



# PROGRESSIVE CAUCUS

of the CALIFORNIA DEMOCRATIC PARTY

Adopted Nov. 14, 2009

## Bylaws

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### Article I: Name, Purpose, and Statement of Principles

#### Section A. Name

The name of the group shall be the Progressive Caucus of the California Democratic Party, hereafter called the Caucus.

#### Section B. Purpose

1. The purpose of the Caucus is to act as a driving force in helping to enact a more progressive agenda within the Democratic Party for the benefit of all people. We shall work proactively to realize the inclusion of progressive principles in all organizational bodies of the California Democratic Party, especially those that address public policy issues. We shall promote policy and legislation consistent with our principles and support those Democratic Party office holders and officials proposing and carrying out such policies. As part of our effort to revitalize a Democratic Party built on firm progressive principles, we will work to strengthen conditions that make it possible for progressive candidates seeking public office to succeed.
2. Serving as a focal point for progressive Democrats whose interests are priorities for the Caucus, we will participate in efforts both inside and outside the Party to educate and inspire California progressives to join us for the benefit of our collective membership and the Party. In turn, we shall organize and agitate around the issues we collectively agree to pursue as a body by working with other caucuses, clubs, and Democrats both at and in between regularly scheduled meetings of the State Democratic Party. Caucus activities can take many forms and are not limited to forums, programs, projects, direct action, electoral work, lobbying, media outreach, etc. The Caucus will also participate in various outreach programs of the Party including identifying progressive voters and registering them as Democrats.

#### Section C. Statement of Principles

1. The Caucus believes in the promotion of principle before politics and policy before unquestioning fealty to any individual or organization. We seek to build a movement within the Democratic Party so that we may one day see a government controlled by citizens, not oligarchic interests. By belonging to the Caucus, we affirm our dedication to work for a world where the rights of all people are recognized as equal and inalienable, and where social justice paves the way for true peace.
2. Towards that end, we believe:
  - a. in the Constitution of the United States of America and the right of the People to self-government,
  - b. in the restoration of an equal balance of powers between the branches of our Federal government,
  - c. that as the most basic measure of democracy, citizens of voting age have the right to vote and have their vote counted and tangibly proved as cast,
  - d. in the complete separation of Church and State,
  - e. that everyone has the right to recognition everywhere as a person before the law and are therefore entitled to equal rights and treatment and that no one should be denied these rights because of economic status, class, race, color, creed, age, ethnic identity, ethnicity, national origin, language, culture, gender, gender identification, sexual orientation, religion, or disabilities as defined by the Americans with Disabilities Act of 1990,
  - f. persons of the same sex should have the right of marriage on the same basis as all other adults, the right to found a family being a basic human right,

- g. that no one should be subjected to arbitrary arrest or detention without charge, and that all people are entitled to due process by an independent, impartial and civilian court of law,
- h. that no one should be subjected to torture or to cruel, inhuman or degrading treatment or punishment,
- i. that since all people are born equal in dignity and rights and are endowed with reason and conscience, they should be free from the oppression of orchestrated fear, targeted persecution, wrongful dispossession, displacement and exile. Aggression at the hands of organized forces directed at a specific group of people because of economic status, class, race, color, creed, age, ethnic identity, ethnicity, national origin, language, culture, gender, gender identification, sexual orientation, religion, or disability whether they exist internally in a state or are the result of a foreign presence, should not be tolerated,
- j. that as a civilized society, the death penalty must be abolished and replaced with a system which views justice as containing principles of both redemption and rehabilitation as well as restitution,
- k. in lifting all people above the poverty line, including the sick, the disabled, the homeless, the hungry, the elderly, and the unemployed, and as a part of resetting our local, state and national priorities, to make available affordable housing and a living wage for all,
- l. in the right of workers everywhere to form and join unions for the protection of their interests, and that labor, commerce and profits gained without respect for fair wages, decent working conditions, dignity or self determination by workers are both unjust and immoral,
- m. in a commitment to redirecting resources from wasteful and unnecessary military spending to programs for human needs. As Dr. Martin Luther King observed over 40 years ago "A nation that continues year after year to spend more money on military defense than on programs of social uplift is approaching spiritual death",
- n. that pre-emptive war is wrong and that all countries must seek solutions to international threats through equitable diplomacy, the United Nations, and other organizations which respect international law and the principle of self determination,
- o. that all people are entitled to quality health care and that single payer universal health insurance is a right, not a privilege,
- p. that public services must not only be available, but equally accessible to all,
- q. that the environment is a public trust and responsibility for its preservation and sustainability must rest publicly, with the People and not with private enterprise,
- r. that education is a right, not a privilege and that every child must have the guarantee of a free, high quality education in a safe environment,
- s. that since freedom of expression, civil liberties, democracy and constitutional rights are the hallmarks of an equitable society, that the right to a free and independent media must be guaranteed for all, free from domination or monopolization from either state or corporate influence,
- t. that private corporations are not individuals and since they are legal entities materially different from human beings, are not entitled to the same constitutional rights as individuals under Article 14 of the United States Constitution. To the extent that corporate interests wield overwhelming control when it comes to matters of governance for the common good, we believe that as a matter of democracy and social justice, a subordination of commerce to state must be established by overturning the United States Supreme Court decision in the case of Santa Clara County vs. Southern Pacific Railroad Co., 118 U.S. 394 (1886), and
- u. that above all, we believe in the Universal Declaration of Human Rights and in the principle of a universal community where democracy, respect for the humanity of others and responsibility for the common good prevails.

## Article II: Organization

### Section A: Relationship to Democratic State Central Committee

1. The Caucus is a "Special Group Caucus" within the California Democratic Party State Central Committee [DSCC].
2. Failure to comply with Section IX, subsections 1-5 of the DSCC bylaws may subject the Caucus to decertification by DSCC.

### Section B: Rules

1. These bylaws shall govern the organization, operation, and functions of the Caucus.

2. The Caucus shall operate within the bylaws of the DSCC. In case of conflict, the bylaws of the DSCC shall prevail.
3. As the Caucus has a membership where members only represent themselves, the use of secret ballots is allowed in General Membership proceedings.

**Section C: Membership**

1. Membership and full voting rights shall be open to all registered Democrats who meet these membership requirements:
  - a. the individual is a registered California Democrat,
  - b. indicates, at the time of their joining, support of the Purpose and Statement of Principles of the Caucus as stated in Article I above,
  - c. pays the dues in effect at the time the individual joins the Caucus, and
  - d. agrees to the terms of these bylaws.
2. Removal of Members
  - a. A member may be removed from membership for:
    - i. nonpayment of dues or,
    - ii. member affiliates with or registers as a member of another party, or
    - iii. by a two-thirds [2/3] vote of the Executive Board Members, hereafter called the Board, in attendance at any Board meeting as set forth in paragraph b. below if, during his/her term of membership, said member:
      - (A) violates these bylaws,
      - (B) publicly avows preference for another party,
      - (C) causes harm to the reputation and/or financial standing of the Caucus,
      - (D) publicly gives support to or avows a preference for a candidate nominated by another party, or
      - (E) in any way causes harm or disruption to the Caucus by acting in a manner contrary to the stated goals and principles of the Caucus.
  - b. In the event the removal is for reasons stated in Art II, Sec C, a, iii above, a member may be removed by the following procedure:
    - i. Written charges brought by no fewer than ten [10] members of the Caucus, or by a minimum of three [3] members of the Board shall be submitted to the Chair who will notify the accused Member, and all members of the Board, of the charges. The Board shall then determine whether the charges and the evidence supporting the charges are sufficient to justify proceeding against the Member.
    - ii. If the Board finds, after a review, study and evaluation of evidence, that the evidence is insufficient to warrant or justify proceedings, the charges shall be dismissed by the Board.
    - iii. If the Board finds, after a review, study and evaluation of evidence, that the evidence is sufficient to warrant or justify proceedings against the accused Member, the Board shall hold a hearing, after due and timely notice, to conduct a fact-finding hearing of the charges and the written response of the accused.
    - iv. Witnesses for both the accuser and the accused may give testimony at the hearing.
    - v. The hearing may be in person or by telephone conference or some combination thereof, as determined by the Board.
    - vi. After submission of all the evidence and the proper deliberations thereon, the Board will make ultimate resolution of the dispute.
    - vii. A two-thirds [2/3] vote of those Board members present and voting shall be required to remove the Member charged.
    - viii. If either party to the dispute is dissatisfied with the resolution of the dispute by the Board, he/she may appeal the decision of the Board to the full Caucus. Such appeal must be made in writing to the Board and lodged within fifteen [15] days of the decision being appealed. The appeal will be heard at the next Caucus meeting more than thirty [30] days after the notice of appeal.
    - ix. If the decision of the Board is appealed to the full Caucus, a two-thirds [2/3] vote of those Caucus members present and voting shall be required to overrule the decision of the Board. Any Caucus vote less than the required two-thirds [2/3] will be deemed an affirmation of the decision of the Board. No further appeal can or may be made from the decision of the Caucus in such matters.

**Section D: Finance**

1. Raising and disbursement of funds

The Caucus neither raises nor disburses funds other than nominal dues, and standard or routine costs of meetings, and events, which shall be promptly accounted for and processed according to rules promulgated by the DSCC Finance Committee.

2. Dues

- a. Dues shall be ten dollars [\$10.00] per year or more or less as later set by the Board, at its discretion.
- b. Any individual claiming financial hardship may be excused from any dues requirement for membership at the discretion of the Chair and/or the Board.
- c. Dues shall be renewable each year on the date of the Caucus Membership Meeting held at the annual State Convention.
- d. Dues paid after January first [1st] each year will be considered payment through the convention meeting of the following year.
- e. Members may opt to pay their dues for multiple years if they so choose. There is no change in the amount of annual dues for this purpose.

Article III: Officers

**Section A: Officers**

1. The Officers of the Caucus shall be:

- a. One [1] Chair
- b. Three [3] Vice-Chairs
- c. One [1] Secretary
- d. One [1] Treasurer
- e. One [1] Parliamentarian
- f. Three [3] Officers at Large

2. The Chair must be a member of the DSCC and shall be the DSCC Executive Board Representative of the Caucus.

**Section B: Duties of Officers**

1. The duties of the Officers are as follows:

- a. Chair: The Chair shall serve as the Chief Executive Officer and official voice of the Caucus and shall carry out the purpose of the Caucus.
- b. Vice Chairs: The Vice-Chairs shall assist the Chair in carrying out the Chair's duties and shall serve as Chair in the Chair's absence. The Chair shall designate one of the Vice Chairs to serve in the absence of the Chair.
- c. Secretary: The Secretary shall maintain the minutes of the meetings of the Caucus and shall maintain current lists of Caucus members. The Secretary shall also serve as the Caucus Historian being responsible for archiving documents and actions of the Caucus including minutes and agendas of meetings, rules of order and standing resolutions.
- d. Treasurer: The Treasurer shall take custody of and account for all funds raised by the Caucus consistent with the procedures of the DSCC and shall submit budgets and financial reports as required by the bylaws of the Caucus and the DSCC.
- e. Parliamentarian: Except as specifically stated herein in Article VI, Section A, 1, the Parliamentarian is the authority for issues of procedure, especially with respect to Roberts Rules of Order and disputes over motions, priority, etc.
- f. Officers at Large: The Officers at Large shall have such duties as the Board shall decide.

**Section C: Election of Officers**

1. All officers shall be elected by secret ballot at the Membership Meeting of the Caucus held at the State Convention in odd numbered years.
2. Those who wish to run for office must be members in good standing of the Caucus defined as meeting the criteria outlined in Article II, Section C of these bylaws for a minimum of thirty [30] days prior to the date of the election and must file notice of their intent to run for office in writing by email to the Board at

info@ProgressiveCaucusCDP.org or by US Mail to the Secretary of the Board at the address specified in the Appendix in either case not later than thirty [30] days prior to the election. Late nominations, including nominations from the floor, shall be accepted only if no timely notices of intent to run for a particular office have been filed, or all those who have timely filed have either withdrawn their nominations or have failed to appear in person. The Board shall endeavor to send a reminder to the membership of the approaching filing deadline.

3. Candidates for office must complete an Officer Candidate Application and agree to the requirements of the position and of the terms of all officers as are set forth under Article 3 in these bylaws.
4. Candidates for office may only file for one position.
5. Those who wish to vote in the officer elections must be members in good standing, defined as meeting the criteria outlined in Article II, Section C of these bylaws.

**Section D: Term of Office & Vacancies**

1. The term of office shall be for two years or until a successor is elected.
2. A vacancy shall be filled by appointment of the Caucus Chair and ratified by a majority vote of all officers present and voting until a vote by the membership can be held to fill the vacancy at the next State Convention Caucus Meeting.

**Section E: Executive Board**

1. The Officers of the Caucus shall comprise the Board.
2. As the Board is representative of the membership, no vote may be taken by secret ballot. Information regarding any decision made by the Board shall be provided at the next meeting of the Caucus upon written request.
3. The Board shall be authorized to conduct the business of the Caucus between meetings of the Caucus.
4. The Board shall be authorized to establish standing and ad hoc committees and to appoint Chairs to all other committees of the Caucus.
5. The Board shall maintain, and publish together with these bylaws, an appendix of the following items:
  - a. Full text, or condensed text, or web reference, or other instructions to find, all external documents referenced in these bylaws.
  - b. Any rules of order or standing resolutions adopted by the Board or membership of continuing significance to the operation of the caucus.
  - c. Revision history of these bylaws.
  - d. Such other information as the Board feels would be useful to the membership.
6. Attendance:
  - a. Attendance at all scheduled Board meetings whether by telephone conference or in person and Caucus Membership meetings is required except by prior approval of the Chair and/or Board.
  - b. If a Board member has a genuine conflict and has notified the Chair at least 48 hours in advance, an absence may be excused upon review and approval of the Chair and the Board.
  - c. In the case of an emergency where the Officer is unable to notify the Chair of an absence in advance, all efforts should be made to notify as soon as possible.
7. Removal of Officers
  - a. An Officer may be removed from office for cause by two-thirds [2/3] vote of the Board or, if appealed, by two-thirds [2/3] vote of the membership in attendance at any scheduled Caucus Membership meeting if, during his/her term of office, said Officer:
    - i. violates these bylaws or the bylaws of the DSCC,
    - ii. causes harm to the reputation and/or financial standing of the Caucus,
    - iii. publicly avows preference for another political party,
    - iv. publicly gives support to or avows a preference for a candidate nominated by another party,
    - v. engages in conduct that would cause embarrassment or damage to the reputation of the Caucus,
    - vi. in any way causes harm or disruption to the Caucus, or by acting in a manner contrary to the stated goals of the Caucus, or
    - vii. fails to perform the duties of the office.

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- b. In the event the removal is for reasons stated in section a. above, an officer may be removed by the following procedure
- i. Written charges brought by no fewer than ten [10] members of the Caucus, or by a minimum of three [3] members of the Board shall be submitted to the Chair who will notify the accused Officer, and all members of the Board of the charges. The Board shall then determine whether the charges and the evidence supporting the charges are sufficient to justify proceeding against the officer.
  - ii. If the Board finds, after a review, study and evaluation of evidence, that the evidence is insufficient to warrant or justify proceedings, the charges shall be dismissed by the Board.
  - iii. If the Board finds, after a review, study and evaluation of evidence, that the evidence is sufficient to warrant or justify proceedings against the accused Officer, the Board shall hold a hearing, after due and timely notice, to conduct a fact-finding hearing of the charges and the written response of the accused.
  - iv. Witnesses for both the accuser and the accused may give testimony at the hearing.
  - v. The hearing may be in person or by telephone conference.
  - vi. After submission of all the evidence and the proper deliberations thereon, the Board will make ultimate resolution of the dispute.
  - vii. A two-thirds [2/3] vote, of those Board members present and voting shall be required to remove from office the Officer charged.
  - viii. If either party to the dispute is dissatisfied with the resolution of the dispute by the Board, he/she may appeal the decision of the Board to the full Caucus. Such appeal must be in writing and lodged within fifteen [15] days of the decision being appealed. The appeal will be heard at the next Caucus meeting more than thirty [30] days after the notice of appeal.
  - ix. If the decision of the Board is appealed to the full Caucus, a two-thirds [2/3] vote of those Caucus members present and voting shall be required to overrule the decision of the Board. Any Caucus vote less than the required two-thirds [2/3] will be deemed an affirmation of the decision of the Board. No further appeal can or may be made from the decision of the Caucus in such matters.
- c. An Officer will be automatically removed from office if, during his/her term of office, said Officer:
- i. ceases to be a registered Democrat,
  - ii. non-payment of Dues,  
Non-payment of membership dues shall constitute automatic removal from office and require no further action save for the cases of economic hardship. The Caucus Treasurer shall certify non-payment of membership dues.
  - iii. absence  
Three [3] consecutive unexcused absences from scheduled and noticed Board meetings, whether by telephone or in person, and/or from scheduled and noticed Caucus Membership Meetings, or any combination thereof, shall be considered voluntary resignation and constitute automatic removal from office with no further action required. Six [6] absences from any scheduled and noticed meetings of the Board or the Caucus Membership in any calendar year whether consecutive or not and whether excused or not shall also constitute voluntary resignation and require no further action. This rule may be waived on an individual case-by-case basis by unanimous vote of the remaining members of the Board. The Caucus Secretary shall certify non-attendance. The Board shall make all reasonable efforts to accommodate all officers when scheduling meetings.

## Article IV: Procedures

### Section A: Meetings

1. All public meetings of the Caucus shall be open to all members of the Democratic Party and members of the Press or invited guests regardless of economic status, class, race, color, creed, age, ethnic identity, ethnicity, national origin, language, culture, gender, gender identification, sexual orientation, religion, or disabilities as defined by the Americans with Disabilities Act of 1990, and shall be governed by the most recent edition of Robert's Rules of Order, Newly Revised, unless other procedures are specified in these bylaws.
2. Caucus meetings shall be held every year at the Convention of the State Democratic Party and during the weekend of the regularly scheduled meetings of the State Party Executive Board and at such other times as the Board may call upon thirty [30] days notice as set forth in Article IV, Section D of these bylaws.

3. A tentative agenda will be sent to members at least ten [10] days prior to any general membership meeting. Email delivery of agenda shall be considered sufficient except in the case of members without email which shall receive the agenda by postal mail sent no later than ten [10] days before the general membership meeting.
4. The Board will, at a minimum, meet on a quarterly basis to discuss the activities and business of the Caucus. Meetings may be conducted by telephone conference or in person.
5. Minutes of the Caucus Membership Meetings will be distributed via email to the members within thirty [30] days following each meeting of the Caucus. Minutes will be sent by US Postal mail to members without email.

**Section B: Quorum to Do Business**

Ten percent [10%] of the voting members or sixty [60] members, whichever is less, at all scheduled meetings under Article IV, Section 1 shall be considered a quorum to do business. While the Caucus may meet without a quorum it may not do official business or take a vote.

**Section C: Amendments & Revisions to Bylaws**

1. These bylaws may be amended or revised by two-thirds [2/3] up or down vote of the members in good standing who are present and voting at a scheduled Caucus meeting, provided that:
  - a. the amendment or revision meets the requirements of and does not conflict with the bylaws of the DSCC.
  - b. a quorum is present.
  - c. notice of intent to amend or revise these bylaws has been given to the Membership as set forth in Article IV, Section D of these bylaws at least thirty [30] days prior, or if the Board certifies an emergency and states the grounds for such certification then at least ten [10] days prior to the meeting where the amendment will be presented to the general membership for approval and that a copy of the proposed changes/amendments is provided with that notice. An emergency amendment or revision of the bylaws shall require a supermajority vote of seventy-five percent [75%] of members in good standing present and voting at the meeting.
2. In the case of a conflict the bylaws of the DSCC shall prevail.
3. Proposals or requests for bylaws amendments or revisions may be submitted in writing by any member in good standing to the Board via the Chair no later than sixty [60] days prior to the membership meeting at which a vote is to be taken.

**Section D: Official Notice to Members**

1. Email delivery shall be considered sufficient notice for all purposes except in the case of members without email or members which have chosen not to receive notice by email which shall receive official notices by postal mail.
2. All notices by the Caucus via email will be considered valid if:
  - a. the sender and receiver have both consented, in writing, to sending and receiving notice in this manner, and consent may be implied if the receiver has given the caucus an email address to use for notices,
  - b. the notice was sent to or from the email address specified when giving consent, or most recent email address specified on a subsequent notice of change of address by sender or receiver, and
  - c. the obligation to inform and procedure for informing of any change in email address has been specified in writing.

Article V. Endorsements & Resolutions

**Section A: Endorsements**

The Caucus, as a body constituted within the California Democratic Party and subject to its bylaws, shall make no independent endorsement of any candidate for public office unless that candidate has been endorsed by the CDP through its endorsement process. This shall not bind any member of the Caucus from making an individual public endorsement of any candidate, whether endorsed or not endorsed by the Party. Members of the Caucus who are also members of the DSCC should take note of Article II, Section 9 of the DSCC bylaws before acting in reliance upon the permissions granted herein by the Caucus so far as its authority extends.

**Section B: Resolutions**

1. Introduction of Resolution
  - a. The following shall govern the submission of resolutions:
    - i. All resolutions must be typed.

- ii. Proposed resolution must be provided to the Chair at least twenty-one [21] days in advance of the meeting at which it is to be considered. Submission may be made via email or postal mail.
  - iii. Whereas clauses must be limited to three or less and resolved clauses to two or less.
  - iv. All resolutions must contain an "action clause" indicating the action requested.
- b. The Board shall:
- i. Consider only those resolutions submitted by a member in good standing of the Caucus.
  - ii. Combine similar resolutions by re-writing.
  - iii. Reject resolutions which repeat past positions unless substantially new actions are proposed.
  - iv. Only consider for endorsement state and local ballot measures qualified for the ballot by the appropriate qualifying authority.
  - v. Notice the membership not less than seven [7] days prior to the membership meeting where the resolution will be presented for a vote as set forth in Article IV, Section D of these bylaws. Notice shall include a full copy of the resolution to be proposed.
- c. Except upon two-thirds [2/3] majority vote of the Board, the Board shall not consider any resolutions not in conformity with the foregoing rules.
- d. Except as otherwise provided below a resolution must first be presented to the Board.
- e. For a resolution to be brought up directly on the floor of a Caucus meeting it must be signed by 25 members in good standing.
2. Passage of Resolution
- a. A resolution approved by the Board shall be brought up automatically for consideration as part of the Board Report at the next meeting of the Caucus.
  - b. A resolution not approved by the Board must meet the same signature requirements as one coming directly to the floor. These resolutions shall be considered during presentation of the report of the Board at the next meeting of the Caucus.
  - c. No resolution shall be passed except upon sixty percent [60%] affirmative vote by members in good standing present and voting at a scheduled Caucus meeting.

#### Article VI. Interpretation

##### Section A: Interpretation of Bylaws

- 1. Questions of interpretation of these bylaws arising other than in the course of the meeting or requiring resolution during the course of the meeting may be appealed in writing to the Board who shall render its decision. The Parliamentarian shall advise the Board in such matters.
- 2. Questions of interpretation of these bylaws requiring resolution at a meeting may be appealed orally or in writing to the Parliamentarian. Any requests for amendment or revision of these bylaws must be presented as set forth in Art IV, Sec C, 1c of these bylaws.
- 3. Decisions of the Board concerning interpretation of these bylaws may be appealed to the membership whose decision shall be final. A vote of two-thirds [2/3] of members in good standing present and voting is required to overturn the decision of the Board.

#### Article VII. Anti-Discrimination Provisions

The Caucus is committed to non-discrimination on the basis of economic status, class, race, color, creed, age, ethnic identity, ethnicity, national origin, language, culture, gender, gender identification, sexual orientation, religion, or disabilities as defined by the Americans with Disabilities Act of 1990 or any other factor unrelated to membership and the mission of the Caucus. Any conduct by any official or official body of the Caucus contrary to this non-discrimination commitment should immediately be brought to the attention of the Board.

#### Article VIII. Previous Bylaws

Any and all constitutions and/or bylaws heretofore governing this Caucus are hereby declared to be superseded by these bylaws.

Certified: \_\_\_\_\_

X \_\_\_\_\_, Chair of the Progressive Caucus