MEMORANDUM

TO: All Interested Parties

FROM: Compliance Review Commission (CRC)

DATE: March 12, 2018

RE: DECISION OF THE COMPLIANCE REVIEW COMMISSION (CRC) RELATING TO THE ENDORSEMENT PROCESS FOR CONGRESSIONAL DISTRICT 08

INTRODUCTION:

On Saturday, February 24, 2018 an endorsing caucus was held for Congressional District 08. At this endorsing caucus, out of 38 valid votes cast, candidate Doyle received 28 votes, which is 73.7% and thus placed on the consent calendar, later ratified by the entire body. The details of the votes cast is below:

<table>
<thead>
<tr>
<th>Candidate</th>
<th>Votes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Doyle</td>
<td>28 (73.7%)</td>
</tr>
<tr>
<td>Ramirez</td>
<td>10</td>
</tr>
<tr>
<td>No Endorsement</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>37</td>
</tr>
</tbody>
</table>

In the challenge filed by Ms. Rita Dean, she alleges that the proxies for CD08 Endorsement Caucus of February 24, 2018, were not announced during the roll call vote and one could not decipher if the delegate or a proxy had voted. Secondly, she alleges the proxies for the CD08 Endorsement Caucus of February 24, 2018, were paid for by Marge Doyle as a part of her campaign and those actions violate the principles and By-Laws of the California Democratic Party and the Federal Election Act.

DOCUMENTS INITIALLY RECEIVED AND REVIEWED:

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

2. Testimony on behalf of Ms. Dean submitted by Mr. Cohen on March 5, 2018.

TIMELINESS AND JURISDICTION:

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, 2017, unless otherwise indicated.)

The filing by Ms. Dean was submitted on March 1, 2018 regarding an endorsing caucus held on February 24, 2018 which was within 7-days and thus the challenge is considered timely.

Article XII, Section 2a states:

“The Compliance Review Commission shall have initial jurisdiction over all challenges and/or appeals arising under Article II (Membership); Article VI (Assembly Districts and Assembly District Election Meetings); Article VII (Executive Board), Article VIII (Endorsements, etc.), Article X (Charters), Article XI (Special Group Caucuses) and Article XIII (General Policies). The Compliance Review Commission shall have jurisdiction to hear and decide any challenge that is initiated before the 42nd day prior to any meeting of This Committee or its Executive Board.”

The CRC has jurisdiction under Article VIII (Endorsements) and Article XIII (General Policies).

STANDING:

According to Article XII, Section 3:

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

Ms. Dean is a delegate from congressional district 08 and thus has standing to bring this challenge as she was adversely affected.

FINDINGS AND ORDER:

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

1) The CRC rejects the request to overturn the endorsement result, as the challenger failed to achieve the standard needed to invalidate the results.
2) Consistent with past practice and prior decisions, the CRC finds there is no prohibition on candidates paying the dues, registration, or provide lodging for their supporters.
3) The CRC finds that 42 USC 1973i(c) does not apply to voting on internal processes conducted by a political party.
4) The CRC encourages Ms. Dean to make an appointment with staff to review the endorsing caucus materials, including reviewing information relating to votes cast by proxies.

5) The CRC notes that once properly credentialed, proxies act with the same authority as delegates and there is no requirement that proxies be announced as proxies during roll call votes.

6) The CRC will forward all testimony submitted to the CRC to the Rules Committee for its consideration in revising the endorsement procedures, as it typically does following each election cycle, in order to improve and clarify any issues that arise during the course of the endorsement 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. (Article XII, section 6(a).) Thus, any appeal must be filed on or before March 23, 2018 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 7b, 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 April 4, 2018, 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,

Kathy Bowler, Co-Chair, Rules Committee
Coby King, Co-Chair, Rules Committee
Lara Larramendi, Co-Lead Chair, Rules Committee
Garry S. Shay, Lead Chair, Rules Committee
Keith Umemoto, Co-Chair, Rules Committee
Michael Wagaman, Co-Lead Chair, Rules Committee