

## MEMORANDUM

TO: All Interested Parties

FROM: Compliance Review Commission (CRC)

DATE: October 5, 2022

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

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### **INTRODUCTION:**

On June 24, 2021 Jason Bezis filed a challenge relating to the actions of the Democratic Party of Contra Costa County (DPCCC). The challenge alleges that the DPCCC's election of its Executive Board members was not held timely per CDP Bylaws, Article VII, Section 2.b.(2) which states in part, "County Committee representatives to the Executive Board shall be elected by their respective County Committees as provided in their bylaws at their first regular meeting following This Committee's State Convention in an odd-numbered year." Mr. Bezis claims that the first regular meeting following the State Convention was in May of 2021; therefore, the June 2021 Executive Board election was not timely. The challenger claims that the DPCCC violated the Open Meeting rule and CDP Bylaws Article XIII, Section 1 when it rewrote its Executive Board election procedures in meetings that were closed to the public. Mr. Bezis further claims that petitioners were prevented from joining the first Central Committee Rules Committee hearing in 2021 in addition to the May and June Central Committee Executive Committee meetings. The Challenger claims that the new Central Committee procedures for the Executive Board elections are problematic to operate and led to 75 percent of the Central Committee's Executive Board seats being awarded to candidates in uncontested elections.

### **DOCUMENTS INITIALLY RECEIVED AND REVIEWED:**

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

1. Challenge submitted by Jason Bezis on June 24, 2021
2. Response opposing the challenge submitted by Respondent Katie Ricklefs, Chair of the Democratic Party of Contra Costa County. (which Includes Exhibit A)
3. Responses opposing the challenge submitted by Maria Alegria, Regular Member of the DPCCC, Marisol Rubio, Associate Member of the DPCCC, and Jeff Koertzen, Associate Member of the DPCCC. Includes Exhibits A-E
4. No responses in support of 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 January 2021, unless otherwise indicated.)

The challenge filed by Mr. Bezis was submitted on June 24, 2021. The submission was within 7 days of the DPCCC meeting on June 17, 2021, thus the challenge was timely. The CRC finds all challenges timely, except the Executive Committee meeting that took place in May of 2021 regarding DPCCC’s violation of the Open Meeting rule and CDP Bylaws Article XIII, Section 1 by not allowing the Challenge to attend as a Registered Democrat in the County.

**STANDING:**

According to Article XII, Section 3:

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

Mr. Bezis is not a member of the DPCCC and has been suspended from DPCCC for a year, thus the CRC finds that he does not have standing as he was not 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.”

Jurisdiction did not have to be determined as there was no finding of standing in this challenge.

## **FINDINGS:**

As noted above, the challenge submitted by Mr. Bezis failed to prove standing according to the challenge.

As for the challenger's claim that the DPCCC violated CDP open meeting rule and CDP Bylaws, Article XIII, Section 1(Public meetings), the CRC found that with good intentions the DPCCC followed its own previously established procedures. The CRC finds that this challenge was not submitted timely and declines to opine on the issue.

## **ORDERS AND COMMENTS:**

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

The CRC denies the challenge due to the lack of standing.

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 17, 2022 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 Monday, October 17, 2022, 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