MEMORANDUM

TO: All Interested Parties
FROM: Compliance Review Commission (CRC)
DATE: November 9, 2019
RE: REQUEST FOR INFORMATION RELATING TO A CHALLENGE FILED BY MR. ROBERT LEAHY

INTRODUCTION:

Robert Leahy filed two challenges relating to the actions of the Veterans Caucus of the California Democratic Party. The two challenges allege that the Veterans Caucus held “secret meetings” and improperly removed him from his elected board position of First Vice Chair.

DOCUMENTS INITIALLY RECEIVED AND REVIEWED:

Documents received and reviewed by the CRC associated with the challenge included the following:
1. Challenge submitted by Mr. Leahy filed on October 1 (Secret Meetings) and October 6 (Illegal Removal).

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 October, 2019, unless otherwise indicated.)

The challenge on “Secret Meetings” was submitted on October 1, 2019 within 7 days of the of the alleged secret meeting which occurred on September 24, 2019. The challenge on the illegal removal was submitted on October 6, 2019 within 7 days of receiving the notice of removal.
STANDING:

According to Article XII, Section 3:

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

Mr. Leahy is a member of the Veterans Caucus thus he has standing to bring these challenges.

JURISDICTION:

Article XII, Section 2 states:

“The Compliance Review Commission shall have initial jurisdiction over all challenges and/or appeals arising under these Bylaws, except as pertains to Removal or discipline of a Member or Removal or discipline of an Officer of This Committee.”

The CRC finds jurisdiction under Article XIII (General Policies), specifically Section 1. Public Meetings, Section 3. Notice of Agenda and Meetings, and Section 5. Full Publication of Selection Procedures.

REQUEST FOR INFORMATION:

The CRC is seeking additional information from the Veterans Caucus as it relates to notice of any and all of the alleged “secret meetings.” The requested information should include any notice, agenda, and minutes provided for the meetings in question.

The CRC also requests the Veterans Caucus provide any information with regards to the removal of Mr. Leahy as First Vice Chair. This should include notice, agenda, minutes and any other requirements for removal found in the Veterans Caucus Bylaws dated October 2018. The CRC notes the “Code of Conduct” and the “Flowchart” which were adopted by the Executive Board on August 25, 2019 and appear as Appendix A and B in the CDP Bylaws describes the conduct and processes involved in removing a Democratic State Central Committee member.

The deadline to submit any of the information requested above is November 21, 2019.

Any interested party will have until December 2, 2019 at 5pm to respond to the information received.

Respectfully submitted by a 6-0 vote of the members of the CRC,

Tim Allison, Co-Chair, Credentials Committee
Kathy Bowler, Lead Chair, Rules Committee
Nicole Fernandez, Co-Chair, Rules Committee
Coby King, Co-Chair, Rules Committee
Lara Larramendi, Co-Lead Chair, Credentials Committee
Keith Umemoto, Co-Chair, Credentials Committee