received fewer or no votes in the 2016 election. Such exclusion does not appear to be authorized under the current Bylaws.

Too much power is delegated to Officers; why must a Secretary appoint a Recording Secretary?

**Majority Vote to Remove Officers Is Too Low, Invites Instability; Compare to U.S. Constitution**

Draft Bylaws permit officers to be removed “for cause by a majority vote,” lowering the threshold from 2/3. Such a low threshold invites instability by a transitory majority and undermines election coalitions. The U.S. Constitution requires a 2/3 vote to remove executive officers.

**Under Proposed Bylaws, Alternates Implicitly Could Lose Power to Make Motions (Art. III, §3)**

The draft Bylaws explicitly give Alternates the voting rights of their appointers, but are ambiguous about the ability of Alternates to make motions, and seem to take away that vital power.

**DPCCC Violates CA Elections Code By Allowing Alternates to Vote When Appointer is Present**

The State Elections Code imposes requirements upon County Democratic Central Committees, including § 7208, which says in part, “An alternate member ... may vote only in the absence of the member who appointed him or her.” The Legislature and Gov. Pat Brown first enacted this in 1965. The draft Bylaw, “An Alternate may only vote when authorized by or in the absence of the Regular voting member so long as there is never more than one vote per Member seat,” appears to violate Elections Code § 7208, as does the existing “absence of the vote” Bylaw.

The DPCCC appears to be unique among California County Democratic Central Committees in permitting an Alternate to vote while the appointing power is present, probably because such an arrangement violates Elections Code § 7208. The DPCCC’s illegal arrangement creates confusion as to who is authorized to make motions and to participate in votes.

During the Rules Committee meetings, one officer defended the illegal arrangement by claiming that it is “awkward” for officers to cast votes openly in front of the audience, so officers prefer to have an Alternate in the audience to cast their votes more discreetly. Such subterfuge is illegal and undemocratic. The DPCCC needs to conform its Bylaws to Elections Code § 7208.

**Chartered Organization Voting Members Should Be Approved by Their Members**

Chartered Organization Members receive the same voting power in the DPCCC as Elected Members who received 10,000-15,000 votes in 2016, yet many are selected by just a handful of people. Our Bylaws should require that the entire Chartered Organization memberships should be informed of DPCCC slots, can run as candidates, and elections should be made or ratified by their entire memberships. A person selected by five people should not have the same voting power in the DPCCC as one duly elected by 10,000-15,000 on a public ballot. The Constitution was amended to require direct election of U.S. senators; so should DPCCC Chartered Organization members be directly approved by their members in open and fair selection processes.

**New Quorum Is Too Low – 20% of Body Could Dictate Policy (Art. IV, § 5)**

Proposed Bylaws would reduce the quorum from 50% down to 40%. Do we really want 20% of the Body plus one to be making final decisions? We should look at why average attendance of voting members is so low before lowering the quorum. The existing Bylaws require that a roll call/“taking of attendance ... shall be made prior to the transaction of any business,” but this is not being enforced. – Submitted by Jason Bezis (jbezis@yahoo.com), SBN 225641, Jan. 16, 2020
<table>
<thead>
<tr>
<th>Article II</th>
<th>Article III</th>
<th>Article IV</th>
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<td>22</td>
<td>3</td>
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### Changes to Bylaws

- **Article II**
  - No changes
- **Article III**
  - Removed Honorary and Complimentary Membership
  - Changed Article 4.3 to Article 4.2.3
  - Added new section 4.2.3 titled "Designated Members and Designated Member Categories" in the Members section.
- **Article IV**
  - No changes

### Change Summary

Just moved everywhere in the Article based on the Simplified Membership Structure.

**NOTE:** While it may look like there were a lot of sections, "striked" or "inserted" in Article III, much of those changes are because the sections were reordered or renumbered.
<table>
<thead>
<tr>
<th>Article</th>
<th>Text</th>
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<tbody>
<tr>
<td>8C</td>
<td>The policy, and it should be more difficult to change the threshold. The removal process is now in the PDCP due process policy. The will except for 2/3 Requirement for removal.</td>
</tr>
<tr>
<td>8A2</td>
<td>Including Associate and Executive Office. Access to the records removal of any member from the PDCP.</td>
</tr>
<tr>
<td>7C (stricken)</td>
<td>Article III of the Bylaws to be removed for cause. Process and Procedures document.</td>
</tr>
<tr>
<td>7B (stricken)</td>
<td>This is a procedure best suited for the process and Procedures document.</td>
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<tr>
<td>7A</td>
<td>Article III of the Bylaws.</td>
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<td>74</td>
<td>Automatic Vacancies.</td>
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<tr>
<td>76D</td>
<td>Article III of the Bylaws.</td>
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<td>5D (stricken)</td>
<td>Article III of the Bylaws.</td>
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<td>5B</td>
<td>Article III of the Bylaws.</td>
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<td>4C</td>
<td>Article III of the Bylaws.</td>
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<tr>
<td>5 (stricken)</td>
<td>Article III of the Bylaws.</td>
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**Change Summary:**

- Ratemaking
- 2020
APPEAL #2
[CDP Rules Committee] Appeal of CDP Compliance Review
Commission Decision Dated May 6, 2020 (Democratic Party of Contra Costa County Central Committee)

3 messages

Jason Bezis <jbezis@yahoo.com> Tue, May 19, 2020 at 2:52 PM
To: Secretary <secretary@cadem.org> Cc: "rusty@cadem.org" <rusty@cadem.org>, Unique Wilson <unique@cadem.org>

Dear Secretary Bach (Attn: CDP Rules Committee):


DPCCC has added nearly 20 voting members since August 2018, expanding from around 35 voting members to around 55 voting members. Following controversial bylaws amendments from August 2018 to present, these new voting memberships include Democratic Club representatives (many from small clubs and many selected merely by the club boards of directors) and certain associate members who have been retroactively deemed “voting members” through their appointment to the DPCCC Executive Committee. DPCCC also appears to be unique among the 58 county Democratic committees in ignoring Elections Code sec. 7208 and permitting voting credentials to be passed back and forth during meetings between the voting member and his/her alternate. During endorsement discussion and votes at a special January 4, 2020 endorsement meeting, DPCCC voted to ban photography during the meeting.

CDP Bylaws, Article XIII, Section 9(a) says in part, “The Democratic Party is committed to: … the voter’s right to know how their representatives have voted.” DPCCC’s expansion of voting membership and the virtually unfettered transfer of voting credentials during meetings makes it difficult, if not impossible, for observers in the room (let alone stakeholders not present) to know how their representatives have voted. A ban on photography at an endorsement meeting makes it even more difficult to determine who voted and in what manner. When dozens of hands are raised for a few seconds, the only way for any observer to determine who voted is to know every voting member by face and every alternate by face and to make rapid observations during those few seconds. It is difficult, if not impossible, to see every one of the 50-plus voting members and their alternates at once from a single vantage point. These are effectively “secret ballots.” A voter does not know how their representatives have voted.

https://mail.google.com/mail/u/0?ik=91dcebe9d&view=pt&search=all&permthid=thread-f%3A1667066747975906879&simipl=msg-f%3A1667066747975906… 1/3
In 2013, the Legislature and Governor Jerry Brown enacted SB 751 [codified at Government Code § 54953(c)(2)] to amend the Ralph M. Brown Act to require all actions taken by California legislative bodies to be conducted by roll call votes. On April 25, 2013, the California Senate Governance and Finance Committee Bill analysis of SB 751 stated: “Critics have raised concern that for local agencies with large legislative bodies, the absence of either a roll call vote or a specific tally and report of the votes of each member of a board, it can be difficult to determine who voted for or against a measure when actions are taken.”

Although county central committees are not covered by the Brown Act, many of their members (approximately 25 in DPCCC) are elected on public presidential primary election ballots by tens of thousands of voters at considerable expense to taxpayers. The 300,000+ rank-and-file Democrats of Contra Costa County have a right to know how their representatives have voted.

Concerning the Measure J endorsement at the February 2020 DPCCC meeting, a representative of the “No on J” campaign traveled a long distance to the meeting (by public transit from Marin County) for the sole purpose of speaking on this single item. He was not given the podium. He was given one minute to speak from his seat at the back of the room. When that speaker last came to a DPCCC meeting to speak on a ballot measure endorsement in 2018, he was given three minutes at the podium. When speakers invest their time to attend a meeting to speak on endorsements, there should be clear rules and procedures from the outset.

Concerning meeting venues, DPCCC has been kicked out of at least two meeting venues over the past seven years (IBEW union hall in Martinez and John F. Kennedy University) based on actions taken at meetings with which hosts have disagreed. Most persons knowledgeable about the last time the DPCCC was kicked out of the IBEW union hall would characterize that episode as more than a mere “appearance of a conflict.” It was more of the nature of a quid pro quo in retaliation for a pro-environmental policy that the DPCCC took and refused to change after pressure by the host to reconsider that pro-environmental vote.

Concerning timeliness of challenges, the CDP needs to distinguish between singular, discrete violations (such as a single vote on a single issue) and continuing, ongoing violations (such as a change in county bylaws or procedures). In many cases, aggrieved members do not realize or discover the effects of actions taken (esp. continuing, ongoing violations) unless more than seven days after the initial action taken.

Respectfully submitted,

JASON BEZIS

cc: CDP Chair Rusty Hicks; Unique Wilson, CDP Party Resources Manager
CRC DECISION
MEMORANDUM

TO: All Interested Parties

FROM: Compliance Review Commission (CRC)

DATE: May 6, 2020

RE: COMPLIANCE REVIEW COMMISSION (CRC) DECISION RELATING TO A CHALLENGE FILED BY JASON BEZIS

INTRODUCTION:

Jason Bezis filed a challenge relating to the actions of the Democratic Party of Contra Costa County Central Committee (DPCCC). The challenge alleges that the DPCCC violated the California Democratic Party By-Laws, the DPCCC By-Laws, and Elections Code 7208 when voting to endorse Measure J slated for the March 3, 2020 Primary Election ballot at its February 20, 2020 meeting. Mr. Bezis contends that:

1. the voting violated the CDP By-Laws which bans "Secret Ballots" for endorsements, thus he contends voting required "signed written ballots."
2. the voting violated Election Code 7208 as it stipulates that an alternate cannot cast a vote when the regular member is present and in this case the DPCCC regular member's alternate voted even though the DPCCC regular member was not absent from the meeting.
3. the DPCCC violated Open Meeting provisions by not allowing photographs and video recording of the meeting, resulting in "Secret Ballot" voting.
4. the meeting site was prejudicial because it took place at the IBEW local, which supported Measure J.
5. the CDP's "fundamental rule of fairness" was violated as the opposing campaign to Measure J was not contacted.

DOCUMENTS INITIALLY RECEIVED AND REVIEWED:

Documents received and reviewed by the CRC associated with the challenge included the following:

1. Challenge submitted by Mr. Bezis filed on February 27, 2020 and three supporting documents.
   1. Exhibit A – DPCCC Final Agenda 02.20.20
   2. Exhibit B – IBEW Letter Endorsing Contra Costa County 2020 Measure J
   3. Exhibit C – No on Measure J Mailer by SEIU

No other timely testimony was received from Mr. Bezis or any of the interested parties.
TIMELINESS:

According to CDP Bylaws, Article XII, Section 4:

“All challenges must be commenced by the filing of a written challenge with the Secretary of This Committee, with copies served on the Chair of This Committee, as well as the appointing person, and the chair of the relevant organization, where applicable no later than seven (7) calendar days after the alleged violation occurred. Upon a showing of good cause, sustained by unanimous vote, the Compliance Review Commission may waive this requirement.”

(All By-Law references are to the California Democratic Party Bylaws, as amended through November 2019, unless otherwise indicated.)

The challenges filed by Mr. Bezis were submitted on February 27, 2020. The submission was within 7 days of the DPCCC meeting on February 20, 2020, thus the challenge was timely. The CRC finds all challenges timely, except the endorsement meeting that took place on January 4, 2020 regarding the DPCCC violation on Open Meeting provisions by not allowing photographs and video recording of the meeting, resulting in "Secret Ballot" voting.

STANDING:

According to Article XII, Section 3:

“Any party to a challenge must be adversely affected to bring the challenge.”

Mr. Bezis is a member of the DPCCC, thus the CRC finds that he has standing as he was adversely affected.

JURISDICTION:

Article XII, Section 2(a)(1) states:

“The Compliance Review Commission shall have initial jurisdiction over all challenges and/or appeals arising under these Bylaws, except as pertains to Removal or discipline of a Member or Removal or discipline of an Officer of This Committee.”

The CRC has jurisdiction under article VIII (Endorsement of Candidates for Partisan and Nonpartisan Office, and Endorsement and Opposition to State Ballot Propositions, Initiatives, Referendum, and Recall) of the CDP By-Laws.

Pursuant to Article VIII, Section 4 of the California Democratic Party (CDP) Bylaws, a Democratic candidate for nonpartisan office who has been endorsed by their County Central Committee shall also be considered to be the endorsed candidate of the CDP provided that
The endorsing provisions of the relevant County Central Committee bylaws have been reviewed and approved by the Democratic State Central Committee of the CDP as consistent with its own Bylaws and with the fundamental rules of fairness.

The DPCCC submitted amended Bylaws the CDP Rules Subcommittee on County Bylaws on January 16, 2020 for review. The Subcommittee recommended that the amended DPCCC Bylaws dated January 16, 2020 be approved by the CDP for the endorsement process of nonpartisan offices, so that the endorsement of the DPCCC for nonpartisan offices may become the official endorsement of the CDP.

FINDINGS:

1. As to Mr. Bezis’s claim that voting at the DPCCC violated CDP By-Laws that prohibit the use of secret ballots, the CRC considers a secret ballot to be a written ballot that is not signed. Unless there is an adopted motion for a roll call vote, a voice vote or a show of hands is sufficient to avoid the prohibition on secret ballots. The CRC finds that based on the evidence presented, no violation was committed.

2. As to Mr. Bezis’s claim that voting at the DPCCC violated Elections Code 7208 as it stipulates that the alternate cannot cast a vote when the regular member is present and the DPCCC regular member's alternate voted even though the DPCCC regular member was not absent from the meeting, the CRC notes that the California Supreme Court has found that county committees are not bound by the Elections Code.

3. As to Mr. Bezis’s claim that the DPCCC violated CDP Open Meeting provisions by not allowing photographs and video recording of the meeting, resulting in "Secret Ballot" voting, the CRC finds that this challenge was not submitted timely and declines to opine on the issue.

4. As to Mr. Bezis’s claim that the meeting site was prejudicial because it took place at the IBEW local, which supported Measure J, the CRC finds Mr. Bezis’ argument unpersuasive. Many Central Committees rely on our union partners for office and meeting room space which may cause an appearance of a conflict but does not make the endorsement process a conflict of interest.

5. As to Mr. Bezis’s claim that the CDP's "fundamental rule of fairness" was violated as the opposing campaign to Measure J was not contacted, the CRC finds this argument to be unpersuasive based on the evidence submitted.

ORDERS AND COMMENTS:

Based upon the above facts and Bylaws of the CDP, the CRC makes the following order:

The CRC denies all challenges as Jason Bezis was not able to provide proof of a violation of either the DPCCC or any article of the California Democratic Party Bylaws.
Appeal of this order, if any, must be filed with the CDP Secretary, with copies to the Chair of the CDP State Central Committee, within twelve days of the date of this decision. Thus, any appeal must be filed on or before May 18, 2020 with the Sacramento office of the California Democratic Party, and shall be an appeal to the next meeting of the CDP Rules Committee.

Please note that per CDP Bylaws, Article XII, Section 6b, the filing of an appeal shall not stay any decision of the CRC. Parties may additionally respond in person, if so desired, provided there has been a timely filing of an appeal and notice of intent to testify is provided in writing to the Lead Chair of the Rules Committee by 5 PM on May 30, 2020, at the Sacramento office of the California Democratic Party. The Rules Committee may accept such additional testimony, written or oral, considering the nature and import thereof, as well as the time available for its proper consideration, as it deems appropriate, in its discretion.

Accordingly, this decision is so ordered, and is in effect, unless, and until, a successful appeal is made, decided, and contrary orders made whether by the CRC, or by the Rules Committee. CRC shall retain jurisdiction up until the time of an appeal, if any, is heard by the Rules Committee.

Respectfully submitted by a 6-0 vote of the members of the CRC,

Tim Allison, Co-Chair, Credentials Committee
Kathy Bowler, Co-Lead Chair, Rules Committee
Nicole Fernandez, Co-Chair, Rules Committee
Coby King, Co-Chair, Rules Committee, and Co-Chair of the CRC
Lara Larramendi, Co-Lead Chair, Credentials Committee, and Co-Chair of the CRC
Keith Umemoto, Co-Chair, Credentials Committee
ORIGINAL COMPLAINT
February 27, 2020

Compliance Review Commission
California Democratic Party
c/o Jenny Bach c/o Rusty Hicks
Secretary, California Democratic Party Chair, California Democratic Party
secretary@cadem.org

cc: CDP staff members Kathy Bowler (kathy@cadem.org) & Unique Wilson (unique@cadem.org); Democratic Party of Contra Costa County Central Committee Chair (mlalegria@comcast.net)

VIA E-MAIL TO: secretary@cadem.org; kathy@cadem.org; unique@cadem.org; mlalegria@comcast.net

Re: Complaint/Challenge Concerning Endorsement of Contra Costa County Measure J Approved by Democratic Party of Contra Costa County at February 20, 2020 Meeting

To the California Democratic Party Compliance Review Commission (c/o Secy. Bach & Chair Hicks):

Petitioner Jason Bezis (AD) is a member of the Democratic Party of Contra Costa County Central Committee (hereinafter “DPCCC”) who is adversely affected by actions of the DPCCC. He is filing this complaint/challenge in his personal, individual capacity and as an opponent of Contra Costa County Measure J (March 2020). This letter is to serve as a complaint/challenge concerning the endorsement of Measure J approved by the DPCCC at its February 20, 2020 meeting (agenda is attached as Exhibit A). CDP bylaws require review and approval of DPCCC bylaws:

... The endorsing provisions of the relevant County Central Committee by-laws have been reviewed and approved by This Committee as consistent with its own By-Laws and with the fundamental rules of fairness to which the California Democratic Party is committed. [Article VIII, Section 4(b).]

... In order for the endorsement of the County Central Committees to become the official endorsements of the California Democratic Party, the following must be met

... [a]ll endorsements shall be made in accordance with the County Committee’s duly adopted By-Laws provisions ... No vote on endorsement shall be taken by secret ballot. [Article VIII, Section 4(c).]
This complaint/challenge is submitted pursuant to CDP Bylaws, Article XII. In compliance with Article XII, Section 4, Petitioner has filed this written challenge “no later than seven (7) calendar days after the alleged violation occurred” and has served it upon the required parties on February 27, 2020. The State Party Compliance Review Commission has jurisdiction over this complaint because it concerns an endorsement under Article VIII of the CDP Bylaws [CDP Bylaws, Article XII, Section 2(a)] and the CDP has not yet approved the DPCCC’s current bylaws.

**CDP Bylaws Ban “Secret Ballots” & Generally Require “Signed Written Ballots.”**

CDP Bylaws, Article VIII, Section 4(c)(4) says, “No vote on endorsement shall be taken by secret ballot.” CDP Bylaws, Article XIII, includes a Section 9, “SECRET BALLOT AND VOTER’S RIGHT TO KNOW.” Section 9(b)(2) says,

> no vote by secret ballot may be taken at any meeting of any official Democratic Party body beyond the first determining step at which an individual Democrat expresses his/her personal and individual preference on an action that constitutes part of the delegate selection process for the Democratic National Convention.

CDP Bylaws, Article XIII, Section 9(c) says,

> Based upon Article Nine, Section 12 of the Charter of the Democratic Party of the United States of America, which prohibits secret ballots as an infringement of the voter’s right to know how their representatives have voted, except as noted herein above, no vote by secret ballot shall be taken at any meeting of the California Democratic Party, its Assembly District Election Meetings, or its Caucuses.

The CDP Bylaws do not explicitly define “secret ballot.” However, the CDP Bylaws generally require “signed written ballots” during conduct of CDP elections. For example, the CDP Bylaws require “signed written ballots” for elections to fill Regional Director vacancies (“Voting shall be by signed written ballot, the results of which shall be read off as though it were a roll call vote”) [Art. III, Section 5(b)(6)], for Endorsing Caucus votes by the Democratic State Central Committee (“Voting at all the endorsing caucuses shall be by signed written ballot, the results of which shall be read off as though it were a roll call vote”) [Art. VIII, Section 3(c)(5)], and for Pre-Endorsing Conference votes (“Once the names of candidates for a given office have been thus offered, a single roll call vote, via signed written ballot, in the same form as the vote-by-mail ballot, shall be taken as to the preferences of the eligible voting participants”) [Art. VIII, Section 3(g)(9)].

Just before the Measure J endorsement vote at the February 20, 2020 DPCCC meeting, elected District 3 DPCCC member Paul Seger requested a roll call vote on the Measure J endorsement. Petitioner seconded this roll call vote request. Six votes were cast in favor of having a roll call vote. Thirty votes were cast against having a roll call vote. No roll call vote was held.

The endorsement vote for Measure J was held by show of hands. The DPCCC now has around 45 voting members. It is virtually impossible to identify every voting member when 20 to 45 hands are raised at once for a span of just a few seconds. Any single observer cannot identify who actually participated and which way various voting members actually voted (or abstained).

The CDP should note well that the DPCCC apparently is unique among county committees in California in that it allows a voting member and an alternate to attend the meeting together and to pass the voting credential back and forth to each other from vote-to-vote, while both are present. The State Elections Code imposes requirements upon County Democratic Central Committees, including § 7208, which says in part, “An alternate member … may vote only in the absence of the member who appointed him or her.” The Legislature and Gov. Pat Brown first enacted this in 1965. However, a new DPCCC Bylaw, “An Alternate may only vote when authorized by or in the absence of the Regular voting member so long as there is never more than one vote per Member seat” [Art. III, Section 3(a)], appears to violate Elections Code § 7208. At a recent DPCCC Rules Committee meeting, an officer defended the illegal arrangement by claiming that it is “awkward” for officers to cast votes openly in front of the audience, so officers prefer to have an Alternate in the audience to cast their votes more discreetly. Such subterfuge is fundamentally unfair, undemocratic, and confusing to observers. The CDP should require the DPCCC to conform its Bylaws to Elections Code § 7208, especially on endorsement votes. Observers of endorsement votes should not be required to guess who the voting members actually are and to guess whether or not a present voting member is abstaining or deferring to an alternate hidden elsewhere in the room.

DPCCC Endorsements Violate CDP Open Meeting Rule By Banning Photos & Videorecording.

During the January 4, 2020 special endorsement meeting for County Board of Supervisors elections, Petitioner was singled out by the Chair for taking photographs and told to cease and desist from further photography. Petitioner protested. The body affirmed the ruling of the Chair that photography was banned. The DPCCC approved minutes of the January 4, 2020 meeting at the February 20, 2020 DPCCC meeting. Petitioner believes that a ban on photography at a DPCCC
meeting, especially during endorsements presentations, discussion and voting is a violation of the CDP Open Meeting Rule (effectively excluding non-member Democratic Electorate and the press). If endorsement votes are done with a mere show of 20 to 45 hands at once for a few seconds, with no photos allowed, then endorsement votes are effectively “secret ballots” in clear violation of DNC and CDP rules because there is no viable way to track individual votes. It is impossible for an observer to view 45 or more individuals for a few seconds and figure out how each member cast a vote, especially when some voting members use their alternates as last-minute “decoys.”

**DPCCC Measure J Endorsement Vote Was Prejudiced by Non-Neutral Meeting Venue.**

Since late 2017, the DPCCC has held almost all of its regular meetings at the IBEW union hall at 1875 Arnold Drive, Martinez. This IBEW union local has endorsed Measure J ([https://www.friendsofcontracostatransportation.org/endorsements](https://www.friendsofcontracostatransportation.org/endorsements)). An endorsement letter from this IBEW union local appears on the Yes on J campaign website, with its return address the same street address, 1875 Arnold Drive, as the DPCCC meeting venue. See attached Exhibit B.

This IBEW union local has a history of retaliating against DPCCC for votes that it disagrees with. Circa 2013-14, the DPCCC regularly met at the same IBEW union hall in Martinez. The February 20, 2014 meeting minutes show that the DPCCC took a pro-environmental stand at this IBEW hall and approved a “[r]esolution declaring WesPac Energy’s proposed crude-by-rail project in Pittsburg, California as contrary to public health and safety and beyond mitigation” (Davidson). The IBEW, the venue host, pressured the DPCCC to re-consider that pro-environmental stance. At the March 20, 2014 DPCCC meeting, the DPCCC affirmed its pro-environmental position that the IBEW opposed. The IBEW kicked the DPCCC out of the meeting venue for the next three years.

The DPCCC meeting on February 20, 2020 was held at the same IBEW union hall in Martinez exactly six years to the day after the first DPCCC vote that led to the body’s ouster from that union hall. Before the Measure J endorsement vote, Petitioner made a point of order objecting to the Measure J endorsement vote going forward at this venue because (1) the IBEW local’s endorsement letter for Measure J appeared on the Yes on J campaign website and (2) given this IBEW local’s demonstrated history of kicking the DPCCC out of this meeting venue if the DPCCC votes against the IBEW local’s wishes, Petitioner believed that the IBEW was unduly influencing the DPCCC to endorse Measure J.
Other organizations, including labor unions, oppose Measure J and are critical of its purported environmental benefits. Attached Exhibit C is a “No on Measure J” campaign mailer issued by SEIU Local 1021 that criticizes air pollution that Measure J likely would generate.

Petitioner believes that a “fundamental rule of fairness” for a Democratic Party meeting includes neutrality of the venue. Meetings should not be held in venues where the host has a demonstrated history of retaliating against the Party for voting against the host’s positions.

**County Committees Should Affirmatively Contact Opposing Ballot Measure Campaigns.**

In accordance with the CDP’s “fundamental rule of fairness,” the CDP should require County committees to contact both the “Yes” and “No” official ballot argument signers before County committees make endorsement decisions (Counties usually commit the CDP to these decisions). The “Yes on J” campaign submitted its application for DPCCC endorsement on December 19, 2019. This was after the County Elections Division received arguments against Measure J. The “Yes on J” campaign’s endorsement application to DPCCC failed to disclose the existence of the campaign that submitted the “No on J” arguments. The rebuttals were submitted to the County Elections Division on December 23, 2019, well before the DPCCC endorsement decisions. DPCCC’s Issues Committee heard just the “Yes” side of Measure J and endorsed it.

County Committees also should give a fair amount of time to both campaigns to make their arguments to the body at DPCCC meetings. The speaker from the “No on J” campaign (from the group TRANSDEF) traveled a long distance by public transportation to attend the Feb. 20, 2020 DPCCC meeting. He was given just 60 seconds to make the case against Measure J. He was not invited to the podium and had to speak from the back of the room. The DPCCC leadership seemed determined to prejudice the outcome in favor of a Measure J endorsement.

**Requested Relief from CDP.**

Petitioner requests that the CDP in reviewing the DPCCC bylaws require the DPCCC to substantially comply with the CDP’s own policies requiring “signed written ballots” or “roll call votes” to the greatest extent possible on endorsement votes. Petitioner also requests that the CDP interpret the CDP Open Meeting Rule to permit photography and videorecording of DPCCC endorsement proceedings. Petitioner also requests that the CDP interpret the “fundamental rule of fairness” to require neutrality of venues where DPCCC endorsement votes are held.

Sincerely,

JASON A. BEZIS, Petitioner; Member, Contra Costa County Democratic Central Committee

CHALLENGE CONCERNING CONTRA COSTA CO. DEM. CENTRAL COM. MTG. OF 2/20/2020 (ENDORSEMENT)
DEMOCRATIC PARTY OF CONTRA COSTA COUNTY –
AGENDA FOR MEMBERSHIP MEETING

IBEW Local 302
1875 Arnold Drive, Martinez, CA
Thursday, February 20, 2020 @ 7:00PM

1. Call to Order
2. Flag Salute
3. Welcoming of Guests (5 minutes)
4. Approval and Additions to Agenda
5. Approval of Minutes: Special Meeting January 4, 2020; January 16, 2020 (attached)
6. Presentation: Census Complete Count – Contra Costa County: Teresa Gerringer (30 minutes)
7. Officer/Committee Chair Reports (Action Items): (30 minutes)
   a. Chair & Executive Committee Report:
      i. Bylaws Committee Chair: Jeff Koertzen (Action)
         1. Complaint & Due Process & Procedure: adopt new section: ‘fundamental rule of fairness’ to be consistent with CDP Bylaws
      ii. Report on CADEM DPCCC VOTE BLUE 2020: Coordinated County Campaign: Co-Chairs Katie Ricklefs & Sue Hamill
      iii. 2020 Meeting Format
   b. 1st Vice Chair:
      i. Issues Committee Chair Tom Duckworth (Action)
         1. Support: Proposition 13, Measure J (Transportation Sales Tax) and Measure R (WCCUSD Facilities Bond) report attached
   c. 2nd Vice Chair:
      ii. Secretary (Action)
   d. Controller: (Action)
   e. Past Chair
   f. District Directors (Action)
8. Unfinished Business: NONE
9. New Business:
   a. Presentation: Texting for 2020 Election (30 minutes: to be confirmed)
10. Officers, District Directors and Standing Committees Reports: (as time permits) (Please provide “highlights” and a written report)
    i. Chair: Maria Alegria
       1. Rules/Bylaws: Jeff Koertzen
    ii. 1st Vice Chair: Katie Ricklefs
       1. Elections Committee: Renee Zeimer
       2. Endorsements Committee: Chuck Carpenter
       3. MOE Administrator: Rachel Tolmachoff
    iii. 2nd Vice Chair: Sue Hamill
       1. Club Development: Robyn Kuslits
       2. Training: Marilyn Lucey
       3. Recruitment: John Stevens
          a. SAVE THE DATE: Blue Road to Victory: May 9, 2020
    iv. Controller: Greg Sanborn
1. Finance: Greg Sanborn
2. Fundraising: John Stevens
   v. Secretary: John Hall
   vi. Past Chair: Jeff Koertzen

11. Future Agenda items/Presentations (to be referred to Executive Committee) (5 minutes)
   a. Healthcare for All: The Power to Heal
   b. East Contra Costa Fire Protection District

12. Announcements (5 minutes)
   a. Legislative Updates
   b. Other

13. Adjourn

Important Dates:
   1. March 3, 2020: Primary Election – Super Tuesday
   2. March 4, 2020 @ 7pm: DPCCC Executive Committee Meeting, USW, 1333 Pine St., Martinez, CA
   3. March 19, 2020 @ 7pm: DPCCC Membership Meeting, IBEW Local 302, Martinez, CA
   4. March 20-22, 2020: CADEM E Board meeting at Visalia Marriott

GROUND RULES FOR DPCCC MEETINGS (re-affirmed 3.21.18)

• PURPOSE: to conduct the official business of the DPCCC.

• At DPCCC meetings, members and guests will be:
  o Respectful and civil when recognized to speak.
  o Individuals wishing to speak on a motion will be placed on a list and asked to come speak in front of the membership when called upon.
  o Time limits per speaker will be limited to 2 minute. Depending on the number of speakers, the Chair will adjust time limits, allowing both sides of the issue to be fairly represented.
  o Members have the right to criticize DPCCC policies, procedures, programs or services or the actions or omissions of the body or its committees.
  o If a member’s remarks maliciously attack the character of any individual, the Chair will call a “point of privilege” or “point of order” and warn the member to refrain from such comments or else be ruled out of order.
  o The Chair will stop the meeting and ask individuals who engage in conversations that disrupt the proceedings to take their conversations outside the meeting room.
  o A Parliamentarian will be appointed to assist with the interpretation of rules, procedures and by-laws.
October 16, 2019

Contra Costa Transportation Authority (CCTA)
Attn: CCTA Board of Directors
2999 Oak Road, Suite 100
Walnut Creek, CA 94597

Dear CCTA Board:

I am writing to you on behalf of the International Brotherhood of Electrical Workers Local 302 to express our support for the Contra Costa Transportation Authority’s draft 2020 Transportation Expenditure Plan (TEP), which was released by your Board on August 28, 2019.

This plan, and a potential future measure to fund it, will build on the successes of Measure J and generate nearly $3.6 billion in revenue over 35 years to improve transportation for all of Contra Costa’s diverse communities. The infrastructure improvements outlined in this plan will result in thousands of high-quality jobs including project construction, maintenance, operations, manufacturing, and other professional services.

To further support local economic growth and access to quality jobs, this plan outlines policies that require prevailing rate of per diem wages be paid to all those employed on projects identified in the TEP, apprentice labor opportunities, and a good faith commitment by contractors to hire at least 40% of their total construction work force from Contra Costa County or any of the other eight Bay Area counties.

The members of International Brotherhood of Electrical Workers Local 302 recognize the significant investments proposed in this plan, and what those investments will mean to Contra Costa residents and workers. For these reasons, and all of the aforementioned, we are proud to support the Contra Costa Transportation Authority’s 2020 Transportation Expenditure Plan.

Sincerely,

Tom Hansen
Business Manager
Financial Secretary
Vote No on Measure J
It Won’t Fix Congestion, It Will Create Pollution

Despite paying taxes to maintain and build the BART system since 1959 Contra Costa County and its poorest communities are being treated like second class citizens. We are getting polluting diesel trains, while BART is expanding clean electric trains to new stops in wealthy Silicon Valley.

Measure J won’t solve our congestion problems but it will create more pollution.

Send BART a message, after 60 years of paying for the system Contra Costa County deserves clean, modern, electric trains.

Several studies suggest that exposure to Diesel Particle Matter may also facilitate the development of new allergies. Those most vulnerable to non-cancer health effects are children whose lungs are still developing and the elderly who often have chronic health problems.²

California Air Resources Board

On March 3rd or by mail,
Vote No on Measure J.

The Train is Coming

And it is spewing 22,000 pounds of pollution everyday
MEMORANDUM

TO: All Interested Parties

FROM: Compliance Review Commission (CRC)

DATE: February 17, 2020

RE: COMPLIANCE REVIEW COMMISSION (CRC) DECISION RELATING TO A CHALLENGE FILED BY ROBERT LEAHY

INTRODUCTION:

Robert Leahy filed two challenges relating to the actions of the Veterans Caucus of the California Democratic Party. The two challenges allege that the Veterans Caucus held “secret meetings” and improperly removed him from his elected board position of First Vice Chair.

A preliminary review of Mr. Leahy’s challenge found that more information was needed.

The CRC, in an Order distributed on November 9, 2019, stated:

“The CRC requested additional information as it related to the notice of any and all of the alleged “secret meetings” and to the removal of Mr. Leahy as First Vice Chair. The requested information included the; agenda, minutes and any other requirements for removal found in the Veterans Caucus Bylaws dated October 2018.”

The deadline to submit any information requested above was November 21, 2019.

DOCUMENTS INITIALLY RECEIVED AND REVIEWED:

Documents received and reviewed by the CRC associated with the challenge included the following:

1. Challenge submitted by Mr. Leahy filed on October 1 (Secret Meetings) and October 6 (Illegal Removal).

Documents received and reviewed by the CRC associated with the request for additional information to the challenge included the following:

1. Veterans Caucus response to the CRC filed by Crystal Jackson (included response letter to CRC, notification of meetings, agenda and minutes to the September 2019, October 2019 and November 2019 meetings).
2. Responses to CRC submitted by Michelle Gomez, Crystal Jackson, Robert Leahy, and Jillynn Molina-Williams.
**JURISDICTION:**

Article XII, Section 2 states:

“The Compliance Review Commission shall have initial jurisdiction over all challenges and/or appeals arising under these Bylaws, except as pertains to Removal or discipline of a Member or Removal or discipline of an Officer of This Committee.”

The CRC finds jurisdiction under Article XIII (General Policies), specifically Section 1. Public Meetings, Section 3. Notice of Agenda and Meetings, and Section 5. Full Publication of Selection Procedures.

**TIMELINESS:**

According to CDP Bylaws, Article XII, Section 4:

“All challenges must be commenced by the filing of a written challenge with the Secretary of This Committee, with copies served on the Chair of This Committee, as well as the appointing person, and the chair of the relevant organization, where applicable no later than seven (7) calendar days after the alleged violation occurred. Upon a showing of good cause, sustained by unanimous vote, the Compliance Review Commission may waive this requirement.”

(All By-Law references are to the California Democratic Party Bylaws, as amended through November 2019, unless otherwise indicated.)

The challenge on “Secret Meetings” was submitted on October 1, 2019 within 7 days of the of the alleged secret meeting which occurred on September 24, 2019. The challenge on the illegal removal was submitted on October 6, 2019 within 7 days of receiving the notice of removal. Thus, the CRC finds the challenges to be timely.

**STANDING:**

According to Article XII, Section 3:

“All party to a challenge must be adversely affected to bring the challenge.”

The Challenger was both an officer and member of the caucus and would therefore be impacted by the improper notification of said meeting and/or the removal as Vice Chair of the Caucus. Therefore, the CRC finds the Mr. Leahy has standing.
FINDINGS:

According to the Veterans Caucus ByLaws Article 5 Section 2

“NOTICE OF CAUCUS MEETINGS: All meetings of the VC-CDP and meetings of the Executive Board must be duly noticed. All members shall be duly noticed of each meeting a minimum of ten (10) calendar days prior. All meeting notices must contain information pertaining to the date, time and place or manner of the meeting. All meeting notices shall note that the bylaws, qualifications and procedures are posted on the web site.”

Since neither the documents submitted nor the testimony included the recipient list for the communications regarding the notice of the meeting, the CRC could not determine to whom the notice was sent.

The CRC recognizes that when a member or officer of a caucus is as disruptive as the allegations here show that Mr. Leahy was, a caucus would be justified in invoking their removal procedures. Nonetheless, however justified such a removal might be, strict adherence to due process and an organization’s own removal procedures must occur. The relevant sections of the Caucus’s bylaws provide as follows:

Veterans Caucus ByLaws Article 3 Section 5(D)

“MEMBER TERMINATION Any ten (10) members can petition that another member be reviewed for potential disciplinary action, up to the termination of their membership if, during his/her term of membership, such member violates these Bylaws; Causes harm to the reputation and/or financial standing of the Caucus; In any way causes harm or disruption to the Caucus by acting in a manner contrary to the stated goals and principles of the Caucus. See Article XI of these bylaws for the procedures on removal.”

Veterans Caucus ByLaws Article 11 section 5(b)(2)

“CHALLENGES Upon receipt of the statement of charges, the Sergeant-At-Arms must send to the accused member by timely registered mail, a copy of the statement of charges and a letter stating that the accused member may either resign or have a hearing before the Special Review Committee.”

The CRC did not have enough evidence showing the Caucus properly followed their own hearing and removal procedures in their bylaws. Specifically, , the CRC found no evidence that the sergeant-at-arms sent a copy of the statement of charges, as required. After review of all the testimony regarding the facts which led to the removal of Mr. Leahy as Vice Chair, the CRC finds that the removal was not done in accordance the Veterans Caucus bylaws.
ORDERS AND COMMENTS:

Based upon the above facts and Bylaws of the CDP, the CRC makes the following order:

1. The CRC denies the “secret meeting” challenge, as Mr. Leahy and all testimony submitted failed to show proof of the insufficient notice.
2. The CRC upholds the challenge by Mr. Leahy that his removal as the Veterans Caucus Vice Chair was invalid as the Caucus did not follow the process for removal outlined in the Veterans Caucus By-laws. Mr. Leahy’s removal is therefore invalidated.
3. The CRC finds disturbing the numerous and credible allegations of inappropriate behavior by Mr. Leahy and encourages all members to act in a courteous and respectful manner in accordance with our core democratic values and hopes and expects people to conduct themselves appropriately in all settings. Given this, the CRC finds the alleged statements attributed to Mr. Leahy deeply disappointing and not reflective of the Party’s values.
4. The CRC further suggests that the Caucus consider simplifying their removal procedures or provide for the event that the sergeant-at-arms does not fulfill the duties.

Appeal of this order, if any, must be filed with the CDP Secretary, with copies to the Chair of the CDP State Central Committee, within twelve days of the date of this decision. Thus, any appeal must be filed on or before February 29, 2020 with the Sacramento office of the California Democratic Party, and shall be an appeal to the next meeting of the CDP Rules Committee at the March 21, 2020 Executive Board Meeting.

Please note that per CDP Bylaws, Article XII, Section 6b, the filing of an appeal shall not stay any decision of the CRC. Parties may additionally respond in person, if so desired, provided there has been a timely filing of an appeal and notice of intent to testify is provided in writing to the Lead Chair of the Rules Committee by 5 PM on March 12, 2020, at the Sacramento office of the California Democratic Party. The Rules Committee may accept such additional testimony, written or oral, considering the nature and import thereof, as well as the time available for its proper consideration, as it deems appropriate, in its discretion.

Accordingly, this decision is so ordered, and is in effect, unless, and until, a successful appeal is made, decided, and contrary orders made whether by the CRC, or by the Rules Committee. CRC shall retain jurisdiction up until the time of an appeal, if any, is heard by the Rules Committee.

Respectfully submitted by a 6-0 vote of the members of the CRC,

Tim Allison, Co-Chair, Credentials Committee
Kathy Bowler, Co-Lead Chair, Rules Committee
Nicole Fernandez, Co-Chair, Rules Committee
Coby King, Co-Chair, Rules Committee, and Co-Chair of the CRC
Lara Larramendi, Co-Lead Chair, Credentials Committee, and Co-Chair of the CRC
Keith Umemoto, Co-Chair, Credentials Committee
MEMORANDUM

TO: All Interested Parties

FROM: Compliance Review Commission (CRC)

DATE: March 11, 2020

RE: COMPLIANCE REVIEW COMMISSION (CRC) DECISION RELATING TO A REQUEST FOR RECONSIDERATION FILED BY ROBERT LEAHY

INTRODUCTION:

On February 17, 2020, the Compliance Review Commission issued a decision on challenges originally submitted in October of 2019 by Robert Leahy relating to the actions of the Veterans Caucus of the California Democratic Party. The two challenges allege that the Veterans Caucus held “secret meetings” and improperly removed him from his elected board position of First Vice Chair.

In its decision, the CRC found and ordered in part:

1. The CRC denies the “secret meeting” challenge, as Mr. Leahy and all testimony submitted failed to show proof of the insufficient notice.
2. The CRC upholds the challenge by Mr. Leahy that his removal as the Veterans Caucus Vice Chair was improper. Mr. Leahy’s removal is invalidated.
3. The CRC finds disturbing the numerous and credible allegations of inappropriate behavior by Mr. Leahy and encourages all members to act in a courteous and respectful manner in accordance with our core democratic values and hopes and expects people to conduct themselves appropriately in all settings. Given this, the CRC finds the alleged statements attributed to Mr. Leahy deeply disappointing and not reflective of the Party’s values.
4. The CRC further suggests that the Caucus consider simplifying their procedures or provide for the event that the sergeant-at-arms does not fulfill their duties.

REQUEST FOR RECONSIDERATION:

On February 19, 2020, Mr. Leahy submitted to the CRC a letter in which he asked the CRC to reconsider its decision to deny his challenge regarding alleged secret meetings by the Veterans Caucus.

At its meeting of Wednesday, March 4, 2020, the CRC noted the receipt of Mr. Leahy’s letter. As a motion for reconsideration must be made by a member voting yes on the original motion, the presiding officer asked if any member of the CRC would like to make a motion to reconsider the CRC’s decision as requested by Mr. Leahy. As no member made such a motion, the agenda was moved to the next item of business.
Respectfully submitted by the members of the CRC,

Tim Allison, Co-Chair, Credentials Committee
Kathy Bowler, Co-Lead Chair, Rules Committee
Nicole Fernandez, Co-Chair, Rules Committee
Coby King, Co-Chair, Rules Committee, and Co-Chair of the CRC
Lara Larramendi, Co-Lead Chair, Credentials Committee, and Co-Chair of the CRC
Keith Umemoto, Co-Chair, Credentials Committee
MEMORANDUM

TO: All Interested Parties

FROM: Compliance Review Commission (CRC)

DATE: May 6, 2020

RE: COMPLIANCE REVIEW COMMISSION (CRC) DECISION RELATING TO A CHALLENGE FILED BY JASON BEZIS

INTRODUCTION:

Jason Bezis filed a challenge relating to the actions of the Democratic Party of Contra Costa County Central Committee (DPCCC). The challenge alleges that the DPCCC violated the California Democratic Party By-Laws, the DPCCC By-Laws, and Elections Code 7208 when voting to endorse Measure J slated for the March 3, 2020 Primary Election ballot at its February 20, 2020 meeting. Mr. Bezis contends that:

1. the voting violated the CDP By-Laws which bans "Secret Ballots" for endorsements, thus he contends voting required "signed written ballots."
2. the voting violated Election Code 7208 as it stipulates that an alternate cannot cast a vote when the regular member is present and in this case the DPCCC regular member's alternate voted even though the DPCCC regular member was not absent from the meeting.
3. the DPCCC violated Open Meeting provisions by not allowing photographs and video recording of the meeting, resulting in "Secret Ballot" voting.
4. the meeting site was prejudicial because it took place at the IBEW local, which supported Measure J.
5. the CDP's "fundamental rule of fairness" was violated as the opposing campaign to Measure J was not contacted.

DOCUMENTS INITIALLY RECEIVED AND REVIEWED:

Documents received and reviewed by the CRC associated with the challenge included the following:

1. Challenge submitted by Mr. Bezis filed on February 27, 2020 and three supporting documents.
   1. Exhibit A – DPCCC Final Agenda 02.20.20
   2. Exhibit B – IBEW Letter Endorsing Contra Costa County 2020 Measure J
   3. Exhibit C – No on Measure J Mailer by SEIU

No other timely testimony was received from Mr. Bezis or any of the interested parties.
TIMELINESS:

According to CDP Bylaws, Article XII, Section 4:

“All challenges must be commenced by the filing of a written challenge with the Secretary of This Committee, with copies served on the Chair of This Committee, as well as the appointing person, and the chair of the relevant organization, where applicable no later than seven (7) calendar days after the alleged violation occurred. Upon a showing of good cause, sustained by unanimous vote, the Compliance Review Commission may waive this requirement.”

(All By-Law references are to the California Democratic Party Bylaws, as amended through November 2019, unless otherwise indicated.)

The challenges filed by Mr. Bezis were submitted on February 27, 2020. The submission was within 7 days of the DPCCC meeting on February 20, 2020, thus the challenge was timely. The CRC finds all challenges timely, except the endorsement meeting that took place on January 4, 2020 regarding the DPCCC violation on Open Meeting provisions by not allowing photographs and video recording of the meeting, resulting in "Secret Ballot" voting.

STANDING:

According to Article XII, Section 3:

“All party to a challenge must be adversely affected to bring the challenge.”

Mr. Bezis is a member of the DPCCC, thus the CRC finds that he has standing as he was adversely affected.

JURISDICTION:

Article XII, Section 2(a)(1) states:

“The Compliance Review Commission shall have initial jurisdiction over all challenges and/or appeals arising under these Bylaws, except as pertains to Removal or discipline of a Member or Removal or discipline of an Officer of This Committee.”

The CRC has jurisdiction under article VIII (Endorsement of Candidates for Partisan and Nonpartisan Office, and Endorsement and Opposition to State Ballot Propositions, Initiatives, Referendum, and Recall) of the CDP By-Laws.

Pursuant to Article VIII, Section 4 of the California Democratic Party (CDP) Bylaws, a Democratic candidate for nonpartisan office who has been endorsed by their County Central Committee shall also be considered to be the endorsed candidate of the CDP provided that...
the endorsing provisions of the relevant County Central Committee bylaws have been reviewed and approved by the Democratic State Central Committee of the CDP as consistent with its own Bylaws and with the fundamental rules of fairness.

The DPCCC submitted amended Bylaws the CDP Rules Subcommittee on County Bylaws on January 16, 2020 for review. The Subcommittee recommended that the amended DPCCC Bylaws dated January 16, 2020 be approved by the CDP for the endorsement process of nonpartisan offices, so that the endorsement of the DPCCC for nonpartisan offices may become the official endorsement of the CDP.

**FINDINGS:**

1. As to Mr. Bezis’s claim that voting at the DPCCC violated CDP By-Laws that prohibit the use of secret ballots, the CRC considers a secret ballot to be a written ballot that is not signed. Unless there is an adopted motion for a roll call vote, a voice vote or a show of hands is sufficient to avoid the prohibition on secret ballots. The CRC finds that based on the evidence presented, no violation was committed.

2. As to Mr. Bezis’s claim that voting at the DPCCC violated Elections Code 7208 as it stipulates that the alternate cannot cast a vote when the regular member is present and the DPCCC regular member's alternate voted even though the DPCCC regular member was not absent from the meeting, the CRC notes that the California Supreme Court has found that county committees are not bound by the Elections Code.

3. As to Mr. Bezis’s claim that the DPCCC violated CDP Open Meeting provisions by not allowing photographs and video recording of the meeting, resulting in "Secret Ballot" voting, the CRC finds that this challenge was not submitted timely and declines to opine on the issue.

4. As to Mr. Bezis’s claim that the meeting site was prejudicial because it took place at the IBEW local, which supported Measure J, the CRC finds Mr. Bezis’ argument unpersuasive. Many Central Committees rely on our union partners for office and meeting room space which may cause an appearance of a conflict but does not make the endorsement process a conflict of interest.

5. As to Mr. Bezis’s claim that the CDP's "fundamental rule of fairness" was violated as the opposing campaign to Measure J was not contacted, the CRC finds this argument to be unpersuasive based on the evidence submitted.

**ORDERS AND COMMENTS:**

Based upon the above facts and Bylaws of the CDP, the CRC makes the following order:

The CRC denies all challenges as Jason Bezis was not able to provide proof of a violation of either the DPCCC or any article of the California Democratic Party Bylaws.
Appeal of this order, if any, must be filed with the CDP Secretary, with copies to the Chair of the CDP State Central Committee, within twelve days of the date of this decision. Thus, any appeal must be filed on or before May 18, 2020 with the Sacramento office of the California Democratic Party, and shall be an appeal to the next meeting of the CDP Rules Committee.

Please note that per CDP Bylaws, Article XII, Section 6b, the filing of an appeal shall not stay any decision of the CRC. Parties may additionally respond in person, if so desired, provided there has been a timely filing of an appeal and notice of intent to testify is provided in writing to the Lead Chair of the Rules Committee by 5 PM on May 30, 2020, at the Sacramento office of the California Democratic Party. The Rules Committee may accept such additional testimony, written or oral, considering the nature and import thereof, as well as the time available for its proper consideration, as it deems appropriate, in its discretion.

Accordingly, this decision is so ordered, and is in effect, unless, and until, a successful appeal is made, decided, and contrary orders made whether by the CRC, or by the Rules Committee. CRC shall retain jurisdiction up until the time of an appeal, if any, is heard by the Rules Committee.

Respectfully submitted by a 6-0 vote of the members of the CRC,

Tim Allison, Co-Chair, Credentials Committee
Kathy Bowler, Co-Lead Chair, Rules Committee
Nicole Fernandez, Co-Chair, Rules Committee
Coby King, Co-Chair, Rules Committee, and Co-Chair of the CRC
Lara Larramendi, Co-Lead Chair, Credentials Committee, and Co-Chair of the CRC
Keith Umemoto, Co-Chair, Credentials Committee
MEMORANDUM

TO: All Interested Parties
FROM: Compliance Review Commission (CRC)
DATE: March 31, 2020

RE: COMPLIANCE REVIEW COMMISSION (CRC) DECISION RELATING TO A CHALLENGE FILED BY JASON BEZIS

INTRODUCTION:

Jason Bezis filed a challenge relating to the actions of the Democratic Party of Contra Costa County Central Committee (DPCCC). The challenge alleges that the DPCCC’s adoption of various bylaw amendments at its January 16, 2020 meeting was not in compliance with the DPCCC’s own bylaws, parliamentary procedure, and/or the CDP’s rules and therefore affect the California Democratic Party endorsements in November 2020 and beyond. Mr. Bezis also challenged the adoption of various bylaws amendments on substantive policy grounds.

A preliminary review of Mr. Bezis’ challenge found that more information was needed.

DOCUMENTS INITIALLY RECEIVED AND REVIEWED:

Documents received and reviewed by the CRC associated with the challenge included the following:

   1. Exhibit A – Agenda
   2. Exhibit B – IBEW Letter Endorsing Contra Costa County 2020 Measure
   3. Exhibit C – No on Measure J Mailer by SEIU

No other timely testimony was received from Mr. Bezis or any of the interested parties.

TIMELINESS:

According to CDP Bylaws, Article XII, Section 4:

“All challenges must be commenced by the filing of a written challenge with the Secretary of This Committee, with copies served on the Chair of This Committee, as well as the appointing person, and the chair of the relevant organization, where applicable no later than seven (7) calendar days after the alleged violation occurred. Upon a showing of good cause, sustained by unanimous vote, the Compliance Review Commission may waive this requirement.”

(All By-Law references are to the California Democratic Party Bylaws, as amended through November 2019, unless otherwise indicated.)
The action against which Mr. Bezis filed his challenge was the adoption of certain bylaws amendments by the DPCCC on January 16, 2020. Mr. Bezis filed his challenge within 7 days on January 23, 2020, and thus, the challenge was timely.

JURISDICTION:

Article XII, Section 2 states:

“The Compliance Review Commission shall have initial jurisdiction over all challenges and/or appeals arising under these Bylaws.”

Further, the CRC Procedural Rules, Section 2, B. 2. state in pertinent part that a challenge must,

“Explain[] the basis of CRC’s jurisdiction… If the CRC cannot discern the section of the CDP Bylaws alleged to have been violated or which grants jurisdiction to the CRC, it may dismiss the challenge.”

The challenge submitted by Mr. Bezis failed to provide any basis for jurisdiction under the CDP Bylaws. The CRC did discuss the possibility that any amendment to a county committee’s bylaws that would affect membership in the county committee could theoretically have an impact on (1) the outcome of a local endorsement that could be subsequently adopted by the CDP or (2) the outcome of a vote for representatives to the CDP State Central Committee. However, the CRC decided on a vote of 4 to 2 (Mr. Allison and Ms. Fernandez dissenting) that without a stronger connection to a violation of the CDP bylaws, such theoretical impacts on too tenuous to find jurisdiction.

STANDING:

According to Article XII, Section 3:

“Any party to a challenge must be adversely affected to bring the challenge.”

Standing did not have to be reached as the CRC found no jurisdiction to hear the challenge.

FINDINGS:

As noted and explained above, the challenge submitted by Mr. Bezis failed to provide any basis for jurisdiction under the CDP Bylaws.

ORDERS AND COMMENTS:

Based upon the above facts and Bylaws of the CDP, the CRC makes the following order:

1. Based on the information presented, the CRC finds no jurisdiction under the CDP Bylaws and denies the challenge.
Appeal of this order, if any, must be filed with the CDP Secretary, with copies to the Chair of the CDP State Central Committee, within twelve days of the date of this decision. Thus, any appeal must be filed on or before April 13, 2020 with the Sacramento office of the California Democratic Party, and shall be an appeal to the next meeting of the CDP Rules Committee.

Please note that per CDP Bylaws, Article XII, Section 6b, the filing of an appeal shall not stay any decision of the CRC. Parties may additionally respond in person, if so desired, provided there has been a timely filing of an appeal and notice of intent to testify is provided in writing to the Lead Chair of the Rules Committee by 5 PM on April 25, 2020, at the Sacramento office of the California Democratic Party. The Rules Committee may accept such additional testimony, written or oral, considering the nature and import thereof, as well as the time available for its proper consideration, as it deems appropriate, in its discretion.

Accordingly, this decision is so ordered, and is in effect, unless, and until, a successful appeal is made, decided, and contrary orders made whether by the CRC, or by the Rules Committee. CRC shall retain jurisdiction up until the time of an appeal, if any, is heard by the Rules Committee.

Respectfully submitted by a 4-2 vote of the members of the CRC,

Tim Allison, Co-Chair, Credentials Committee
Kathy Bowler, Co-Lead Chair, Rules Committee
Nicole Fernandez, Co-Chair, Rules Committee
Coby King, Co-Chair, Rules Committee, and Co-Chair of the CRC
Lara Larramendi, Co-Lead Chair, Credentials Committee, and Co-Chair of the CRC
Keith Umemoto, Co-Chair, Credentials Committee
MEMORANDUM

TO: All Interested Parties

FROM: Compliance Review Commission (CRC)

DATE: May 6, 2020

RE: COMPLIANCE REVIEW COMMISSION (CRC) DECISION RELATING TO A CHALLENGE FILED BY CYNDI DAWSON

INTRODUCTION:

Cyndi Dawson filed a challenge relating to the actions of the Santa Cruz County Democratic Central Committee (SCCDCC). The challenge alleges that the SCCDCC used party funds to send out a mailer that was not approved at any SCCDCC meeting. Ms. Dawson alleges that the mailer listed incumbents in a way that presented them as being endorsed by the California Democratic Party. She believes these actions to be a violation of the SCDCC Bylaws Sub-Article XVII.2 Funding Requests and Appeals for Support Section D and the California Democratic Party Bylaws ARTICLE VIII: Endorsement of Candidates for Partisan and Nonpartisan Office, and Endorsement and Opposition to State Ballot Propositions, Initiatives Referendum, and Recall Section 1(b).

DOCUMENTS INITIALLY RECEIVED AND REVIEWED:

Documents received and reviewed by the CRC associated with the challenge included the following:

2. A copy of one side of the mailer in question
3. SCCDCC Bylaws
4. Response submitted by the Executive Board of Santa Cruz Democratic Central Committee

No other timely testimony was received from Ms. Dawson or any of the interested parties.

TIMELINESS:

According to CDP Bylaws, Article XII, Section 4:

“All challenges must be commenced by the filing of a written challenge with the Secretary of This Committee, with copies served on the Chair of This Committee, as well as the appointing person, and the chair of the relevant organization, where applicable no later than seven (7) calendar days after the alleged violation occurred. Upon a showing of good cause, sustained by unanimous vote, the Compliance Review Commission may waive this requirement.”
(All By-Law references are to the California Democratic Party Bylaws, as amended through November 2019, unless otherwise indicated.)

The challenge filed by Ms. Dawson was submitted on February 10, 2020. The submission was within 7 days of the mailer being sent out on February 7, 2020, thus the challenge was timely.

STANDING:

According to Article XII, Section 3:

“Any party to a challenge must be adversely affected to bring the challenge.”

Ms. Dawson was a candidate running for the SCCDCC in Supervisorial District 3. The CRC finds that Ms. Dawson does have standing as she was an adversely affected party.

JURISDICTION:

Article XII, Section 2 states:

“The Compliance Review Commission shall have initial jurisdiction over all challenges and/or appeals arising under these Bylaws.”

Further, the CRC Procedural Rules, Section 2, B. 2. state in pertinent part that a challenge must,

“Explain [] the basis of CRC’s jurisdiction… If the CRC cannot discern the section of the CDP Bylaws alleged to have been violated or which grants jurisdiction to the CRC, it may dismiss the challenge.”

The challenge submitted by Ms. Dawson failed to provide any basis for jurisdiction under the CDP Bylaws.

FINDINGS:

Pursuant to Article VIII, Section 4 of the California Democratic Party (CDP) Bylaws, a Democratic candidate for nonpartisan elective office who has been endorsed by their County Central Committee shall also be considered to be the endorsed candidate of the CDP provided that the endorsing provisions of the relevant County Central Committee bylaws have been reviewed and approved by the Democratic State Central Committee of the CDP as consistent with its own Bylaws and with the fundamental rules of fairness.

In order to find jurisdiction, the CRC has to determine which specific portion of the Bylaws this challenge pertains to. In this specific challenge, the portion of the mailer Ms. Dawson objects to was in connection with an election to the County Central Committee. Such elections are not within the California Democratic Party (CDP) Endorsement Jurisdiction.
Furthermore, the SCCDCC Bylaws were never submitted and approved by the California Democratic Party.

**ORDERS AND COMMENTS:**

Based upon the above facts and Bylaws of the CDP, the CRC makes the following order:

1. Based on the information presented, the CRC finds no jurisdiction under the CDP Bylaws and denies the challenge.

Appeal of this order, if any, must be filed with the CDP Secretary, with copies to the Chair of the CDP State Central Committee, within twelve days of the date of this decision. Thus, any appeal must be filed on or before May 18, 2020 with the Sacramento office of the California Democratic Party, and shall be an appeal to the next meeting of the CDP Rules Committee.

Please note that per CDP Bylaws, Article XII, Section 6b, the filing of an appeal shall not stay any decision of the CRC. Parties may additionally respond in person, if so desired, provided there has been a timely filing of an appeal and notice of intent to testify is provided in writing to the Lead Chair of the Rules Committee by 5 PM on May 30, 2020, at the Sacramento office of the California Democratic Party. The Rules Committee may accept such additional testimony, written or oral, considering the nature and import thereof, as well as the time available for its proper consideration, as it deems appropriate, in its discretion.

Accordingly, this decision is so ordered, and is in effect, unless, and until, a successful appeal is made, decided, and contrary orders made whether by the CRC, or by the Rules Committee. CRC shall retain jurisdiction up until the time of an appeal, if any, is heard by the Rules Committee.

Respectfully submitted by a 6-0 vote of the members of the CRC,

Tim Allison, Co-Chair, Credentials Committee
Kathy Bowler, Co-Lead Chair, Rules Committee
Nicole Fernandez, Co-Chair, Rules Committee
Coby King, Co-Chair, Rules Committee, and Co-Chair of the CRC
Lara Larramendi, Co-Lead Chair, Credentials Committee, and Co-Chair of the CRC
Keith Umemoto, Co-Chair, Credentials Committee
Democratic Party
of
Contra Costa County

BYLAWS

January 16, 2020
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Article I. FORMATION

Section 1. Name
The name of this organization is the Democratic Party of Contra Costa County (DPCCC), and, alternatively, the Contra Costa County Democratic Central Committee (CCDCC).

Section 2. Organization
The DPCCC is an ongoing organization pursuant to the California Elections Code.

Section 3. Definitions
A. Democratic Voters. As used in these Bylaws, the terms “Democrat,” “Democratic voter,” and “registered Democrat” refer to a voter who has registered a preference for the Democratic Party on his or her voter registration form with the County Elections Office.
B. Highest Finishing Democrat. As used in these Bylaws, the term “Highest Finishing Democrat” refers to the registered Democrat who receives the most votes in the most recent general election in which a Democrat did not win for the offices of United States Senator, Member of the United States House of Representatives, Governor, Lieutenant Governor, Secretary of State, Controller, Treasurer, Attorney General, State Superintendent of Public Instruction, Member of the State Board of Equalization, California State Senate, or California State Assembly. In the event no registered Democrat appears on the ballot in the most recent general election for one of these offices, the “Highest Finishing Democrat” shall be the Democrat who received the most votes in the primary election for the most recent general election for that office.
C. Days. Any reference to a number of days will be considered “calendar” days.

Article II. PRINCIPLES

Section 1. Purposes
The purposes of the DPCCC are:
A. To serve as the official governing body of the Democratic Party in Contra Costa County (County) in cooperation with the California Democratic Party (CDP) and the Democratic National Committee (DNC);
B. To promote development of the Democratic Party in the County;
C. To charter Democratic organizations in the County;
D. To endeavor, as much as possible, the election of Democrats and candidates endorsed by the DPCCC;
E. To coordinate public relations for the Democratic Party throughout Contra Costa County and to represent the Democratic Party within the County;
F. To build the party organization at the local and county level, to register voters as Democrats, to encourage the fullest possible participation of all Democratic voters, and to turn out Democratic voters; and
G. To perform such other duties and services as will benefit the Democratic Party and the public interest.

Section 2. Respect of Members
A. Every Member has a right to be treated with respect by all other Members. The contributions of all Members are valued.

Section 3. Non-Discrimination Policy
A. The DPCCC acknowledges and adopts as its own the following policies of the National and State Democratic Parties:
   1. All public meetings at all levels of the Democratic Party shall be open to all members of the Democratic Party without regard to race, color, creed, national origin, sex, age, religion, ethnic identity, sexual orientation, disability as defined by the Americans with Disabilities Act of 1990, or economic status.
   2. There shall be no membership requirements test or loyalty oath for the DPCCC or any other level of the Democratic Party causing or requiring, either directly or indirectly, prospective or current members of the Democratic Party to acquiesce in, condone, or support discrimination on the grounds of race, color, creed, national origin, sex, age, religion, ethnic identity, sexual orientation, disability as defined by the Americans with Disabilities Act of 1990, or economic status.
   3. The DPCCC shall support non-discriminatory, and the broadest possible, voter registration.

Section 4. General Duties and Responsibilities
A. The DPCCC is charged with the support of election campaigns subject to the guidance of the Democratic State Central Committee or its Executive Committee.
B. The DPCCC shall continue to carry out its responsibilities and duties until a new County Central Committee has been elected and seated; and
C. It is the duty of Regular Members or their Alternates to:
   1. Regularly attend DPCCC Central Committee meetings;
   2. Volunteer (or be assigned by the Chair) for at least one committee or to serve as an Officer, District Director, or other named position of the DPCCC or to serve the public as an elected official.
   3. Attend meetings of committees to which they are assigned or for which they have volunteered; and
   4. Contribute to the substantial work of the DPCCC.

Article III. MEMBERSHIP

Section 1. Eligibility
A. Membership in the DPCCC is open to all registered Democrats who are not otherwise ineligible.
Section 2. Class of Membership

A. There are two classes of Membership in the DPCCC: Regular Members and Associate Members.

B. Regular Members
   1. The voting members of the DPCCC are the Regular Members. There are three (3) categories of Regular Members of the DPCCC.
   2. Public Ballot Members
      a. Public Ballot members of the DPCCC are elected in the partisan primary of a Presidential election year.
      b. Public Ballot Members are seated the following January at the Organizational Meeting.
   3. Designated Members
      a. Appointed Members
         1. A registered Democrat residing in a Supervisorial District may be appointed by the DPCCC to fill the vacancy of an Public Ballot Member in that Supervisorial District.
         2. Appointed Members are entitled to the same rights and privileges as Public Ballot Members of the DPCCC.
         3. Appointed Members may not use the ballot designation “Incumbent” upon seeking election to the DPCCC, but may, at their choosing, use the ballot designation “Appointed Incumbent.”
      b. Chartered Organization Members
         1. Chartered Organization Members are one member from each chartered organization within the county who is chosen by and serves at the pleasure of that organization according to their bylaws, is a Democrat registered to vote in Contra Costa County, is not already a voting member of the DPCCC, and is not otherwise ineligible to be a member of the DPCCC. Chartered Organization Members may not use the ballot designation “Incumbent” upon seeking election to the DPCCC.
      c. Executive Committee Members
         1. Any member of the DPCCC who is not a Regular Member through any other means but is elected to serve as an Officer of this Committee, is elected to serve as a District Director, or serves as Past Chair on the Executive Committee shall be a Regular Member with all the rights and responsibilities of Regular Membership including the right to vote and to appoint an Alternate.
2. Executive Committee Members who are designated Regular Members through this section may not use the ballot designation “Incumbent” upon seeking election to the DPCCC.

4. Ex-Officio Members
   a. Ex-Officio Members of the DPCCC are the following:
      1. Incumbent office holders who are registered Democrats or the most recent Highest Finishing Democrat of the offices of the United States House of Representatives, the California Assembly, the California State Senate or State Superintendent of Public Instruction whose districts extend into Contra Costa County.
      2. Statewide officers of the CDP who are registered to vote in the county and regional directors of the CDP who represent the county.
      3. The incumbent or Highest Finishing Democrat of each of the following offices, if they are registered to vote in the county: Governor, Lieutenant Governor, Secretary of State, Controller, Treasurer, Attorney General, State Superintendent of Public Instruction, Member of the State Board of Equalization, and United States Senator from California.
   b. Ex-Officio Members shall be entitled to the same rights and privileges as Public Ballot Members of the DPCCC except that they may not use the ballot designation of “Incumbent” upon seeking election to the DPCCC.

C. Associate Members
   1. Any registered Democrat may become an Associate member of the DPCCC upon payment of annual Associate member dues.
   2. The Central Labor Council and the Building Trades Council shall each be given a complimentary Associate membership and may be represented at the monthly meetings by a Democratic member of their respective Councils.
   3. Associate Members shall be entitled to attend meetings of the DPCCC and participate in discussions and debates at such meetings but shall not be entitled to make motions or to vote. Associate members in good standing shall be eligible for appointment to the committees and sub-committees of the DPCCC.
   4. The DPCCC shall encourage as many Democrats as possible to become Associate members.

Section 3. Alternates
   A. An Alternate is an Associate Member with temporary voting privileges when authorized. An Alternate may only vote when authorized by or in the absence of the Regular voting member so long as there is never more than one vote per Member seat.
   B. Appointment of Alternates
      1. Any Regular Public Ballot, Appointed, Designated Executive Committee, and Ex-Officio Members in good standing may appoint an Alternate.
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a. An Alternate for a Public Ballot or Appointed Member must be registered to vote in the same Supervisorial District.

b. An Alternate for an Ex-Officio Member must be registered to vote in that political subdivision of Contra Costa County from which the appointing member was elected or for which the appointing member was the Highest Finishing Democrat.

2. Each chartered organization that is represented by a voting member according to Article III Section 2B3b may also appoint an Alternate that meets the same membership requirement of the voting member.

C. Such appointment shall be in writing and submitted to the Chair and Secretary of the DPCCC for confirmation of eligibility. Upon appointment, if an Alternate is not yet a Member of the DPCCC, they must become an Associate Member and pay the appropriate dues.

Section 4. Term of Office

A. The organization’s Public Ballot Members shall be elected at the primary during a Presidential election year and shall serve a term of four (4) years. Such members’ terms shall commence with the Organizational Meeting, as defined in Article IV Section 1, held the January following the primary at which the members were elected.

B. Appointed members shall serve from their appointment until the next Organizational Meeting.

C. Chartered Organization Members shall serve from confirmation of their eligibility until dismissed or replaced by his or her appointing body. Chartered Organizations must confirm appointment of their Regular Member and Alternate upon chartering and renewal. In the event that the appointing body is no longer a chartered organization, the seat is eliminated.

D. Designated Executive Committee Members shall serve until their term of Office on the Executive Committee concludes, they are removed from Office, they become a Regular Member through other means (ie, Appointed Member) or until the next Organizational Meeting.

E. Ex-Officio members, except those whose membership in the DPCCC is based on their status as the Highest Finishing Democrat, shall serve from the certification of their election until the completion of the term of office for the position to which they were elected or until the seating of a successor for that position should the term be cut short (e.g., due to death, recall, or resignation).

F. Ex-Officio members whose membership in the DPCCC is based on their status as the Highest Finishing Democrat shall serve from the certification of the general election for the office for which they were a candidate until the end of the term of office for that position or until the seating of a successor for that position should the term be cut short (e.g., due to death, recall, or resignation).

G. Alternates shall serve from confirmation of their eligibility through the term equal to that of his or her appointer or until dismissed or replaced by his or her appointer or appointing body.
Section 5. Seating of Members

A. Public Ballot and Ex-Officio members of the DPCCC shall be seated at the Organizational Meeting following the certification of his or her election.

B. Appointed Members shall be seated immediately upon appointment.

C. Chartered Organization Members and Alternate Members shall be seated upon confirmation of their eligibility.

Section 6. Dues

A. Annual dues for all members shall be payable by January 1. New member dues paid during the 4th quarter of a year shall apply to the current and next year’s dues.

B. Any member who is not delinquent in payment of annual or new member dues shall be considered to be in good standing. Annual dues will be considered delinquent if not paid at or by the first membership meeting after the due date.

C. If dues might cause an economic hardship, a member may, in lieu of dues, register at least twenty-four (24) Democrats or petition the Executive Committee for a waiver.

D. In order to vote at Regular and Special Meetings of the DPCCC, Members must be in good standing.

Section 7. Vacancies

A. Automatic Vacancies

1. A vacancy shall exist automatically should a Regular Member (other than an Ex-Officio) or an Alternate move their voter registration out of the district from which the member was Elected or appointed. The DPCCC shall consider such a move a resignation by the member.

2. A vacancy shall exist automatically should any Member change their voter registration to anything other than Democratic or otherwise fail to meet eligibility requirements for the office or seat to which the person in elected or appointed. The DPCCC shall consider this a resignation by the Member and/or a void election or appointment.

B. If the seat of a Public Ballot or Appointed Member becomes vacant, at minimum, a notice of the vacancy shall be posted on the DPCCC public website within seven (7) days of such vacancy and distributed to all Members and chartered clubs.

C. Such vacancy shall be filled by election of a qualified candidate from the same Supervisorial District of the vacated seat at a Regular Meeting no sooner than thirty (30) days or later than one hundred (100) days after the official notice of vacancy.

Section 8. Removal from Membership

A. Consideration for removal from membership may be for any of the following:

1. Absence. Any Regular Public Ballot or Appointed Member who misses more than three (3) consecutive or any five (5) regularly called meetings in any twelve (12) month period may be removed from membership unless such Member's absence is excused due to personal illness, illness of a family member, or a death in the family, or the presence of the Member’s alternate.
2. Cause. Any Member may be removed for dereliction of duty or responsibility as defined by Article II, Section 4 or if their actions are found to be injurious to the DPCCC or the Democratic Party.

B. The process for consideration of removal is defined within the DPCCC Due Process Policy.

C. A two-thirds (2/3) vote of the Members present and voting shall be required to remove a Member.

Article IV. MEETINGS

Section 1. Organizational Meeting and Continuity

A. The DPCCC is, and shall function as, a continuing body.

B. In January of odd-numbered years, the DPCCC shall conduct an Organizational Meeting to reorganize and elect officers.

C. The Chair or a majority of the Executive Committee shall appoint a Member of the DPCCC to chair an ad hoc Transition Committee at least five (5) months prior to the Organizational Meeting whose responsibility shall be to ensure the safe and intact transfer of all records, correspondence, files, books, financial records, and documents as they pertain to the DPCCC to the new officers or chairs and to ensure the continued operation and function of said offices and/or sub-committees.

D. The time, date, location, and proposed agenda for the Organizational meeting shall be distributed to all Members and posted on the DPCCC public website at least fourteen (14) days in advance.

E. The chair of the Transition Committee will lead the transition and oversee the election of officers as impartially as possible and will preside over the Organizational Meeting until the election of the Chair.

Section 2. Regular Meetings

A. The DPCCC shall hold at least ten (10) Regular monthly meetings per year.

B. Agendas and minutes of the previous Regular Meeting should be distributed to members at least seven (7) days before each Regular Meeting. Failure to notice more than seven (7) days before the Regular Meeting will require postponement of any action on the issues to be addressed.

C. The date, time and place of all Regular meetings shall be set at the Organizational Meeting held pursuant to Article IV Section 1. Once determined, the time, date, and location of Regular meetings shall be posted on the DPCCC public website as soon as practical.

D. The minutes of the Organizational Meeting and the agenda for the first Regular Meeting should be distributed to members at least seven (7) days before the first Regular Meeting of the newly organized Committee.
Section 3. **Special Meetings**

A. Special Meetings may be held on any day that is not a federal or state legal holiday at the call of either the Chair or seven (7) Regular Members. In keeping with Article II Section 3, the scheduling of Special Meetings shall take into consideration other holidays observed by the Members of the DPCCC.

B. Special meetings shall require seven (7) days written notice to all Members; except, that time for notice may be shortened by consent of a majority of the DPCCC voting members. All special meeting notices shall specify the time, place, and nature of business to be conducted at such meeting. The notice for all Special Meetings shall be posted on the DPCCC public website.

C. No business may be conducted at a Special Meeting except that set forth in the meeting notice.

Section 4. **Rules of Order**

A. The business of the DPCCC shall be governed by Robert’s Rules of Order latest edition, except as otherwise provided for herein, applicable rules or Bylaws of the Democratic National Committee or the California Democratic Party, or the California Elections Code.

B. The DPCCC may adopt rules and procedures for itself by majority vote.

C. No part or provision of these Bylaws may be waived or suspended.

Section 5. **Quorum**

A. A quorum shall be more than 50% of the total number of Regular Member seats.

B. A roll call or the taking of attendance of members shall be made prior to the transaction of any business, with the names of those present or absent as noted in the attendance log.

C. In the absence of a quorum, no official business may be transacted.

Section 6. **Voting**

A. Voting Credentials

   1. Regular Voting Credential. A Regular Member may receive a Regular Voting Credential at a meeting. A pre-approved Alternate may obtain the Regular Voting Credential of the Regular Member in the absence of the Regular Member or when authorized by the Regular Member.

   2. Associate Voting Credential. An Associate Member may receive an Associate Voting Credential at a meeting when required.

   3. In order to receive a voting credential, a member must be in good standing.

   4. A member may only hold and use one voting credential at any time.

B. Voting on all matters may only be conducted in one of the following ways:

   1. Voice vote.

   2. Show of hands.

   3. Roll Call
a. May be required by the Chair or by motion with approval of one-fifth (1/5) of the Members holding a Regular Voting Credential present and voting, which is not debatable.

4. Paper or written balloting. Such ballots are acceptable only when:
   a. The ballots are either pre-printed with the name or seat or when the name or seat of the voting member is clearly written, and
   b. The completed ballot is signed by the voting member.

C. Any member holding a regular voting credential may make motions and seconds.

D. Secret ballots are prohibited.

E. Except as otherwise provided herein or in Robert’s Rules of Order, all actions taken by the DPCCC or any of its sub-committees shall be by affirmative vote of a majority of those members eligible to vote who are present and voting, a quorum being present. Abstaining members count as present for purposes of a quorum, but abstentions do not count for purposes of determining the outcome of a vote.

F. A member must be present in order to participate in the business of the DPCCC or any subcommittee. No proxy or absentee ballots shall be allowed.

Section 7. Notice and Distribution

A. The DPCCC may provide any notice to its members via electronic mail (e-mail) if the member has:
   1. Consented, in writing, to receive notice in this manner.
   2. The notice is sent to the Member’s email address specified by the Member when giving consent, or the most recent email address specified on a subsequent notice of change of address by the Member.
   3. Acknowledged that it is the obligation of the member to notify the Chair and Secretary in writing of any change in notification address.

B. A Member may opt out of receiving bylaws-required notifications by electronic mail by submitting such request in writing to the Chair and to the Secretary.

Article V. ORGANIZATION

Section 1. Officers

A. The officers of the DPCCC shall be: Chair, First Vice Chair (Elections), Second Vice Chair (Membership), Secretary, Controller and Past Chair.

B. All officers, except the Past Chair, shall be elected at the biennial Organizational Meeting by the voting Members. All Regular Members who are in good standing and are registered to vote in Contra Costa County are eligible to run for Chair. All Members who are in good standing and are registered to vote in Contra Costa County are eligible to run for First Vice-Chair, Second Vice-Chair, Secretary, and Controller. Officer terms shall expire at the Organizational Meeting every January of odd-numbered years.
Section 2. Executive Committee
A. The voting members of the DPCCC Executive Committee are its officers plus one District Director from each supervisorial district.
B. Each District Director on the Executive Committee shall be elected by the members in good standing who are registered to vote in that supervisorial district.
C. The Past Chair shall be the most immediate past chair of the DPCCC if he or she is a current member of the DPCCC and not serving in another elected officer position. If the most immediate past Chair is ineligible, the DPCCC may appoint a prior Chair to fill the role.
D. Meetings of the Executive Committee shall include all members of the Leadership Team. The Leadership Team is defined as the Executive Committee and all Committee Chairs.
E. The Executive Committee shall carry out the general administrative functions of the DPCCC or any other duty or responsibility granted thereto by resolution of the DPCCC membership.

Section 3. Officer and Executive Committee Vacancies
A. As soon as reasonably possible, the Chair or the next highest ranking member of the Executive Committee shall announce any officer or Executive Committee vacancy at the next regularly scheduled meeting after the vacancy occurs, unless the vacancy occurs at a regular meeting in which case that meeting shall serve as the time of notice; in addition, members shall be notified by e-mail, and the general public shall be notified by a post describing the vacancy on the DPCCC public website.
B. Such vacancy shall be filled by election of a qualified candidate at a regular meeting no later than sixty (60) days after the official notice of vacancy.

Section 4. Removal from Office
A. Officers, Executive Committee Members, and committee chairs of the DPCCC may be removed from office for cause by a majority vote at a meeting wherein written notice of such intent is given to each member at least seven (7) days prior thereto.

Section 5. Committees
A. The DPCCC shall be divided into standing committees and such other special or ad hoc committees as it may from time to time find necessary and/or expedient.
B. All standing and special committees shall be constituted and function as set forth in Article V Section 6 of these Bylaws.
C. Committee chairs shall be nominated by the designated officer cited in Article V Section 6 by the first Regular Meeting following the Organizational Meeting or the first Regular Meeting following a committee chair vacancy, subject to the confirmation of the voting members of the DPCCC. Should the designated officer fail to nominate a committee chair, a majority of the Executive Committee may make the nomination subject to the confirmation of the voting members of the DPCCC.
D. Members in good standing who are registered to vote in Contra Costa County are eligible to chair committees or sub-committees.
E. Standing committee members shall be designated, where possible, within sixty (60) days after the nomination and confirmation of a committee chair.

F. With the exception of the Executive Committee, Finance Committee, or as otherwise designated herein, all interested members are eligible to apply for membership in all committees. All Regular or Associate Members in good standing may be appointed to fully participate in these committee meetings, including the right to make motions and to vote.

G. The dates, times, and locations of any committee meetings shall be noticed to the membership and when possible posted on the DPCCC public website.

H. Committees may adopt rules and procedures for themselves by majority vote of the committee. At a minimum, each committee must establish rules defining committee procedures, how votes are to be taken, and how quorum is established.

I. Committees shall report their current activities to the DPCCC regularly through written and/or verbal reports.

Section 6. Job Descriptions of Officers and District Directors and List of Committees

A. Chair. The DPCCC Chair is the chief executive officer and the official voice of the central committee. The Chair shall carry out the policies and purposes of the DPCCC and shall pursue its interests to the best of his/her abilities.

1. Other responsibilities of the Chair include:
   a. Serve as the official DPCCC spokesperson and liaison to the public, the CDP, and Elected officials.
   b. Lead the effort to develop, encourage and support qualified Democrats to run for local elected office.
   c. Delegate and develop leadership within the DPCCC.
   d. Oversee the management of any staff.
   e. Chair the meetings of the DPCCC and the Executive Committee.
   f. Assist other officers in the appointment of committee chairs.

2. Executive Committee. The Executive Committee shall function as a standing committee of the DPCCC and shall carry out and/or oversee all DPCCC executive and administrative duties. The chair of the Executive Committee shall be the DPCCC Chair.

3. Rules Committee. The Rules Committee shall function as a standing committee of the DPCCC. The Chair of the Rules Committee shall be nominated appointed by the DPCCC Chair and confirmed by the DPCCC.

B. First Vice-Chair (Elections). The First Vice-Chair shall assist the DPCCC Chair in the performance of the Chair's duties. To the extent necessary, the First Vice-Chair shall exercise the powers of the Chair in the event of the Chair’s absence. In the event that the office of Chair is vacated, the First Vice-Chair shall assume the duties of the Chair until a new Chair has been elected.
1. Other responsibilities of the First Vice-Chair include:
   a. Oversight of those standing committees responsible for mobilizing election activity to support Democratic issues and candidates.
   b. The administration, management, and strategic use of the voter database system within the county; and appointment of a voter database administrator.

2. **Elections Committee.** The Elections committee shall function as a standing committee of the DPCCC. The chair of the Elections Committee shall be nominated by the First Vice-Chair and confirmed by the DPCCC.

3. **Endorsements Committee.** The Endorsements Committee shall function as a special committee of the DPCCC and shall be established as needed to oversee the DPCCC candidate endorsement process as set forth in Article VII. The chair of the Endorsements Committee shall be nominated by the First Vice-Chair and confirmed by the DPCCC. The committee shall have diverse representation and shall include at least one Public Ballot, Designated, or Alternate Member from each Supervisorial District.

4. **Issues Committee.** The Issues Committee shall function as a standing committee of the DPCCC. The chair of the Issues Committee shall be nominated by the First Vice-Chair and confirmed by the DPCCC.

   C. **Second Vice-Chair (Membership).** The Second Vice-Chair shall assist the DPCCC Chair in the performance of the Chair's duties. To the extent necessary, the Second Vice-Chair shall exercise the powers of the Chair in the event of the absence of both the Chair and the First Vice-Chair. In the event of a vacancy in both the office of Chair and First Vice-Chair, the Second Vice-Chair shall assume the duties of the DPCCC Chair until a new Chair has been elected. The Second Vice-Chair shall be responsible for membership training, member recruitment, and club development.

   1. Other responsibilities of the Second Vice-Chair include:
      a. Maintain the membership roster of the DPCCC.
      b. Ensure each Public Ballot, Designated, and Ex-Officio Member has an alternate.

   2. **Club Development Committee.** The Club Development Committee shall function as a standing committee of the DPCCC. The chair of the Club Development Committee shall be nominated by the Second Vice-Chair and confirmed by the DPCCC.

   3. **Training Committee.** The Training Committee shall function as a standing committee of the DPCCC. The chair of the Training Committee shall be nominated by the Second Vice-Chair and confirmed by the DPCCC.

   4. **Recruitment Committee.** The Recruitment Committee shall function as a standing committee of the DPCCC. The chair of the Recruitment Committee shall be nominated by the Second Vice-Chair and confirmed by the DPCCC.
D. **Controller.** The Controller shall be responsible for the financial activities and fiscal health of the DPCCC. The Controller shall have access to the financial records maintained by the DPCCC.

1. Other responsibilities of the Controller include:
   a. Prepare and deliver at each DPCCC meeting a report on the financial affairs of the DPCCC.
   b. Advise the DPCCC officers, committees, and the membership on financial planning with regards to the budget.

2. **Finance Committee.** The Finance Committee shall serve as a standing committee of the DPCCC. The Controller shall serve as the chair of the Finance Committee. The committee shall include at least one elected member or alternate from each Supervisorial District.

3. **Fundraising Committee.** The Fundraising Committee shall function as a standing committee of the DPCCC. The chair of the Fundraising Committee shall be nominated by the Controller and confirmed by the DPCCC.

4. **Audit Committee.** The Audit Committee shall be organized following the biennial Organizational Meeting and shall serve as a special committee of the DPCCC. The committee shall be comprised of 2 to 3 members appointed by the Controller and confirmed by the Executive Committee. Neither the Controller nor the Treasurer is eligible for membership on the Audit Committee.

E. **Secretary.** The Secretary shall be responsible for taking the minutes of the regular and special meetings of the DPCCC and for the official communications to the membership, such as the website, e-mail lists, and official publications.

1. Other responsibilities of the Secretary include:
   a. Appoint a Recording Secretary who will take draft minutes for the Membership and Executive Committee meetings.
   b. Work with the Second Vice-Chair to maintain the Membership Roster of the DPCCC.

2. **Infrastructure and Communications Committee.** The Infrastructure and Communications Committee shall function as a standing committee of the DPCCC. The chair of the Infrastructure and Communications Committee shall be nominated by the Secretary and confirmed by the DPCCC.

F. **District Directors.** The District Directors are elected by caucus members from their respective supervisorial district and are voting members of the Executive Committee. Responsibilities of the District Directors are:

1. Work with the Chair(s) of the Endorsements and Elections Committees to help identify local races, outreach to Democratic incumbents, and prospective Democratic candidates.

2. Identify influencers within their respective district and encourage participation in the Democratic Party.
Section 7. Other Named Positions

A. Treasurer. A Treasurer may be nominated by the DPCCC Chair and confirmed by the Executive Committee. The Treasurer may be an existing member of the DPCCC, an employee of the DPCCC, or an outside vendor. The principal duty of the Treasurer is to prepare and execute the statements required to be filed under the political campaign finance laws to which the DPCCC is subject. It is also the duty of the Treasurer to ensure that the financial records of the DPCCC are maintained in accordance with all applicable laws. Notwithstanding any other provision of these Bylaws, subject to the approval of the DPCCC, the Treasurer may be compensated by the DPCCC either as an employee or independent contractor.

B. Parliamentarian. A Parliamentarian may be appointed by the Chair as needed. The Parliamentarian shall advise the Chair and other officers, committees, and members on matters of parliamentary procedure and assist with any questions that may arise in interpreting the Bylaws and any and all applicable rules of order.

C. Voter Database Administrator. The Voter Database Administrator shall be appointed by the First Vice-Chair and confirmed by the Executive Committee. The Voter Database Administrator shall be responsible for managing all voter database accounts, the development of voter lists, and the conformance of all DPCCC accounts and sub-accounts to all CDP-assigned rights, responsibilities, duties, and obligations.

Article VI. CHARTERED CLUBS

Section 1. Chartered Clubs

A. Pursuant to the California Elections Code, Section 20201, all organizations which include in any part of their name the name of the Democratic Party and directly or indirectly solicit funds in Contra Costa County for any purpose whatsoever under the representation, either express or implied, that the funds are being solicited for the use of the Democratic Party must first be chartered by one of the following:

1. The DPCCC,
2. The California State Democratic Central Committee, or
3. A majority of the members of the California Delegation of the Democratic National Committee

B. No Democratic club or organization established or formed in the county shall be formally recognized by the DPCCC unless such club or organization shall have first been chartered.

C. Any club or organization desiring a charter from the DPCCC shall apply for such in the manner prescribed in the Manual of Democratic Clubs as issued by the DPCCC.

D. To be chartered, a club must be composed of and maintain at least twenty (20) unique dues-paying members who are members in good standing according to the club’s Bylaws.

1. Unique Club Members are defined as those who identify the club as their primary home club.
2. In approving a charter or re-charter of the club, the DPCCC will consider the club’s viability including the club’s dues structure, roster, treasury, meeting frequency, participation, and commitment. The DPCCC may also consider other factors such as, but not limited to, volunteerism, political activism, and the club’s goals.

E. Clubs and organizations must apply by June 1 of odd-numbered years to the DPCCC to have their charters renewed. Each biennial charter period begins on July 1 of odd-numbered years.

F. Chartered clubs may endorse and support only candidates who are registered Democrats.

Section 2. Club Expansion and Activity

The DPCCC retains the right and authority to take such action as may be found necessary to encourage the growth, viability, and year-round activity of Democratic Clubs.

Article VII. ENDORSEMENTS

Section 1. Candidates

The DPCCC may endorse candidates for any local non-partisan office within Contra Costa County.

Section 2. Issues

The DPCCC may take a position of support or opposition on local propositions being put before the voters within Contra Costa County.

Section 3. Endorsement Procedure

A. General Rules for Candidate Endorsements and Proposition Positions

1. Intent to consider endorsing in Non-Partisan Elections.
   a. The DPCCC is presumed to intend to endorse at every election unless at least sixty (60) days before the election, the DPCCC decides by majority vote to not issue endorsements in the election.

2. Restrictions.
   a. Endorsements may only be made at a duly noticed meeting.
   b. A candidate is not endorsed until he/she has accepted in writing the endorsement of the DPCCC. (There is no acceptance requirement for Issues or Propositions.)
   c. The DPCCC may only endorse candidates who are registered Democrats.
   d. Endorsement shall not be given to more candidates than there are seats open for the office in question.
   e. All endorsements shall be made in accordance with the DPCCC Bylaws endorsement provisions duly adopted at least six months prior to making such an endorsement, unless the CDP grants a waiver for the six-month approval period.
BYLAWS OF THE DEMOCRATIC PARTY OF CONTRA COSTA COUNTY

f. No vote on endorsement shall be taken by secret ballot.
g. Endorsement requires both a minimum of 18 votes and at least 60% of all votes cast.
h. All votes shall contain the option of “no endorsement.”
i. The DPCCC may, by majority vote, select and charge a pre-endorsement subcommittee. The pre-endorsement subcommittee shall report back to the DPCCC unless charged otherwise by vote of the DPCCC.
j. The DPCCC, by a two-thirds (2/3) vote may rescind any endorsement or position previously made.

3. Notification.
   a. The DPCCC Chair or designee shall promptly notify all identified potential Democratic candidates and all registered Democratic candidates who have qualified to be on the ballot for the office(s) which the DPCCC intends to consider for endorsement, that the DPCCC will be holding an endorsement vote, and also notify the candidates or candidate campaigns of the endorsement process and candidate interviews for their respective races. Notice may be sent to the candidate’s address on file with the County Elections Department, if available. An e-mail will be considered acceptable for communication if a response is received. If a response to an e-mail inquiry is not received from a candidate or an individual representing the candidate's campaign, then the committee must make every effort to communicate with the candidate or candidate's campaign by phone or postal mail.
   b. Any DPCCC meeting where official endorsements will be voted on must have this item properly placed on the agenda, and the agenda must be postmarked or sent by e-mail to all DPCCC members at least seven (7) days before the meeting is held and posted on the DPCCC public website.

4. Statements from campaigns. Campaigns may attend in person, by representative, or by statement to present their positions to the DPCCC at the endorsing meeting or before a designated subcommittee at a properly noticed meeting held before the regular monthly meeting for the express purpose of hearing from the campaigns.

B. Candidate Endorsements in Non-Partisan Elections

1. Time limit. The DPCCC may not make any candidate endorsement until after close of filing for the office(s) under consideration for endorsement.

2. Procedures.
   a. Endorsement voting for a single office shall include all eligible candidates who have expressed an interest in receiving the DPCCC’s endorsement.
   b. If there are more than two eligible candidates and no candidate receives an endorsement on the first round, a runoff election shall be conducted immediately between the two candidates receiving the most votes.
c. If the office under consideration has multiple positions (i.e. City Council), the voting shall include all eligible candidates and each voting member may only vote for as many candidates as there are open seats.

d. No voter may cast more than one vote for any one candidate.

e. There shall be no runoffs for multiple position races.

C. Positions on Issues/Propositions

1. **Definition.** Propositions include, but are not limited to, Advisories, Bonds, Initiatives, Measures, and Propositions put before the voters of Contra Costa County.

2. **Suitability.** The DPCCC shall take no position on propositions inconsistent with a position of the CDP. If the CDP takes no position on a proposition, the DPCCC is free to exercise its own discretion, unless the CDP advises otherwise.

D. Additional support. The DPCCC may wish to provide additional support to an endorsed candidate or its position on a proposition by providing financial support and/or volunteers to that campaign. When deciding on the level or type of support to provide, the DPCCC will consider various factors such as need, the importance of the race, the chances of success, the closeness of the race, the previously demonstrated ability of the campaign to attract financial and grassroots support, and the recommendation of the Election Committee or pre-endorsement subcommittee.
Article VIII. AMENDMENTS

Section 1. Manner of Adoption

These Bylaws may be amended by a two-thirds (2/3) vote of those present and voting at any meeting, a quorum being present, for which all members have been notified and provided exact wording of the proposed changes at least fourteen (14) days prior to such meeting.

____________________________________
Jeff Koertzen, Rules Committee Chair

By: ________________________________
Maria Alegría, DPCCC Chair

Approved by the CDP: [Insert Date]