

Chair’s Report on the Special Rules Committee to the 2019 Special State Convention

Overview: In June 2017, the Delaware Democratic State Convention passed a resolution creating a Special Rules Committee (the “Committee”). That resolution charged the Committee with reviewing and revising the Rules of the Delaware Democratic Party (the “State Rules”). Following the 2017 Convention, the Committee formed with (i) five members from each of the sub-divisions: (a) New Castle: Robert Burns, Italo Carrieri-Russo, Catherine Ciferri, Lydia York, and Angela Garland; (b) Kent: Lynn Newlin, Henry Sewell, William Burton, and Jonathan Starke; (c) Sussex: Leslie Ledogar, Mohammad Akhter, Anne Allen, Gregory Fuller, and Valencia Hayes; and (d) Wilmington: William Cortes, Iris McCarthy, Coby Owens, Timothy Patterson, and Andrew Wilson; (ii) three at-large appointments by the State Chair (Cassandra Marshall, Jane Hovington and David Woodside); and (iii) the two Vice-Chairs of the State Party (James Hussey and Elizabeth Maron).

Throughout the remainder of 2017, the Committee held a series of listening sessions, one in each of the four subdivisions, for Party members to provide input and suggestions regarding the State Rules. During the subdivision listening sessions, the Committee heard over four hours of testimony from interested individuals and organizations. In addition, the Committee received written commentary, and, in total, received over 200 comments and suggestions on a wide range of topics.

In 2018, the Committee formed three working groups to review the existing rules, to digest and review the public comments, and to edit each section of the State Rules. After receiving reports and suggestions from the working groups, the Committee as a whole drafted a

revised set of State Rules. A draft of the revised State Rules was posted on the Party website and an additional listening session occurred in February 2018. At the close of the second public comment period, the Committee revised its draft State Rules, taking the public feedback into consideration and making certain clean up changes. At its final meeting, the Committee unanimously adopted a revised and updated version of the State Rules. The proposed State Rules and a comparison document showing changes from the current State Rules were distributed to all 2019 Special Convention delegates on March 7, 2019.

Public comments and suggestions: Special thanks are due to the Party members and groups that contributed many thoughtful comments and suggestions to the revision process. Not every comment was incorporated in the proposed State Rules, but every single comment was reviewed and considered by the Committee. Indeed, the comments received extensive debate over many months and multiple Committee meetings, and the proposed State Rules reflect the work of balancing many viewpoints from across the state and across many dimensions of the Party; in addition to ensuring compliance with Democratic National Committee rules. As highlighted in the next section, one of the important changes in the new Proposed Rules is the creation of a standing Rules Committee to engage in a regular review and updating of the State Rules. It is the humble suggestion of the Committee that the proposed rules are a step forward in improving the State Rules, but not an endpoint. Further changes will certainly be necessary over time, and the standing Rules Committee, if the proposed State Rules are adopted, will provide an important avenue for Party members to continue to give feedback and for the State Rules to continuously be improved over time.

Certain rules changes: the Committee urges all delegates to review the proposed State Rules in full, but for convenience, some rule changes of note are highlighted below. Of

course, as a high-level summary, this report cannot replicate the full discussion that occurred over the two-year Committee process, but is nonetheless an attempt to explain certain reasoning behind, and effects of, the rule changes.

Rule 1.4

The State Rule on endorsements, Rule 1.4 in the proposed rules, received extensive consideration by the Committee. Ultimately, the Committee stayed with an “enabling” version of the rule that allows endorsements but does not require them. The rule is essentially unchanged from the prior version; except it was revised to add a requirement that votes on endorsements or recommendations to endorse only be held after notice to the relevant committee. For example, this means that a committee could not take up an endorsement vote as “new business”; instead, advance notice must be provided. This change is aimed at ensuring committee members have the best opportunity to attend and be informed when (and if) such votes occur.

Rule 2.2.B

The Committee revised the rule on the organization of those Representative Districts (“RDs”) that are within the City of Wilmington and/or cover part of the City and part of New Castle County. The Committee recognizes that while Wilmington is organized in accordance with its City Council (“Ward”) Districts, functioning RD committees are needed in the City to ensure that Democrats outside of the City in these RDs have a home where they can participate in Party governance and activities. The new rule provides for the creation of RD committees for the 1st, 2nd, and 3rd Representative Districts as follows:

- Ward Committee members will automatically be a member of the RD that their Ward and/or Election District (“ED”) is located in;

- For the EDs that are outside of the City Ward, potential RD members will be recruited;
- Once the RD is populated with the appropriate number of Committee Members, that RD will select its leadership in accordance with existing rules;
- The new City RDs will be required to meet twice a year;
- The new City RDs will operate in accordance with Wilmington City Committee Rules; and
- The new City RDs will be responsible for conducting State Convention Delegate selection and can endorse RD candidates in accordance with the City and State Rules.

Rule 2.2.E

With this rule, the Committee made changes to the way partisan elected officials participate in RD and/or Ward committees. Specifically, this rule provides for a new “ex-officio” member position for elected officials at the RD committee level. The Committee recognizes the contributions of elected officials to the Party and the ex-officio status is intended to provide a way for those officials to participate in RD committees that acknowledges those benefits while also providing broader opportunity for Democrats to be active at the committee level. As an ex officio member, elected officials will not be allowed to serve as RD officers and cannot vote on some measures, namely endorsements and the disbursement of money, but have full voting rights otherwise. The Committee believes this will keep elected officials engaged with the RD and Ward committees, but also provide more opportunities for engagement of and outreach to non-elected official members of the Party.

Rule 3.7

Another subject of significant debate was the timing and purpose of the State Convention. The Committee ultimately chose to maintain the current system of holding the State Convention every four years, in the year after a presidential election. Recognizing that more frequent meetings may contribute to Party building and unity, so the Committee added an optional “State

Conference.” The State Chair may hold a State Conference for the purpose of maintaining and building Party engagement, unity and activism two years after the State Convention.

Rule 6.3.C

As mentioned above, the Committee established new Rule 6.3.C to provide for a standing Rules Committee as part of the State Executive Committee. This permanent Rules Committee will have 22 members drawn from across the state. This Committee will provide an avenue for an ongoing review of the State Rules and the subdivision rules. The Rules Committee will also hear challenges, if any, to the credentials of any delegate or alternate to the State Convention—as was previously handled by the Credentials Committee.

Next Steps: The Committee received several comments related to developing a set of “best practices” or other guidance on how to interpret and apply the State Rules. This is one suggestion that the standing Rules Committee can follow up on as part of its mandate to engage in a continual process of improving the State Rules over time. The 2019 Special Convention may well have other suggestions that can be directed to the Rules Committee for further study and refinement.