MEMORANDUM

TO: All Interested Parties
FROM: Compliance Review Commission (CRC)
DATE: December 24, 2017
RE: DECISION OF THE COMPLIANCE REVIEW COMMISSION (CRC) ON THE CHALLENGE FILED BY ROZA CALDERON RELATING TO THE PLACER WOMEN DEMOCRATS AND THE EL DORADO COUNTY DEMOCRATIC COMMITTEE CHAIR

INTRODUCTION:

The CRC received a challenge filed by Roza Calderon on December 1, 2017 relating to two candidate forums being held by the Placer Women Democrats (PWD) and the El Dorado County Democratic Central Committee (EDCDCC).

DOCUMENTS INITIALLY RECEIVED AND REVIEWED:

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

1. Challenge received from Roza Calderon on December 1, 2017.

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 challenge by Ms. Calderon was submitted on December 1, 2017 relating to actions taken by the PWD and the EDCDCC which occurred prior to the seven (7) calendar day requirement for timeliness and the CRC was not provided with “good cause” to waive the requirement thus it is not 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);
The question of jurisdiction did not have to be reached in the challenge because it was not deemed timely.

**STANDING:**

According to Article XII, Section 3:

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

The question of standing did not have to be reached in the challenge because it was not deemed timely.

**FINDINGS OF FACT:**

In the 88-page challenge filed by Ms. Calderon, she alleges misconduct by both the PWD and the Chair of the EDCDCC. The most recent date referenced in the challenge was EDCDCC candidate forum occurring on November 7, 2017. No review nor finding was made regarding this allegation as the complaint was not timely and no good cause was given to waive the requirement to file within seven (7) days of the act complained of.

**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 finds the challenge was not timely nor was the CRC given “good cause” to waive the requirement.

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 January 5, 2017 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 January 17, 2017, 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, Credentials Committee
Garry S. Shay, Lead Chair, Rules Committee
Keith Umemoto, Co-Chair, Credentials Committee
Michael Wagaman, Lead Chair, Credentials Committee