

**California Democratic Party Special Rules Committee Report**  
**Saturday, July 17, 2021 at 10:00am**

- I. The committee was called to order. A roll call established a quorum with 24 members present.
- II. M/S/P to adopt meeting agenda
- III. Received and filed Chair's Charge to the Committee
- IV. M/S/P to adopt with technical amendments the stipulated agreement between the Subcommittee on Caucuses and the Progressive Caucus addressing the violation of CDP Bylaws and Guidelines for the Certification/Recertification/Decertification of Caucuses
  - A. Report of the Subcommittee on Caucuses Concerning Charges Against the Progressive Caucus Adopted on 6/29/21

The California Democratic Party (CDP) received two complaints that the Progressive Caucus was in violation of the CDP Bylaws and Guidelines for the Certification/Recertification/Decertification of Caucuses, Adopted by the CDP Rules Committee – February 2018: (1) the first complaint was from Jody Pratt and was received on March 14, 2021; and (2) the second complaint was from a person who chooses to remain anonymous and was received on March 23, 2021.

At its meeting on April 30, 2021, the CDP Rules Committee referred these two complaints to its Subcommittee on Caucuses (Subcommittee) for disposition in accordance with Article XI, Section 6 of the CPD Bylaws, which provides:

*"Section 6. DECERTIFICATION*

*After notice and an opportunity to be heard, and upon a finding by the Rules Committee*

*that a certified caucus has failed to:*

*a. maintain compliance with the above,*

*b. adopt or maintain the Code of Conduct as part of its own bylaws with a provision that each member is bound by its terms, and/or*

*c. has willfully, intentionally, or repeatedly failed to address violations of the Code of Conduct within the caucus,*

*the Executive Board of This Committee may decertify a Caucus by majority vote. In the event the Rules Committee should make a finding of non-compliance with the Guidelines, it shall report a recommendation to de-certify the Caucus specifically noting the grounds and basis for its decision. Such recommendation may only be overturned by the Executive*

*Board of This Committee, by majority vote, but only if the Executive Board makes specific findings that the Rules Committee was incorrect in each of its findings that formed the basis of the Rules Committee's recommendation to decertify, or that all such defects have been remedied."*

In accordance with Article XI, Section 6 of the CDP Bylaws, two days of hearings were conducted by the Subcommittee. The exhibits admitted in those two days of hearing are a part of the agenda packet.

At the close of the second day of hearing, the Subcommittee unanimously adopted the attached report (Report). The Report concludes that:

"the Progressive Caucus violated Article VIII, Sections 1(d), (e) and (f), Article XI, Section 2(a) and (6) of the CDP Bylaws and Section 4.D.6(d)(1) of the Guidelines, and the Subcommittee recommends that the Rules Committee so conclude.

Based on a finding of one or more violations of the Bylaws and/or Guidelines, decertification is warranted. Accordingly, the Subcommittee recommends that the Rules Committee find that decertification is warranted unless remediation, as discussed below, is undertaken and completed.

Under Article XI, Section 6, a determination that decertification is warranted can be overcome by a showing that "all such defects have been remedied."

Accordingly, the Subcommittee recommends that the Rules Committee find that the steps outlined hereinbelow would constitute a full remedying of the violations recommended to be found here."

The proposed remedies are:

"A. The Progressive Caucus shall cause the termination of the California Democratic Party Progressive Caucus PAC.

1. Any remaining funds in the California Democratic Party PAC at the time of termination shall be returned to the donors in accordance with applicable state law.
2. Each returned contribution shall be accompanied by a cover letter, approved as to form and content by the Lead Co-Chairs of the Rules Committee, indicating that, despite the name, the funds raised or expended were not authorized by the California Democratic Party. The letter shall also indicate that the California Democratic Party Progressive

Caucus PAC expended funds in connection with the candidacy of candidates not endorsed by the California Democratic Party, which is conduct the CDP considers to be inconsistent with the use of the California Democratic Party's name.

3. A letter, approved as to form and content by the Lead Co-Chairs of the Rules Committee, shall be sent to any donor to the California Democratic Party Progressive Caucus PAC who did not receive a refund indicating that, despite the name, the funds raised or expended were not authorized by the California Democratic. The letter shall also indicate that the California Democratic Party Progressive Caucus PAC expended funds in connection with the candidacy of candidates not endorsed by the California Democratic Party, which is conduct the CDP considers to be inconsistent with the use of the California Democratic Party's name.

4. A letter, approved as to form and content by the Lead Co-Chairs of the Rules Committee, shall be sent to any candidate supported or opposed by the California Democratic Party Progressive Caucus PAC indicating that, despite the name, the funds raised or expended were not authorized by the California Democratic Party. The letter shall also indicate that the California Democratic Party Progressive Caucus PAC expended funds in connection with the candidacy of candidates not endorsed by the California Democratic Party, which is conduct the CDP considers to be inconsistent with the use of the California Democratic Party's name.

5. A copy of all letters sent, along with the names and addresses to which they were sent, shall be filed with the Secretary of This Committee.

6. A copy of all letters sent, with the addresses redacted, shall be posted on the webpage of the Progressive Caucus; provided that nothing herein shall require the posting of the name of any contributor to the California Democratic Party Progressive Caucus PAC of an amount that did not trigger public reporting of the contributor's name.

B. The Progressive Caucus will amend its bylaws to provide that the Progressive Caucus will not form, maintain, contribute to, materially support or otherwise materially participate in the governance, fundraising or expenditures of any political committee other than the California Democratic Party.

C. The Progressive Caucus shall pass a standing rule reiterating that any motion, resolution or other effort to endorse or provide other material support of any kind to a person other than the officially endorsed candidate of the California Democratic Party or the nominee of the Democratic National Committee for President or Vice-President is out of

order and shall not be considered. Nothing in the rule shall prohibit the Progressive Caucus from calling on the California Democratic Party to take an action otherwise authorized by Article XI, Section 1.a of the CDP Bylaws.

D. The Progressive Caucus shall provide the Lead Co-Chairs of the Rules Committee and the Chair and Vice-Chair of the Rules Committee’s Subcommittee on Caucuses a report 30 days after the August 2021 Executive Board Meeting of the steps taken to fulfill these obligations and shall file a status report each 30 days thereafter (until the termination of the current Caucus certification cycle) certifying that the Caucus is in compliance with all these remedial conditions, including that no changes have been made to the required standing rule and Bylaws amendment.

E. For the balance of the current Caucus certification cycle, the Progressive Caucus’ certification shall be converted back to provisional and any failure to implement or abide by these remedial requirements shall be grounds for revocation of provisional status and the resumption of decertification proceedings.”

Prior to the second day of hearing, the Progressive Caucus signed a stipulation in which it did not oppose the adoption of the Report and stipulated to the foregoing remedies. The stipulation was received into the record as Exhibit S and was expressly accepted by the Subcommittee.

V. M/S/P to adopt the Standing Committee Reorganization and Bylaws Amendments

VI. M/S/P to approve Subcommittee Assignments

SubCommittees	Chair	Vice Chair	Member 1	Member 2	Member 3	Member 4	Member 5
ADEMS	Coby King	Nicole Fernandez	Kathy Bowler	Mcclina Woods	Robin Torello	Sarah Souza	Katie Jaycox
Caucuses	Laurence Zakson	Jimmie Woods-Gray	Jose Alcalá	Olivia Lee	Andrea Cardenas	Nick Schultz	Izeah Garcia
Endorsements	Kathy Bowler	Coby King	Glenn Glazer	Bill Wong	Martha Escutia	Valeria Hernandez	Kenneth Armstrong
Miscellaneous	Valeria Hernandez	Mcclina Woods	G. Anthony Phillips	Laurence Zakson	Suzanna Aguilera-Marrero	Garry Shay	Peter Gallotta
County Bylaws	Steven Alari	Robin Torello	Mcclina Woods	Izeah Garcia	Olivia Lee	Abigail Kingsley	Glenn Glazer
Standing Committees	Garry Shay	Olivia Lee	Jimmie Woods-Gray	Bill Wong	Anita Narayana	Sepi Shyne	Nicole Fernandez
Officers, Elections, Duties, ETC.	G. Anthony Phillips	Izeah Garcia	Kathy Bowler	Bill Wong	Laurence Zakson	Harris Mojadedi	James Williams

VII. M/S/P to refer Legislation Committee Procedures to Rules Subcommittee on Standing Committees

VIII. M/S/P to refer Chicano Latino Caucus complaint to Rules Subcommittee on Caucuses

IX. New Business

A. Rules Committee Special Subcommittee meeting on Endorsements between now and EBoard

X. The Committee adjourned