Call to Caucus for the Richmond City Democratic Committee’s 2020-21 Reorganization

The Richmond City Democratic Committee (RCDC) will hold an unassembled caucus on **Thursday, December 5, 2019 (5:30 – 8:30pm)** at Martin Luther King Jr Middle School (1000 Mosby Street) for the purpose of reorganizing committee membership for the 2020-21 biennium.

I. PARTICIPATION AND ORGANIZATION

A. **Date & Location.** By authority of the Richmond City Democratic Committee, acting pursuant to the Virginia Democratic Party Plan, an unassembled caucus is hereby called to meet on Thursday, December 5, 2019, beginning at 5:30 p.m. and continuing until 8:30p.m. at Martin Luther King Jr Middle School, 1000 Mosby Street, Richmond, Virginia, 23223, for the purpose of reorganizing the Richmond City Democratic Committee.

B. **Membership Positions.** Electing 504 members of the Richmond City Democratic Committee. There shall be one (1) member elected from each precinct who shall be designated Precinct Chair of that precinct. Voting participants may vote for only one (1) Precinct Chair in their designated precinct. Forty (40) members shall be elected from each City Council District ("Ward") and shall be designated Ward-at-Large Members. Voting participants may vote for up to forty (40) Ward-at-Large members in their designated ward. Seventy-five (75) members shall be elected from the City at large and shall be designated as Members-at-Large. Voting participants may vote for up to seventy-five (75) Members-at-Large.

C. **Caucus Eligibility.** The City of Richmond Democratic Caucus is open to all Democrats registered to vote in the City of Richmond. Any person attending the City of Richmond Caucus, before participating in the Caucus, shall sign a standardized declaration form, stating that the participant is a Democrat, does not intend to support any candidate who is opposed to a Democratic nominee in the next ensuing election, is not a member of any other political party, and indicating their voting address, telephone number, and e-mail address, if any.

D. **Governance.** The Virginia Democratic Party Plan and the Bylaws of the City of Richmond Democratic Committee are incorporated by reference into this call.

E. **Caucus Officials.** The Chair of the City of Richmond Democratic Committee shall be the Chair of the Unassembled Caucus and is
authorized to appoint such officers as she deems necessary and to delegate to those appointees such duties as she deems appropriate for the proper conduct of the Unassembled Caucus.

F. **Cancelation of Caucus.** The Chair of the City of Richmond Democratic Committee may cancel the Unassembled Caucus scheduled for December 5, 2019, 5:30 - 8:30 p.m. under the following conditions: After receiving all membership application forms on November 25 at 5:00 p.m., if the Chair finds that there is no opposition for any of the membership positions, then the Chair may cancel the Unassembled Caucus. If the Chair finds that one or more membership positions are contested, then the Unassembled Caucus will be held for only those contested positions.

II. **FILING FOR MEMBERSHIP**

A. **Filing Deadline.** In order to be eligible for election by the participants in the Unassembled Caucus, candidates for membership must file a candidate for membership form with the Chair of the Richmond City Democratic Committee or their designated representatives (Filing Officers) by November 25, 2019, at 5:00 p.m. Filing forms postmarked on or before November 25, 2019, but not received by 5:00 p.m. on November 25, 2019, will not be considered to be timely filed. Candidates for membership assume full responsibility for the timely filing of their own fully completed membership form. Membership candidates may file through a filing agent, but such action in no way alters the responsibility of the membership candidate nor extends the 5:00 p.m. November 25, 2019 filing deadline. All membership forms shall be received by the Chair of the Richmond City Democratic Committee from their designated Filing Officers no later than 5:45 p.m., November 25, 2019. These membership forms shall be delivered in person or by messenger in order that the filing may be checked and ballots prepared.

B. **Membership Form.** Each candidate for membership form shall include a certification by the person filing the form, that the candidate is a Democrat, a resident and lawfully registered to vote in the City of Richmond, VA, that they do not intend to support any candidate who is opposed to a Democratic nominee and that they are not a member of any other political party.

C. **Disqualification of Membership Candidacy.** A false or misleading statement or incomplete information on the membership form may invalidate the form and disqualify the person from being a candidate. Determination of invalidation shall be made by the Chair.
D. **Voluntary Filing Fee.** A voluntary administrative fee of $20.00 may accompany each membership form, made payable to the City of Richmond Democratic Committee. Payment of this fee is completely voluntary. No statement is required in order to waive payment. The fee shall constitute the member’s 2020 dues, if elected.

E. **Filing Method.** Membership forms shall be available beginning on November 11, 2019, via email and electronically on the Richmond City Democratic Committee’s social media and website. Printed membership forms will also be available to pick up at 1021 E Cary Street, Suite 1275, Richmond VA 23219. Each completed form may have the voluntary administration fee of $20.00 and shall be filed with any one of the following Filing Officers:

1. Jamie Nolan, 1021 E Cary Street, Suite 1275, Richmond, VA, 23219, (804) 399-0330
2. Tavarris Spinks, 1722 Floyd Ave, Richmond, VA 23220, (804) 350-5728

F. **Membership Form Inspection.** The Chair of the City of Richmond Democratic Committee shall make available for public inspection the lists of properly filed membership forms, if requested to do so, by no later than 12 noon, November 26, 2019, at 1021 E Cary Street, Suite 1275, Richmond VA 23219.

III. **CONDUCTING THE UNASSEMBLED CAUCUS**

A. **Official Clock.** All times shall be read from the official clock located in the check in area.

B. **Ballot box preparation.** No more than 30 minutes before the start of the Caucus, the Chair and Sergeant-at-Arms, shall open a ballot box to ensure that it is empty and seal the box in a manner that makes it impractical to open without evidence of tampering. During the course of the Caucus, if a subsequent ballot box is required, it will be opened, inspected and then sealed using the same procedure.

C. **Commencement of the Caucus.** At 5:30 p.m. on Thursday, December 5, 2019, the Chair will declare that the Caucus has begun; no participant may enter the Caucus area before that time. The vote will be held from 5:30 p.m. until the last person in line to vote at 8:30 p.m., has cast their ballot.

D. **Limits on campaigning.** No campaigning on behalf of or opposed to a candidate for membership is permitted inside any Caucus building, and all campaigning is prohibited within forty (40) feet outside any entrance to any
Caucus building. The use of any amplified audio system is not permitted within three hundred (300) feet of any Caucus building. No campaign or individual may interfere with persons entering or departing any Caucus location.

E. **Required declaration form.** At the door of the Caucus, the participants will receive the Democratic Party declaration form, which will require each participant’s full name and address, and a location for the participant to sign the following pledge: “I certify that I am a resident of and registered to vote in the City of Richmond, Virginia; I am a Democrat; I believe in the principles of the Democratic Party; and I do not intend to support, endorse or assist any candidate who is opposed to the Democratic nominee in the next ensuing election.” No participant will be permitted to vote in the Caucus unless they complete the declaration form.

F. **Use of information.** The list of voters who participate in the Caucus is the property of RCDC, and RCDC has the right to disclose to any person the fact that a person has participated in the Caucus.

G. **Review of declaration.** After each participant has completed and signed the declaration form, the participant will submit the form to a Credentials Official who will ensure that the form is completed in full and without alterations, including signature, after which a Credentials official will check the information against the registered voter list. A declaration form identified by a Credentials Official as not having been completed accurately and in full, as not including a signature, or as containing any alteration(s) to the pledge, will be rejected, although the participant will be eligible to submit an unaltered or complete declaration form.

H. **Standards for participant verification.** A participant fulfilling the requirements of Rule III-F above is eligible to vote if they are validly registered as a voter in Richmond City at the time they seek to participate in the Caucus and if they present a proof of address or photo identification listed in Rule III-I. When a participant presents a properly completed declaration form and proof of address, a caucus official will check the information from the form and proof of address or photo identification against the Caucus copy of the registered voter list to ascertain the participant’s voting eligibility. Voters who have completed the declaration form and been verified on the registered voter list will receive a vote ticket and proceed to the area where the ballots are located. The Credentials Official will mark on the registered voter list to indicate the voter has participated in the Caucus. If a participant is not listed on the Caucus copy of the registered voter list, they may offer a certificate of voting eligibility
issued by the Richmond Voter Registrar (i.e., a voter registration card or receipt) or demonstrate their registration via the Virginia Department of Elections website, in which case the participant will be eligible to vote in the ordinary fashion. A participant who is deemed eligible to participate in the Caucus by the Credentials Official will be instructed to proceed toward the area where the ballots are located.

I. **Proof of address or Photo identification.** A participant must show proof of address or photo identification. Qualifying documents include:

1. Payroll check stub issued by an employer within the last two months
2. U.S. Internal Revenue Service tax reporting W-2 form or 1099 form (not more than 18 months old)
3. U.S. or Virginia income tax return from the previous year.
4. Original monthly bank statement not more than two months old issued by a bank
5. Annual Social Security statement for the current or preceding calendar year
6. Utility bill, not more than two months old, issued to the applicant (examples include gas, electric, sewer, water, cable, phone or cell phone bill)
7. Receipt for personal property taxes or real estate taxes paid within the last year
8. Current automobile or life insurance bill (cards or policies are not accepted)
9. Certified copy of school records/transcript or official report card issued within the last year by a school accredited by a U.S. state, jurisdiction or territory
10. Voter registration card
11. Driver’s license, learner’s permit or DMV-issued photo ID cards displaying the applicant’s current address
12. Current homeowners insurance policy or bill
13. Cancelled check (not more than two months old) with both name and address imprinted
14. Deed, mortgage, monthly mortgage statement, or residential rental/lease agreement
15. U.S. Postal Service change of address confirmation form or postmarked U.S. mail with forwarding address label (must display the applicant’s full name)
16. Valid United States passport
17. Any other photo identification card issued by a government agency of the Commonwealth, one of its political subdivisions, or the United States
18. Valid student identification card containing a photograph of the voter issued by any institution of higher education located in the Commonwealth of Virginia
19. Any valid employee identification card containing a photograph of the voter and issued by an employer of the voter in the ordinary course of the employer’s business

J. **Provisional voting.** If a participant believes that they are registered to vote in Richmond, but cannot demonstrate registration via the foregoing methods, the Chair will instruct a Credentials Official to provide the participant with a ballot to cast provisionally. Provisional ballots must be marked and returned to the Chair, who will seal the provisional ballot in an envelope, mark it as provisional, affix to the outside of the sealed envelope the participant’s declaration form, and hold the provisional ballot in the sealed envelope without casting it. If provisional ballots cast could impact the Caucus results, RCDC will seek to have the Richmond Registrar of Voters verify by Friday, December 6, 2019 whether those individuals who cast provisional ballots were registered voters at the time of their participation in the caucus. Those verified as registered voters of the City of Richmond as of the time specified in this Rule will have their provisional ballot included in the official count.

K. **Distribution of ballots.** When a participant with a vote ticket arrives at the location where ballots are located, a Tellers Committee Official will hand the participant one official paper ballot in exchange for the vote ticket, with a procedure ensuring that only one ballot is given to each participant.

L. **Ballot format.** Ballots will be prepared listing the first name, middle initial, and last name of each candidate properly filed in alphabetical order.

M. **Marking of ballots.** Caucus participants will be instructed when they are given a ballot as to the maximum number of candidates for whom they may vote. Caucus officials will direct each voter to the location where they may make their ballot selection, and may provide voting instructions as needed. Voters will mark their ballots in a setting that permits observation by Caucus officials, but also permits voter privacy and confidentiality of voter choice.

N. **Casting of ballots.** Upon marking their ballot, each voter may fold the ballot and must place the ballot into the ballot box. A vote is not considered cast until it has been placed into the ballot box. If a voter spoils
a ballot before casting it, the voter may request a replacement ballot; however, only the Chair may exchange such a ballot for a fresh ballot. The Chair shall keep a record of spoiled ballots.

O. **Disability Services.** A participant with a physical disability may request the physical assistance of one or more Caucus officials to execute any of the tasks listed in this section (e.g., to read and/or mark any form and/or place a ballot in the ballot box). When a Caucus official determines that a participant should be permitted to cast their vote through Disability Services Voting, a Caucus official must deliver a declaration form to the participant, transmit the complete declaration form for registration verification, obtain a ballot (if the participant is eligible to vote), deliver the ballot to the participant, seal the marked ballot in an envelope to ensure voter privacy, and return the marked ballot to the ballot box.

P. **End of the Caucus.** Approximately five minutes before the appointed Caucus end time, the Sergeant-at-Arms will step outside the doors of the Caucus room and again outside the Caucus building to announce that the Caucus voting will end at the appointed time and at that time the doors to the Caucus will be closed. All persons in line at the entrance doors or in any designated line for Disability Services Voting at the appointed end time will be allowed to vote. Any person not in line or in the voting room by the appointed time will not be allowed to vote.

Q. **Full participation.** Full participation without discrimination on the basis of race, sex, age, color, national origin, religion, sexual orientation, ethnic identity, or economic status is encouraged.

IV. **Determination of Nominee: Counting of Votes, Announcement of Results.**

A. **Ballot preservation.** No ballots will be counted until all eligible voters have cast their votes on Thursday, December 5, 2019.

B. **Teller Committee.** The Chair will appoint a Teller Committee to count the votes. The Teller Committee will comprise a Head Teller and four Tellers.

C. **Sequestration of tellers.** The Teller Committee will conduct its activities in a segregated area of the room in which voting occurred. All members of the Teller Committee must agree to be sequestered in this area and not to communicate with the outside world from the time the first ballot box is unsealed until the time that the results are certified, and must surrender electronic communications devices during this period to the Sergeant-at-Arms. Only caucus officials are permitted inside of the segregated area. The segregated area will be designed to allow other
Caucus participants to generally observe the Teller Committee’s activities without interfering with them.

D. **Conduct of Teller Committee.** The Teller Committee will count, record, and verify the results of the Caucus voting. At the conclusion of their activities, the Teller Committee must agree upon their tabulations and affix their signatures upon the written certification of the results. All activities of the Teller Committee will occur under the direction of the Head Teller.

E. **Opening.** The Chair or the Chair’s designee will open the ballot box in the presence of the Teller Committee. At the commencement of the counting process, the Credentials Chair will also announce the number of Caucus voters and the number of provisional ballots cast and retained.

F. **Tallying.** The members of the Teller Committee will tally vote totals for each contested membership position. Ballots showing votes for more candidates than are allowed will be declared invalid. If any ballot is unclear, any teller may ask at any time that it be set aside as a “questionable” ballot. The Head Teller must then ensure that all tellers agree on the totals (and report the total number of questionable ballots, if any).

G. **Certification of results.** Immediately upon the conclusion of all counting, the Chair will ensure that each member of the Teller Committee certifies the tabulation; no announcement of the results will be made until all reasonable efforts at this certification have been undertaken. If there are provisional ballots that would affect the outcome and those provisional ballots are ultimately validated, they will be used to adjust the outcome.

H. **Disposition of questionable ballots.** If elected membership positions could depend on the disposition of questionable ballots (i.e. ballots as to which any teller does not agree as to the disposition) an Expediting Committee will immediately convene. The Expediting Committee will consist of the Chair and up to four additional elected officers of RCDC who are present at the Caucus at that time (or, if more than four are present, four will be selected by lot). The Expediting Committee will review any questionable ballots, and will determine for each ballot by plurality vote how to allocate the ballot, with the Chair being permitted to cast an additional vote if needed to break a tie. If the Expediting Committee is convened for any purpose, the Teller Certification will note in the appropriate section that the matter was referred to the Expediting
Committee, and the Chair will certify the Expediting Committee’s determination.

I. Announcement of results. Unless the disposition of provisional ballots could determine the outcome, the candidate(s) will be declared the winner(s).

1. The one (1) candidate with the most votes for each contested Precinct Captain position

2. The forty (40) candidates with the most votes for each Ward with contested Ward-At Large positions

3. The seventy-five (75) candidates with the most votes for Member-at-Large positions

The Chair will announce the certified result to those assembled.

J. Preservation of ballots. After the Chair has announced the results, all ballots and provisional ballots will be taken up and sealed for preservation.

K. Provisional ballots. If provisional ballots are cast during the Caucus, and the number of those provisional ballots could potentially alter the outcome of the Caucus (i.e. the result of the membership election) if added to the results certified by the Teller Committee, the Chair will announce the results, but the declaration of an elected member will not be made until the provisional ballots are verified and counted on the day specified in Rule V. If no provisional ballots are cast or if an insufficient number of provisional ballots are cast to potentially alter the outcome of the Caucus if added to the results certified by the Teller Committee, the Chair will declare the results and the provisional ballots will not be counted.

V. Disposition of Provisional Ballots, Ties

A. Accreditation of provisional ballots. On Friday, December 6, 2019, when the Richmond City Office of Voter Registration opens (or a suitable time that day as determined and announced to each campaign in advance by the Chair), the Chair will consult with the Richmond City Registrar or her designee to verify whether those who cast provisional ballots were on the registered voters list of Richmond, as of the time of their participation in the caucus. Ballots of such voters will be considered accredited. Reasonable efforts will be made to protect voter privacy (i.e., to avoid
disclosing the selection(s) made by a particular identified voter). Unaccredited provisional ballots will not be opened or counted.

B. **Counting of provisional ballots.** In the event there are accredited provisional ballots of sufficient number to possibly determine the election, a Provisional Teller Committee will convene to count them. The Provisional Teller Committee will include the Chair, one representative from each campaign, and up to two other tellers appointed by the Chair. Each candidate may designate one observer to review the count of any accredited provisional ballots. If the Provisional Teller Committee is in unanimous agreement on how to allocate the accredited provisional ballots, its members must all sign a certification to that effect. If they disagree, each member of the Provisional Teller Committee must indicate in writing to which specific candidate (or to no candidate) he or she would allocate each accredited provisional ballot and a plurality vote of the members of the Provisional Teller Committee will determine the final allocation for each ballot, with the Chair permitted to cast an additional vote to break any tie.

C. **Determination of outcome.** If the member(s) elected have not been declared due to the need to ascertain the validity and disposition of provisional ballots, following the review of those ballots, the results of accredited provisional ballots (if any) will be added to the vote total(s) arrived at per Rule V. The Chair will declare that the candidate(s) prevailing under the relevant part of Rule V as elected member(s) of the Richmond City Democratic Committee.

D. **Breaking of ties.** In the event two candidates are tied, the Chair will flip a coin to determine the nominee. In the event three or more candidates are tied for first place, one candidate will be determined by drawing of lots by the Chair.

VI. **Appeals.** If there are any challenges to the conduct of the election, they will be resolved by the Chair of the RCDC. If there are further challenges to the Chair’s decision, they will be resolved by referring to the Democratic Party of Virginia Party Plan.