California Democratic Party Rules Committee Agenda
Friday, April 30, 2021 at 2:00pm

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

I. Meeting Called to Order

II. Roll Call

III. Adoption of Meeting Agenda

IV. Review Proposed Bylaw Amendments – Shay  p. 4-7
   A. Final Rules Committee language review: Amend Article II, Section 2.a. PUBLIC OFFICE MEMBERS  p.5
   B. Consideration and adoption by Rules of a proposed wording change to the non-discrimination clause of the Code of Conduct re: addition of word “caste”.  P.6
   C. Consideration and adoption by Rules of a proposed amendment to Article XIII sections 1,2 and 4 to add the word “caste”.  P.7

V. Subcommittee Updates  p.8-30
   A. ADEMs Subcommittee - King
   B. Caucus Subcommittee – Zakson  p.9-10
   C. County Bylaws Subcommittee - (formerly Chiu)
      1. December 17, 2020 Receipt of LA DCC Bylaws to be referred to subcommittee
   D. Endorsements Subcommittee - King
   E. Miscellaneous Issues Subcommittee Shay
   F. Standing Committees Subcommittee – Heard  p.11
   G. Officers/Elections Subcommittee – Hansen  p.12-30

VI. Compliance Review Commission (CRC) Appeals Referred to Rules  p.31-77
   A. CDP Veterans Caucus – Bowler / Fernandez / King
      2. CRC Decision  p.36-39
      3. Original Complaint  p.40-45
   B. Kern County Democratic Central Committee – Bowler / Fernandez / King
      1. Appeal - David Abbasi  p.52-55
      2. CRC Decision  p.56-60
      3. Original Complaint  p.61-66
      4. No Written Response Received
   C. Receive and File – Bowler  p.68-77
      1. Democratic Party of Orange County Challenge  p.69-71
2. Fresno County Democratic Central Committee Challenge  p.72-74
3. Riverside County Democratic Party Challenge  p.75-77

VII. Receipt and referral of matters – Shay  p.78-81
   A. Receipt of complaints regarding the California Democratic Party Progressive Caucus PAC
      and referral to the Caucus Subcommittee.  P.79-81
   B. Receipt of Resolution (21-04-051 Wessinger) regarding officer duties and referral to the
      Officers/Elections Subcommittee  p.82-83

VIII. New Business - Bowler

IX. Adjournment
REVIEW PROPOSED BYLAW AMENDMENTS
Amend Article II, Section 2, a as follows:

ARTICLE II: MEMBERSHIP
Section 1. MEMBERSHIP
a. The Committee shall consist of:

(1) One member for each elective public office named in Section 2a of this Article.

* * *

Section 2. PUBLIC OFFICE MEMBERS
a. For purposes of this Section, the following public officers shall be referenced:

(1) President of the United States, if registered to vote in California as Party Preference Democratic,

(2) Vice-President of the United States, if registered to vote in California as Party Preference Democratic,

Renumber succeeding sections accordingly

(3) Governor etc.

Amend Article VII as follows:

ARTICLE VII: EXECUTIVE BOARD
* * *

Section 2. EXECUTIVE BOARD MEMBERS
The Executive Board shall consist of the following members of This Committee:

a. The following public officials:

(1) President of the United States, if registered to vote in California as Party Preference Democratic,

(2) Vice-President of the United States, if registered to vote in California as Party Preference Democratic,

Renumber succeeding sections accordingly

(3) All United States Senators, etc.
PROPOSED BYLAW AMENDMENT

SUBMITTED BY AMAR SHERGILL (AD 9), 4/13/21

Appendix A:

CODE OF CONDUCT

Expected Behavior

The California Democratic Party (CDP) is committed to providing a welcoming, respectful, friendly, safe, supportive, and harassment-free environment for members, employees, and all others associated with the CDP. The CDP expects all leaders, members, employees, and others associated with the CDP to act professionally, respecting the personal rights and dignities of all individuals involved with the party so as to create a productive, inclusive environment for all. All individuals should feel welcome and safe within the CDP, regardless of their sex, gender, gender identity, gender expression, sexual orientation, pregnancy, race, color, ethnicity, national origin, ancestry, religion, caste, creed, age, physical or mental disability, medical condition, genetic information, marital status, military or veteran status, body size, domestic violence victim status, or any other legally protected classifications.

The CDP’s behavior standards are not limited to CDP conventions and other meetings. Harassment will not be tolerated at any and all events sponsored by or affiliated with the CDP, as well as in CDP-related calls, texts, emails, and social media like Facebook, Instagram, and SnapChat.
Amend Article XIII, Sections 1, 2, and 4, as follows:

ARTICLE XIII: GENERAL POLICIES:

Section 1. PUBLIC MEETINGS 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, caste, ethnic identity, sexual orientation, gender identity, persons with disabilities as defined by the Americans with Disabilities Act of 1990 or economic status. Further, the scheduling and location of public meetings and other public affairs of the Democratic Party at all levels must take into account the ability to fully and fairly participate with reasonable accommodations, where appropriate, of persons with disabilities as defined in the Americans with Disabilities Act of 1990. The scheduling and location of such public meetings and other public affairs must also take into account the ability to fully and fairly participate with reasonable accommodations, where appropriate, of any religious minorities of significant numbers of concentration whose level of participation would be affected.

Section 2. TESTS AND OATHS No test for membership in, nor any oaths of loyalty to, the Democratic Party shall be required or used which has the effect of requiring 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, caste, ethnic identity, sexual orientation, gender identity, persons with disabilities as defined by the Americans with Disabilities Act of 1990 or economic status.

* * *

Section 4. REGISTRATION The Democratic Party, on all levels, should support the broadest possible registration without discrimination on grounds of race, color, creed, national origin, sex, age, religion, caste, ethnic identity, sexual orientation, gender identity, persons with disabilities as defined by the Americans with Disabilities Act of 1990 or economic status.
SUBCOMMITTEE REPORTS
MEMORANDUM

TO: CDP RULES COMMITTEE

FROM: GARRY S. SHAY, KATHY BOWLER, LEAD CO-CHAIRS
       LAURENCE ZAKSON, CO-CHAIR
       EMMA HARPER, DIRECTOR OF PARTY SERVICES & EVENTS

RE: STATUS OF CAUCUS CERTIFICATION

DATE: APRIL 22, 2021

The purpose of this memorandum is to provide a status on the re-certification of Caucuses.

The following Caucuses have been fully certified as of November 2020:

Chicano Latino Caucus
Veterans Caucus
Senior Caucus
Arab-American Caucus
Computer & Internet Caucus
Rural Caucus

The following Caucuses have been found to be in substantial compliance with the Bylaws and Guidelines to have their status converted from provisional certification to full certification. Accordingly, it is our recommendation that the Rules Committee recommend that following Caucuses be granted full certification:

Labor Caucus
Irish American Caucus
Women’s Caucus
Filipino American Caucus
LGBTQ Caucus
Disabilities Caucus
Environmental Caucus
Progressive Caucus
African American Caucus
Children’s Caucus
Native American Caucus

The information provided to the Rules Committee indicated that the following Caucus adopted changes to its election procedure in 2020 to come into compliance with the election procedures in the Guidelines, but the Caucus Bylaws on the website are not the Bylaws provided to the Rules Committee. As there is some discrepancy, although the Caucus is found to be acting in good faith and is likely to be in substantial compliance upon its provision of appropriate documentation concerning its Bylaws, it is not possible to determine compliance at this time. It
is our recommendation that the Rules Committee continue provisional status and delegate
authority to Lead Co-Chairs Shay and Bowler and Co-Chair Zakson to recommend the Caucus
for full certification upon verification of the actual adoption of complaint Bylaws.

Asian Pacific Islander Caucus

The following Caucus is found to be acting in good faith and is likely to be in substantial
compliance upon its adoption of proposed bylaws amendments at the meeting in conjunction
with this Convention. It is recommended that the Committee continue provisional status and
delegate authority to Lead Co-Chairs Shay and Bowler and Co-Chair Zakson to recommend the
Caucus for full certification upon verification of the adoption of the proposed bylaws:

Business & Professional Caucus
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. **CYD Ambassadors Proposal:**
   M/S/P to table.
   This proposed amendment was requested by CDP Chair Rusty Hicks, and drafted by CDP Rules Committee Co-Lead Chair, Garry S. Shay. It was adopted by the CDP Rules Committee as its November 15, 2019, meeting and referred to the July 26, 2020, Executive Board Meeting and referred back to the Rules Committee for further review; at its November 14, 2020 meeting, the Rules Committee referred it to the Sub-Committee on Standing Committees.

II. **Scoville Proposal and Committee Procedural Rules**
    M/S/P to return back to subcommittee for further discussion.
    Carrie Scoville and “Blue Revolution” submitted a proposal to provide for Procedures for each Standing Committee largely patterned after, but supplanting, CDP Bylaws Article IV, Section 8 governing Resolutions Procedures.

    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. The Proposed questions were approved at the 2020 July Executive Board.
The Subcommittee reviewed the matters which were referred to our Subcommittee (below), and heard testimony accordingly. To allow for further discussion, the Committee plans to schedule another hearing Tuesday, June 15th at 7pm.

I. Ramos Proposal on Removal of Officers
   Author’s Explanation: This amendment would allow removal charges filed against an officer to be considered by the next regular State Convention, or a specially called Executive Board meeting or State Convention.

   Author’s Rationale: After Vice Chair Daraka Larimore-Hall filed charges against former Chairman Bauman in November 2018, it became apparent that the first opportunity to vote on the removal charges would be the next regular Executive Board meeting in August 2019—nine months after the charges were filed. This is because the bylaws as currently written require that charges be considered at the next regular Executive Board meeting, not the next regular State Convention if one would occur prior the next regular Executive Board meeting (as is the case in 2019), and not at a specially called Executive Board meeting or State Convention called for the purpose of considering the charges expeditiously. Had former Chairman Bauman refused to resign and decided to fight the removal charges he would still be Chairman now, allowing his abuse to continue for nine more months. This amendment would fix this issue and allow officer removal charges to be considered by a regular or special meeting of the Executive Board or State Convention.

II. Larimore-Hall Proposal on Restructuring
   Compared to nonprofit membership organizations, unions and other groups that balance similar activities and goals as the CDP, there is very little counterbalance or offset to the authority of our board Chairperson. The Chair is described in the bylaws as the Party’s “Chief Executive Officer” and “Official Voice”, combining roles that in many organizations would be divided into two or more elected roles. As a result, the entirety of CDP’s staffed operations are under the sole management and discretion of the Chair. In addition, the volunteer activist-driven structures of the organization are also heavily influenced, and in some ways controlled, by the same person.

   See subcommittee testimony below
Ramos Testimony
Andres Ramos
Thank you, committee members and subcommittee members for considering this proposal. It's pretty straightforward, pretty simple. This basically would just allow for the, sort of charges for removal against a statewide officer to be considered at a specialty called e-board or state convention or the next regular state convention. The background is basically that, the bylaws is currently written required that when there's a charge against an officer, it has to be considered at the next regular e-board meeting. Even if there is an intervening, a regular state convention in between, and it doesn't provide for considering it especially called e-board, or especially called convention for that matter.
And so that seems to be a little bit of a, of a weird scenario, that did sort of come up when the issue with former chairman Baumann occurred. Folks will recall that all of that came out in November of 2018 and the next regular e-board, occurred. And I believe August of 2019. And there was a, there was a convention in, I believe may of 2019 would say they would have to have waited all the way until August of 2019, to consider the issue regarding this environment, even though there was a state convention in that time, of course we all know that chairman sat down and that, having to have a vote on it.
For example, if he has not decided to step down, under the current bylaws, you would have had to avoid it, until August considered the issues taking them, but especially, so I introduced this amendment just to resolve that issue.
Which will allow for the, having a special meeting or theoretically a special convention, or to take it up, at the next, convention, if that's the next meeting, as was the case in 2019. So this would essentially allow the state party to not be hamstrung in terms of being able to hold someone accountable, because we have to wait until the next regular e-board meeting. It would at least allow for the option to call these special e-board which I think would probably make the most sense.
And especially now that we're operating in the virtual space through zoom, and there isn't at least the obstacle of like a physical in-person, convention or e-board or whatever, it's a more realistic scenario that if an issue like that were to occur again, just from a logistical standpoint, it would be, certainly you'd make even more sense to have an option to call a specially called e-board, to deal with that kind of situation.
So that's pretty much the background and that's why, I introduced the amendment because it seems like a pretty common sense thing. If this ever rises again, we want to make sure that we have that flexibility. We were fortunate that, you know, chairman Bauman stepped down and we didn't have to wait August, but going forward, it seemed like something that should be clarified and, fixed for the future.

Valeria Hernandez
I wanted to know what was your rationale for the 20 signature requirement?
Andres Ramos
So just so that's, that's not my language. The only part that I'm adding in is the, the italic and underlined. So I think that's the language that I believe is currently in there, although actually this file, this bylaw provision, might've been amended since I ended up using that. So I might, I think the current bylaw says 30 signatures. So that's, that's not anything that I'm changing. So my changes are only underlined and I tell a sized, and I think there's just a typo, both subdivisions are the BMD I think are currently CMD in there. So that's, so some of the other language in there might just be, outdated given that the bylaws changed since then. The only thing that changing is. You're lying.

Kathy Bowler
Thank you, Andres for bringing, I mean, we hadn't noticed this before, but this is, this could, right. The wording of this should be adjusted, to make this a more, more practical article, anyway, given, you know, what may happen, what did happen, what may happen in the future. So thank you. I think looking at the whole thing, it makes a lot of sense right now.

Garry Shay
I am an ex-officio member of the sub-committee with voice and motion, but no vote. This proposal eliminates the distinction between general and special meetings, which is really important in this case, because general meetings are defined under our bylaws as those that are called by the executive board and set in advance. Everything else is special; so, we rarely ever have an actual general meeting, and that is very important in considering the changes needed here. Thank you.

Laurence Zakson
So Mr. Chairman, I think we need to do a couple things. One of them is to, make sure that we do outreach to the ombudsperson to be sure that the way this Mary's with the code of conduct doesn't create any issues. Secondly, I think we just need to make sure that all of the, partitioning requirements are consistent across sections. If we're going to be, making a change here, we might as well try to make sure that everything is consistent enough today. So, those would be my comments. Thank you.

Kathy Bowler
In addition to Lawrence is my opinion. If we're going to look at this and we are looking at this, section, I really think that we should look at the number of signatures, require 20 or 30 of a body that's 3,500 or so, to call for a special meaning for a removal of an officer. In my opinion is not, is very low and very inconsistent with the way we've done other parts of our bylaws. And I think that needs to be addressed somehow we should, if we're going to change this, we should look at that as well.
Garry Shay
The signature requirements that are in the bylaws, have been in there dating back to when this was a much smaller body, probably around a thousand or so, or maybe even 900.

So yeah, so I think that really does need to be looked at, I personally, I would suggest. A third, you know, and the quorum requirement also should be higher than the usual. I'd go with 50% personally. But anyway, those are my thoughts.

Valeria Hernandez
I think the points brought up by everyone were to meet her. And I think Laurence brought up a good point about working with our ombudsman and make sure that this aligns with our code of conduct. So thank you for bringing that up Laurence.

Larimore-Hall Testimony
Daraka Larimore-Hall
I think that it's time for this party to move into, a system of shared governance from the origins and the time of party committees, especially state committee is really just being a vessel to move resources through, to today when we have caucuses and committees and organization in all parts of our community and people get involved in the party because they want to have an impact on legislation on their community, on the law, on the world, that having a body in which 100% of the political appointments, all of the strategic decisions, every dollar that comes in and every dollar that goes out is the decision of one person just doesn't make sense in the 21st century.
I've made a series of proposals and a lot of them are sort of a smorgasbord of options, because there are a lot of minds on this committee and throughout the party that I really respect.
I think we'll have really good ideas about some of these questions, but I want to just talk through really quickly, what I think are the key things that need to be changed the first is that we should formalize the officer's as a decision-making level in the party. It's sort of mish-mash throughout the bylaws, that there are a few decisions, almost all of them punitive disciplinary decisions that the officer's vote on, but instead we should formalize that and say that the officer's convene as executive officers and make decisions.
It's important that all of the officers be named as executive officers, because as we found out again with another fallout from the Bauman crisis that we only have one person with the power of attorney. One person is the chief executive officer and then everybody else is flying blind and had to get their own attorneys got no advice from CDP etc
It was a complete mess. Second we need to address that the fact that the chair is the political leader and the organizational leader, plus we usually, when we're functional have an ed. So I tried to give a different options that, that lots of organizations use for creating some checks and balances between those functions. You could either have like many unions do have a political leader and an organizational leader, or you can formalize the role that bed and give that position a little more oversight within the party. And then there's, I think all officers should have specific portfolios, things that they're
responsible for doing not just the vague, nothing that's not just like based support the chair or they take the minutes, but like specific in the party. I sketched out specific roles for every officer position, especially for the vice chairs. I think that they should have a political role for fleshing out all the things that are activists expect from the party that nobody's doing, like issue advocacy or coalition building. I think that budgets are very important documents for organizations. And though there's a caricature of my proposals that I'm saying the chair should have to get the whole convention to agree to buy pencils. I've been a party chair. That's ridiculous. The chair should have to submit a budget, a plan for how we're going to spend our resources in organizing and in campaigns should have to submit that to the officers and to the e-board. They can change it. They can, if all campaign budgets change on the fly, as we know, but the bottom line here is that the politics and the direction of this party should be set by its grassroots bodies, not unilaterally by the chair, the way the structure is now. Basically our membership has one bite at the Apple. They get to vote for chair every four years, and then every decision about where the money's going to go, what issues were, if at all, we're going to lobby on anything. All of those decisions get made by one person in the interim. And that's just not like a modern participatory way to go about things. There need to be mechanisms in the bylaws for when the chair can actually be overruled and not just on like a parliamentary thing about who raised their hand first. I mean that the body should be able to say, like, we are going to spend resources on organizing in, immigrant neighborhoods this year. But the audience should be able to say that, our focus is going to be on advocacy for the new single payer bill. And regardless of what the chair thinks, the chair should have to go and do that. that's a democratic organization an organization in which there's really only one vote every four years that sets the political and organizational agenda. And then it's just up to that one person it's not sustainable. So hopefully we can start getting into the nitty gritty soon about which of these options make the most sense where if you've got better options, but I think all of those basic goals should be met in this reform package. Thank you.

Kathy Bowler

In November, I think that's a healthy thing for any organization to do a governance review and a thorough deliberative with all the stakeholders and, and when we should do so. I appreciate this discussion that we're having. I got a couple of questions, but one big thing that I have that's I really think is necessary for us to before moving forward with any plans here is I would love to have, and I have set, I sent it in November that we can't task the poor staff with trying to do this. I don't know that be hard. I would love to have an inventory, a survey sort of, of whatever, all the other state parties do, what their officers, what their duties are, what their setups are. I think it's similar to ours, but I don't know. I think that would be a good starting point, to see what the other state parties, we all live under the same state finance campaign, finance laws, federal, and whatever, same typical election practices...political parties
and all the rest. And I think there's some we could derive from looking at that. I just think that's something that somehow we should get into this process of deliberation and then it occurred to me on your officer's with...because I understand your desire to have some of the officers have specific portfolios.

Did you consider them that in fact, depending on what their portfolio is that different people running for office should have specific sets of expertise. So they can actually, I mean, we've never done that. It's always been anybody who wants to run, but if they're going to be charged with accounting, fundraising, budgeting, whatever, whatever you've got, should they have some background in that?

I don't, I'm not, I'm just putting that out there. I'm wondering if you've thought about that. That's a very complicated situation, of course. But I know you're looking for some of that expertise, and those are my big questions. I think my big fundamental question, especially coming from a staff at the party for so many years is that unlike, and there are some other States maybe not so much anymore, but I remember one particularly because it used to gall me where the state party derived.

I forget what the percentage was from the license plates, the DMV. Each state party, the Republican and the democratic party got X percent of every plate, soul. And they've got millions of operational dollars without really doing anything. And we are solely driven on individual fundraising and, you know, the largest of our donors. And so I'm wondering, I think, you know, I mean, I'm wondering what you thought about considering that because moving the, shifting the party resources one way or the other that has a lot of down know.

Sort of down ballot ramifications, and those were my main questions for you. yeah.

Daraka Larimore-Hall
So I've done a lot of research on the structure of other state parties and I'd be happy to share that with you. We're behind the curve on that as a systematic analysis in political science right now, but I'll just say we would be breaking new ground here. Most state parties are far less democratic than we are, but I think that's fine. I don't, I don't want to go back. I don't want to go down to the, Missouri or New York level. I want to keep pushing up, you know, in terms of bringing in stakeholders. I agreed, but let's do like we did with the last reform effort we did about the delegates on and moving delegates around.

Let's be honest about where the stakeholders, different stakeholders are coming from. I'm not the cartoon of like burn it all down. Nothing the speaker has to say is worthwhile kind of idiot.

But I am a person who thinks that like the speaker has one set of interests that are different than the parties. The speaker wants to reelect all of the incumbents and the party wants to access the incumbents politically. So there's just going to be a difference. And lastly, I mean, in terms of the fundraising and all that, like all I'm saying is that more than one person should be part of the conversation about what are the ramifications for spending money here versus there. I actually think that most of our activists are pretty smart and can be brought along to a strategic plan and can be brought along to understand that, there's a lot of hands in the pot and, and so forth, but you got to explain it to them and make the case.

And so what my reforms are about is that a chair can't just come up with what the plan
is just with the stakeholders behind closed doors and then just do it. They got to come sell it to the officers, got to come sell it to the board because we’re a democratic organization. And we believe in the rationality, the core rationality of our leaders. So if you, if, if we don't trust that the 300 plus people that aren't up, the e-board are like smart and have the party's interest in mind and want to be part of a strategic decision-making then I don’t know.
I mean, it just raises some really existential questions about what we're all doing.

Valeria Hernandez
We heard this proposal and back in November, and again, thank you Daraka. As Kathy said, we think a lot of us agree that change needs to be done. I mean, I think if we're going to do something, we should be the thought of bond. We should be extensive. And I think Kathy had fair points about wanting to see circumstances where there's this burst. And I too would like to see if you have key studies or research that you would be willing to share with us.
I think that would be incredibly helpful, to see what other parties or other entities have done and how they've been successful, because this is being changed. looking through your proposal, I did have some questions because some of the roles that you're trying to assign to the different, officer positions seem to me like there's they're roles that are already performed by staff. Like.

Daraka Larimore-Hall
So, great questions. Let me start with the second one and then try to wrap in something I didn't address in Kathy's good questions. So, yes, if we give the officers specific rules than the people running for them are going to have to prove that they have the skill set that fits that role. But that to me is way healthier than just vote for me because I should be an officer in a position with nothing, no power or responsibilities or accountability. So yeah, it would cause a culture change and that's why I was hopeful or thought maybe naive that we could make these changes before we elected new people into them. But here we are. And then so yes, some of the, some of the things are things that are performed by staff. And as we've seen with the ADEM fiasco, like when there's nobody that's actually politically accountable for a thing, then it's pretty hard to like fix it in motion.
if we'd had in, for example, somebody who's like really in charge and has a political mandate to make them decisions about you know, all the communications and internal democracy, like I envisioned the secretary could have intervened and I think saved ourselves a lot of money in this ATM stuff, but more generally in a lot of organizations, there's a politically responsible elected person that is the book stopper. Even if in the day to day, it's a task that's performed by staff.
I think that's important. Some of that redundancy was built in there by design. So I'm happy to provide lots more sort of examples, but the bottom line with this organization is if you compare the California democratic party to any membership organization, civil rights, women's environmental, or if you compare us to a trade union, it's us, it's weird. It's us that should have to justify how much power concentrated in the chair and how the chairs decisions are just like not appealable in most cases.
That’s just not the case. So I will provide other examples, but it’s almost like proving the negative.

Valeria Hernandez
Thank you. I do understand your concern. And a, as we know, ADEM’s, didn’t go as successfully as we wanted, but I think, one thing that we do have to recognize is that staff works incredibly hard and like a lot of them are working over the holidays. Like they did not have a holiday break over Christmas. And even now like all their paid holidays and continue to work.

Daraka Larimore-Hall
And zero beef with staff, all my beef is with the leadership.

Valeria Hernandez
Okay. Some concerns that I do have, and I do understand your rationale of having someone to be held accountable. I think it’s in near, I forget your first offer. I think it’s option one with having two chairs, what’s your relational chair, tasking them with things like personnel management of party staff and I forgot what the other one was, but those are some like managing personnel and supervising senior staff. I’m a little concerned that that goes to the chair and somebody things then be done by the current person that we have working in HR.

Would you be requiring these officers will also take like leadership trainings on sexual harassment trainings, like, like current stuff is required to do.

Daraka Larimore-Hall
Absolutely great question and great point. So we have an HR director, but the HR director reports to somebody and every event, the buck stopper, the employer, the person who has all hire and fire authority, everything is the chair, but it’s very, very common in organizations. Think about nonprofits, again, trade unions and, all document this, but most political parties in the world outside of the United States, you have someone who you elect for hire who’s in charge of all that internal stuff. And you have somebody else whose job it is to set the political direction and you separate those things. We’ve merged it all. So, so there’s, there’s just one boss and I don’t want to change that. I am, I’ve been, I got to come out, I come out on labor. I don’t want to have people have seven bosses, but the point is that instead of having every single thing in the organization, all report up to one position, I was offering a model, which is a very common one in which you have to, and, and in terms of other, examples within our party family, right?

This was a thing that the DNC did for a long time, right? Because it was a different skillset. The person who was really good at organizing internally in the party, you hire that you elect that person and somebody else was really great on TV. I’m just offering that as an option.

Drexel Heard
Thank you. I know the last time that we all spoke about this particular item, there were a lot of concerns as Kathy said, a top-down review of how we do things, is always
necessary in our party. I know that this proposal talks about here governance. There are some spotty things in here, particularly as someone who oversees a very large operation here in LA County. I know that, sometimes, there are things and decisions that are moved very quickly. I think that, the current executive director, Yvette Martinez has done a really great job, of maintaining her staff. And as Valeria pointed out, a lot of the decision making happens, at the staff level and certainly, from the executive director. So I think it's an unfair call-out to say that it all solely rests with the chair, a certain decision making tree, certainly derives from the executive director, and in this case, the buck on an operational side stops with that person. So I think that there is some credit that has to be given, to the staff who does a lot of that work. If you have 300 members who are going to be a part of the decision-making tree, it would take us months to do with this proposal is asking us to do, as we all know, nobody has that kind of time, that this proposal is asking. So, I certainly would, ask, for some time and or rejection of this proposal.

Sosan AD30
Good evening, AD30 at delegate. Been a member and active for probably the last 10, 12 years. I have some comments to make, I like the Daraka’s, like ideas to identify and clarify all the officers roles. We need to have is stronger Democratic Party. I know you guys probably think, wow, the hell we can do that. Well, I'm going to say that after losing, a few congressional eats just in California, we haven't done our job. We have lost a lot and we have to get the party a lot stronger and a lot focus and concentrated on what to do next. So, I support the Daraka I get, and I think that again, we have to make sure that there is not going to be one person in charge rusty. I'm not sure even if he has done a great job, I shouldn't even use his name, but chair has to be stronger, more active. He has not delivered, he has not delivered. So a lot of money during that last, races that we had a lot of money left California and went to other States, which literally we had nothing to show all that a lot of seats got lost. And so I think we have to understand and come back to the idea that first California, and then we worry about other States and that's the most important part. So Daraka you telling me what if I'm right or wrong?

Vinny Malcolm
Thank you. I just wanted to follow up on new to this game, but I'm not new to politics. I've been a serious senior executive corporation for boards. Like couldn't agree more with what has been suggested and proposal to… I think that we look herself with the board of directors, so they should have responsibility divided up into disciplines of finance, HR, they should have a dotted line to whoever's the chair of that committee that would work with the chairman. So you get the separation, that's needed everybody as an employee. It doesn't change their position, doesn't change their jobs, but you should have that governance. We
should have a head of finance committee, head of strategic committee, and they should have a dotted line reporting to them, as well as the chairman on the finance issues on the HR issues.

That's our most more than set up. And that's what we should recommend here. I also think there's too much power within one person and that's what we have to work against. And the other thing is it's really hard to find examples outside of California, then better than what we do. And it's not really, but it actually wonder it's been with most auditors. And so we need to lead, not really follow up. We can look at those things, but by and large, most of them are data they're actually looking for us to leave. And so I wholeheartedly support just about everything that's recommended here. It's sorely needed. Thank you.

Kevin Sabellico

Thank you. I am opposed to the amendment for the following reasons. First is committee appointments. We have affirmative action goals for all of the standing committee appointments, which were formalized two years ago to ensure that our committee is, are representative of California's, geographic ethnic and generational diversity among other things like, you know, disability status and sexual orientation, having centralized appointments, ensures that we can easily achieve those goals and ensures accountability for the appointor when, or if they don't by the nature of these things.

If we diffuse the political appointments out across multiple people, the, every single person who appoints somebody is going to have to give consideration to their personal political goals when they appoint. And you know, more of the appointments are going to be given out to, to patronage than due to, you know, things like equity and merit. So I don't really think that, you know, that that's just a natural law politics. It's going to make it a lot more complicated and a lot harder to achieve our informative action goals. I also don't think it makes sense for all of the officers to represent the party and political or legal arenas, you know, that the media and external organizations need to be able to look to one voice to represent all of the CDP. Like if we offer conflicting statements on, you know, the violence in Azerbaijan, it's going to not just sheep on our voice. Like when we do agree with it, it's going to lead to the Dems and disarray, media narrative that, you know, always seems to pop up and coordinate. My last reason is coordinated campaigns are already much the opposite of what their name implies. They require a clear vision and a strategy and a comprehensive, vision, which is comprehensive and adaptable. Having five officers weigh in on things. There's just too many cooks in the kitchen and I'm from time to kind of run up. I'll just conclude by saying, I really just support the need for increasing the roles, but we should go back to the drawing board for this one.

Thanks.

RL Miller AD44

AD 44, outgoing environmental caucus chair, DNC member. I'm testifying because I generally support these proposals. I do so with a couple of, with one serious reservation, and that is contained within the first option of the proposal. I speak from experience here. I ran an organization where I was the political director and somebody
else was the executive director, and we were not able to work cohesively and it splintered the organization and he got kicked out.

I don't want to go into any more details on it, but I would strongly prefer the option to, rather than the option one outlined in derogatory proposals, or generally trust the rules committee to come up with some version of it. However, I am deeply concerned about, unilateral decision-making by the chair of the party. I think that there's been a lot of different examples that I don't want to go into it on this public testimony that have caused me great concern.

For all of these reasons, I support a little bit more decentralization of party power, among officers and staff rather than, have virtually all the power rest within the chair only.

**Michael Saunders**

Hi, I'm Michael Saunders. I'm from the e-board rep from assembly 5. I'm vice chair of El Dorado County, democratic party membership and education. And I'm also an elected official. And I'm now the president of the board of my special district. I agree with a lot that Daraka has said that we also need one chair. So you need one person who is actually the voice and the spokesperson. So everybody can go to however decisions can't rest within one person.

We have an elected party officials and they all should be able to have the ability to share those decision-making processes. And my board, one person doesn't vote for the entire member boards. Everybody has a vote when it rests with one person such as agenda items that one person can choose to not let any other person have an agenda item put on. That's what I had to go through two years before I could get an agenda item even considered.

And it required me having to get a whole bunch of people to replace people on the board to become president. So I can actually put an agenda item on. So this is why you can have the power risk. Totally. A one person decision should be shared at least among the executive officers, but you still do need that one person to be the chair and spokesperson. So if the rules committee can look at Daraka’s submissions and kind of come up with something that works for the party and makes it a little more democratic and equitable.

Thank you.

**Tisa Rodriguez**

Hi everyone. Thank you so much for having me here. My name is Tisa Rodriguez. I am a delegate and an executive board member for AD61, and I am the chair of the Riverside County democratic party. I rise to speak today on this item because I do entirely wholeheartedly believe that a leader should be able to lead from anywhere. So if you are able to lead from the front as a chair, you can lead by building your people up also. But what I would encourage is additional study in time, I would like to see the rules committee, sub committee, somebody to really look at it and to really make sure that we have, an equitable marriage between staff and meeting with the officers are able to do because everyone has their own strong suits, and they're not necessarily dictated by who is the person with the title.

So I would like to see a lot more study for that. I was very, very concerned with what
happened at the ATM’s. And I personally believe that the process really was that we had all of this time and study that went into it. And then in the end, we completely let it go. And now staff is being blamed for what happened. We have to take ownership. We have to have a committee with some teeth and we have to have the executive board overall take responsibility for the decisions that we are asked to vote. So it asks for a committee with teeth to do a study and to make sure that we come up with something that acknowledges role of the staff and empowers all of the officers to do as much as they can. Thank you.

Glenn Glazer
Three things, one is in numerous occasions with central committees or region or director meetings or clubs or other organizations we’ve had for the upcoming election, we have invites out to, ask people to speak, right? And we always have the chair candidates. And very often from we’ll say, well, what about the Bicester candidates? What about the secretary candidates? What about the controller candidates and people who don't even know each other or completely independently say, why bother, why bother? Why bother even talking to these people? Because why and why do they say that? Because all the power rest of the, and in the end, the only decision the selection is going to make for reals is in fact teacher candidates. And so that has to stop.
It's just a widespread acknowledgement of the problem. The second thing is, on the subject of going to other States and we can read, the States are doing, there is some truth to that, but we should want to be careful about scalability. There are more people living in LA County than their own living in the state of Maryland, the solutions that we work, maybe the same legally, there are not the same operationally. And what happens here is very different and jumps out in a very different way. And it's the last thing is I have to say I was very confused by what Drexel said about involving the entire executive board in decision making.
That's not what these proposals say. They're the four people, the four officers in addition to the chair that makes a total of five. I don't think that is a onerous burden time-wise.

Don Lowrie
I am speaking on behalf of Daraka’s proposal broadly and more specifically his second option, because I do believe that collective responsibility is important. We do not as individual delegates, the staff has no accountability to me. The but the officers have accountability to me. I vote for them, therefore, I believe that as a collective body, they should be acting on the major decisions, not just the chair, as was say stated earlier, right now the other officer crews are very limited in their power.
That isn't right. I believe that it should be done as a collective body. I believe that was the way it was many, many years ago when we had shares said routinely left office after a single term, before we had a share that decided to stay in for term after term after term. so I would encourage you to look favorably on his proposal. I'm sure there are tweaks that can be made, but, I would not reject it out of hand. Thank you.
Shanna Inglesby
Hi, my name is Shannon Inglesby and I am the most current past chair of the democratic party, the San Fernando Valley. And I really want to speak against doing this major overhaul. At this point, we just recently redid our bylaws, where there was a committee of people who wanted to limit the power that the chair had. And I think there's a misunderstanding of what constitutes power. There's a reason that committees are odd numbers, because there's got to be someone that has the final say and direct the Senate earlier, as a matter of that input is welcomed, but someone needs to have the final say.

I also believe that if you're taking away all the power and all the ability to keep things moving forward, then all you're left with is all the responsibility and who would run for a like that.

We need to have a nice balance, but my overall concern about this is the timing. We can't completely restructure the party when we've got candidates running for these positions. And they're running based on what the position is right now. We can't say a month before an election or a little over a month before an election. We can't say, Oh, now suddenly you have to be a fundraising chair and you have to be skilled in, in social media and you have to be skilled in marketing. We can't change the modus of transportation when we're already pulling into the driveway.

I just would really like to speak against is I'm not saying that, draw it all out. I think it's very healthy to look in to this degree at a party of our size, but I just don't think this is the time to do this deserves time and research and input. And, you know, even with the chair input is always given, but someone has to make the final say, and I would like to table this and give it the time that it really deserves. And that is necessary if we really want to strengthen our party and make it the kind of give and take and collaboration between the staff and the grassroots that I know this party can be.

Arthur Valenzuela
Thank you very much. Hi everyone. My name is Arthur Valenzuela Jr., from AD44, president of the Ventura County, young Democrats, and previously a co-chair of the CDPs organizational and development committee. So I'm speaking in favor of, item number 5, I'm wanting to say thank you to Daraka for all the hard work that he put into these, proposals. And I would definitely think it would benefit our organizations. I think there's a big difference between a state wide organization, like the CDP with so many, active participants versus like, you know, some local organizations where it's just hard to get individuals to be active and like an organization like the state democratic party we'd benefit from all these active folks wanting to, you know, build up and develop the democratic party versus, you know, just trying to eliminate and putting into one person ultimately, dispersing power, to people and not just, you know, not taking away, but, you know, redistributing would be a beneficial to not.

Just, you know, the senior democratic party, but to our also our democratic candidates when they get, input from our activists.

Rocky Fernandez
Rocky Fernandez region 5 director. I've been involved with state party for like almost 20 years now. It's mind blowing, but it didn't really strike me until I became a regional director and really was having good conversations with some past officers, current officers kind of what they do in addition to what they do really in their day-to-day job. And some of the feedback I got was kind of shocking to know that they really don't have a party of five that gets together to make more decisions than I would have assumed were happening.

And certainly, you know, I think a lot of our democratic clubs, activists, or central committees that you have to convene at least a group of people that are making a lot of decisions very frequently, sometimes on an emergency basis. And so it was a little shocked that, some chairs, chose not to do something like that.

putting a lot of those personalities aside, like I say, I've been through four chairs. I always think it's really important, excuse me, to lay out what the, what the responsibilities are, knowing that sometimes people are going to drop the ball and the chair has to pick it up. I was presented a CYB. I certainly remember those days, but what I really remember from those days is I wouldn't go and make unilateral decisions without kind of involving a lot of people in that decision. And I would call executive boards all the time so that I knew I had a collective buy-in for that.

So maybe sometimes it's up to the chair. It's smart politics, I think, to get a lot of people bought into your decisions, but it is important to have that a little more formalized, as you move forward, because I think as we're going through an election cycle right now, it's kind of tough to explain exactly what some of the officer's must do versus what they see them do. And I think putting a structure in place, and I think that's part of this conversation. These were introduced months ago. We're just now getting to it. We really got to get this figured out, to be able to move forward for the next couple of years. So thank you. And I'll look forward to more discussion.

Brad Parker
First off. I'd like to thank the committee for the opportunity to speak about this and to Daraka them for submitting it. I also understand the need for accountability and transparency. I've been in the party for a long time. I'm a co-founder of the progressive caucus of the California democratic party. I'm a co-founder of a progressive Democrats of America, one of the board of the California clean money campaign. And they work for somewhere years and another state party in Tennessee. I don't agree with the facts to start with, and I think we'd have to really ever real time meeting with everyone involved in first agree on what the facts are.

I don't think political parties need to, or should act like nonprofits and NGOs or unions. I'm also a lifetime union member. they're completely different animal. And even though there are many problems, I think we need to take a lot more time to do this.

This is the wrong time after the pandemic and with a new administration mission and everything going on and the importance of California democratic party, we need to get this right. So I would urge this discussion, be put off to a later time. For instance, a director said the grassroots shut down the party. Well, I'm also a grassroots Democrat, and I didn't even hear about this until a week ago. So if you want to build grassroots support for this, you certainly should go to all the Democrats who are active in this state
and that hasn't happened.  
So I would urge that this be put off to a later date and more people get to have input on it. Or if any of these new rules take them it… it would be just like the old committee studying the committee to study the committee and a hundred people trying to make a decision. And I don't know, look, I'm like the Senate. Thank you.

Willie Pelote
Thank you for giving me this opportunity to address the committee tonight. I really agree with Brad, and agree with Daraka, we should take a look at from time to time, what kind of structure we have in place. And if it is providing the type of access to all of us that we deserve as a Democrat, But I agree with Brad, this is very complicated. This is very extreme, and I think we should take the time to look at it.  
All of us should be involved in this discussion. I would recommend to Daraka that maybe this is an opportunity to visit everyone throughout the state that are in this pocket and have this conversation, and then see if you can build a support. A matter of fact, just listening to all of the different versions of what people feel about this. That's on this call. It's very confusing. Everyone has a great idea about what they're saying, but I'm not clear that everyone is on the same page that tells me something. It tells me that we haven't done our work on this proposal yet that needs to be fleshed out more. We need to really make sure that we and tell them what the problems are that we are currently experiencing. That we would see a proposal such as this. We need to take our time, make sure that we do it right.  
And if we, and make sure the changes that we make will make us a better party and that we bite off as much as we need to within certain increments that is going to make us a better, more effective party. I was just interviewing, dealing with the whole thing on equity and people of color. We need to look at that as well and make sure that the way in which we do that is to include everyone. So I like when people come up with new ideas, but I'm not sure this one is ready for us to make a decision on.  
So I highly recommend to the board, no decision on this proposal now, and let's flesh it out some more to make sure that it is the right decision to make as it as for all Democrats in the state of California. Thank you

Amar Shergill
Thank you to our vice chair. Thank you very much for bringing this issue forward. It's a difficult one to tackle and it's obviously you put a lot of time and thought into it. I think it's an important discussion and I encouraged the, the committee to, vote in favor of continuing this discussion through the rules committee and approving, our vice chairs proposal. Not because it's in final form, but because we actually need that discussion. And the rules committee is exactly where that discussion should take place. And I know that the rules committee is in the members are committed to reaching out to folks and ensuring that they're heard. And, and on the substance, in a, we often speak about diversity and ensuring that our officers are diverse and that committee members are diverse, but diversity is never for diversity sake.  
We need diversity of thoughts. And for folks that are from different diverse groups to have power and input into decision-making and the Glenn Glazer brought forward is a key one in that it is obvious to everybody involved in the party that you can feel free to
ignore the other officers as to their input in decision-making because they have no. And is the chair that is making decisions. And that's a important topic for us to discuss. So let's continue that discussion and find a way to make our leadership diverse and to give them authority so that they can actually have input in the discussions in the party. I have found in my conversations with leadership, that sometimes those diverse voices are just not heard. I look forward to you all supporting this so we can have this conversation and flesh this out as my colleague Willie Pelote said.

**Agi Kessler**
Thank you. I appreciate this opportunity to speak on this matter. At this time, I would recommend that there is no implementation, but just for now, this is a huge body of work that Daraka has brought forward. It's almost breathtaking in the volume and the breadth and depth that he's proposing. However, I'm sure all of you remember a number of years ago, the same reaction was when we dealt with the endorsement issue. And what we did at that time is it wasn't immediately taken up by rules. But what we did is there was a committee formed, various members from throughout our body. And what they did is they, was, went to work and they studied it and looked at various viewpoints and, made a proposal eventually. And they brought the recommendation back. And this is, I think the kind of thing we should do on this matter, make sure that we give it plenty of chance to be heard. And as Brad Parker mentioned, have the grassroots also have a voice in this. And when the proposal is ready, we bring it back to the rules committee for implementation. After everyone has had a chance to say how they would like to have this matter being adjudicated or rather, how they'd like to implement it in our party? I think this is a big matter. And again, I urge that newly needed action be taken now, but in the near future, when we have a chance to look at it in detail, thank you.

**Julie Soo**
So I wanted to thank Daraka for putting forth this proposal. I too think that this is much too much to consider at this moment. But I hear too much about power and not about accountability and responsibility. I'd like to hear more about that. I'd also like to hear what other officers had been doing at this time. There has been a lot of fundraising, but I'll also a lot of talk about where we do not want to take money from, but I have not heard other officers stepping up to try to get that money. I'm proud that I was part of trail raisers and it's shocking to me that trail razors actually raised more money than the Dem 2020 program. As far as expanding it to grassroots, I hope that we will also consider an onboarding process for new ADEMs or newer ADEMs when we expanded the number of co-chairs, on committees that also made it unwieldy. I'd been a lead co-chair for the pot from committee, and I'd been on the platform committee since, 2005 when Christine Pelosi was still chair but the work often falls on just a few of the co-chairs and, the lead co-chairs in the past, we had had two lead co-chairs and two co-chairs and it worked well with the, with greater numbers. We didn't have the division of labor that we were looking for. So for that reason, I believe that this governance issue needs to take, a lot more time.
And perhaps we can have consultants actually look at the division of labor. I want to applaud staff for how they interact with the committee chairs and the caucus chairs, and actually gives feedback to the executive committee. So again, please table this matter until we have study. Thank.

**John Erickson**

Thank you so much. Hello everyone. Good evening, John Erickson. He him his pronouns, a member here. additionally, I just want to react to what everyone else has been saying and talk about the need to table. This good governance takes time, but throwing things in like this at the last minute right before an officers election is something that is not good governance. It is rushed governance and that does get us to the process to make us a better Democratic Party but I think better democrats as results. I’ve heard many of my colleagues and people I admire and have great respect talk about the need to become better and be better. But now is not the time and I think right now we need to table this and push it forward if we are actually serious about doing this and that would be my strong recommendation. As a city councilmember for a local government, good governance is something we take very responsibly and its something that we introduce at the last moment I start to wonder what the purpose is and I think ultimately when we look at this and the timing I do have question and if we cant think this through or think it out. We should put a big pause and see if we even want to do it and examine the reason behind it before that. So I urge you all to table.

**Jenna Beck**

I think a lot of you must be fortunate to living in a Democratic District. I live in a purple district. I live in CD48. Where we just lost to a q and on conspiracy theorist. Our congressional seat. I think when we talk about assembly district delegate elections. I think that we all know what that the most important thing is how we take these congressional seats back again. There are all sorts of shenanigans happening in my district. In which Harley who just lost by over 10000 votes to Michele steal has swept up not only our committee seats but also the Assembly district delegate election seats. We tried to do reform two years ago. I don’t want you to table anything.. Solve the problem and stop putting it off. Please. This is ridiculous. We cannot continue doing this. We cannot have congressional candidates and other candidates who are trying to run for officer endorsing candidates and then having conflict of interest where we have delegate of the party who are there for the sole purpose for voting on these endorsements. This is ridiculous and this is not how we should be acting as a party. So I am asking you t do what needs to be done. Don’t table these measures. Get it done.

**Sara Bridgette**

I have been listening to the discussion but like previous speakers said, we need to have more input from the larger active democrats. At this time, I think we need to continue the discussion but table the proposals. The one asking for the changes in the governance model, item 5.

**Hilary Blackerby**
I just wanted to make one point about process, as far as things being rushed. This was actually proposed back in November., It wasn’t taken up at that point because the conversation was, it needs more study, it needs more talking, it needs the committee. A lot of people asked for committee. That is this committee. The Rules subcommittee on Officers, duties etc. This is not the last meeting of this committee to take testimony and discuss it. That’s still going to happen. I think when people say table because it needs more discussion, I think tabling does that opposite of that. Not speaking on the merits of it because I do serve on the full rules committee but just wanted to provide some context for the process that this is something that ideally would have happened before the officer election got under way but it was made clear that it would not happen before that so it won’t. Officers will be elected and the body will continue to reckon with this hopefully. Just wanted provide context.

Rene Grace Rodriguez
Dan McCory
I wanted to remind everyone that one thing we have in CA over everybody, all the democratic party in other states, that we have a significant majority to get things done. These are some bolds thing that have been submitted by Daraka and others and I want to move forward in a bold and innovating matter and show other states that when we have strong democratic party you can get thing s done. We need to move forward on this. Thank you

Sess Rosales
AD15. I’ve been very active with the party for a long time. I’ve gone through the ADEM elections. I’ve been on the CC committee. I currently the policy chairs of the woman’s caucus and I’ve seen so many alterations on how the party operates. We have to understand the California is one of the largest numbers of democrats but still we have certain parts of the state that are not as strong democratically. But a large party as ours has leadership that can actually look at all different parts of the state to say where we are need most and what’s needed. putting that alone. I trust the role of the chair and I like that he is the chair but at the same time. There are strong members of the executive committee that should have responsibilities that should be outlined. So people would know who to call to and ask. ADEMs, I feel is not utilized as best it could. We don’t utilize all the Democratic club. There are so many members of the democratic club. What are they doing? I am a member, active of board chair to APA of alameda county but we are all doing our own thing. Especially with the community but again apart of the whole larger party but.

Carol Kim
Hi everyone, I just want to chime in. I’m a delegate and I’ve been a delegate to the cdp for a few years now. I am also a political director for the building trades down in San Diego. We work really hard down here to make sure that we as laborers but also as democrats are engaging with good faith with our party and trying to really fulfill the mission and goal of our party in which I feel strongly in and I just want to know that I feel that we can be doing to make this a more inclusive process. Where there on term on how to do a better job of taking points of view and dive3rse perspective and making that
part of our process. I am a little bit concerned about how centralized some of the
decision making has been. I definitely share the concerns of others regarding how our
resources may not have been utilized effectively. Perhaps were utilizing and generating
the wrong metric. For success. I want to raise those question and I think that we do
need to be doing that together. More effectively. I hope that this caucus as well as this
committee as well as others will take that into consideration as we move forward
together because I don’t believe this particular election was very successful in term of
percentage of engagement and whether or not it was actually administered correctly
and I agree with others that we could have done a better job making sure that everyone
had a voice.

Sara Bridgette
I have witnessed all the short comings to speak to improve in our party for many years. I
am an immigrant living in this country in AD20. I have two lenses, one from immigrant
perspective and from this party. This is a duty to make the system better for our future
generations. Be more fair and just for everyone. Be more democratic. I am actually
serving in my third term as school board member and currently this year I am the
president. So I have been through so many elections and seen those behaviors so to
speak but all of us are democrats and we need to make our party better and make it
more democratic. So all voices can be heard.

Ben Haute
Ben Haute he him. AD70. Want to thank Daraka for putting forth these proposals. I
believe there is far too much concentration of power in the chair position and I welcome
and I hope that everyone here would be welcoming the proposal that Daraka has put for
to solve that problem and make our party more Democratic. So one thing that I would
like to propose is that the Rule committee in their next meeting, come forth with their
specific proposal in response to what Daraka has set forth. I hear a lot people saying we
need to slow this down, we need to wait, we need to delay. I don’t think we need to
delay any further we need to take action on this. So I propose that the rules committee
in the very next meeting come forth with responses and recommendations based on the
three proposal put forth by Daraka. Thank you
CRC APPEALS
REFERRED TO RULES
VETERANS CAUCUS APPEAL
December 20, 2020

To the Rules Committee of the California Democratic Party:

We, the appellants, Jillynn Molina-Williams and Crystal Jackson, are submitting this appeal against the decision of the Compliance Review Commission (CRC), dated December 8, 2020. Specifically, we appeal the finding of the CRC that “The CRC finds the action of the Veteran’s Caucus to invalidate Mr. Kimbrew’s election was improper”.

The CRC found that the election was valid because Mr. Cohen’s membership was valid at the time he made the nomination of Basil Kimbrew for first vice chair and no one made an objection at the time. We disagree with this finding because the validity of Ron Cohen’s membership is irrelevant because his status as parliamentarian precluded him from making the nomination, member or not. The reasoning for this objection is explained in the paragraph below.

According to the Veterans Caucus bylaws, the parliamentarian is under a strict obligation to be impartial on all matters that come before the Caucus. The relevant section is as follows:

**Parliamentarian:** Shall remain impartial on all matters and serves as a non-voting member of the Executive Board. (Italics added for emphasis) [Article III, Section 6(C)(6)]

Additionally, the 11th and 12th editions of Robert’s Rules of Order also require a parliamentarian to remain impartial on all matters. The relevant language is as follows:

A member of an assembly who acts as its parliamentarian has the same duty as the presiding officer to maintain a position of impartiality, and therefore does not make motions, participate in debate, or vote on any question except in the case of a ballot vote. He does not cast a deciding vote, even if his vote would affect the result, since that would interfere with the chair’s
prerogative of doing so. If a member feels that he cannot properly forgo these rights in order to serve as parliamentarian, he should not accept that position. Unlike the presiding officer, the parliamentarian cannot temporarily relinquish his position in order to exercise such rights on a particular motion. (Italics added for emphasis) [RONR (11th ed.) p. 467, ll. 8-19; RONR (12th ed.) 47:55]

A nomination has the same effect as a motion. [RONR (11th ed.) p. 430, ll. 4-6; RONR (12th ed.) 46:1] Therefore, the parliamentarian is prohibited from making a nomination according to Robert’s Rules of Order. Also, a nomination clearly expresses a preference for a specific outcome. Expressing such a preference clearly violates any commonsense definition of the word “impartiality,” a requirement imposed on the parliamentarian under both the Veterans Caucus bylaws and Robert’s Rules of Order. Mr. Cohen also voted for Mr. Kimbrew, which was a clear violation of the prohibition on voting on any question before the assembly.

Mr. Cohen’s nomination and vote for Mr. Kimbrew for first vice chair are clear violations of the impartiality that Mr. Cohen promised to uphold when he assumed office as parliamentarian. As Robert’s Rules of Order makes clear, if this obligation was too much to bear, he should not have assumed the role of parliamentarian.

In addition, rules contained in the bylaws cannot be suspended [RONR (11th ed.) p. 263, ll. 1-7; RONR (12th ed.) 25:7]. The requirement that the parliamentarian be impartial is just such a rule found in the bylaws.

**Remedies Sought:**

We request that:
1. The finding of the CRC be reversed and the election of Basil Kimbrew be invalidated;
   and

2. This matter be sent back to the Veterans Caucus.

Appellants:

Jillynn Molina-Williams, AD-7
957 McClatchy Way
Sacramento, CA 95818
jillyad7@gmail.com

Crystal Jackson, AD-32
1159 Belinda Drive
Lemoore, CA 93245
jacksoncysj@gmail.com
CRC DECISION
MEMORANDUM

TO: All Interested Parties
FROM: Compliance Review Commission (CRC)
DATE: December 8, 2020
RE: COMPLIANCE REVIEW COMMISSION (CRC) DECISION RELATING TO A CHALLENGE FILED BY BASIL KIMBREW AND RON COHEN

INTRODUCTION:

Basil Kimbrew and Ron Cohen filed a challenge relating to the actions of the California Democratic Party Veterans Caucus. The challenge alleges that the Veterans Caucus retaliated against Mr. Cohen and Mr. Kimbrew by nullifying the results of an election, where Mr. Kimbrew was nominated and elected as First Vice Chair of the Veterans Caucus on August 4th at the September 9, 2020 meeting. The challengers allege that the Chair contested the status of Mr. Cohen’s membership, finding it not to be in good standing, and thus voiding his nomination of Mr. Kimbrew. Furthermore, the challengers believe that the Veterans’ Caucus bylaws Article II, Section 3B were violated, due to the fact that Mr. Cohen’s status at the time of the election was not challenged.

DOCUMENTS INITIALLY RECEIVED AND REVIEWED:

CDP Staff received the following documents associated with the challenge:

2. Joint Response opposing the challenge was submitted by Jillynn Molina-Williams and Dr. Crystal Jackson.
3. Responses supporting the challenge were submitted by Basil Kimbrew, Denise Cohen, Ron Cohen, and Diana Love.

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 July 2020, unless otherwise indicated.)
The challengers filed their challenge within 7 days of the September 9, 2020 incident, and 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.”

Mr. Cohen was a voting member and was under the impression that he was in good standing at the time of Mr. Basil’s nomination and election on August 4th, because he submitted a waiver request on June 23rd. He was later notified during the September 9th meeting that his nomination was not counted due to his member status not being in good standing. Mr. Kimbrew is also a member in good standing, thus the CRC finds that both challengers have standing as they were adversely affected.

**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 CRC finds jurisdiction as the challenge alleges violations by a CDP Caucus of its own Bylaws.

**FINDINGS:**

The CRC finds that the evidence is clear that at the time of the election on August 4, 2020, there were no objections raised as to either Mr. Kimbrew’s eligibility to serve as Vice Chair or to Mr. Cohen’s caucus membership standing and his eligibility to nominate and vote for Mr. Kimbrew. The evidence further shows that the objection to Mr. Cohen’s eligibility was made at a subsequent meeting of the caucus on September 9th. Given that objecting at that later date was not proper and that it appears that Mr. Cohen was in fact a member in good standing, with the supporting evidence showing his timely hardship waiver request. The CRC finds the action of the Veteran’s Caucus to invalidate Mr. Kimbrew’s election was improper.

**ORDERS AND COMMENTS:**

Based upon the above facts and Bylaws of the CDP, the CRC makes the following order:
The CRC upholds the challenge, thereby invalidating the September 9th caucus action that set aside Mr. Kimbrew’s election as Vice Chair. Thus, Mr. Kimbrew’s election as Vice Chair is reinstated.

The Party will further communicate with each caucus as to the need to address fee waivers in a timely manner and clarify the general position of the California Democratic Party to accept without question any request for a fee waiver.

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 December 20, 2020 with the Sacramento office of the California Democratic Party, and shall be an appeal to the next meeting of CDP Rules Committee upon conclusion of the response period.

Please note that per CDP Bylaws, Article XII, Section 2e, the filing of an appeal shall not stay any decision of the CRC. Parties may additionally respond in person or virtually, depending on how the meeting is being conducted, 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 January 2, 2021, 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
Jenny Bach  
Secretary, California Democratic Party  
VIA email to: Sec@cadem.org

c: Rusty Hicks  
Chair, California Democratic Party  
VIA Email to Chair@cadem.org

c: Kathy Bowler  
lead chair Rules  
VIA CADEM Secretary

c: Lara Larramendi,  
lead chair Credentials  
VIA CADEM Secretary

Garry Shay:

c: Jillynn Molina-Williams, Chair,  
California Democratic Party Veterans’ Caucus  
VIA email to: jillyad7@gmail.com

Challenge: California Democratic Party Veterans’ Caucus action to redo the elections of Aug 4, 2020

To: CADEM CHAIR, SECRETARY, COMPLIANCE REVIEW COMMISSION and JILLYNN MOLINA-WILLIAMS, CHAIR OF THE CALIFORNIA DEMOCRATIC PARTY’S VETERANS’ CAUCUS

THE CHALLENGED ACTION
On Sep 9, 2020 at a meeting of the Executive Board of the California Democratic Board Veteran’s Caucus, the Chair took action to nullify the elections held at a membership meeting on Aug 4, 2020, specifically, the election of Basil Kimbrew as First Vice Chair.

Although Basil Kimbrew obtained all the votes, except for two, the Chair argued that the person who nominated Basil Kimbrew, Ron Cohen was not a member in good standing, therefore the nomination was invalid. Ron Cohen is our Parliamentarian and bylaws
point person, he work well with Ralph Miller, so how that be if Ron Cohen had not been approved back then along with his wife, and how could he have work and been appointed as chair of the bylaws committee. The membership list was handled by Shelisa Williams, her mother is the Second VC, who is also trying to have retaliation against me.

In the ensuing discussion, the following facts became known. Mr Cohen our had submitted a fee waiver on June 23, 2020 to the Chair consistent with the Caucus Bylaws. The Chair told the elections committee chair on Aug 27, 2020 that the fee waiver was not yet approved, so the nomination by Mr Cohen was invalid because he was not a member in good standing (see exhibit B).

It should be noted that no motion or second or vote to invalidate the elections of Aug 4, 2020 were made during the meeting. So I am still the 1st Vice Chair. The

Further, Mr Presnall, the treasurer, motioned to accept Mr Cohen’s fee waiver retroactively to June 23, 2020, it was seconded but no vote occurred and the motion was never withdrawn.

VETERANS’ CAUCUS BYLAW VIOLATED

On Aug 4, 2020, prior to the election and during the membership meeting, a roll call was taken by the Secretary, Shelisa Williams to identify all members that were eligible to vote consistent with Article II, Section 3B of the Caucus Bylaws which states:

“No member may vote unless they are found to be in Good Standing, as determined by the Caucus Secretary, at the exact time and place they wish to do so”. No abnormalities were noted during the roll call and no member took exception to the determination by the Caucus Secretary.”

This is further amplified in sections Article II, Section 2D and Article III, Sections 4A, 4C and 4D. (See Exhibit A)
If the Chair had an issue that the fee waiver was not yet approved, she had the duty to bring that up at that time. Furthermore, for the Chair to hold a fee waiver request for 8-10 weeks is a complete dereliction of duty. Mr Cohen was under the understanding that the fee waiver was accepted on Jun 23, 2020 when the Chair responded to his request for receipt confirmation. (See Exhibit C). The Chair defined the process to Mr Cohen on the fee waiver she stated:

“Attached you will find the waiver form. The process has been that anyone can request a waiver, and then submit it to the Chair or Treasurer. We are required to collect this information from all caucus members.” (See Exhibit D)

On Aug 9, 2020, Ms Williams resigned her position as Chair, wherein Mr Kimbrew accepted the Acting position as Chair. On Aug 14, 2020, Mr Kimbrew scheduled an executive board meeting for Aug 26, complying with the bylaws and allowing at least 10 days notice to the entire Caucus membership. On Aug 19, 2020, Ms Williams rescinded her resignation. The executive board meeting scheduled for Aug 26, 2020 took place but never got by the agenda before being abruptly motioned for adjournment by Crystal Jackson. On Aug 27, 2020, Ms Williams sent the email to Susanna Williams, the AD Hoclection chair, followed by a phone call to inform her that Mr Cohen’s fee waiver had not been approved yet so his nomination of Mr Kimbrew was not accurate.

Clearly this was in retaliation of what had happened the night before during the failed executive board meeting in an attempt to discredit both Mr Cohen and Mr Kimbrew. Retaliation is prohibited consistent with the CDP Code of Conduct.

A copy of the fee waiver that Mr. Cohen had made was also sent to Susanna Williams And Crystal Jackson which violated the privacy rights of both Mr. Cohen and Ms. Cohen.
ADVERSELY AFFECTED; DAMAGES

I am adversely affected by the action. Although I submitted a fee waiver request on Jun 23, 2020, no action has been taken by the Chair, Jillynn Milina-Williams, even after 10 weeks has occurred. Her defense during the meeting was she was too busy. My reputation is now damaged as a result of her action and the action of Crystal Jackson who is clearly part of the retaliation scheme. The tone also suggests a certain amount of antisemitism – why else would the chair take no action from a fee waiver request.

There is nothing in the bylaws that suggests a deep dive or a need for further understanding when someone submits a fee waiver request. Clearly, when requested at the CDP, it is accepted right there on the spot. There is no need to hold it for 1 day, 2 days, 1 week, 1 month or even 10 weeks in this case. Top this date, no answer has been provided by the chair for the fee waiver. Instead the entire board now knows that Mr. Cohen requested a fee waiver for himself and his wife. That is unacceptable.

TIMELINESS OF THIS CHALLENGE.

This challenge is made within 7 days of the date in which it was made known.

RELIEF REQUESTED: ACTION TO BE TAKEN BY THE STATE COMMITTEE

A finding is requested that there has been a significant violation of the Veterans’ Caucus bylaws, Code of Conduct and relaying personal information to other members of the Caucus that had no need to know.

The Chair and 2nd Vice Chair, Crystal Jackson, should be required to apologize to both Mr. Cohen and Mr. Kimbrew in a public session or at least in writing, by either email or letter.

The issues brought out here represent a continuing saga of the Veterans’ Caucus.

There are some serious issues of leadership, bylaws understanding, how to a run a
meeting and more. The drama that continues to occur in the Veterans’ Caucus suggests that this Caucus needs a break. Therefore, we suggest that the Caucus be dissolved and not permitted to re-energize for at least one year.

Finally I am officially filling Complaint and Challenge of Retaliation, Racism and Antisemitism, against the Veterans Caucus Chair Jillynn Molina-Williams, and the Second Vice Chair, Crystal Jackson who knew that there retaliation was all wrong and did not file a complaint within the 7 day period. The Chair is retaliating against me because of her previous resignation situation. There was action item on the agenda last night, plus the 7 day period to have filed has well expired.

Respectfully Submitted,

Chef Basil Kimbrew 1st Vice Chair

California Democratic Party’s Veterans’ Caucus

Email: bkimbrew111@yahoo.com

951 2873872

Exhibit A: Bylaws of the California Democratic Party Veterans’ Caucus – Aug 4, 2020

Exhibit B: Email from Susanna Williams – 9-9-2020

Exhibit C: Email to Jillynn Molina-Williams from Ron Cohen on Fee Waiver on Jun 24 2020

Exhibit D: Email from Jillynn Molina-Williams on waiver process on Jun 23 2020
WRITTEN RESPONSE TO APPEAL
Response to Appeal from Williams/Jackson on CRC Decision on Cohen/Kimbrew

Challenge of Veterans Caucus Elections held Aug 4, 2020

To: CADEM CHAIR, SECRETARY, Rules Committee Chairs (Bowler and Shay) and
THE APPEAL of the CRC Decision

The CRC reached a decision on Dec 8, 2020 and published that decision as follows:

**FINDINGS:** The CRC finds that the evidence is clear that at the time of the election on August 4, 2020, there were no objections raised as to either Mr. Kimbrew’s eligibility to serve as Vice Chair or to Mr. Cohen’s caucus membership standing and his eligibility to nominate and vote for Mr. Kimbrew. The evidence further shows that the objection to Mr. Cohen’s eligibility was made at a subsequent meeting of the caucus on September 9th. Given that objecting at that later date was not proper and that it appears that Mr. Cohen was in fact a member in good standing, with the supporting evidence showing his timely hardship waiver request. The CRC finds the action of the Veteran’s Caucus to invalidate Mr. Kimbrew’s election was improper.

**ORDERS AND COMMENTS:** Based upon the above facts and Bylaws of the CDP, the CRC makes the following order: The CRC upholds the challenge, thereby invalidating the September 9th caucus action that set aside Mr. Kimbrew’s election as Vice Chair. Thus, Mr. Kimbrew’s election as Vice Chair is reinstated. The Party will further communicate with each caucus as to the need to address fee waivers in a timely manner and clarify the general position of the California Democratic Party to accept without question any request for a fee waiver.
The Appeal by Williams/Jackson: The Appeal of the CRC Ruling is centered around the fact that Mr Cohen was parliamentarian and therefore serves as a non-voting member per the Veterans Caucus bylaws and the latest RONR.

Our Response can be broken down into two issues.

1. The election occurred on Aug 4th and no issue was brought at the time of the election of the issue that the Parliamentarian should not have voted or nominated. In fact, this issue was not brought up at the Sep 9, 2020 Veterans Caucus Executive Board meeting or any other meeting of the Veterans Caucus Board or membership. The first time this issue surfaced was in the response to the original challenge by Ms Williams and Dr Jackson in the original response by the two of them to the original challenge on Oct 7, 2020. That was viewed and taken into consideration in the CRC decision of Dec 8, 2020. This appeal repeats that portion of the Oct 7, 2020 with a new date of Dec 20, 2020. If that was an issue it should have been discussed and brought up during the Aug 4th election, not 60, 90 or 120 days later. Nevertheless, they fail to recognize the portion of the Veterans Caucus bylaws, Article III, Section 6 B. which states “Every member of the Executive Board has one vote, except the Parliamentarian, who shall be a non-voting member of the Executive Board, with rights of voice and motion.” The full version of the Veterans Caucus bylaws can be seen with this link

https://secureservercdn.net/198.71.233.44/7m5.3e3.myftpupload.com/wp-content/uploads/2020/08/Vet-Bylaws-final-Aug-4-2020.pdf. The argument here, is that if the Parliamentarian has limited rights of voice and motion in
executive session, then those rights, if not more, would also prevail during the regular membership session, since no such restriction is described in the Caucus Bylaws.

2. The second issue is what Roberts Rules says. Specifically, their reference states “A member of an assembly who acts as its parliamentarian has the same duty as the presiding officer to maintain a position of impartiality, and therefore does not make motions, participate in debate, or vote on any question except in the case of a ballot vote. (RONR (11ed.) p.467). What is key here is the restriction on a parliamentarian from making motions or voting except in the case of a ballot vote, which is the textbook definition of an election. So what is the issue, since a parliamentarian has no restrictions on ballot voting or elections.

TIMELINESS OF THIS RESPONSE TO THE APPEAL.

This challenge is made before Jan 12, 2021 which was the requirement.

RELIEF REQUESTED: ACTION TO BE TAKEN BY THE STATE COMMITTEE

Reaffirm the CRC decision of Dec 8, 2020.

Respectfully Submitted,

M. Ronald Cohen  
AD 75  
Parliamentarian and Member  
California Democratic Party’s Veterans’ Caucus

Basil Kimbrew  
AD 33  
1st Vice Chair
Email: Ron@deenron.com
(760) 418-5437
4297 Fallsbrae Rd
Fallbrook, CA  92028

Email: bkimbrew111@yahoo.com
(951) 287-3872
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Victorville, CA  92392
CRC Appeal

There was a violation of **KCDCC bylaws** Art. 3 Sec. 5 it says, “all meetings shall be conducted in accordance with Roberts rules of order newly revised, except as those rules may be modified herein.” This establishes jurisdiction as this is a violation of CC and CDP bylaws. Code of conduct was ignored by Chair Romo when he muted debate and ignored motions.

**Another Violation:** From your decision regarding jurisdiction, “The most common exception to the rule in the previous paragraphs is where the actions complained about seriously violate Article XIII of the CDP By-laws, which details procedural rights of all Democrats, especially sections 1 thorough 7, relating to meetings being public, tests and oaths, and most of all, notice.” This was a violation as the meetings were not public, were being held online over Zoom **by invite only**, and allowed the Chair who hosted the meetings to mute several committee members, ignore motions, have no recording of the meeting, and violate Robert’s Rules in addition to bylaws.

**Jurisdiction:** This falls under the CRC’s jurisdiction as we are a **County Democratic Central Committee** and under the CRC rules Sec. (5)(A) “Powers” The CRC has the 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**, which we asked for in our remedies. Under CRC rules Sec. (5)(E)(2) The CRC can penalize County Central Committees for violations 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.”

CRC can have jurisdiction without violations of CDP or CC bylaws. That seems to have been glossed over in our challenge. The conduct by Chair Christina Romo, including ignoring Robert’s Rules, our bylaws, other members motions, and muting other members, cannot be justified under it’s own bylaws as it says under the CRC rules for jurisdiction. It is clear the CRC has jurisdiction and power over central committees according to its own rules above.

For some reason your procedural rules are no longer available online, which denies us the ability to appeal properly and cite the rules establishing jurisdiction for example. Please make them available for us to amend the appeal if necessary. Https://cadem.org/wp-content/uploads/2020/09/CRC-Procedural-Rules-FINAL-071320.pdf is no longer a valid link.

The actions being complained about directly affect the county committee’s representation on the CDP State Central Committee. We meet the exception as we cannot properly be represented if our motions and votes are ignored by the chair. We cannot have a proper committee that is representing the various districts in our County, and that is affecting our representation.

Remedy: We are asking the CRC to invalidate the previous vote and order a new election for the third district vacancy, recusal of the members who had received a material financial interest from the candidate Robin Fernandez, allow the ignored motions, and denial of representation of the County Central Committee at meetings of This Committee, it’s executive board, and or its subordinate bodies per CRC rules Sec. 5(F).
Standing and Adverse Effect: We have standing as voting KCDCC members who were adversely affected. Our 11 votes for Greg Ardoin did not matter since the 16 other voting members did not recuse themselves and voted for the other candidate (Robin Fernandez) who they received a pecuniary interest from. How can we represent our districts if our motions are ignored and we are muted by the chair? What is the point of being on the committee if we have no say in anything? Greg Ardoin, the candidate that lost was adversely affected since he would have won the seat if they had recused themselves and we would have had an opposite outcome. The outcomes and a rigged committee are adverse to us.

Exhaustion of Remedies: It is futile. Local remedies have been exhausted. We are being ignored. Abbasi even appealed to the chair by email and he completely ignored it in his response.

Proponents/Witnesses: 1. Greg Ardoin, 2812 Mount Vernon Ave. Bakersfield, CA 93306, 661-368-5701, greg.ardoin@gmail.com, AD34. 2. Ajaib Gill, 5500 Rosado Ct., Bakersfield, CA 93306, 661-817-0479, ajaibgill@gmail.com, AD34. 3. David Abbasi, (Primary Contact) 727 Kentucky St. #30021, Bakersfield, CA 93305, 661-390-3102, davidabbasi777@gmail.com, AD32. 4. Julie Solis, 401 H St. Bakersfield, CA 93304, 661-404-0196, JulieSolis2020@gmail.com, AD34. 5. Neel Sannaapa, 4117 Chardonnay Dr. Bakersfield, CA 93306, 661-699-8954, neelsannappa92@gmail.com, AD34
CRC DECISION
MEMORANDUM

TO: All Interested Parties
FROM: Compliance Review Commission (CRC)
DATE: December 8, 2020
RE: COMPLIANCE REVIEW COMMISSION (CRC) DECISION RELATING TO A CHALLENGE FILED BY DAVID ABBASI

INTRODUCTION:

David Abbasi filed a challenge relating to the actions of the Kern County Democratic Central Committee (KCDCC). The challenge alleges that the KCDCC elected a Robin Fernandez, who benefited from a slate mailer that was paid for by the Kennedy Club PAC, in which Ms. Fernandez is apparently an officer. Mr. Abbasi claims that the election held on August 25, 2020 to fill the Central Committee vacancy in District 3 resulted in the violation of the CDP Bylaws, Article II, Section 12(c) regarding conflict of interest on voting. Mr. Abbasi also alleges that he and others were ignored when he made a motion to table the vote and refer to their Bylaws Committee. By doing so, he claims that the CDP bylaws Article 4, Section 7(a), KCDCC bylaws Article III, Section 5 and Roberts Rules of Order were violated. Furthermore, he claims that certain members of the KCDCC acted unethically, citing Government Code section 87100 prohibiting a public official from using their position on a decision resulting in a financial interest regarding the KCDCC.

DOCUMENTS INITIALLY RECEIVED AND REVIEWED:

CDP Staff received the following documents associated with the challenge:

2. Response opposing the challenge was submitted by the KCDCC Executive Board
3. Response supporting the challenge was submitted in improper format by Ajaib Gill (who is not a member of the KCDCC)

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.”
Mr. Abbasi originally submitted a challenge on August 26, 2020 relating to an incident that took place on August 25, 2020. CDP Staff replied on August 28, 2020 and requested that Mr. Abbasi resubmit his challenge within 5 days in proper format as it did not adhere to the challenge submission requirements. On September 2nd, CDP Staff received his updated challenge.

Since Mr. Abbasi filed his challenge within 7 days of the August 25, 2020 incident, the challenge was timely.

**STANDING:**

According to Article XII, Section 3:

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

The challenger is a member of the KCDCC, thus the CRC finds that he has standing as he was adversely affected.

**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. Abbasi failed to provide any basis for jurisdiction under the CDP Bylaws.

As the CRC has explained in many previous decisions, the CRC is not a general appellate body for county committees, which under state and federal law are separate legal entities from the CDP. While there are exceptions to this rule, in general, the CDP (through the CRC) will not intervene in the business of a county committee unless the actions being complained about directly affect the county committee’s representation on the CDP State Central Committee or Executive Board or, in the case of a county committee whose endorsements are deemed to be the CDP’s endorsements, directly affect the endorsement process.
This means that claims of violations of Roberts Rules of Order and/or the county committee’s bylaws will not establish jurisdiction except where they impact the representation or endorsement processes as described in the previous paragraph.

The most common exception to the rule in the previous paragraphs is where the actions complained about seriously violate Article XIII of the CDP By-laws, which details procedural rights of all Democrats, especially sections 1 through 7, relating to meetings being public, tests and oaths, and most of all, notice.

A few other points on jurisdiction:

In general, the conflict of interest provisions in Article II of the CDP Bylaws do not apply to county committees and thus do not establish jurisdiction.

Further, the provisions of California Government Code section 87100 et seq. (generally known as the California Political Reform Act) also do not apply to county committees and alleged violations of such cannot be used to establish jurisdiction.

In this case, the endorsement complained about was for a vacancy on the county committee itself. Even if the KCDCC’s endorsements for local office were accepted by the CDP as its own endorsements under the process outlined in Article VIII, Section 4 of the CDP Bylaws (which is not the case for Kern County), county committee vacancies are not “local offices” within the meaning of the Article VIII, section 4, and thus the process for endorsement for such vacancies are not within the jurisdiction of the CDP.

Thus, there is no jurisdiction established.

**FINDING, ORDER 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 December 20, 2020 with the Sacramento office of the California Democratic Party, and shall be an appeal to the next meeting of CDP Rules Committee upon conclusion of the response period.

Please note that per CDP Bylaws, Article XII, Section 2e, the filing of an appeal shall not stay any decision of the CRC. Parties may additionally respond in person or virtually, depending on how the meeting is being conducted, 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 January 2, 2021, 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.
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
CRC Challenge (Amended)

Ahead of the March 2020 primary, a shadowy independent expenditure committee called Kennedy Club PAC spent tens of thousands of dollars to send high-quality slate mailers to Democratic households in Kern County, featuring recommended "slates" in District 1, 2, 3, and 4 Central Committee races. These glossy mailers featured President Obama's photo on the front. Kennedy Club PAC did not register as a slate mailer, although it sent slate mailers for Districts 1, 2, and 3 featuring four or more candidates. Nor did Kennedy Club PAC report any of its expenditures 60 days before an election as required by law.

While an independent expenditure committee such as Kennedy Club PAC is required to operate independently of the candidate campaigns, that did not occur here. One of the officers of the PAC, Robin Fernandez, is married to one of the candidates that appeared on the slate cards, Jerry Fernandez. There are pictures of Robin and Jerry Fernandez and other members of the slates campaigning and canvassing together. The slate cards featured pictures of all candidates that were clearly taken at the same photo shoot.

11 of the 17 candidates that benefited from the slate mailers paid for by Kennedy Club PAC were elected as members of the Central Committee. Others joined the Central Committee as appointments or as alternates. Early on, two of “the slate", had appointed Kennedy Club PAC officers Xiotchi Garcia and Robin Walters as alternates to the Central Committee. On August 25, 2020, members of the Central Committee voted to replace a member who had resigned his position in District 3. Two candidates were in the running for the vacancy, Greg Ardoin, a local teacher, and Robin Fernandez, an officer of Kennedy Club PAC. Before the vote,
Central Committee member David Abbasi brought up the potential conflict of interest, as many on the Central Committee were about to vote on adding an officer of Kennedy Club PAC having personally benefited from the PAC. Abbasi brought a proper motion to table the vote and refer to the bylaws committee for determination but was ignored. Other Central Committee members tried to speak up against the vote, but their microphones were muted by Chair, Christian Romo. Subsequent motions were also ignored.

Robin Fernandez was elected by a roll call vote at a 16-11 margin. Every single member who voted for her had benefited from the slate cards (see exhibits attached). We seek a ruling with the remedies listed below.

**Violations:** We do not have anything in the KCDCC bylaws pertaining to conflict of interest but in the CDP bylaws Art. 2 Sec. 12(C) “A financial interest is “material” when it has a value of $1,000 or more in a calendar year.” The contributions in support of the individual candidates campaign far exceeded $1,000 yet there seems to be no FPPC reporting ($50,000 estimated) for the mailers, and those voting members did not disclose anything or recuse themselves from voting. Another violation is CDP bylaws Art. 4 Sec. 7(A) “In all cases not provided for by law or by these By-Laws, the meeting of this organization shall be governed by ROBERTS RULES OF ORDER. [https://cadem.org/wp-content/uploads/2020/07/CDP-BYLAWS-2020-FINAL-073120-.pdf](https://cadem.org/wp-content/uploads/2020/07/CDP-BYLAWS-2020-FINAL-073120-.pdf) Also, under KCDCC bylaws Art. 3 Sec. 5 it says, “all meetings shall be conducted in accordance with Roberts rules of order newly revised, except as those rules may be modified herein.”

the committee under **Roberts Rules of Order Art. 2 Sec. 11** before any vote, and was ignored. The chair muted him in the middle of the motion and debate. He made a motion to table the vote, per **Art. 6 Sec. 35**, to have it reviewed by the committee, then vote on whether or not those certain members should recuse themselves from voting on the Candidate they received a material financial interest from. Abbasi made a motion for them to reconsider under **Art. 6 Sec. 36** before and after the vote and was ignored. Abbasi made a motion under **Art. 6 Sec. 37** to rescind the vote after it was made and that was also ignored. No debate, no acknowledgement by the chair, nothing after he made the motions. Under **Art. 8 Sec 46** it says, “If the question is debated or motions are made, the chair should wait until the debate has apparently ceased, when he should again inquire, "Are you ready for the question?" Having given ample time for anyone to rise and claim the floor, and no one having done so, he should put the question to vote and announce the result. Also, **“It is a general rule that no one can vote on a question in which he has a direct personal or pecuniary interest.”** Our rights were violated since the chair muted our debate and motions were ignored. The CC members in question had a pecuniary interest from the candidate they voted on. [http://www.rulesonline.com/index.html](http://www.rulesonline.com/index.html)

The unethical conduct by certain members of the County Central Committee cannot be justified by any rule or bylaw in addition to the violations mentioned above. In fact, things like this are criminal. **Government Code 87100.** “No public official at any level of state or local government shall make, participate in making or in any way attempt to use his official position to influence a governmental decision in which he knows or has reason to know he has a financial interest.” They had a financial interest from the candidate they voted on. [https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&sectionNumber=87100](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&sectionNumber=87100)
Civil Code of Procedure 170.1 (a)(9)(A) “The judge has received a contribution in excess of one thousand five hundred dollars ($1500) from a party or lawyer in the proceeding, and either of the following applies: (i) The contribution was received in support of the judge’s last election, if the last election was within the last six years.” (con·tri·bu·tion /ˌkän-trəˈbyooSH(a)n/ noun - the part played by a person or thing in bringing about a result or helping something to advance.) A judge is disqualified or must recuse himself and so do other elected officials who receive a contribution in support of their campaign. So should these Committee members. It is unethical, unlawful, and undermines our Democratic values.

http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=170.1.&lawCode=CCP

Jurisdiction: This falls under the CRC’s jurisdiction as we are a County Democratic Central Committee and under the CRC rules Sec. (5)(A) “Powers” The CRC has the 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. Under CRC rules Sec. (5)(E)(2) The CRC can penalize County Central Committees for violations 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.”

Remedy: We are asking the CRC to invalidate the previous vote and order a new election for the third district vacancy, recusal of the members who had received a material financial interest from the candidate Robin Fernandez, allow the ignored motions, and denial of
representation of the County Central Committee at meetings of This Committee, it's executive board, and or its subordinate bodies per CRC rules Sec. 5(F).

**Standing and Adverse Effect:** We have standing as voting KCDCC members who were adversely affected. Our 11 votes for Greg Ardoin did not matter since the 16 other voting members did not recuse themselves and voted for the other candidate (Robin Fernandez) who they received a pecuniary interest from. How can we represent our districts if our motions are ignored and we are muted by the chair? What is the point of being on the committee if we have no say in anything? Greg Ardoin, the candidate that lost was adversely affected since he would have won the seat if they had recused themselves and we would have had an opposite outcome. The outcomes and a rigged committee are adverse to us.

**Exhaustion of Remedies:** It is futile. Local remedies have been exhausted. We are being ignored. Abbasi even appealed to the chair by email and he completely ignored it in his response.

**Proponents/Witnesses:**

1. Greg Ardoin, 2812 Mount Vernon Ave. Bakersfield, CA 93306, 661-368-5701, greg.ardoin@gmail.com, AD34.  
2. Ajaib Gill, 5500 Rosado Ct., Bakersfield, CA 93306, 661-817-0479, ajaibgill@gmail.com, AD34.  
3. David Abbasi, (Primary Contact) 727 Kentucky St. #30021, Bakersfield, CA 93305, 661-390-3102, davidabbasi777@gmail.com, AD32.  
4. Julie Solis, 401 H St. Bakersfield, CA 93304, 661-404-0196, JulieSolis2020@gmail.com, AD34.  
5. Neel Sannaapa, 4117 Chardonnay Dr. Bakersfield, CA 93306, 661-699-8954, neelsannappa92@gmail.com, AD34
NO WRITTEN RESPONSE RECEIVED
RECEIVE AND FILE
MEMORANDUM

TO: All Interested Parties

FROM: Compliance Review Commission (CRC)

DATE: September 30, 2020

RE: COMPLIANCE REVIEW COMMISSION (CRC) DECISION RELATING TO A CHALLENGE FILED BY VICTOR VALLADARES

INTRODUCTION:

Victor Valladares filed a challenge relating to the actions of the Democratic Party of Orange County (DPOC). The challenge alleges that the Orange County Dem. Party improperly removed Mr. Valladares as West Vice Chair without due process. Mr. Valladares alleges that his removal as the West Vice Chair (DPOC) on May 25, 2020 did not comply with the requirements of due process per Roberts Rules of Order. Nor was he notified of his removal for misconduct or neglect of duty as required in DPOC Bylaws Article IV, Section 3.

DOCUMENTS INITIALLY RECEIVED AND REVIEWED:

CDP Staff received the following documents associated with the challenge:

2. Response opposing the challenge was submitted by Florice Hoffman on behalf of DPOC and Ken Wyant
3. Responses supporting the challenge submitted by DPOC members Betty Valencia, Jeff LeTourneau and Luis Aleman.

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.)

Mr. Valladares originally submitted a challenge on June 1, 2020 relating to an incident that took place on May 25, 2020. On June 3, 2020 CDP Staff requested that Mr. Valladares resubmit his challenge within 5 days in proper format as it did not adhere to the challenge submission requirements. On June 8th, CDP Staff received his updated challenge.
Mr. Valladares filed his original challenge within 7 days of the May 25, 2020 incident, and 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.”

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

**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.”

Based on the contents of the challenge, the CRC found jurisdiction under Article XIII, Section 3 (Notice of Agendas and Meetings).

**FINDINGS:**

After reviewing the challenge and the responsive filings, the CRC finds that the DPOC has proven that sufficient notice was given and due process was provided per the DPOC Bylaws.

**ORDERS AND COMMENTS:**

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

The CRC rejects the challenge on the basis that the evidence is clear that the challenger received both notice and due process.

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 October 13, 2020 with the Sacramento office of the California Democratic Party, and shall be an appeal to the next meeting of CDP Rules Committee upon conclusion of the response period.

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 October 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 5-0 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
MEMORANDUM

TO: All Interested Parties
FROM: Compliance Review Commission (CRC)
DATE: December 8, 2020
RE: COMPLIANCE REVIEW COMMISSION (CRC) DECISION RELATING TO A CHALLENGE FILED BY EMILY CAMERON

INTRODUCTION:

Emily Cameron filed a challenge relating to the actions of the Fresno County Democratic Central Committee (FCDCC). The challenge alleges that the FCDCC Executive Board met to start removal proceedings for 25 violations of the CDP’s Code of Conduct on August 19, 2020, which violated CDP Bylaws Article XIII, Section 11 as the challenger was not given proper notification of the proceedings. Ms. Cameron also claims that the FCDCC Executive Board violated the FCDCC Bylaws by basing her removal on incidents that occurred before she was an active member. Ms. Cameron also alleges that the FCDCC violated Robert’s Rules of Order sections 63 and 9, by divulging classified information about the charges against her to the GV Wire (an online media site) and by leaking confidential information occurring during a closed FCDCC session.

DOCUMENTS INITIALLY RECEIVED AND REVIEWED:

CDP Staff received the following documents associated with the challenge:

2. Response opposing the challenge was submitted by the FCDCC Executive Board, with signed declarations from Nelson Esparza, Michael Evans, Jeni-Ann Kren, David Rowell and Ruben Zarate
3. No responses supporting the challenge were submitted.

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 July 2020, unless otherwise indicated.)
Ms. Cameron originally submitted a challenge on August 26, 2020 relating to an incident that took place on August 20, 2020. CDP Staff replied on September 1, 2020 and requested that Ms. Cameron resubmit her challenge within 5 days in proper format as it did not adhere to the challenge submission requirements. On September 1st, CDP Staff received her updated challenge.

Since Ms. Cameron filed her original challenge within 7 days of the August 19, 2020 meeting and the August 20th incident, the challenge was timely.

**STANDING:**

According to Article XII, Section 3:

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

The challenger was removed as a FCDCC member in Supervisorial District 2. The CRC finds that Ms. Cameron does have standing as she was an adversely affected party.

**JURISDICTION:**

Article XII, Section 2 states:

“All 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. Cameron failed to provide any basis for jurisdiction under the CDP Bylaws.

**ADDITIONAL COMMENTS:**

As the CRC has explained in many previous decisions, the CRC is not a general appellate body for county committees, which under state and federal law are separate legal entities from the CDP. While there are exceptions to this rule, in general, the CDP (through the CRC) will not intervene in the business of a county committee unless the actions being complained about directly affect the county committee’s representation on the CDP State Central Committee or Executive Board or, in the case of a county committee whose endorsements are deemed to be the CDP’s endorsements, directly affect the endorsement process.

The most common exception to the rule in the previous paragraph is where the actions complained about seriously violate Article XIII of the CDP By-laws, which details
procedural rights of all Democrats, especially sections 1 thorough 7, relating to meetings being public, tests and oaths, and most of all, notice. While Ms. Cameron does claim that she did not receive notice of the proceedings, the evidence is clear to the contrary.

**FINDINGS:**

As noted above, the challenge submitted by Ms. Cameron failed to provide any basis for jurisdiction and the CRC could not discern any section of the CDP bylaws to have been violated according to the challenge.

**ORDERS AND COMMENTS:**

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

The CRC rejects the challenge on the basis that the challenger did not establish jurisdiction under the CDP Bylaws and such evidence is clear that the challenger received both notice and due process.

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 December 20, 2020 with the Sacramento office of the California Democratic Party, and shall be an appeal to the next meeting of CDP Rules Committee upon conclusion of the response period.

Please note that per CDP Bylaws, Article XII, Section 2e, the filing of an appeal shall not stay any decision of the CRC. Parties may additionally respond in person or virtually, depending on how the meeting is being conducted, 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 January 2, 2021, 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: December 8, 2020
RE: COMPLIANCE REVIEW COMMISSION (CRC) DECISION RELATING TO A CHALLENGE FILED BY RUTHEE GOLDKORN

INTRODUCTION:

Ruthee Goldkorn filed a challenge relating to the actions of the Riverside County Democratic Party (RCDP). The challenge alleges that the RCDP Chair, Tisa Rodriguez, and Vice Chair, Agi Kessler, failed to recognize Ms. Goldkorn’s alternate, Nina Hiers, and denied her the right to vote during the RCDP special meeting held on August 31, 2020. Ms. Goldkorn alleges that Ms. Hiers’ status was ruled to be indeterminate although the challenger made ample attempts to notify the Committee of her early departure from the Zoom meeting so that the voting rights of her alternate could be activated.

DOCUMENTS INITIALLY RECEIVED AND REVIEWED:

CDP Staff received the following documents associated with the challenge:

2. Response opposing the challenge was submitted by the RCDP Vice Chair, Agi Kessler.
3. No response supporting the challenge was submitted.

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 July 2020, unless otherwise indicated.)

Ms. Goldkorn originally submitted a challenge on September 4, 2020 relating to an incident that took place on August 31, 2020. CDP Staff replied on September 9, 2020 and requested...
that Ms. Goldkorn resubmit her challenge within 5 days in proper format as it did not adhere to the challenge submission requirements. On September 13th, CDP Staff received her updated challenge.

Since Ms. Goldkorn filed her challenge within 7 days of the August 31, 2020 incident, the challenge was timely.

**STANDING:**

According to Article XII, Section 3:

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

The challenger is a voting member of the RCDP who attempted to transfer her voting rights to her alternate when she left the meeting early. The challenger alleges that her right to vote was taken away when her alternate was denied voting rights.

**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. Goldkorn failed to provide any reference to jurisdiction under the CDP Bylaws.

As the CRC has explained in many previous decisions, the CRC is not a general appellate body for county committees, which under state and federal law are separate legal entities from the CDP. While there are exceptions to this rule, in general, the CDP (through the CRC) will not intervene in the business of a county committee unless the actions being complained about directly affect the county committee’s representation on the CDP State Central Committee or Executive Board or, in the case of a county committee whose endorsements are deemed to be the CDP’s endorsements, directly affect the endorsement process.

The most common exception to the rule in the previous paragraph is where the actions complained about seriously violate Article XIII of the CDP By-laws, which details procedural rights of all Democrats, especially sections 1 thorough 7, relating to meetings being public, tests and oaths, and most of all, notice. Here, there are no such claims, and thus there is no jurisdiction.
FINDINGS:

As noted above, the Challenger did not state a basis for jurisdiction by the CRC over the RCDP, and the challenge will be dismissed. Further, after reviewing the challenge and the responsive filings, the records show and the CRC finds that a Ruthee Goldkorn designated vote was in fact cast on the questions complained about, and therefore even had the CRC found jurisdiction, the evidence does not support a finding of a violation.

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 December 20, 2020 with the Sacramento office of the California Democratic Party, and shall be an appeal to the next meeting of CDP Rules Committee upon conclusion of the response period.

Please note that per CDP Bylaws, Article XII, Section 2e, the filing of an appeal shall not stay any decision of the CRC. Parties may additionally respond in person or virtually, depending on how the meeting is being conducted, 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 January 2, 2021, 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
RECEIPT AND REFERRAL OF MATTERS
The California Democratic Party Progressive Caucus PAC
From: Jody Pratt  
Date: Sun, Mar 14, 2021 at 12:55 PM  
Subject: How is this ok?  
To: Rusty Hicks <rusty@cadem.org>

Hi and sorry to bother you folks, but this has come to my attention, and, as an attorney, I must say this does not seem legal or in conformity with CADEM bylaws. In addition, this would appear to violate the Progressive Caucus bylaws.

If this is allowed to continue, it could reflect very badly on CADEM. Caucuses are not independent and should not use the name of either the Caucus or CADEM in an official PAC. Caucuses are an arm of CADEM, and thus not allowed to independently raise funds and endorse candidates or ballot initiatives.

Just thought you folks should know that this is happening.

Best,
Jody Pratt
"I'm following up on a conversation I had with Emma before regarding Caucuses and fundraising activity. As Emma and I discussed, we're both aware that CADEM Caucuses, according to their own bylaws and McCain-Feingold, cannot participate in fundraising activities.

It's come to my attention that a series of Facebook Ads are flying around purported to be a California Progressive PAC paid for by the California Democratic Party Progressive Caucus PAC.

Please see the series of Facebook Ads from the group: [https://www.facebook.com/ads/library/?active_status=all&ad_type=political_and_issue_ads&country=US&q=california%20democratic%20party%20progressive%20caucus&sort_data[direction]=desc&sort_data[mode]=relevancy_monthly_grouped](https://www.facebook.com/ads/library/?active_status=all&ad_type=political_and_issue_ads&country=US&q=california%20democratic%20party%20progressive%20caucus&sort_data[direction]=desc&sort_data[mode]=relevancy_monthly_grouped)

The trail of ads covers 9 current digital campaigns regarding the CADEM Chair's Race and a series of Ads relating to candidates for local office across the state from during the election cycle.

Within the Secretary of State's database, there exists both a California Progressive PAC (ID# 1407923) and a California Democratic Party Progressive Caucus PAC (ID#1422239)

To place ads on Facebook for California Political Entities, you need to submit your FPPC number. If a Caucus wanted to participate in Facebook Advertising, they would need to use the CADEM FPPC number unless they somehow made a committee and received a unique FPPC number.

Looking at both of the entities' expenditure reports, the California Progressive PAC did not report any Facebook spending. The California Democratic Party Progressive Caucus PAC did not file any expenditures with the state at all.

I'm sending these details to both of you because I understand that there may be implications for the Party's accounting and membership teams. From here, I will let the process handle itself."
RESOLUTIONS REFERRED TO RULES
RESOLUTION 21-04.051

Democratize Power for the California Democratic Party

WHEREAS the structure of the California Democratic Party is overly centralized; and

WHEREAS financial decisions, political appointments and organizational decisions are solely decided by the Party Chair; and

WHEREAS Our Party and the Party Chair should be supported and protected by the constitutional Democratic process that promotes checks and balances;

THEREFORE BE IT RESOLVED that the California Democratic Party supports the constitutional Democratic values of checks and balances through the distribution of power to the Chair and the elected Executive board officers; and

BE IT FURTHER RESOLVED the California Democratic Party supports the Rules Committee providing specific duties and responsibilities for the Vice-Chairs, Secretary and Controller thus supporting the Chair through votes by the full Executive board.

Author(s): Ashley McGovern Wessinger, AD 19, Stephanie Lehman, AD 19, Lanier Coles, AD 19
Sponsored By: Matt Rhoa, AD 19, John Finkelman, AD 77, Juan Vazquez, AD 21, Nima Rahimi, AD 17, Nathan P Kempe, AD 60, Talat Khan, AD 40, Steve Young, AD 14, Robert Howard, AD 76, Marjorie Sturdy, AD 12, Sanobar Baig, AD 55, William Muetzenberg, AD 13, Wedad Schlotte, AD 78, Helene Rouvier, AD 2, Aleena Jun Nawabi, AD 77, Lucas O’AConnor, AD 80, Jane Affonso, AD 66, Tom Lemmon, AD 71, David L Mandel, AD 7, Jenny Bach, AD 7, Amar Shergill, AD 9, Marium Navid, AD 66, Regina Queline Banks, AD 9, Murad Sarama, AD 7, Zach Denney, AD 13, Daraka Larimore-Hall, AD 37, Susan George, AD 14, Michael Kapp, AD 45, Sean Dugar, AD 18, Ricardo Ochoa, AD 80, Wade Alexander, AD 36, Ilissa Gold, AD 50, David Atkins, AD 37, Gretchen Newsom, AD 78, Steve Young, AD 14, Ryan Trabuco, AD 77
Contact Information: Ashley McGovern Wessinger | 4156064491 | ashleywessinger@mac.com