M E M O R A N D U M

TO: All Interested Parties

FROM: Compliance Review Commission (CRC)

DATE: October 13, 2026

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

INTRODUCTION:

On September 14, 2026, Terance Frazier, a candidate for Fresno County State Center Community College District Trustee Area 5, filed an amended challenge challenging the validity of a September 2, 2026 endorsement vote by the Fresno County Democratic Central Committee (FCDCC). The challenge disputes the validity of the Fresno County Democratic Central Committee's (FCDCC) September 2, 2026 endorsement of Marco Osorio for State Center Community College District Trustee Area 5, claiming that the endorsement was not properly obtained. In support of his challenge, Frazier asserts violations of the FCDCC bylaws and objects to the propriety of reconsidering the original endorsement vote (which yielded no endorsement) as being incorrect under Robert's Rules of Order, Newly Revised.

Frazier argues that Osorio failed to meet the required 60% endorsement threshold in the initial vote, resulting in what he calls an "Open" position. Claiming that the September 2, 2026, vote was 14 votes for Marco Osorio, 12 for Terance Frazier, and 2 abstentions. Frazier argues that no one reached the 60% threshold he contends is required under the FCDCC Bylaws.

In support of his challenge to the propriety of a motion for reconsideration, Frazier contends that there were 29 voters at the time of the original motion and fewer than 17 eligible voters at the time of reconsideration, materially altering the electorate. Although the Chair initially ruled the request for reconsideration out of order, that ruling was overridden, and a second endorsement vote was conducted.

In further support of his contention that reconsideration was improper, Frazier contends that, on reconsideration, Marco Osorio again failed to receive at least 60% of the vote and that FCDCCC member Isaac Gudino, who had previously left the meeting, was recalled and permitted to vote. According to Frazier, Gudino's vote was outcome determinative. Frazier contends that Gudino should not have been allowed to vote.

The challenge also questions whether all participating members and alternates complied with applicable Fresno County Democratic Central Committee conflict-of-interest disclosure and recusal requirements.

Thus, the challenger argues that reconsideration of the initial vote, after a substantial change in the electorate, effectively circumvented the 60% endorsement requirement under FCDCC Bylaws Article IX. Second, he contends that the reconsideration motion and the overruling of the Chair's ruling that the motion was out of order do not comport with Robert's Rules of Order, Newly Revised and governing FCDCC procedures. Third, the challenger raises questions about voter eligibility.

The challenger requested the following 6 remedies:

1. Determine that the September 2 endorsement was improperly obtained and is therefore invalid;
2. Decline to recognize Marco Osorio's endorsement as an official endorsement of the California Democratic Party;
3. Invalidate the second endorsement proceeding and restore the "Open" result reached in the initial vote;
4. Require written verification that all participating members and alternates were eligible to vote and complied with applicable conflict-of-interest disclosure and recusal requirements;
5. Temporarily withhold FCDCC representation at California Democratic Party meetings and subordinate bodies pending correction of the alleged procedural and compliance violations; and
6. Grant such other and further relief as the CRC deems appropriate in light of the alleged procedural irregularities and the approaching November 2026 election.

DOCUMENTS INITIALLY RECEIVED AND REVIEWED:

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

1. Challenge submitted by Terance Frazier, a candidate for Fresno County State Center Community College District Trustee Area 5 on September 14, 2026 and 1 supporting document:

    a. Exhibit A – Fresno County Democratic Central Committee Orientation Kit

2. Testimony submitted by formerly elected Central Committee member Dee Barnes supporting the challenge

3. Testimony submitted by Patricia Brown, Parliamentarian of the Fresno County Democratic Central Committee ("FCDCC") opposing the challenge.

TIMELINESS:

According to CDP Bylaws, Article XII, Section 2:

> "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."
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> (All By-Law references are to the California Democratic Party Bylaws, as amended through October 2025, unless otherwise indicated.)

As a result, challenges must be filed within seven calendar days of the alleged violation. The initial challenge was filed on September 4, 2026. The Complaint relates to a September 2, 2026 endorsement process. The Challenge revised in response to CDP staff's request was received by the stated deadline. In such circumstances, the challenge is timely.

STANDING:

According to Article XII, Section 3:

> "Any party to a challenge must be adversely affected to bring the challenge."

The CRC finds Frazier to be a candidate who was eligible for endorsement for State Center Community College District Trustee Area 5 and who did not obtain that endorsement. In the circumstances presented here, the CRC finds that Frazier has standing as he was adversely affected by the endorsement process he is challenging.

EXHAUSTION OF REMEDIES:

Under Section 3.C of the CRC Procedural Rules, a challenger challenging the action of a County Committee must demonstrate that they have exhausted local remedies or that the local remedies are inadequate or futile. It provides,

C. Subordinate bodies must be allowed to carry out their functions without undue interference and be given an opportunity to correct their own errors. Accordingly, Proponent(s) of a challenge must indicate what local remedies they understand are available and that they have either exhausted those local remedies, or can demonstrate that they are inadequate or futile. In evaluating whether a claim is properly before it, the CRC must determine that the Proponents of a challenge have exhausted all local remedies, (e.g., Appealing the Ruling of the Chair), where remedies exist and are appropriate, unless the CRC further determines that:

1. Based on the evidence presented, such remedies are inadequate, or
2. Requiring Exhaustion of Remedies would be:
    a. Unduly burdensome,

b. Prejudicial, or cause unwarranted delay,
c. Futile, and/or
d. Counter to the interests of justice.

On its face, Frazier's challenge makes it clear that no effort was made to raise before the FCDCC the concerns about the FCDCC endorsement process that Frazier raises in his challenge. Rather, Frazier simply makes the naked claim that pursuing local remedies would have been futile because the FCDCC Chair has already expressed the view that reconsideration was out of order. This manifestly fails to meet Frazier's burden of proof on this issue. Accordingly, even if the CRC has jurisdiction – a question we do not answer – the failure to exhaust internal remedies would be fatal to Frazier's objection.

JURISDICTION:

Article XII, Section 2.a(1) of the CDP Bylaws 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. 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."

As the CRC has explained in many previous decisions, the CRC does not have plenary jurisdiction over actions of county central committees, which under state and federal law are independent and separate legal entities from the CDP. Moreover, as a general rule, it is not the business of the CDP or the CRC to police the activities of a County Central Committee.

Given that local remedies were not exhausted, the CRC does not need to decide, and hereby declines to decide, whether there is jurisdiction here.

In declining to decide jurisdiction, the CRC notes that procedural challenges under Robert's Rules of Order, Newly Revised to endorsement decisions, where the endorsement of the County Central Committee does not become the endorsement of the CDP, are generally not the type of challenges over which the CRC has jurisdiction. Moreover, it is not the case that every violation of a County Committee's bylaws in its endorsement process – at least where the endorsement does not become the CDP's endorsement – gives rise to a claim over which the CRC has jurisdiction. So, parties seeking to invoke the CRC's jurisdiction in such disputes need to explain why the particular challenge they raise does not fit under the general rule that it is not the place of the CDP or the CRC to police the activities of a County Central Committee.

FINDINGS:

Although Frazier has standing to raise a challenge to the FCDCC's endorsement decision in the race for Fresno County State Center Community College District Trustee Area 5 and his challenge is timely, the challenger has not exhausted local remedies and has not demonstrated that exhaustion of such remedies would be futile or otherwise inappropriate.

In such circumstances, there is no need to determine jurisdiction inasmuch as the challenge should be dismissed for failure to exhaust local remedies within the FCDCC.

ORDER:

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

1. Found that Mr. Frazier did not exhaust local remedies and failed to demonstrate that exhaustion would have been futile, contrary to the interests of justice or otherwise inappropriate under Section 3.C of the CRC Procedural Rules.
2. Accordingly, the challenge is dismissed.

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 25, 2026 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 Sunday, October 25, 2026, 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
Valeria Hernandez, Co-Chair, Rules Committee
Jane Wishon, Co-Chair, Credentials Committee
Paul Seo, Member, Credentials Committee
Laurence Zakson, Vice-Chair, Rules Committee