

ENDORSEMENT IN LOCAL RACES ACT

SANTA CLARA COUNTY DEMOCRATIC CENTRAL COMMITTEE

I. Consideration for Endorsement by the Santa Clara County Democratic Central Committee (SCCDCC)

A. Criteria for Offices. The County Chair and the Endorsement Committee Chair shall prepare and recommend for approval by the SCCDCC a list of targeted local races and proposed timing for SCCDCC action on each.

B. Criteria for Candidates.

1. The candidate must be a currently registered Democrat and file an endorsement application/questionnaire and a signed SCCDCC Fair Campaign Pledge with the Endorsement Committee Chair prior to the specified deadline on the application/questionnaire.

2. At any time during this process prior to the actual vote by the SCCDCC, a candidate may withdraw his/her request for endorsement.

3. Any Democratic elected official or candidate who endorses a candidate for office who is not a registered Democrat and is running against an endorsed Democrat, and who fails or refuses to timely withdraw such endorsement upon request in writing by the County Chair, shall automatically and without any further consideration or action of the SCCDCC (a) have any current endorsement by the SCCDCC withdrawn and (b) lose their eligibility to be considered for endorsement through the end of the next general election.

II. Endorsement Committee

A. Appointment; Composition. The County Chair, no later than the final filing deadline, shall appoint an Endorsement Committee consisting of the following members of the SCCDCC, each of whom must be a registered Democrat residing in Santa Clara County:

1. An Endorsement Committee Chair (or Co-Chairs) appointed by the County Chair and approved by the Executive Board.

2. Seven (7) members appointed by the County Chair and approved by the

Executive Board.

3. One (1) member representative from each club accredited at the start of the current biennial club chartering term, nominated by the Chair of that club.

4. One (1) member from each assembly district appointed by the County Chair and approved by the Executive Board.

5. The Political Director.

6. The County Chair

B. Sub-Committees. The Endorsement Committee Chair may, ~~in his/her sole discretion~~, form one or more sub-committees to interview groups of candidates and make a recommendation to the full Endorsement Committee. The Endorsement Committee Chair shall appoint the members of each sub-committee and shall appoint one or more people to serve as chair of each sub-committee.

C. Endorsement Questionnaire. The Endorsement Committee shall:

1. Develop an application/questionnaire for all Democratic candidates in all targeted local races.

a. The questionnaire must ask the candidate: (i) Name, address, work and home phone numbers, email address and campaign website, as applicable; (ii) Why they believe that they should receive the endorsement; (iii) Their past/present community service related to the office they seek; and (iv) Their activities as a Democrat.

b. The questionnaire may include other items as deemed appropriate by the Endorsement Committee.

2. Identify and send the application/questionnaire to all Democratic candidates in targeted local races.

D. Interviews. The Endorsement Committee shall, as soon as practical, interview each candidate for whom an endorsement is considered.

E. Disclosure and Recusal. The disclosure and recusal requirements of this section shall apply to members of the Endorsement Committee and interview sub-committees thereof

who meet any of the following criteria, only with respect to race(s) for which the criteria is met by that member:

- candidate in a same race in which an endorsement is being considered;
- paid campaign staff of a candidate in a same race in which an endorsement is being considered;
- unpaid campaign staff, e.g., volunteer treasurer, volunteer outreach coordinator, etc., of a candidate in a same race in which an endorsement is being considered;
- donated, endorsed, or volunteered for a candidate in a same race in which an endorsement is being considered;
- employed by an elected official who has donated, endorsed, or volunteered for a candidate in a same race in which an endorsement is being considered;
- representative on the Endorsement Committee of a club that has donated, endorsed, or volunteered for a candidate in a same race in which an endorsement is being considered.

1. Any member of the Endorsement Committee who satisfies any one or more of the above criteria with respect to any race in which endorsement is being considered must disclose for each such race each of the above criteria that they satisfy with respect to that race. The Endorsement Committee Chair may promulgate a disclosure form and may require members of the Endorsement Committee to make via the form any disclosure required by this section.

2. An Endorsement Committee member who is also a candidate in the same race or a paid campaign staff member of a candidate in the same race shall excuse themselves from interviewing candidates in that particular race and from participating in the sub-committee or Endorsement Committee consideration of and vote in that race.

3. An Endorsement Committee member who is an unpaid campaign staff member of a candidate in the same race; and/or has donated, endorsed, or volunteered for a candidate in the same race may be present for the interview of candidates in that race but may not ask questions of any candidate in that race, and may be present for and participate in discussions at the sub-committee and Endorsement Committee levels, but shall not make any motion for endorsement or participate in the sub-committee or Endorsement Committee vote on candidates in that race.

4. Members subject to the disclosure requirements of this section, including without limitation those subject to the restrictions in sections II.E.2. and/or II.E.3., retain their right to participate fully in the consideration and vote on the endorsement by the full

Central Committee.

5. The interview schedule shall be provided to all voting members of the SCCDCC and the Endorsement Committee.

F. Procedural Rules. Meetings of the Endorsement Committee shall be conducted according to rules of procedure set forth in the SCCDCC Bylaws for the conduct of SCCDCC meetings. Motions to recommend endorsement, or not, require a simple majority of those Endorsement Committee members who are present and voting. With respect to motions to recommend endorsement, motions to recommend sole endorsement shall be considered before any motion to recommend multiple endorsement. If no motion to recommend sole endorsement or multiple endorsement passes, the Endorsement Committee may, by majority vote, adopt a motion to recommend that “no endorsement” be made. If no motion passes, the Endorsement Committee Chair will report to the SCCDCC that the Endorsement Committee did not reach a consensus on a recommendation in the race. For convenience, subcommittees of the Endorsement Committee may follow less formal procedures, unless a motion is made and passed by **simply simple** majority to follow the more formal rules applicable to the full Endorsement Committee, in which case the rules applicable to the Endorsement Committee will be followed by the subcommittee.

G. Recommendation. For each office sought, the Endorsement Committee shall provide an endorsement recommendation to the SCCDCC.

H. Summary for Campaign Assistance. The Endorsement Committee Chair shall provide to the Political Director a summary of endorsement recommendations for use in determining levels of campaign assistance.

III. SCCDCC Endorsement

A. Endorsement Meeting. The SCCDCC will meet to decide on endorsements at least one month prior to the election. The County Chair may call a special meeting, or meetings, to provide for endorsement decisions.

1. The time and place of the endorsement meeting will be announced in writing to each voting member of the SCCDCC no less than ten (10) days before the regular or special meeting at which such endorsements are to be considered.

2. Endorsement meetings will be conducted in full compliance with the Open

Meeting principle and, in order to protect the integrity of the endorsement process, the County Chair may request that candidates being considered for endorsement be briefly sequestered.

B. Categories of Endorsement. The SCCDCC may endorse a candidate or candidates who, from the Democratic perspective, will best serve the community. Endorsement applies to candidates, not races. Endorsement categories are: endorsed, multiple endorsement, and not endorsed. The recommendations of the Endorsement Committee shall be presented as a consent item. Any voting member of the SCCDCC may pull a recommendation from the consent calendar. After all such items have been pulled, the remainder of the consent item shall be voted on and shall require a two-thirds majority of those present and voting to be adopted. Pulled items shall then be debated and voted on in the order pulled. In considering pulled items, voting shall be done in the following order (as applicable): i) recommendation of the Endorsement Committee for a sole endorsement; ii) motions for sole endorsement from the floor; iii) recommendation of the Endorsement Committee for multiple endorsement; and iv) motions of multiple endorsement.

1. Endorsed – By a ~~two-thirds majority~~ three-fifths (i.e., 60%) vote of those present and voting, the SCCDCC may endorse a candidate. At most one candidate per available seat may be designated Endorsed. Once a candidate has been declared Endorsed, no other candidates may be considered for endorsement for this seat, either at the endorsement meeting or at subsequent meetings, unless the endorsement has been revoked. A designation of Endorsed means:

- a. That the SCCDCC may publicize such endorsements;
- b. That the endorsed candidate has the authority to publicize such endorsement; and
- c. Such other campaign assistance as the SCCDCC deems appropriate. Statutory or accredited Democratic organizations shall be encouraged to lend or provide their name or campaign assistance to Endorsed candidates.

2. Multiple Endorsement – By a two-thirds majority of those present and voting, the SCCDCC may endorse two or more candidates in a given race. Such endorsement means:

- a. That the SCCDCC may publicize such endorsement;

b. That the endorsed candidate has the authority to publicize such endorsement;

c. Such other campaign assistance as the SCCDCC deems appropriate. Statutory and accredited Democratic organizations shall be encouraged to lend or provide their name or campaign assistance to Endorsed candidate.

3. Not Endorsed - All remaining candidates shall be designated not endorsed. The SCCDCC shall not lend nor provide its name or campaign assistance.

C. Timing. The SCCDCC may reconsider any endorsement action taken, at any time.

1. An endorsement shall be revoked in the event of a Fair Campaign Pledge violation. Any complaints about a Fair Campaign Pledge violation shall be reviewed by the SCCDCC Executive Board. If the Executive Board agrees that there may be a violation, and if time permits, the complaint shall be forwarded to the Endorsement Committee for a recommendation about the alleged ethics violation. The SCCDCC, by a two-thirds majority of those present and voting, shall make the final decision about revocation of an endorsement. If time does not permit, the decision will be made by the Executive Board, and the actions taken shall be reported to the SCCDCC at its next meeting for its approval by a two-thirds majority of those present and voting.

D. Candidates in Runoff Election. In one or more candidates in a runoff election were endorsed by the SCCDCC in the election in which they qualified for the runoff, those endorsements shall carry into the runoff election, unless the SCCDCC determines to begin the endorsement process de novo, or to reconsider or revoke the endorsement, according to the procedures in this Act.

E. Fast-Track for Sole Incumbent Democrats.

1. In the case of one or more Democratic incumbents running for re- election in a race for which the number of Democratic candidates does not exceed the number of seats, the Endorsement Committee Chair, in consultation with the County Chair, may place the name(s) of one or more of these candidates before the SCCDCC for endorsement without the requirement of a questionnaire or an interview.

2. The names of all such "Sole Democrats" shall be placed on a consent calendar. Such consent calendar shall be voted on by the SCCDCC in a single motion that may be approved by a two-thirds vote of those present and voting.

3. Any candidate may be removed from the consent calendar by any voting member of the SCCDCC. For each candidate removed from the consent calendar, a separate vote shall be taken by the SCCDCC, which may, by a two-thirds vote of those present and voting, endorse such candidate.

4. Any candidate who fails to receive an endorsement through the process described in this section shall be allowed to go through the questionnaire and interview process, without prejudice.

F. Endorsement of Local Measures. The SCCDCC may endorse any local or statewide ballot measure or proposition that will appear on any ballot within Santa Clara County. Any person may request that the SCCDCC take a position on a ballot measure or proposition. The Chair, in consultation with the Director of Issues, shall review the ballot measure or proposition, and advise the Executive Board of all relevant details. The Executive Board shall then make a recommendation to the SCCDCC. By a two-thirds (2/3) vote, the SCCDCC may elect to (i) support the ballot measure or proposition; (ii) oppose the ballot measure or proposition; or (iii) take no position. If neither "support" or "oppose" reaches the two-thirds majority required, then the SCCDCC shall be deemed to have taken no position.

G. Candidates and Statewide Ballot Propositions Endorsed by the California Democratic Party. The SCCDCC shall adhere to the endorsements made by the California

Democratic Party under the California Democratic Party bylaws, including for statewide and multi-county offices; partisan offices such as Assembly, State Senate, and Congress; and statewide ballot propositions. A California Democratic Party endorsed candidate who represents any part of Santa Clara County and any statewide ballot proposition endorsed by the California Democratic Party will be considered to be endorsed by the SCCDCC.

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Drafted and sponsored by Diane Braughton, Operational Services Director, 15 July 1991. Adopted with amendments by SCCDCC, 1 August 1991.

Amended by SCCDCC, 2 April 1992. Amended by SCCDCC, 4 August 1994. Amended by SCCDCC, 3 August 1995. Amended by SCCDCC, 1 February 1996. Amended by SCCDCC, 4 June 2009. Amended by SCCDCC, 5 June 2011. Amended by SCCDCC, 9 January 2014. Amended by SCCDCC, 2 November 2017. Amended by SCCDCC, 7 June 2018. Amended by the SCCDCC, 11 July 2019. Amended by the SCCDCC, 6 January 2022. Amended by the SCCDCC, 12 January 2023.