

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**

INTRODUCTION:

On August 22, 2020 the Democratic Party of Contra Costa (DPCCC) held a special meeting to consider endorsements for the 2020 November election, with the notified time of 9:00am - 1:00pm which adjourned sometime after 6:30pm. The challenger alleges that the body voted to endorse a candidate for the West Contra Costa Unified School District (WCCUSD) Area 5 race. The results yielded no consensus. After moving forward, the presiding Chair, Chuck Carpenter, recognized a request for a “revote” of the Area 5 endorsement. No request for debate was made, but a revote was taken yielding a candidate exceeding the 60 percent threshold. On August 29, 2020 Mr. Jason Bezis filed a “statement of charges” about the matter to the DPCCC’s complaint & Disciplinary Review Committee (CDRC).

On August 29, 2020, Mr. Bezis filed a challenge to the CRC relating to the DPCCC endorsement process on behalf of himself and other adversely affected members. Mr. Bezis alleges the DPCCC:

- Violated CDP Bylaws Article VIII, Section 4(b) contending the revote of the Area 5 endorsement was not in accordance with the County Committee’s duly adopted Bylaws
- Violated Article VIII, Section 4(c) being that the special endorsement meeting was not in accordance with CDP’s fundamental rules of fairness.
- Violated DPCCC Bylaws Article IV, Section 4(a) by neglecting Robert’s Rules of Order on “Time Limits on Efforts to Challenge, Retake, or Change a Vote.” As the meeting started off with 91 participants and at the time of the revote, there were only 83 participants remaining.

CRC PROCEDURAL RULES SECTION 5(D): POWERS

Per CRC Procedures on Vexatious litigants, the CRC has the power to:

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

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

FINDINGS:

In this case, the CRC finds that Mr. Bezis has exhibited a pattern of being a vexatious litigant. Previous challenges submitted by Mr. Bezis against the DPCCC:

- May 22, 2018 – 4 Endorsement votes
- August 23, 2018 – Adoption of Bylaw amendments
- September 6, 2018 – Endorsements in the race for Pinole City Council
- November 22, 2018 – Open meeting policy and insufficient notice
- January 24, 2019 - Adoption of Bylaw amendments
- January 23, 2020 - Adoption of Bylaw amendments
- February 27, 2020 – Endorsement votes

DECISIONS:

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

1. Based on the information presented, the CRC declines to hear this case and has determined that Mr. Bezis is a vexatious litigant per CRC Procedural Rules 5(d).

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 the CDP Rules Committee.

Please note that per CDP Bylaws, Article XII, Section 6b, the filing of an appeal shall not stay any decision of the CRC. Parties may additionally respond in person, if so desired, provided there has been a timely filing of an appeal and notice of intent to testify is provided in writing to the Lead Chair of the Rules Committee by 5 PM on 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 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