

DEMOCRATIC PARTY OF SACRAMENTO COUNTY

AMENDMENT TO THE STANDING RULES

9/12/2019 – Curtis Hall, Sacramento

STANDING RULES AMENDMENT 2019-02

Adopting Standing Rules regarding an Endorsement Policy

BE IT RESOLVED, That the Democratic Party of Sacramento County adopts the following as new Standing Rules of the Democratic Party of Sacramento County, to be promulgated in the same manner as, and appended to, the Constitution or Bylaws:

ADDENDUM VI: STANDING RULE – ENDORSEMENT POLICY

SECTION 1. SCOPE OF POLICY

This policy applies to endorsements for candidate contests for public office and ballot measure contests. Permitted intra-party endorsements, such as for offices within the California Democratic Party, are not subject to this policy..

SECTION 2. NEUTRALITY PRIOR TO ENDORSEMENT

1. Prior to an endorsement, the DPSC may not favor or disfavor a Democratic candidate over another in an official action, including the conduct of the endorsement process, in the provision of services, or in access to DPSC resources.¹
2. The DPSC may provide all Democratic candidates access to DPSC resources on equal terms until an endorsement is made. Chartered clubs may use the office for the support of the club's endorsed Democratic candidates prior to the Democratic Party's official endorsement in the race.

SECTION 3. TIMING OF ENDORSEMENT PROCESS

1. The earliest the DPSC may endorse a candidate is the month before the nomination period opens.²
2. The Executive Board may, on the recommendation of the Campaign Services Committee, waive the time limit imposed by this section if the Executive Board determines that a particular contest meets both of the following conditions:
 - A. The contest is a targeted seat;
 - B. An early endorsement would increase the likelihood that an endorsed Democrat would win the contest.
3. For purposes of this section, "targeted seat" means a contest in which the incumbent is a non-Democrat (i.e., a "red-to-blue" seat), or in which the incumbent is a Democrat but the seat is vulnerable to being lost to a non-Democrat (i.e., a vulnerable "toss up" seat).

¹ The DPSC may continue to work with Democratic officeholders and non-officeholder Democratic candidates in their capacity as individuals, officeholders, or leaders in other organizations on issue campaigns without violating the neutrality principle.

² This generally means the fifth month before the election. For example, October 2019 would be the earliest month for the March 2020 election, and June 2020 for the November 2020 election.

SECTION 4. INITIATION OF ENDORSEMENT PROCESS

1. The Executive Board shall, on the recommendation of the Campaign Services Committee, determine which contests to consider for purposes of endorsement and under what timeline.
2. The Campaign Services Director shall facilitate the publicization on the DPSC website and social media platforms the DPSC's intent to conduct the endorsement process at least two weeks prior to the deadline to return a completed questionnaire and invite eligible candidates to participate.

SECTION 5. CONTACTING ELIGIBLE CANDIDATES - SAFE HARBOR

1. The Campaign Services Director shall undertake a good-faith effort to contact candidates and invite them to participate in the endorsement process.
2. The following persons are considered candidates:
 - A. A person who pulls or files nomination papers with the applicable elections official for the contest;
 - B. A person who has filed a Candidate Intention Statement (Form 501) for the contest with the applicable elections official;
 - C. A person who informs the Campaign Services Director that the person is or intends to be a candidate in the contest.
3. If the Campaign Services Director is unable to find a candidate's contact information after a reasonable search, the requirement of "good-faith effort to contact" has been satisfied.

SECTION 6. QUESTIONNAIRE & INTERVIEW

1. In order to be eligible for endorsement consideration, a candidate must submit a completed candidate questionnaire.
2. The Campaign Services Committee shall develop and approve the questionnaire, subject to the Executive Board's review and final approval. Office-specific questionnaires may be used for different offices, but no particular candidate is obligated to respond to more than one questionnaire.
3. The Campaign Services Committee, subject to the Executive Board's review and final approval, shall determine whether interviews will be conducted for a particular contest. If a candidate interview is conducted, each candidate in the contest who submitted a completed questionnaire will be invited to interview. Only candidates who participate in the interview are eligible for endorsement consideration. Candidates are permitted to interview by telephone or webcast, if permitted by the Campaign Services Director.
4. Interviews shall be conducted by interview panel under the following rules:
 - A. Only DPSC members may serve on an interview panel.
 - B. The Campaign Services Director shall select the membership of the panel and shall ensure that the panel is composed of a diverse cross-section of the Democratic Party.
 - C. An interview panel shall be composed of at least three members.

- D. The panel shall be chaired by a person appointed by the Campaign Services Director, and the chairperson shall have the duty to write up the panel's report or ensure that the report is written up by another panel member. The panel shall ask all candidates the same standard questions but may ask additional follow-up questions and clarifying questions specific to a particular candidate.
 - E. Only panel members who participated in the interview of all eligible candidates under consideration may vote on the panel's recommendation.
 - F. If the total number of eligible panel members falls below three at any time during the process, the Campaign Services Committee may vacate their recommendation.
5. Upon the conclusion of the interview process, the panel may make any of the following recommendations:
- A. Endorsement of no more candidates than there are seats to be filled;
 - B. Neutral (i.e., not favoring or disfavoring any candidate in the race);
 - C. No endorsement (i.e., rejection of all candidates); or
 - D. No recommendation (i.e., let the membership vote without a recommendation).
6. The Campaign Services Director shall deliver the interview panel's report to the Executive Board, including the panel's recommendation and reasons. The Executive Board may, in its discretion, accept the recommendation of the panel, or reject the recommendation of the panel and give a different recommendation to the membership. For races where no interview was conducted, there is no panel recommendation, and the Executive Board may make an endorsement recommendation in its discretion.

SECTION 7. CONFLICT OF INTEREST

- 1. A DPSC member may not serve on an interview panel if the member has a disqualifying conflict of interest.
- 2. A member has a disqualifying conflict of interest if they:
 - A. Are a candidate for the public office under consideration;
 - B. Are the incumbent officeholder or serve on the elected body of the public office under consideration, or have served with one of the candidates on an elected body;
 - C. Are or have been campaign staff or a campaign volunteer for a candidate during the course of the current campaign;
 - D. Are or have been employed, with or without compensation,³ by a candidate during the past five years, or is currently employed by the public agency that the candidate would govern;
 - E. Are an appointee of a candidate to any board, commission, committee or other office.
 - F. Have made a financial contribution to a candidate, whether monetary or nonmonetary, regardless of whether the contribution was below a reporting threshold; or
 - G. Have publicly avowed a preference for a candidate, whether support or opposition, including on social media platforms.

³ For example, as an intern, extern, or fellow.

3. The Campaign Services Director may disqualify a member from serving on an interview panel who is not disqualified by Subsection B if the Campaign Services Director determines that the member has an actual or apparent conflict of interest that could reasonably be expected to bring the integrity of the endorsement process into question.

SECTION 8. ADVANCEMENT TO GENERAL ELECTION OR SPECIAL ELECTION RUNOFF

If a candidate endorsed by the DPSC for a primary election advances to the general election or special election runoff, the candidate continues to be endorsed by the DPSC. If a candidate endorsed by the DPSC for a primary election fails to advance, the DPSC may take up an endorsement for the race any time after the primary election.

SECTION 9. CONTRIBUTIONS

1. The DPSC may only make a monetary contribution to a candidate endorsed by the DPSC or to a candidate who is otherwise the officially endorsed candidate of the Democratic Party.
2. The Campaign Expenditures Committee is composed of the Chair, Vice Chair, Campaign Services Director, and two members appointed by the Executive Board who have a demonstrated understanding of campaign finance law.
3. The Campaign Expenditures Committee has the exclusive authority to make monetary contributions.
4. The Campaign Expenditures Committee shall meet subject to the call of the Chair, and may transact business in-person or by teleconference, text message, email, or other interactive means.
5. The actions of the Campaign Expenditures Committee, (including action taken, expenditures authorized, candidates or ballot measures affected, and votes) shall be reported at, and entered in the minutes of, the next Executive Board meeting. The proceedings and actions of the Campaign Expenditures Committee may be kept secret if the Chair determines that secrecy is necessary to protect confidential campaign strategy.
6. After an endorsement is made, the Campaign Services Committee may recommend to the Executive Board and Campaign Expenditures Committee how the DPSC should support its endorsed candidates and ballot measures. This can include monetary contributions, as well as how to provide campaign services such as canvassing, phonebanking, textbanking, digital media, etc.
7. A monetary contribution must be made no earlier than the date on which the candidate is endorsed and no later than the date of the election for which the candidate was endorsed, or as otherwise provided in Sections 11 and 12. A contribution must be made to the candidate's campaign committee associated with the office and election year for which the candidate was endorsed.

SECTION 10. POST-ELECTION MONETARY CONTRIBUTIONS

1. The DPSC may not make a monetary contribution to an endorsed candidate after the final date of the election for which the candidate was endorsed,⁴ unless made for the purpose of paying down debt and made no later than the last day of the month following the month of the election.⁵ The DPSC may make a post-election monetary contribution to a non-endorsed Democratic candidate if the candidate unsuccessfully sought the endorsement of the DPSC and won their election.

⁴ For a primary election that advances to a general election, the "final date of the election" is the date of the general election. E.g., If the contest for Sacramento Mayor held on March 3, 2020 advances to the general election, the final date is November 3, 2020.

⁵ For example, for an election March 2020, the final date is April 30, 2020, and for November 3, 2020, the final date is December 31, 2020.

2. A post-election monetary contribution made to an endorsed candidate for the purpose of paying down debt may only be made to the candidate committee of the endorsed candidate for the office and election cycle for which the candidate was endorsed. The Campaign Services Director or Chair shall require that an endorsed candidate requesting a post-election debt payment monetary contribution produce documentation to support their claim of outstanding debt.
3. “Unsuccessfully sought the endorsement of the DPSC” means that the candidate was eligible to be considered for endorsement by the DPSC Central Committee (i.e., the candidate submitted a questionnaire, and participated in an interview if an interview was required) but did not win the endorsement due to either: another Democratic candidate winning the endorsement, the DPSC adopting a “Neutral” position, or the Central Committee failing to take action. This does not include the adoption of a “No Endorsement” position.

SECTION 11. EXPENDITURES RELATING TO POST-ELECTION CHALLENGES

The DPSC may make post-election expenditures, including monetary and nonmonetary contributions, for the purpose of assisting endorsed candidates in combating post-election challenges to the canvass of the vote or other conditions of voting.

SECTION 12. BALLOT MEASURE ENDORSEMENTS

1. The DPSC may not endorse a position on a ballot measure until the measure has qualified for a specific election date and been identified by the Registrar of Voters by letter (e.g., Measure A). The DPSC may support or oppose the qualification of a ballot measure prior to the adoption of a formal endorsement position on the qualified ballot measure.
2. The Executive Board may waive the requirement by a two-thirds vote for a measure that has qualified for the ballot but not yet been identified by letter or not given a specific election date.
3. The Campaign Services Committee shall undertake a good faith effort to contact proponents and opponents, official and unofficial, of each ballot measure and invite them to interview or respond to written questions. The Campaign Services Committee or interview panel shall make recommendations to the Executive Board of one of the following positions on a ballot measure:
 - A. Support (i.e., “Vote Yes”);
 - B. Oppose (i.e., “Vote No”);
 - C. Neutral; or
 - D. No recommendation (i.e., let the membership vote without any recommendation).

SECTION 13. RECALL ELECTIONS

1. A recall election is two separate election contests. The first contest is the recall question, and the second contest is the election of a successor.
 - A. The recall question (i.e., whether the incumbent should be removed from office) is treated as a ballot measure endorsement under Section 16.
 - i. If the incumbent facing recall is a Democrat, the Executive Board shall contact the incumbent and provide them an opportunity to be interviewed prior to the making of an endorsement recommendation.

- B. The election of a successor to the office if the recall question prevails is treated as a candidate contest endorsement in the regular manner provided for in this policy.
2. If a Democratic incumbent is subject to a recall election, the DPSC will automatically oppose the recall, unless the DPSC adopts a position of support or neutral as specified in Section 16.
3. If a non-Democratic incumbent is subject to a recall election, the DPSC may support the recall or take a neutral position. The DPSC may not endorse a position of opposition to the recall of a non-Democratic incumbent.
4. Regardless of the DPSC's position on the recall question, the DPSC may endorse a candidate to succeed to the office in case the recall question prevails.

SECTION 14. JUDICIAL ENDORSEMENTS

1. The DPSC may endorse candidates for judge of the Sacramento County Superior Court, but only after the final close of filing and if the judicial contest is contested by at least two candidates.
2. The endorsement process for judicial candidates is the same as for other candidate contests. The Campaign Services Committee may, subject to the Executive Board's review and final approval, alter the endorsement process for judicial candidates to ensure that the impartiality of the judicial election process is maintained.

SECTION 15. MULTICOUNTY ENDORSEMENTS

1. A local public office that extends into another county is a "multicounty office" for purposes of this section. The Campaign Services Director shall determine which offices are multicounty offices.
2. The Campaign Services Committee, subject to the Executive Board's review and final approval, may defer the endorsement of a multicounty seat to another county that has a larger percentage of the population of registered Democrats in that jurisdiction than Sacramento County. In such a case, when the DPSC is informed of the other county's endorsement action, the Campaign Services Committee shall consider whether to recommend adoption of the other county's endorsement action to the Executive Board, without conducting a separate DPSC endorsement process.
3. If the Executive Board rejects the other county's endorsement decision then the DPSC may proceed with an endorsement in the race following the regular endorsement process specified in this policy.
4. The Chair and Campaign Services Director are authorized to engage and negotiate with other counties on which multicounty seats will be considered under the primary jurisdiction of other counties and which will be under the jurisdiction of the DPSC.

SECTION 16. MISCELLANEOUS

1. Prior to the Central Committee's consideration of an endorsement recommendation, the Campaign Services Director shall publicize the recommendation and candidate questionnaires to the voting membership at least seven days before the meeting.
2. During the endorsement meeting, the Chair shall present the recommendations as a consent calendar. If a recommendation is pulled from consent the Campaign Services Director may present the recommendation, the eligible candidates shall be permitted to speak, and members shall be permitted to debate with equal time given to members speaking for each candidate.

3. Upon the conclusion of an endorsement recommendation, the Campaign Services Committee shall recommend to the Executive Board and Campaign Expenditures Committee how the DPSC should support the endorsed candidate or ballot measure and may draft a proposed campaign support plan. The Executive Board shall consider the committee's recommendations.