

CALIFORNIA DEMOCRATIC PARTY AFRICAN-AMERICAN CAUCUS BY-LAWS
California Democratic Party African-American Caucus By-Laws

Article I: Definition and Purpose

Section (A): It will be the purpose of this caucus to promote and encourage full participation of all registered African-American Democrats in the Democratic State Central Committee of the Democratic Party of California and its affairs at all levels. Further, to initiate and support the party policies and issues which reflects the interest and welfare of the African-American community and to act as the vehicle for the implementation of these policies in the African-American community and to give guidance and/or advice regarding the African-American communities concerns to the Democratic Party structure.

Article II: Membership

Section (A): Membership consisting of all African-American or other duly credentialed, dues paying members of the State Central Committee of the Democratic Party of California as provided in the by-laws of the Democratic Central Committee.

Section (B): This section hereby creates associated memberships. Any African-American or other registered Democrat within the State of California may become an associate member of the African-American Caucus, by application to the Executive committee, and payment of the prescribed annual dues. Associate members will have the right to attend and participate in all meetings of the full Caucus or the Executive Committee and standing Committees of the African-American Caucus, but will have no vote in either meeting of the Caucus or its Committees. They may offer suggestions and give input to the Caucus on any matter or issue under consideration at any time the Caucus or Committee has voted and made a decision on the pending matter or issue. They may participate in the programs and the work of the Caucus when directed by the Chairperson or the Executive committee.

Article III: Meetings:

Section (A): Regular meetings of the entire African-American Caucus will be held in conjunction with the regularly scheduled meetings of the Executive Committee of the State Central Committee and at least two meetings a year to be held outside of the regular meetings of the Executive Committee of the State Party (one north and one south).

Section (B): Special meetings of the African-American Caucus may be called in the following manner:

By the Chairperson of the Caucus.

1. By Notification to the Chairperson who will call a special meeting with fifteen (15) days immediately following his or her receipt of a written form request for a special meeting signed by twenty-five (25) registered members or more of the African-American Caucus
2. Upon call from the Executive Committee.

Section (C) All meetings will be conducted in compliance with Roberts Rules of Order new edition, except as otherwise provided in these by-laws as interpreted by the Parliamentarian or the Chairperson in the absence of the Parliamentarian.

Section (D): Meetings of the African-American Caucus will be scheduled at a time, which will provide optimum attendance in conjunction with Article III Section (A)

Section (E): A statewide conference of the African-American Caucus may be called annually if deemed necessary in any methods and/or manner set forth in Section B-1, 2, 3.

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Section (F): All public meetings of the African American Caucus shall be open to all members ~ the Democratic Party regardless of race, color, creed, national origin, sex, or religion, ethnic identity, sexual orientation, persons with disabilities as defined by the Americans with Disabilities Act of 1990 or economic status.

Article IV: Officers

Section (A): Elected officers of this caucus will be:

1. Chairperson
2. Vice-Chairperson
3. Recording Secretary
4. Treasurer

Section (B): Any member of the African-American Caucus regardless of sex will be eligible for any elective or appointed office in the caucus. Associated members may hold appointed co-chair positions within the body.

Section (C): The Office of the Parliamentarian will be filled by appointment of the Chairperson with consent of the majority of the Executive Committee.

Section (D): The Office of the Chairperson of all Standing Committees will be filled by appointment of the Chairperson of the Caucus with the advice and consent of a majority of the Executive Committee.

Section (E): The Office of Corresponding Secretary will be filled by appointment of the Chairperson with the consent of the majority of the Executive Committee.

Article V: Executive Committee

Section (A): The Executive Committee of the African American Caucus will be comprised of the Chairperson, Vice-Chairperson, Recording Secretary, Treasurer, Parliamentarian, Corresponding Secretary and the Chair or Co-Chairs of all Standing Committees.

Section (B): The duties and responsibilities of the Executive Committee are:

1. To exercise the general supervision and administrative authority over the African-American Caucus.
2. To confirm nominations made by the Chairperson for the Offices of the Parliamentarian, Corresponding Secretary, the Chairperson of all Standing Committees, The Chairperson of all or any Special committee which the {Caucus} Chairperson may deem necessary from time to time in the execution or implementation of his/her administrative program for the interest, betterment, improvement, growth, and/or advancement of the African-American Caucus both for the California Democratic Party and the African- American community which the Caucus is dedicated to serve .
3. To formulate and implement the plans, program and agenda for the operation, function, work, and service of the African-American Caucus both for the California Democratic Party and the African-American community which the Caucus is dedicated to serve

Article VI: Powers and Responsibilities of the Officers.

Section (A): The Caucus Chairperson will be the principal executive officer and the official spokesperson for the caucus having the full authority if needed from time to time to assign any officer or member of the caucus to speak on behalf of the African American Caucus as the need should arise provided such appointment or assignment always is for the benefit and interest of the African-American Caucus and the African-American community for which the Caucus serves. The Chairperson shall carry out the policies of the Caucus as approved by the membership and the Executive Committee and will automatically become a member of the California Democratic Party Executive Board.

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Section (B): The African-American Caucus Vice-Chairperson will assist the Chairperson in the performance of his/her duties and in the absence of the Chairperson assume the responsibilities of the Chairperson. This includes presiding over the Caucus meeting either when the Chair is absent or when the Chairperson delegates him/her to do so.

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Section (C): The Recording Secretary will maintain a written record of the African-American Caucus activities and discharge all such duties as pertain to the Office of the Recording Secretary.

Section (D): The Treasurer will take custody of all funds raised or received by the Caucus after having the same entered into the records by the Recording Secretary. The Treasurer will make reports at each regular or special meeting of the Caucus of all receipts and disbursement, and will at all times make the reports in writing with copies to be available to all caucus members and the Executive Committee.

1. Quarterly financial reports shall be filed with the African-American Caucus with the Treasurer of the Democratic State Party to comply with the Law. The State Party Treasurer shall meet with and advise the Treasurer of the African-American Caucus, as needed, in regards to the required reporting of funds in accordance with the Democratic State Party's rule and applicable bylaws.

Section (E): The Parliamentarian will respond to all inquires made to him/her by the Chairperson concerning the interpretation of the by-laws of the Caucus and Roberts' Rules of Order. The interpretation and ruling of the Parliamentarian on the By-Laws or Roberts' Rules of Order during any meeting shall be binding upon the Chairperson and all members at which such interpretation or ruling is made. Any appeal must be made to the Chairperson of the Central Committee of the California Democratic Party or the Chairperson of the Rules committee of the State Central Committee of the California Democratic Party.

Section (F): The corresponding Secretary will at the direction of the Chairperson or the Executive Committee of the Caucus issue all required notices except as specified, and prepare the official correspondence of the Caucus.

Article VII: Election of Officers

Section (A): All officers will be elected at the first meeting of each Democratic State Central Committee held for organizational purposes in the odd numbered years following the general elections. The term of office for each officer will be for two years, beginning after election and installation at the Democratic State Central Committee's Organizational meeting ending at the close of the next succeeding Democratic State Central Committee's Organizational Meeting.

Section (B): All elected officers will be elected by a simple majority of the members present and voting at the election meeting.

Section (C): All candidates for office and those who vote for them must be duly credentialed members of the Democratic State Central Committee of the California Democratic Party before either their candidacy or their elections. Any officer elected or appointed and later found to be ineligible will become void and cannot be corrected by any other subsequent procedure either in the Caucus or in the Democratic State Central Committee of the Democratic Party.

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Section (D): All appointed officers will be selected and nominated by the Chairperson and confirmed by the Executive committee within sixty (60) days after the biennial election and installation of the Chairperson and the approval of the Executive Committee.

Article VIII: Term of Office

Section (A): The term of office will be two years from the time of election and installation unless as otherwise provided in these By-Laws

Article IX: Vacant office

Section (A): Vacancy in any elected office will be filled by special election only in the case where the unexpired term in question exceeds six months. In cases where the unexpired term equals six months or less, the Vice-Chairperson will fill a vacancy of the Chairpersons' office. All other offices will be filled by appointment of the Executive Committee with the advice and consent of a voting majority at the next succeeding Caucus session. The above procedures will go into effect at the next regularly scheduled meeting of the caucus if the membership has been given notice of the proposed appointment.

Article X Voting

Section (A): Voting will be in person only and by written ballot for the offices listed in these bylaws. *There are no secret ballots in any elections.*

Section (B): Members of this caucus may be represented at any meeting by proxy; the person named in the proxy will meet the same qualifications as the member with the exception of the residency requirements for statewide office holders or statewide nominees. In the event an appointee of the state legislator or member of congress is unable to attend the appointee's proxy may be given to an otherwise qualified person of the same sex who resides either in the district of the appointment member or the appointed member.

Section (C): All proxy appointments will be made in accordance with the By-Laws and rules of the Democratic State Central Committee.

Section (D): Further, the Executive Committee may require the proxy holder to show proof of eligibility or qualifications. In case of any emergency, the member may authorize some other member of this Caucus to fill in the name of the appointee who will be subject to the same proxy qualifications as those set in subsection (A) of this section. Such authorization must be handwritten and signed by the original member. The authorized member shall also countersign the appointment. Voting by proxy shall not be permitted with respect to standing special committees of this caucus.

Section (E): A member elected by an Assembly District Election Meeting may only give his/her proxy to a registered Democrat resident in the same Assembly District.

Section (F): Proxies to be recognized by the Secretary of State and the Credentials Committee shall be signed by members under penalty of perjury and shall be in the form prescribed in California Elections Code Section 8740.

Section (G): No proxy holder will have standing in the caucus unless he or she has been credentialed according to the procedures and the by-laws of the Democratic State Central Committee.

Section (H): Revocation or change of proxies will be recognized by This Caucus, if they have been recognized by the CDP Credentials Committee only upon a personal request made by the member before that committee.

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Article XI; Removal from Office / Officers and Membership:

An Officer and/or member of this caucus may be removed from office for cause-that is misconduct or neglect of duty in the office, differentiated from the party, and disloyalty are reasons for removing an Officer and/or member from membership-by the following procedures

Section (A): At least two-thirds ($2/3^{\text{rd}}$) of the Executive Committee must sign and submit to the recording secretary a written statement of charges containing the grounds for removal.

Section (B): The Recording Secretary upon receipt of the statement of charges and a letter stating that the accused officer may either resign or have a hearing by way of a motion for removal at the next regular meeting of the Executive Committee.

Section (C): If the accused officer does not resign, the Recording Secretary will send a copy of the statement of charges to all members of the Executive Committee along with the notice for the next regular meeting of the Executive Board.

Section (D): At the next regular meeting of the Executive Committee, the accused officer will be afforded an opportunity to respond to the charges; after such a hearing and upon a motion for removal made by one of the signatories to the statement of charges.

Section (E): The accused officer may be removed by a two-thirds ($2/3$) vote of all persons present.

Section (F): Provided there is present and voting at least $33\frac{1}{3}^{\text{rd}}$ of the membership of the Executive Committee.

Section (G): After a review by the Executive Committee on the study and evaluation of the evidence produced find that, the evidence is insufficient to warrant or justify penal or removal proceedings, the charge will be dismissed by the Executive Committee.

Section (H): If the Executive Committee finds the evidence is sufficient to warrant and justify removal proceedings against the member being charged the Executive Committee will hold a hearing after the due and timely notice or appoint a hearing committee to conduct a fact-finding hearing of the charges. A written response from the accused and a report of the case findings to the Executive Committee at its next regular or special meeting as the case may present itself. Witnesses for both the accused and the accuser(s) may be produced at the above-mentioned meeting when all evidence and deliberation have been presented to the committee in writing. In advance the hearing, committee will also make its report in writing at the proper time with its recommendation and solution *of the* charges.

After the remedy has been given and the accused is dissatisfied with the decision of either the hearing or the Executive Committee, the accused may appeal the decision to the membership of the Caucus at the next meeting.

A two-thirds ($2/3^{\text{rd}}$) vote of the membership present will be required to override the decision of the Executive Committee.

Article XII~ Quorum

Section (A): Ten percent (10%) of the accredited membership of the caucus will constitute a quorum when meeting in conjunction with the California Democratic State Central Committee

Article XIII~ Dues

Section (A): The caucus shall neither raise nor disburse funds other than nominal dues, and standard or routine costs of regular meetings.

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Section (B): The dues structure for all associate members will be the same as that of the regular member.

Section (C): Dues must be paid in full to hold office or participate in the caucus.

Section (D): Individuals for whom payment of dues would constitute a financial hardship may request a waiver from the Executive Board of the African-American Caucus.

Article XIV: Standing Committees

Section (A): Finance: Whose function, duty and responsibility will be to seek relationships from mutually beneficial outside community organizations; for the support and activities of the African-American Caucus. This committee shall consist of at least nine (9) members or more at the request of the Chairperson.

Section (B): Rules: It shall be the duty of the Rules Committee to keep the By-Laws and Rules of the African American Caucus consistent with the aims and policies of the California Democratic Party and to propose changes in the rules and By-Laws and special rules when necessary. This Committee also shall consist of (9) nine members and any additional persons deemed necessary by the Chairperson of the Caucus. .

Section (C): Resolutions: Function, duty, and responsibilities will be to write, prepare and present to the Caucus and/or the Executive Committee when in session written proposed statements of public positions to be taken by the Caucus on vital public issues as they arise from time to time. All of which resolutions presented must be acted upon by the Caucus or the Executive Committee as the case maybe, before being disseminated into the media for public communication. All resolutions prepared and presented that are proposed by the Resolution Committee will become the property of the Caucus and are to be used, published and disseminated only with the authority of and/ or the specific direction of the African-American Caucus Executive Committee. After Resolution presented as above prescribed shall be considered by the Resolution Committee who after due consideration will present to the caucus or the Executive Committee whichever is in session at the time its report and recommendations of the action to be taken on such resolutions by the caucus or Executive Committee as the case may be. The Caucus or the Executive Committee to whom the report and recommendation are made may then act on the report and recommendation to either approve or disapprove.

Section (D): Legislative: Shall consist of nine (9) members, whose function, duty and responsibilities will be to keep consistently abreast of all pending legislation both in the California Legislature and in the Congress of the United States, to constantly analyze the same and to advise the caucus of such legislation and whenever any pending, anywhere directly or indirectly the interests and welfare of the African-American citizens of the state and nation are to be in any way or manner affected, the Legislative Committee will propose and recommend to the Caucus and/or the Executive Committee. When in session, the position to be taken by the Caucus or the Executive Committee, upon such pending legislative issues, and when as and if any position is taken with regard and in relation to any such pending legislative issues, the Caucus or the Executive Committee to write and prepare a proper and fitting statement of the position taken by the Caucus or the Executive Committee for adoption, publication and dissemination.

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Section (E): By-Laws: Whose function, duty and responsibilities will be to write and prepare from time to time proposed amendments and revisions to these By-Laws, when and as such amendments revisions become necessary for the caucus to meet and more effectively perform its responsibilities to the California Democratic Party and the African-American community, which the Caucus serves. All proposed amendments and revisions of the By-Laws shall be made and done in accordance with the amendment procedure herein.

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Article XV: Endorsements

Section (A): The African-American Caucus, as a body constituted within the California Democratic Party and subject to its by-laws, shall make no independent endorsement of any candidate for partisan or non-partisan public office unless that candidate has been endorsed by the California Democratic Party through its endorsement process. This shall not bind any member of the African-American Caucus from making an individual public endorsement of any candidate whether endorsed or not endorsed by the Party,

Section (B): This Caucus reserves the right, under the Federal and State Constitutional guarantees of free speech, to provide a hearing to any Democratic Candidate for public office whether endorsed or not endorsed by the California Democratic Party.

Section (C): The African-American Caucus reserves the right under the Federal and State Constitutional guarantees of free speech, to publish and disseminate views and opinions on all Democratic Candidates, whether endorsed or not endorsed, especially of those issues of particular interest to the African-American Caucus and the African-American Community.

Article XVI: General Policies

Section (A): Voters at the first determinate step of the delegate selection process and first level of participation shall have an absolute right to a secret ballot which is secure and counted when he/she is expressing his/her own personal and individual preferences. The African American Caucus recognizes its obligations under the General Policies provisions of the CDP Bylaws.

Section (B): Because all voting members of the African-American Caucus are members of the California Democratic State Central Committee and represent a constituency who elected them or person who appointed them and who are entitled to know how their representatives voted, no vote by secret ballot maybe taken at any meeting of the African-American Caucus based upon the General Policies provisions of the Bylaws of the California Democratic Party. . Beyond the first determine step at which an individual Democrat expresses his/her personal and individual preference on and action that constitutes part of the delegate selection process

Section (C): In all other regards, no vote by secret ballot shall be taken at any meeting of the African-American Caucus.

Article XVII: Amendments:

Section (A): These By-Laws may be amended at any meeting of the total membership of the Caucus by, two-thirds (2/3rd) majority of the members present.

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Section (B): The proposed amendment or amendments must be submitted and received by the Recording Secretary of the Caucus not less than one month prior to the meeting at which the proposed amendment(s) are to be voted on.

Section (C): A copy of the proposed amendment(s) must be mailed to each member of the Caucus at least fifteen (15) days before the meeting at which the proposed amendments are to be voted on.

Article XVIII. Effective Date of Amended By-Laws

Section (A): These amended by-laws will go into effect and become applicable immediately upon their adoption of the African-American Caucus of the California Democratic State Central Committee and a copy will be mailed to be filed with the Rules Committee of the California Democratic State Central Committee.

Adopted June 29, 2003 by the African-American Caucus at a meeting of the Executive Board of the California State Central Committee **in Oakland California.**

Theodore Smith, Chair Lois Jean Hill, Recording Secretary, Nicolasolas Jellins and Theodore Smith, By-Laws Committee co-chairs

REVISED and SUBMITTED: November 14, 2009, by the African-American Caucus at a meeting of the Executive Board of the California State Central Committee **in San Diego, California.**

Darren W. Parker, Chairman, Willie Pelote, Vice Chairman, Bobbiejean Anderson, Treasurer, Susan Christian, Recording Secretary, Quincy O'Neal, Corresponding Secretary, Edmund Meyette, Co-Chairman bylaws.

Approved unanimously by the CDP African American Caucus Executive board on November 14, 2009, Hyatt Mission Bay, San Diego, CA.