



September 9, 2019

Richard K. Mauk  
Jefferson County Democratic Party  
P.O. Box 10522  
Birmingham, AL 35202

Dear Mr. Mauk,

I have received your recent letter regarding the Alabama Democratic Party (ADP), their leadership elections, and convention credentials status. As you note in your letter, the election of the state party Chair, Nancy Worley, and First Vice Chair, Randy Kelley, was challenged over a year ago. You have asked about the status of ADP, the findings of the Democratic National Committee (DNC), and the status of a newer challenge to Alabama's delegate selection plan.

Following the Alabama Democratic Party's August 2018 election of officers, Alabama Democrats filed two challenges with the DNC. These challenges alleged numerous irregularities in the election, including improper notice, the failure to conduct affirmative action, and non-authorized individuals voting in the election. For example, one complaint alleged that 190 votes were cast, even though only 142 voting members signed in. Another complaint alleged that the rules and bylaws of the Alabama Democratic Party conflict with the DNC's Charter and Bylaws and effectively prohibit or severely inhibit important constituencies from participating in the ADP.

The challenges were referred to the DNC Credentials Committee, which gave the ADP a November 19, 2018 deadline to respond. The ADP failed to meet this deadline. The DNC reached out and, after a two week extension, the ADP eventually provided a response on December 3, 2018. Pursuant to standard practice to challenges, the Credentials Committee referred the challenges to the ADP to give the party an opportunity to resolve the matter. Despite the challengers offering to participate in mediation, the ADP failed to respond or otherwise attempt to resolve the matter.

Given this impasse, the Credentials Committee appointed a Hearing Officer in January 2019. Among other steps, the Hearing Officer conducted a full-day hearing on February 11, 2019 and submitted his Report of Findings and Recommendations to the Credentials Committee. The Hearing Officer concluded that the State Democratic Executive Committee (SDEC) "did little or nothing to ensure that Democrats at large were notified about the meeting in a timely manner"; that there were a number of procedural irregularities in the voting, including rules on a roll call vote that "Ms. Worley simply made up out of whole cloth"; that there were insufficient safeguards to ensure only those with credentials voted; and that the party provided "short shrift"



in terms of outreach to a variety of groups, including Hispanics, Asian Americans, youth and LGBTQ individuals.

At its February 2019 meeting, the Credentials Committee concluded that the August 2018 election results must be set aside and new elections held. To give Alabama a voice in the national party in the interim, Chair Worley and First Vice Chair Kelley were provided temporary credentials until a new election could be held within 90 days. In addition, the Committee concluded that before the election, the Alabama Democratic Party was to call a special meeting of the SDEC to redraft the portions of its bylaws that conflict with the DNC Charter and Bylaws. The Alabama party was instructed to have its new bylaws approved by the DNC's Rules and Bylaws Committee after which, at a separate meeting, a new election was to be held. The full DNC adopted the recommendations of the Credentials Committee at its February meeting.

I appointed two senior DNC members to work with Alabama stakeholders to amend their bylaws and position the party so that a fair election could be held as soon as possible — certainly, within the 90 days as set forth by the full DNC. Due to Worley's failure to provide comprehensive amendments to the Bylaws, these individuals, along with a very experienced senior member of the DNC Party Affairs team, submitted comprehensive proposed bylaws amendments to Worley for consideration on May 31, 2019. The proposed changes to the bylaws are straightforward and include: having a strong affirmative action plan to reach Alabama's diverse Democratic electorate; creating a Diversity Caucus to mirror the success of the Minority Caucus, which represents the African American community in Alabama (and which we have proposed to keep completely intact); and administrative protocols to ensure the party operates in accordance with the Rules.

Worley failed to respond for several weeks, eventually submitting proposed amendments on June 24, 2019. The RBC at its June 29 meeting concluded that at least one of Worley's provisions did not comply with the DNC Charter. Notably, the ADP has never called an SDEC meeting to redraft its bylaws. The Credentials Committee and DNC officials repeatedly attempted to work with the state party — attempting, for instance, to obtain demographic information to help the party achieve compliance with affirmative action obligations — and to otherwise move the bylaws toward compliance with the DNC's order so a new election could be held.

On July 22, Worley submitted final amendments to the bylaws (despite never calling an SDEC meeting) that still failed to provide for affirmative action and outreach provisions as required by the DNC. The RBC rejected the plan because it continued to be in noncompliance with the DNC Charter and Bylaws.

As a result, the Credentials Committee at its summer meeting voted to revoke the credentials of Chair Worley and Vice Chair Kelley. This means that Alabama's top party leadership are no longer members of the DNC. In addition, the RBC voted unanimously to reject their delegate selection plan until a Chair and Vice Chair have been properly elected under bylaws that comply with the DNC's requirements.

The extensive delays by the ADP in working to adopt compliant bylaws, to conduct appropriate outreach, and to hold a fair election are deeply concerning. We are in the midst of a critically important election cycle. Time is of the essence. We have real opportunities to win critical races in Alabama. The party can and must play an important role in these efforts. It is impossible to do so without leadership in place.

One of my major goals as Chair of the DNC has been to invest in, partner with, and strengthen our state parties — a true 50 state strategy. Throughout my tenure, we have worked tirelessly with state parties to implement this vision and partnership. We have made unprecedented financial investments in state parties, including monthly baseline investments of \$10,000 per state. In return, state parties agreed in 2017 to develop a strategic plan for sustained success and to take necessary measures to build an effectively functioning party infrastructure. Regrettably, Alabama has fallen far short of meeting its basic obligations to develop an effective strategic plan and build the necessary infrastructure for success. The ADP has chronically underperformed in virtually every aspect of operation.

As a result, the DNC, beginning in September 2018, has withheld its monthly payments to the party. Alabama is the only state party in the country from which the monthly payment has been withheld. We have not had to take this serious action with any other party.

Notwithstanding these challenges, I remain optimistic that we can move forward promptly and effectively to address the challenges that I have outlined. Our goal at the DNC remains to assist the ADP in achieving compliance with our Charter and Bylaws, as every other state Party Committee does, so that it can conduct a new leadership election. As I said earlier, Democrats can win and are winning in Alabama, and I firmly believe we can sustain the success and increase the ranks of Democrats in Alabama. But we need a functional state party, and that starts with appropriate outreach, compliant bylaws, and a fair election.

The DNC will continue to do everything we can to urge the ADP to come into compliance with DNC rules and hold a new fair election. We will also work with any and all stakeholders to resolve these challenges and build an Alabama Democratic Party that fires on all cylinders, reflects the rich diversity of the state, and is a key player in the success of Democrats across the state. Please do not hesitate to contact our team with any questions or suggestions.

Sincerely,

A handwritten signature in blue ink that reads "Tom Perez". The signature is fluid and cursive, with the first name "Tom" and last name "Perez" clearly legible.

Tom Perez