

**California Democratic Party
November 2020 Executive Board Meeting
Sunday, November 15, 2020
Reports Packet**

Available online at <https://cadem.org/our-party/executive-board>

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RESOLUTION 20-11.04

Maintain Cash Retail

WHEREAS extensive research shows Black, Latino, and other vulnerable populations historically subjected to discriminatory lending practices continue to have less access to financial resources, and California's economy shifts toward an increasingly cashless system where many individuals (including children) without significant digital financial assets (credit cards, debit cards, electronic banking, etc) may be unable to access essential goods and services; and

WHEREAS significant barriers of entry exist to participating in digital financial asset systems that may include a minimum threshold of assets, geographic availability, the initial cost of electronic devices, technical savvy, as well as the loss of purchasing power associated with mandatory use taxes or transaction fees sometimes associated with cashless purchase; and

WHEREAS the growth of "cashless" stores are a slippery slope that can accumulate into "cashless neighborhoods" that can become de facto racially and/or economically segregated neighborhoods with little or no oversight where those without digital financial assets cannot purchase public transportation or even a bottle of water;

THEREFORE BE IT RESOLVED that the California Democratic Party supports the maintenance of cash-based retail systems that allow those without access to significant digital financial assets to continue to travel freely, access essential goods and services and participate as functional members of society; and

BE IT FURTHER RESOLVED that the author of this resolution will send copies of this resolution to members of local governments in all 58 counties in California.

Author(s): Dan Stegink, Assembly District 22

Sponsored By: CADEM Region 6, Assembly District 22

RESOLUTION 20-11.05

Hold Corporate Perpetrators Responsible

Whereas unsafe products and services provided by corporations that harm the physical, mental, and financial health of our society are approved and promoted by company leaders, but are punished by fines—not commensurate with the profits gained— paid by corporations and ultimately customers with no consequences for those responsible; and

Whereas many examples abound to show corporate fines have not been sufficient in changing the criminal behavior of corporate decision-makers because they have not been held personally and criminally responsible for their actions; and

Whereas a corporate created opioid epidemic is currently destroying lives, there is price gouging for PPEs during the COVID crisis, vaping is marketed to kids, our private information is sold to those who rig our elections, defective car airbags maim, neglectful PG&E caused fires to kill 84 Californians, banks commit mortgage fraud leaving kids to live in cars – they all have two things in common: No one went to jail and corporate executives put profit before our health, safety, privacy or the environment; and

Therefore Be It Resolved that the California Democratic Party supports holding corporate officers and managers criminally responsible for endangering the public whether they were deliberate or through negligence, with punishment fitting the crime patterned after sentences for other illegal actions.

Author(s): Ellis Goldberg, Assembly District 16

Sponsored By: Ellis Goldberg, Assembly District 16; Sharon Goldberg, Assembly District 16; Brodie Hilp, Assembly District 16; Diablo Valley Democratic Club, Assembly District 14; San Ramon Valley Democratic Club, Assembly District 16; TriValley Democratic Club, Assembly District 16; Democratic Party of Contra Costa County, Assembly District 16; Alameda County Democratic Party, Assembly District 16; REGION 2 ADEMS, Assembly District 16; RICHARD ADLER, Assembly District 16

RESOLUTION 20-11.09

RESTORATION OF INTEGRITY IN FEDERAL JUDICIARY

WHEREAS the United States federal judiciary has been packed with conservative judges over the term of Donald Trump, culminating with Judge Amy Coney Barrett being sworn in as the 115th Supreme Court

Justice on October 26th, 2020, ensuring 6-3 conservative control of the Supreme Court and conservative majorities in much of the lower courts for the foreseeable future; and
WHEREAS these appointments largely come from a perversion of the Senate appointment process whereby Republican Senate leadership unapologetically obstructed a majority of President Obama's appointments to the courts, including, but not limited to, judge Merrick Garland's appointment to the Supreme Court seat now held by Neil Gorsuch, with the specific intent of keeping those seats open for a future GOP president to fill, and then hypocritically violated the very rules they set down about election-year appointments to the Supreme Court, by rushing through a partially vetted Judge Barrett only weeks before a Presidential election in which over 60 million people had already voted; and

WHEREAS these illegitimate appointments of conservative judges and perversion of the Constitutional process have created a severe threat to our election system, our democratic process and the ideals and policies of the Democratic Party and the fundamental human rights of people of color, the LGBTQIA+ community, immigrants, religious minorities, and the working class at large;

THEREFORE BE IT RESOLVED that the California Democratic Party strongly supports a thorough and complete assessment and implementation of measures needed to reform and rebalance the Supreme Court and the lower courts of the federal judiciary, which may include but should not be limited to, expanding access to justice through creating more seats for judges, judicial term limits, establishing a process to rotate judges, certiorari reform, and assessing or reassigning the jurisdiction of certain courts; and

BE IT FURTHER RESOLVED that the California Democratic Party recognizes that the spiraling disregard and misuse of Senate procedural rules under GOP control, may necessitate that Democratic-controlled Congress to operate with the understanding that Democrats may have to take such steps as are necessary to ensure that these perversions and undermining of our checks and balances that protect our democratic republic are corrected and ensure that they no longer continue.

Author(s): CDP Resolutions Committee; Ryan Skolnick, Assembly District 14

Sponsored By: Resolutions Committee

RESOLUTION 20-11.13

Providing basic life saving measures for detainees, arrestees, and prisoners

WHEREAS in the State of California more than 600,000 are behind bars or under criminal justice supervision (2019), about a thousand people die every year while in the process of being arrested, while subject to use of force by law enforcement, in the temporary custody of a law enforcement agency, or while incarcerated in a city, county, or state correctional facility; and

WHEREAS many of these deaths are preventable, many of these individuals are either children or have not been convicted of any crime, these deaths over represent Black and Latino populations, and prisoners who might still medically be able to summon their own assistance rarely have sufficient resources or freedom with which to do so; and

THEREFORE BE IT RESOLVED that the California Democratic Party believes that any and all persons under detention, arrest, or in-custody be provided with basic life saving measures;

BE IT FURTHER RESOLVED that the author will send copies of this resolution to county governments within the state of California.

Author(s): Dan Stegink, Assembly District 22

Sponsored By: CADEM Region 6, Assembly District 22

RESOLUTION 20-11.20

Taking the Hate out of Homeownership

WHEREAS In the State of California every year thousands of real estate transactions continue to be conducted using deeds, titles, and other documents that include race restricting covenants that prevent transfer(s) of property to racial, ethnic, or religious minorities, but frequently Black people, with many homeowners unaware of racially related documents; and

WHEREAS in 1948 the US Supreme Court ruled in Shelley v. Kramer that rendered racially restrictive covenants unenforceable, and the Fair Housing Act made them illegal, and state (or local) enforcement of such covenants violated the Equal Protection Clause of the Fourteenth Amendment; and

WHEREAS the continued inclusion of these covenants in real estate contracts discourages the transfer of property to both people of color and religious minorities, artificially reduces the supply of housing, and perpetuates a discriminatory housing practice;

THEREFORE BE IT RESOLVED that the California Democratic Party supports the removal of racially restrictive covenants from the real estate transaction process; and

BE IT FURTHER RESOLVED that the author of this resolution will send copies to county governments in all 58 counties.

Author(s): Dan Stegink, Assembly District 22

Sponsored By: CADEM Region 6, Assembly District 22

RESOLUTION 20-11.22

Resolution Opposing Final Rule on Campus and K-12 Sexual Assault and Harassment

WHEREAS Secretary of Education DeVos recently issued a final rule under Title IX which guts protections for victims of sexual assault and harassment for college campuses and K-12 schools, the new rule among other things requiring colleges and universities to provide a live hearing before a panel in which a person accused of sexual assault or harassment has the right to cross-examine a complainant through an “advisor” chosen by the accused and who may but need not be an attorney but who can be anyone, including a fellow student, fraternity member or angry parent, and the new rule further requires schools and colleges to dismiss any complaint that does not meet the high bar of being “severe and pervasive” as well as “objectively offensive,” such that it denies the victim access to an educational program, and the rule further excludes most off-campus and online harassment and assault from the purview of Title IX entirely, and further allows colleges to require “clear and convincing evidence” to prove sexual harassment and assault; and

WHEREAS experts and survivors have said the rule will reduce the willingness of survivors to come forward, will require schools to abandon certain trauma-informed best practices, and is too narrow in scope; and

WHEREAS the final rule, which is over 2,000 pages long, imposes dramatically changed substantive rules and expanded procedural requirements and was issued in the midst of a global pandemic and associated shutdown of schools across the nation, and yet requires full compliance within just three months;

NOW THEREFORE BE IT RESOLVED that the California Democratic Party opposes DeVos’s final rule, supports legal action being taken by the National Women’s Law Center to prevent the rule from becoming effective, urges in any event that the August 14, 2020 effective date be delayed to allow schools more time to study and prepare to comply with the rule, and further calls on Congress to immediately pass legislation to revoke the rule and adopt rules, modeled on the U.S Department of Education’s 2001 Sexual Harassment Guidance, and 2011 and 2014 guidance documents revoked by Secretary DeVos, which will better protect students against sexual assault and harassment.

Author(s): Michele Dauber, Assembly District 24; Bill James, Assembly District 24

Sponsored By: Santa Clara County Democratic Central Committee; Santa Clara County Democratic Party Chair Bill James, Assembly District 24; Michele Dauber, Assembly District 24

RESOLUTION 20-11.23

Translators and interpreters ensure language access for Californians

Whereas more than 40 percent of California residents, speak a language other than English at home, including some immigrants, and nearly 20 percent of state residents, or almost 8 million people, have limited English proficiency (LEP), with many relying on highly skilled translators and interpreters to participate in every aspect of life, from education to business, labor, science, and technology and from the courts to the arts, entertainment, conferences, and health and medical appointments and social service; and

Whereas the Americans with Disabilities Act guarantees access to auxiliary aids and services by people with disabilities, including more than 2.2 million Californians who are deaf, deaf-blind, hard of hearing, or with a speech disability relying on access to auxiliary aids and services, which include sign language interpreting services and communications access real-time translation (CART); and

Whereas all obstacles to Californians' access to highly-skilled, expert translators and interpreters should be removed;
Therefore Be It Resolved, that the California Democratic Party recognizes access to highly-skilled, expert translators and interpreters who ensure language access for Californians be as an issue of dignity, equality, and inclusion that Democrats respect and protect; and
Be It Further Resolved the California Democratic Party opposes policies and practices that jeopardize Californians' capacity to access highly-skilled, expert translators and interpreters as that would be considered threats to civil rights and progress towards equity in our diverse state.
Author(s): Maribel Nunez, Assembly District 61
Sponsored By: Ana Gonzalez, Assembly District 47; Lorraine Salas, Assembly District 42

RESOLUTION 20-11.25

Protecting the Amah Mutsun Sacred Site of Juristac

WHEREAS, the area in Central California known as Juristac to the Amah Mutsun Tribal Band is the location of numerous ceremonial and sacred sites, comprising a landscape of great historical, cultural and spiritual importance to the Amah Mutsun, who are working diligently to restore their indigenous practices, regain stewardship of their lands, heal from historical trauma, and fulfill their obligation to Creator; and Juristac is home to threatened and endangered species and is identified in the Santa Clara Valley Habitat Plan and other regional landscape linkage studies as a vital wildlife corridor linking the Santa Cruz, Gabilan, and Diablo Ranges; and

WHEREAS, the Sargent Ranch Management Company has applied to the County of Santa Clara for a conditional use permit for a proposed open-pit sand and gravel mining operation (the Sargent Quarry Project) with aggregate processing facilities on approximately 320 acres of Sargent Ranch, located within the area known as Juristac to the Amah Mutsun; potentially removing 40 million tons of sand and gravel aggregate, plus millions of tons of overburden (layers of soil, clay, etc.), from four massive pits, up to 550 feet deep, dug into hills considered sacred to the Amah Mutsun; and

WHEREAS, the Amah Mutsun maintain that the proposed mining pits, overburden piles, roads, and processing facilities would irreparably harm Mutsun cultural resources, including wildlife, landscape features, and the spiritual integrity of Juristac, threaten the sensitive ecology of this unique habitat and impact adjacent ecological areas, whose threatened populations make use of this critical wildlife corridor; and the Tribal Council of the Amah Mutsun Tribal Band has taken a unanimous stance in opposition to the Sargent Quarry Project and is seeking the support of surrounding communities in efforts to protect their sacred grounds; numerous individuals, groups, environmental organizations, the cities of Santa Cruz and Morgan Hill, the Democratic Parties of Santa Clara County and Santa Cruz County, and Region 7 of the California Democratic Party have adopted resolutions opposing the proposed Sargent Quarry Project;

THEREFORE BE IT RESOLVED, that the California Democratic Party supports the efforts of the Amah Mutsun Tribal Band to preserve Sargent Ranch/Juristac as open space and to regain access to their cultural and spiritual sites at Juristac; and

BE IT FURTHER RESOLVED, that the California Democratic Party opposes any projects that would compromise any cultural and sacred sites.

Author(s): Ash Kalra, Assembly District 27; Omar Torres, Assembly District 27; Peter Ortiz, Assembly District 27

Sponsored By: Mary Ann Andreas, Assembly District 42; Rebeca Armendariz, Assembly District 30; Sousan Manteghi-Safakish, Assembly District 30; Helen Chapman, Assembly District 28; Kristin Rivers, Assembly District 29; Andrae Wara-Macapinlac, Assembly District 28; Emily Thurber, Assembly District 24; Paul Fong, Assembly District 28; Elena Loomis, Assembly District 29; John Comiskey, Assembly District 28; Diane Heilman Rolfe, Assembly District 24; Glen Glazer, Assembly District 29; Maya Esparza, Assembly District 27; Joanne Fierro, Assembly District 30; Adrienne Grey, Assembly District 28

RESOLUTION 20-11.26

Opposing the Sale of Dangerous Fireworks for Non Commercial Use

1 WHEREAS forest fires in California in 2020 to date, have burned 4 million acres, killed 31 people, and
2 destroyed 7,000 homes, while 2018 forest fires killed more than 100 people and destroyed 17,000 homes,
3 nationwide, more than 19,500 total fires were started by fireworks between 2014-2018, with forty-nine
4 percent of all fires reported on the fourth of July determined to have been started by fireworks (2018) and
5 59% of those being brush, grass, or forest fires; and

6 WHEREAS fireworks injuries continue to disproportionately injure children under 15 years of age with a
7 third of fireworks eye injuries resulting in permanent blindness, and the American Academy of Pediatrics
8 stating unequivocally “every type of legally available consumer use (“safe and sane”) firework has been
9 associated with serious injury or death”; and

10 WHEREAS despite California air quality last month being simultaneously both the worst in the United
11 States and the worst in California history, almost three hundred California communities still allow sales of
12 personal use fireworks;

13 THEREFORE BE IT RESOLVED that the California Democratic Party opposes the sale of fireworks not
14 intended for commercial use;

15 BE IT FURTHER RESOLVED that the author will send copies of this resolution to members of county
16 government in all 58 counties.

17 Author(s): Dan Stegink, Assembly District 22

18 Sponsored By: CADEM Region 6, Assembly District 22

19 ***RESOLUTION 20-11.30***

20 **Congratulations to President-Elect Joseph R. Biden, Jr., and Vice President-Elect Kamala D. Harris**

21 Whereas, former Vice President Joseph R. Biden and Senator Kamala D. Harris have received over 78
22 million votes, the highest popular vote ever, and have captured the 306 electoral college votes to become
23 the 46th President and the 49th Vice President of the United States of America; and

24 Whereas, the voters have made history again by electing the first ever South Asian and African-American
25 woman to serve as Vice President of the United States of America; and

26 Whereas, President-Elect Joseph R. Biden and Vice President-Elect Kamala D. Harris have received
27 accolades from leaders around the world in recognition of their successful campaign to lead one of the
28 world’s largest democracies; leaders who have been frustrated over the past four years due to the lack of
29 leadership and indecisiveness from the White House; leaders who respect America and depend on America
30 for keeping the world safe; leaders who look to America to lead with dignity, decency, respect and honor;
31 leaders who look to America to lead in finding a cure for COVID-19 and addressing climate change, world
32 hunger, conflicts and human rights;

33 Therefore Be It Resolved, that the California Democratic Party supports counting all votes cast by mail and
34 in person in every state in the union regardless of false claims of impropriety; and

35 Be It further Resolved, that the California Democratic Party joins the voters in American and the
36 International community in extending congratulations to President-Elect Joseph R. Biden and Vice
37 President-Elect Kamala D. Harris as our next President and Vice President of the United States of America.

38 Author(s): California Democratic Party Resolutions Committee

39 Sponsored By: California Democratic Party Resolutions Committee

Rules Committee Report
Saturday, November 14, 2020

- I. Roll Call – 29 members present, a quorum was present
- II. Meeting Called to Order – 10:43am
- III. M/S/P Adoption of Meeting Agenda
- IV. M/S/P Report of Caucus Certification, Recertification and Decertification Sub-Committee as follows:
 - A. Reaffirm **full certification** of: **Arab American; Chicano Latino; Senior; Computer & Internet; and Veterans.**
 - B. Fully certify the **Rural Caucus**
 - C. Recognize and fully certify the following: the African American Caucus name change to the **Black Caucus** and LGBT Caucus to **LGBTQ Caucus**
 - D. Fully certify with the ability of the Lead Co-Chairs to Convert Back to Provisional if Self-Reported Compliance Cannot be Verified: **Labor; Irish American; Women's; Filipino American; Disabilities; Environmental; Progressive; Asian Pacific Islander; Children's; Native American.**
 - E. The **Business and Professional** Caucus is still out of compliance, but appears to be acting in good faith. Accordingly, continued **provisional certification** is warranted: It was M/S/P to adopt the following statement: Despite past inexplicable delays that would tend to suggest a lack of intention to cooperate, the Business & Professional Caucus has now provided the Rules Committee with a copy of its Bylaws and charged one of its officers with the tasks of (1) working with the Rules Committee to craft, and (2) noticing, draft amendments amending the Caucus Bylaws to conform to the applicable Bylaws, rules and guidelines of This Committee for its Caucuses. In these circumstances, it is in the best interest of the Party to afford the Caucus the presumption of good faith one last time. Accordingly, if, by the meeting of the Rules Committee in conjunction with This Committee's convention, the Caucus has adopted the Caucus Bylaws amendments proposed by the subcommittee and ratified by the Lead Co-Chairs, the Caucus will be recommended for recertification. If not, the Rules Committee recommendation will be to end provisional certification and decertify the Caucus. In the interim, the Caucus' status as provisionally recertified is recommended to continue.
- V. Review Proposed Bylaw Amendments
 - A. Subject to consideration by the Executive Board from Rules Committee: None
 - B. Matter tabled to time certain by Executive Board: Amendment regarding number of Executive Board Meetings – M/S/P recommend to the Executive Board to refer back to Rules Committee
 - C. Proposal Referred back to Rules Committee by Executive Board: CYD Ambassador Program – M/S/P to refer to Sub Committee on Standing Committees.
- VI. Review and recommend adoption of:
 - A. Proposed Article III-A- M/S/P recommendation to Executive Board to adopt
 - B. Convention Rules – M/S/P with minor amendment to add date of Convention from Zakson
 - C. Convention Tentative Agenda – M/S/P recommendation to Executive Board to adoptAll of the above to be considered at the next Executive Board meeting to be called by the Chair.
- VII. Subcommittee Reports
 - A. Memo on Subcommittee Membership (Informational only)
M/S/P to replace-at her request - Jimmie Woods-Gray as Chair of subcommittee on Standing Committees and to appoint Drexel Heard II as the chair and maintain Woods-Gray as a member of the subcommittee.
 - B. ADEMs:
 - 1) M/S/P to amend the Bylaws as follows:
Add a new section 2 to Article VI:
Section 2:
 - a. Notwithstanding any other provision of this Article, for the ADEM election for 2021, there shall be no in-person voting in light of the COVID-19 pandemic.
Voting shall be through vote-by-mail.

- b. This section 2 will expire on its own operation on July 1, 2021
 - 2) Revised Procedures: M/S/P for Coby King to draft updated ADEM Procedures with newly approved ADEM amendments subject to the approval of Lead Co-Chairs Shay and Bowler with the power to adopt
- C. County Bylaws - M/S/P to approve the endorsement procedures of the Bylaws of Humboldt County Democratic Central Committee (HCDCC) pursuant to CDP Bylaws Article VIII, Section 4 b. as being consistent with CDP By-Laws and with the fundamental rules of fairness to which the California Democratic Party is committed.
- D. Endorsements Subcommittee: took testimony on 2022 endorsement process. Subcommittee will meet prior to next regular Executive Board to process proposed amendments and report to the Rules Committee at the next regular Executive Board.
- E. Miscellaneous Issues
 - 1. M/S/P to recommend the Atkins proposal issue dealing with a non-Democrat switching parties post-election M/S/P Recommend adoption of Bylaws change to allow both individuals to serve as delegates and have appointing abilities as described therein.
 - 2. M/S/P to recommend the Ramos proposal on timing of Executive Board appointments to allow County Committee Executive Board representatives to be elected no later than the CDP Organizing Convention.
 - 3. M/S/P to adopt the Voter Services Committee recommendation to take no action on the resolution regarding precinct leaders.
 - 4. M/S/P to refer the proposal regarding the Removal of Officers subcommittee on Officers.
- G. Standing Committees
 - M/S/P to charge the Sub-Committee with review of all Committee guidelines and procedures and develop same as well consider input which was solicited from all standing committee chairs and prior submitted proposal regarding same.
- IX. New Business
 - A. M/S/P to refer to the sub-committee on Officers the proposal submitted by Daraka Larimore-Hall concerning a substantial by-law revision regarding party leadership structure and officer duties and to direct the sub-committee to report back to Rules Committee progress no later than the April 2021 Convention. (NOTE: it was the clear sense of the committee that there would be public hearings involving all stakeholders.)
 - B. M/S/P to refer to the Misc. Issues sub-committee a proposal to amend the CDP Bylaws Article II regarding membership of and appointments by the US President and/or Vice President to the DSCC if registered as a Democrat in the state of California.
- X. M/S/P to adjourn at 6:15 pm on 11/14/20.

Bylaw Amendments Adopted at the Rules Committee meeting held on November 15, 2019

NUMBER OF EXECUTIVE BOARD MEETINGS

Explanation: This amendment would eliminate the current requirement that the Executive Board meet three times in each calendar year and would instead require that the Executive Board meet twice in each calendar year except in years in which the State Convention meets more than once.

Rationale: This amendment updates the bylaws to reflect current practice.

Amend Article VII, Section 4, Subdivision a by striking “three” and inserting “two”, and by striking “year.” and inserting “year, or at least one time in each calendar year in which This Committee convenes more than once.”, as follows:

- a. The Executive Board shall convene in regular meetings at least ~~three~~ two times in each calendar ~~year.~~ 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.

TO: Rules Committee, California Democratic Party
FR: Garry S. Shay; Co-Lead Co-Chair; Rules Committee, California Democratic Party
DA: October 28, 2020
RE: Proposed Bylaws Amendment to Facilitate Election of Officers in 2021

ARTICLE III-A: ELECTION OF OFFICERS 2021

Section 1. ***Governing Rules:***

Irrespective of any other provision of these bylaws which may be in conflict with the below, the following sections shall govern the Election of Statewide Officers and Regional Directors for the 2021 election.

Section 2. ***Dates for Determination of Membership:***

The dates for determination of membership for the 2021 Convention shall remain as specified in Article II, Sections 3 and 4; Article VI, Section 1, a, (2), and Article VI, Section 1, a; or as may be modified by any decision of the Compliance Review Commission in a particular case.

Section 3. ***Deletion of Article III-A:***

This instant Article III-A, shall, without the necessity of further action, be automatically deleted from these bylaws as of **11:59 p.m. on Wednesday, June 30, 2021.**

Section 4. ***Methods of Communication and Holding of Convention:***

- a. Transmission, and completion of filing, of documents, including ballots and voting, shall be via e-mail, facsimile, or United States Postal Service, at the discretion of the Chair of This Committee with regard to documents sent by This Committee, and by the individual member with regard to documents sent to This Committee.
- b. **This Committee shall, for the 2021 Convention, meet virtually, via Zoom or other suitable method, as determined by the Chair of This Committee.**

Section 5. ***Determination and Certification of Roster of Members:***

- a. The **preliminary** roster of members of This Committee, **as of the dates for determination of membership for the 2021 Convention as set forth in Section 2 above**, shall be as certified as of **Monday, February 15, 2021**, by a majority of the Chairs of the Standing Committee on Credentials.
- b. Any candidate for membership on This Committee, who's name has been timely submitted, and denied such certification shall be notified by the Secretary of This Committee **within 24 hours** of said denial.
- c. Any challenge to this certification decision may only be filed by the

affected candidate for membership, and 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, but in no event later than 5:00 p.m. on Friday, February 19, 2021.**

- d. The Compliance Review Commission shall decide all challenges **affecting the credentials of members regarding the determination of the roster of members for the 2021 Convention**, based upon the written challenge of the candidate for membership, and the testimony, written or oral, of a Chair (or Chairs) of Standing Committee on Credentials, no later than **10:00 p.m. on Monday, February 22, 2021. In the event the Credentials Chair(s) support the challenge, the challenged candidate for membership shall be offered an opportunity to present oral testimony.** A failure of Compliance Review Commission to render a decision by that time shall be considered as a decision to sustain the roster of members as certified by the Credentials Chairs. All decisions of the Compliance Review Commission as pertains to the Determination and Certification of Roster of Members shall be final.
- e. **The Final Certified Roster of Members, eligible to participate in the 2021 Convention of This Committee, individually or by proxy, shall be those members of the Democratic State Central Committee determined to be eligible as of Tuesday, February 23, 2021.**

Section 6. *Notice of Intent-to-Run Declaration / Nominations:*

- a. The filing of a Notice of Intent-to-Run Declaration shall be required to be filed by a member of This Committee, in order to be a candidate for any Statewide or Regional Director Office, and shall be considered as a nomination for that particular office.
- b. The time period for filing of Notice of Intent-to-Run Declarations shall open at **10:00 a.m. on Monday, January 4, 2021.**
- c. To qualify to run for office, a member of This Committee's Notice of Intent-to-Run Declaration must have been received by the Secretary of the Party no later than **5:00 p.m. on Monday, March 15, 2021.**
- d. In the event that the incumbent officeholder for a particular office fails to file the notice of intent to run by that date, then the filing deadline shall be extended to **5:00 p.m. on Friday, March 19, 2021,** for that office.
- e. No withdrawals of candidates shall be allowed after the filing of Notice of Intent-to-Run Declarations have closed for that particular office, unless all candidates have withdrawn.

- f. Following the close of filing of Notice of Intent-to-Run Declarations, no additional candidates shall be permitted.
- g. In the event no member has filed a Notice of Intent-to-Run Declaration, or for which all persons who have filed a Notice of Intent-to-Run Declaration have withdrawn, a vacancy shall be declared to exist in that office which shall be filled as provided in Article III, Section 5.

Section 7. *Availability of Roster of Members of This Committee:*

- a. All candidates who have filed a Notice of Intent-to-Run Declaration for a State Office of This Committee will be provided access to a final, certified roster of Members of This Committee in the specific jurisdiction for which they are a candidate on **Monday, February 15, 2021** or upon filing, whichever is later. If filing before **Monday, February 15, 2021**, the candidate will be provided with a preliminary roster of Members of This Committee in the specific **jurisdiction** for which they are a candidate.

Section 8. *No Proxy Voting:*

- a. There shall be no Proxy voting.

Section 9: *Prerequisites to Voting and Having One's Vote Counted:*

In order to vote, and have one's vote counted, a member must have timely:

- a. paid their dues and fees to This Committee, or had them waived,
- b. registered for the meeting, if registration was required,
- c. obtained their credential prior to the closing of credentialing, if credentials were issued for the meeting,
- d. completed and returned to the proper authority any ballot that may be issued,
- e. agreed in writing to abide by the Code of Conduct, **and,**
- f. **signed any written ballot, if written ballots are used.**

Section 10. *Ballots, Ballot Counting, and Declaration of Unanimous Election:*

- a. In the event only one person has been nominated for any office and such person accepts the nomination, the Secretary of This Committee shall be directed to cast a unanimous ballot for such candidate as of **5:01 p.m. on Friday, March 19, 2021**, for that office.
- b. Ballots, with the names of persons in contested races, shall be sent to members of This Committee no later than **Wednesday, March 24, 2021.**

- b. In order to be considered, a ballot must be received by the Secretary of This Committee no later than **Wednesday, 5:00 p.m., April 21, 2021**, and the member must have complied with Article IV, Section 7, b.
- c. No vote for any person shall be counted unless the person has been duly nominated for, and has accepted that nomination for the office for which such vote is cast.
- d. The Secretary shall certify the election no later than **Wednesday, April 28, 2021**. In the event the Secretary is a candidate for re-election, certification of the Secretary's election shall be made by those Co-Chairs of the Standing Committee on Credentials who had been designated as "Lead Co-Chair(s)" by the Chair of This Committee in 2019, if still a member of This Committee; and, if either is not, or both are not, then by any remaining such "Lead Co-Chair" and those Co-Chairs of the Standing Committee on Rules who had been designated as "Lead Co-Chair(s)" by the Chair of This Committee in 2019, if still a member of This Committee.

Section 11. ***Failure to Achieve a Majority Vote; Run-Off Elections; Ballots; and Ballot Counting:***

- a. In the event no candidate receives a majority vote on the 1st ballot, a runoff election (2nd ballot) shall be held between the two persons receiving the largest number of votes actually cast for all candidates who have been duly nominated for and accepted the nomination for the office involved.
- b. Ballots, with the names of persons in contested run-off races, shall be sent to members of This Committee no later than **Monday, May 3, 2021**.
- c. In order to be considered, a ballot in contested run-off races must be received by the Secretary of This Committee no later than **Monday, at 5:00 p.m., on May 31, 2021**, and the member must have complied with Article IV, Section 7, b.
- c. No vote for any person shall be counted unless the person has been duly nominated for, and has accepted that nomination for the office for which such vote is cast.
- d. The Secretary shall certify the election no later than **Monday, June 7, 2021**. In the event the Secretary is a candidate for re-election, certification of the Secretary's election shall be made by those Co-Chairs of the Standing Committee on Credentials who had been designated as "Lead Co-Chair(s)" by the Chair of This Committee in 2019, if still a member of This Committee; and, if either is not, or both are not, then by any remaining such "Lead Co-Chair" and those Co-Chairs of the Standing Committee on Rules who had been designated as "Lead Co-Chair(s)" by the Chair of This Committee in 2019, if still a member of This Committee.

Section 12: Challenges Arising Under Sections 10 and 11 herein:

- a. Any challenge arising under Sections 10 and 11 herein, shall be processed in accordance with Article XII of these bylaws and the Procedural Rules of the Compliance Review Commission Promulgated and Adopted by the CDP Rules Committee Pursuant to CDP Bylaws Article V, Section 5, b). Provided, however, that any such decision of the Compliance Review Commission shall be final.**

Rules for the 2021 California Democratic Party Convention to be held April 26 – May 2, 2021

1. The primary purpose of this biennial Convention is to organize the newly-elected constituted Democratic State Central Committee (This Committee) and elect Statewide Officers and Regional Directors. Matters not heard at the Convention will be received by the Secretary and held over to the next meeting of the Executive Board.
2. The Chair of This Committee shall be the Chair of the Convention and the Secretary of This Committee shall be Secretary of the Convention. In the absence of the Chair of This Committee, the Vice-Chair of This Committee of a self-identified gender other than that of the Chair, shall serve as the Presiding Officer and Chair of the Convention. In the event more than one Vice-Chair should fit that description, they shall act as Co-Chairs.
3. Delegates to the Convention shall be those members of the Democratic State Central Committee, or their qualified proxies, as specified in the Bylaws of This Committee, and are on, or had a right to be on, the Final Certified Roster of Members as of **February 23, 2021**.
4. This Convention will be held in accordance with Article III-A of the Bylaws of This Committee and the Policy Statement by the Rules Committee of the California Democratic Party on the Open Meeting Rule Adopted in Committee – July 14, 2018.
5. Certification of a delegate's Credentials shall be in accordance with Article III-A of the Bylaws of This Committee.
6. No one will be granted access to the "floor" who is not a delegate, or proxy holder, except by special authorization of the State Chair.
7. In order to vote, and have one's vote counted, a member must have timely:
 - a. paid their dues and fees to This Committee, or had them waived,
 - b. registered for the meeting, if registration was required,
 - c. obtained their credential prior to the closing of credentialing, if credentials were issued for the meeting,
 - d. completed and returned to the proper authority any ballot that may be issued,
 - e. agreed in writing to abide by the Code of Conduct, and,
 - f. signed any written ballot, if written ballots are used.
8. Proxies shall be subject to those rules set forth in the bylaws of This Committee and accordingly, shall vote in those districts where their appointing members are eligible to

participate.

9. The Credentials Committee shall issue its final report and place the official voting list of delegates in the hands of the Convention Secretary subsequent to the close of registration and prior to the agendaized credentials report.
10. Election of Statewide Officers and Other State Officers (hereinafter: “Regional Directors”).
 - a. All Statewide Officers shall be elected by the entire membership of This Committee eligible to participate in the election.
 - b. Regional Directors shall be elected by Regional Caucuses, comprised of all members of This Committee resident in the respective regions eligible to participate in the election.
 - c. The election of all officers shall take place via signed written ballot sent to members of This Committee no later than **Wednesday, March 24, 2021**, and received by the Secretary of This Committee no later than **Wednesday, 5:00 p.m., April 21, 2021**.
 - d. The filing of Notices of Intent-to-Run Declarations in accordance with Article III-A of the Bylaws of This Committee is a prerequisite to being an eligible candidate for election.
 - e. Election shall be determined upon receiving a majority of votes cast.
 - f. In the event no candidate receives a majority of votes cast, a runoff election (2nd ballot) shall be held between the two persons receiving the largest number of votes actually cast for all candidates who have been duly nominated for and accepted the nomination for the office involved in accordance with the procedures in Article III-A of the bylaws of This Committee. Ballots, with the names of persons in contested run-off races, shall be sent to members of This Committee no later than **Monday, May 3, 2021**.
 - g. **In order to be considered, a ballot in contested run-off races must be received by the Secretary of This Committee no later than Monday, at 5:00 p.m., on May 31, 2021, and the member must have complied with Rule 7 above.**
 - h. Based upon Article Nine, Section 12 of the Charter of the Democratic Party of the United States of America; Resolution of the DNC Rules Committee adopted on June 23, 1994; Article XIII, Section 9 of the Bylaws of This Committee, and the Policy Statement by the Rules Committee of the California Democratic Party on the Open Meeting Rule Adopted in Committee – July 14, 2018; no vote by secret ballot shall take place at this convention.
11. The Resolutions adopted by the members of This Committee and the Executive Board of

the California Democratic Party are expressions of philosophical beliefs and principles that the Party wishes to declare. Any resolution involving a local issue will be referred to the appropriate local Democratic Party entity.

12. **Pursuant to Article V, Section 5 (c), the Resolutions Committee has established and publish the procedures for the proposition of resolutions, which are available on the CDP WEB Site.**

13. **ADDITIONAL RESOLUTION PROCEDURES FOR 2021 CONVENTION**

- a. Form:
- (1) All resolutions must be typed.
 - (2) Inducement (e.g., Whereas) clauses shall be limited to three (3) or less, and resolve clauses shall be limited to two (2) or less.
 - (3) Resolutions must be no longer than one (1) 8-1/2" x 11" typewritten page.
 - (4) All resolutions must be adopted by a County Central Committee, or a Chartered Democratic Club or sponsored by twenty-five (25) members of This Committee, or a majority of the members of This Committee who meet at a Regional Meeting as described in Article III, Section 4d of the CDP's Bylaws.
 - (5) Resolutions that call for a change in the CDP Bylaws or platform, or state the endorsement or support of a candidate for public office or opposition to a candidate who is a registered Democrat, or mandates or restricts the spending of money by the CDP, shall be ruled out of order and will neither be heard by the Resolutions Committee nor be able to reach the floor by way of Section 12, d (Late/Floor Resolutions) below.
- b. Timely Resolutions:
- (1) Resolutions must be received by the State Chair of the Party in Sacramento, by 5p.m., thirty (30) calendar days prior to a meeting of This Committee, except as provided in subsection (c) below.
 - (2) Copies of resolutions submitted according to the above procedure shall be mailed by the State Chair of the Party to all members of the Resolutions Committee prior to a meeting of This Committee.
- c. Resolutions Committee will present prioritized resolutions in the committee report to the convention body.
- d. **Late Resolutions will not be accepted at any virtual meeting of This Committee, unless approved by the Chair of This Committee.**
- e. Floor Resolutions
- (1) Twenty-five (25) copied of each resolution must be provided to the

Resolutions Committee by the sponsor(s) of the resolution.

- (2) All resolutions to be considered at the **2021 Convention** of This Committee must be presented for consideration at the Resolutions Committee meeting preceding the general session. **A late resolution, shall be considered by the Resolutions Committee at the next Executive Board Meeting of This Committee.**
 - (3) Any resolution heard by the Resolutions Committee, failing to obtain approval, may be brought to the floor **of the next Executive Board** meeting of This Committee with the signatures of three hundred (300) members of This Committee on forms approved by the Resolutions Committee **submitted no later than seven (7) days after the adjournment of the Resolutions Committee. No resolution failing to obtain approval of the Resolutions Committee shall be brought to the Floor of the general session of This Convention.**
 - f. Resolutions pending at the close of a Convention of This Committee shall be referred to the Executive Board of This Committee. All such resolutions shall first be presented to the Resolutions Committee for recommendation to the Executive Board. The Resolutions Committee shall recommend: adoption, adoption with amendment, or rejection. Such resolutions shall be presented to the Executive Board for consideration in its original form unless the sponsor agrees to the amendment(s) recommended by the Resolutions Committee.
13. The By-Laws and Rules of the California Democratic Party, and the Procedures for the Proposition of Resolutions referred to in Article V, Section 5, c, of the Bylaws and Rules of the California Democratic Party shall govern over these Rules for the 2021 California Democratic Party Convention in the event of a conflict.
 14. Any matter not provided for in these Rules for the 2021 California Democratic Party Convention, or in the Proposition of Resolutions referred to in Article V, Section 5, c, of the Bylaws and Rules of the California Democratic Party, shall be governed by Robert's Rules of Order.

2021 Virtual CDP State Convention
Tentative Agenda
April 26 – May 2, 2021

NOTE – Caucuses and Standing Committees will be scheduled, after consultation with the Chairs. Additionally, workshops and other activities will be added to this agenda as presenters and speakers are developed and confirmed.

Wednesday, April 28, 2021

7PM Certification of Statewide Officer Elections
7PM Certification of Regional Director Elections

Thursday, April 29, 2021

6PM Credentials Committee*

Friday, April 30, 2021

10AM Resolutions Committee

Saturday, May 1, 2021

10AM Affirmative Action Committee
10AM Resolutions Committee (Prioritization)
10AM Rules Committee
3PM General Session

Sunday, May 2, 2021

10AM General Session
- Ratification of RD Elections
- Standing Committee reports
- Adoption of resolutions

***The Chair may change the timing of agenda items to accommodate scheduling as required.*

ATKINS AMENDMENT:

ARTICLE II: MEMBERSHIP

* * *

Section 3. APPOINTED MEMBERS

a. Each member identified in Section 2b or 2c of this Article, **who ran as a self-identified Democrat**, 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; **provided, however, that any such members who did not run as a self-identified Democrat, and became a registered Democrat after election, shall, during the remainder of that term of office, only be entitled to three (3) such appointments.**

b. Each member identified in Section 2d or 2e of this Article, **who ran as a self-identified Democrat**, 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. **In the event a person identified in Section 2b or 2c of this Article became a member by virtue of having become a registered Democrat after election, the person identified in Section 2d or 2e of this Article, who ran as a self-identified Democrat, and their appointees, shall be entitled to maintain their membership, during the remainder of the term of that office.**

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 ~~at~~ 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.

**CALIFORNIA DEMOCRATIC PARTY
EXECUTIVE BOARD MEETING**

**GENERAL SESSION MINUTES
JULY 25-26, 2020**

SATURDAY SESSION

Musical Performance.

Chair Rusty Hicks opened meeting and gaveled meeting to order.

Credential Report, Michael Wagaman.

Assemblymember James Ramos gave Native American land acknowledgment.

Olivia “Liv” Walker, Lift Every Voice.

Reverend Lawson gave tribute to Congressman John Lewis.

California Attorney General Xavier Becerra gave remarks.

Minnesota Attorney General Keith Ellison gave remarks.

Q&A with Attorney Generals Xavier Becerra and Keith Ellison.

Chair Rusty Hicks closes Saturday General Session in Memoriam.

Meeting adjourned.

SUNDAY SESSION

Musical Performance.

Chair Rusty Hicks opens meeting and gaveled meeting to order.

Congresswoman Barbara Lee gave remarks and report from DNC Delegation.

Chairman Rusty Hicks encouraged participants to include their pronouns next to their names.

Hene Kelly, Disability Caucus Chair gave remarks and an introduction of Hon. Tony Coelho.

Hon. Congressman Tony Coelho gave remarks in celebration of the 30th Anniversary of ADA.

Yvette Martinez, CDP Executive Director, and Pat Shiu, Independent Ombudsperson gave a report on the Working Group on Sexual and Racial Harassment and Misconduct.

Chair Rusty Hicks gave remarks.

Vice Chair Alex Rooker gave remarks.

Vice Chair Daraka Larimore-Hall gave remarks.

Secretary Jenny Bach moved to adopt the minutes of the August 2019 E-Board and gave remarks.

Controller Dan Weitzman gave remarks.

Chair Rusty Hicks gave closing remarks.

Voter Services Committee Report. Jess Durfee. Coordinated Campaigns efforts, coordinated a voter contact program weekly, coordinated with SOS office for voter outreach. Report adopted.

Rules Committee Report. Garry Shay. Two Rules Committee reports (June 14, 2020 and July 25, 2020) and seven bylaws amendments. June 14th proposals to change CRC procedure to allow for the dismissal of frivolous complaints. Proposal for remote meetings. Dismissal of Renters Caucus application due to request for being both statewide chartered organization and a CDP Caucus. Appeal by Mr. Bezis. Motion to adopt June 14th report. Report adopted. July 25th Report. Sarah Souza, a Dreamer becomes Member of DSCC. Jason Thomas, becomes Member of DSCC. Read more: <https://cadem.org/wp-content/uploads/2020/07/Rules-Committee-Report-July-2020.pdf>

Resolutions Committee Report. Agi Kessler and Willie Pelote.

- Reaffirmations Packet – Read more: <https://cademorg-media.s3.amazonaws.com/wp-content/uploads/2020/07/30193110/July-2020-Reaffirmation-Packet.pdf>
- Final Ballot Initiatives Adopted – Read more: <https://cademorg-media.s3.amazonaws.com/wp-content/uploads/2020/07/30193129/November-2020-Qualified-Ballot-Measures-1.pdf>
 - Prop 14 – Support
 - Prop 16 – Support
 - Prop 17 – Support
 - Prop 18 – Support
 - Prop 19 – Support
 - Prop 21 – Support
 - Prop 22 – Oppose
 - Prop 23 – Support

- Prop 24 – Neutral
- Final Resolution Packet – Read more: <https://cademorg-media.s3.amazonaws.com/wp-content/uploads/2020/08/13180736/July-2020-Resolution-Packet.pdf>

Platform Committee Report. Julie Soo and Howard Welinsky. Read more: <https://cadem.org/wp-content/uploads/2020/07/Final-CDP-Platform-2020-2.pdf>

Organizational and Development Committee Report. Royce Kelley. Olivia Lee. Three chartered recommendations. CD1 Alliance. Committee recommended modification to the charter. Democrats for Israel chartered. California Democratic Renters Council chartered.

Legislation Committee Report. Tristan Brown and Lynette Henley. 2020 Summer July E-Board Legislation Committee adopted legislation positions – Read More: <https://cademorg-media.s3.amazonaws.com/wp-content/uploads/2020/07/30190517/CDP-Legislation-Committee-Report-.pdf>

Finance Committee Report. Ada Briceno and Dan Weitzman. DEM2020 program. 174 Members of Trailraiser program raised \$135,000 with another \$800,000 pledged. New Treasurer. Budget discussion. Eric Bradley scholars.

Affirmative Action Committee Report. Denise Penn and Basim Elkarra. Diversity and Inclusion Survey ready, rollout delayed. Subcommittee reports: targeted outreach, media outreach, economic diversity. 1-pager of recommendations to campaigns to effectively outreach to more minority communities. Resources completed at the end of August to be in-language. Prop 16 discussion. Suggestion for breakout rooms for subcommittees to meet.

CDC Report. Iyad Afalqa President.

Caucus Chairs Report. Tiffany Woods, LGBT Caucus gave report.

California Young Democrats. Will Rodriguez-Kennedy gave report.

Chair Rusty Hicks adjourns meeting.

November 2020 CADEM Executive Board In Memoriam

Nicki Edwards, Tulare County
Merle Davis Los Angeles
Arun Sen, Yolo County
Stuart M. Borden, Los Angeles County
Barbara Boyle, Contra Costa County San Diego County
Russell F. Doolittle, San Diego County
John Kenneth "Jack" Dunn, San Joaquin County
Milly Gann, Tulare County
Richard Edward Gipson, Merced County
John Bernard LeMay, San Bernardino County
Linda Baker, San Bernardino County
Maria (Marie) Desiderio McEneaney, San Diego County
Jane Powell Mills, Marin County
Jane Morrison, San Francisco County
Rosario F. Santillan, Kern County
Donald Wayne Whaley, Tulare County
Samuel, Goldfarb, Los Angeles County
Patricia Ann Hallenborg, San Diego County
Jean Kitchens, Orange County
Lorna Wunderman Monroe, Monterey County
Helen L. Sherak, Sonoma County
Charles Warren, Sacramento County
Ric Martin, Mendocino County
Larry Baker, Placer County
Hank Starr, Placer County
Thomas C. Mohr, San Mateo County
David Mundstock, Alameda County
Margy Wilkinson, Alameda County
Sherla Daar, Alameda County
Rosemary DeSerio, Alameda County
Julian Polvorosa, Alameda County
Charlie Gilcrist, Alameda County
Peggy Hora, Alameda County
Betsy Friedenauer, Amador County
Robert Laurent, Amador County
Kathy Trenam, Amador County

Women and Men of all Armed Forces