Report on Endorsement Irregularities in the South Area

Full Report

The 2017-18 cycle saw a dramatic increase in the number of clubs in the South Area, driven primarily by the rapid chartering of close to twenty minimally active clubs in an attempt to acquire additional associate votes for the Area endorsement recommendations. The club situation has been driven by a combination of shortcomings in the SDCDP bylaws, attempts by interested parties to exploit these shortcomings, and the failure of the County Central Committee and its Executive Board to remedy the shortcomings.

Every rules-based institution wrestles with attempts to game the rules for personal or partisan advantage. We as an institution have been unacceptably slow in reforming our rules to prevent well-understood exploits. This Report is, in simple terms, an effort to 1) describe what has unfolded over the last two years and how it has 2) undermined the democratic process in the South Area, 3) harmed candidates (overwhelmingly of color), 4) disenfranchised other voting members, 5) delegitimized the Area’s recommendations, 6) discredited the resulting Central Committees endorsements, and 7) diminished the Party’s stature and reputation. The case is not difficult to make. I will be as brief as possible without sacrificing clarity and comprehensiveness.

I want to be clear from the outset: I bear no animus toward anyone involved. I would just as well walk away from this controversy and get back to my own work, but for my sense of indignation at our Party’s failure to uphold its core principles and at the wrong done to candidates (overwhelmingly of color) in the South Area. I do not, furthermore, want anyone to lose the privilege of voting in their Area caucus. I insist, however, that clubs fulfill their responsibilities to their communities and to the Party in return for the privilege of participating in Area caucuses and the Central Committee more broadly.

I originally tried to draft this letter without using the names of the involved parties, but it quickly became obvious that this would be preventatively cumbersome. I include the names here, however, simply to clarify what happened. The issues described are not primarily the product of individual vice, but of institutional failure. If you believe my facts or attributions are erroneous, please notify me and I will issue a correction if appropriate.

Party Structure

First, it’s important to understand the basics of Party structure as they pertain to the endorsement process. The San Diego County Democratic Central Committee (SDCDCC) is responsible for all endorsements for local and county office in San Diego County. Voting members include state and federal elected officials (and top Democratic vote-getters in Republican held seats) resident
in the county, state party officials resident in the county (including State Executive Board members elected in Assembly District Election Meetings), lifetime members elected by the Committee, members elected by public primary ballot by Assembly District, and County Executive Board members. This amounts to around 75 voting members.

Due to the size of the county, however, the Central Committee has four Area Caucuses (North, South, East, Metro West), to which it delegates responsibility for, among other things, providing the SDCDCC with recommendations for endorsements in races in districts exclusively or predominantly within their Area. These recommendations come into the Central Committee on consent, and while they can be pulled for consideration, the Committee generally defers to the Area Caucus except where there are substantial irregularities.

The voting membership of the Area Caucuses includes all of the voting members of the Central Committee, as well as several additional categories of members. These include the alternates of elected officials and top Democratic vote-getters in Republican-held seats, the alternates of public ballot AD members, and the alternates of ADEM-elected state Executive Board members, as well as associate members, one of which is granted to each chartered Democratic club in the Area. It is these last voting members, club associates, that are the source of the current controversy in the South Area.

While all other classes of Central Committee and Area Caucus members are more or less fixed in number, additional club associates can be created rapidly (within one or two months) by chartering new clubs. An individual or group of individuals who desires to change the delegate math for an endorsement vote can create clubs in order to gain club associate votes. Clubs, however, require an extraordinary amount of effort to develop and maintain, and no reasonable group of individuals would invest so much time, energy, and resources into the endeavor only to obtain an Area Caucus vote.

**Democratic Clubs**

Clubs are the grassroots of the Party, and provide a forum for informing their communities, developing consensus, hosting keynote speakers and panels, participating collectively in community activities like fairs, marches, workshops, and protests, drafting resolutions, updating club websites and social media, authoring and distributing newsletters, lobbying their elected officials, and hosting candidate debates and endorsement meetings. The members of a typical club executive board might spend, collectively, a hundred hours or more a month simply performing the duties expected of them as club officers.
These duties, however, are normative expectations that are understood and implicitly accepted by Party members, rather than strict requirements for chartering. The actual chartering requirements, as described in the Bylaws and Policies and Procedures (Article X), are cursory and include no requirements about what clubs should actually do in practice. As a result, an individual or group of individuals who believed that the endorsement of their preferred candidate were more important than the values and norms that underlie the Party and clubs as institutions, could exploit the gap that exists between the criteria for chartering stipulated in the bylaws and the normative expectations of the services provided by a club that entitle them to the privilege of caucus and committee representation.

What Happened in South Area in 2017-2018?

I have spoken above in general and hypothetical terms, but what has unfolded over the last two years in the South Area is precisely the gaming of the bylaws described. To understand how this happened, we have to turn the clock back to June 2016. San Diego District 8 City Councilmember David Alvarez was termed out in 2018 and his staffer, Vivian Moreno, was widely expected to run as his handpicked successor. Anticipating the South Area endorsement recommendation vote, Councilmember Alvarez ran a slate of candidates for the six AD 80 Central Committee seats elected every four years on the presidential primary ballot. His investment in these races paid off, and his candidates won five of the six seats. And, since both elected members and their alternates can vote in Area Caucuses, this effectively gave his chosen successor, Mrs. Moreno, 10 votes in the area endorsement recommendation vote. He also ran a slate of candidates in the Assembly District Election Meetings (ADEMs) the following January, and swept, which gave him the vote of the State Executive Board member elected there and her alternate, bringing his guaranteed vote for Vivian to 12.

Running slates for Central Committee and/or ADEMs is a perfectly legitimate electoral activity. But the vote advantage in the South Area that this gave to Alvarez and any candidates whom he supported posed a problem for potential opponents, who had little path to obtaining or blocking a recommendation. In the event, Vivian Moreno faced two Democratic opponents, Antonio Martinez and Christian Ramirez. Both were respected members of their community, but neither had sufficient votes in the South Area to overcome Vivian’s inherent delegate advantage. Martinez, however, had the support of Jesus Cardenas, CEO of Grassroots Resources, a prominent Democratic consulting and campaign services firm, and the Party’s primary general consultant in the South Bay for nearly a decade.

Cardenas has spent many years getting young Democrats involved in local campaigns and in Democratic politics more generally. He and his associates had already helped to charter and sustain the South Bay Young Democrats and naturally saw an opportunity to alter the delegate
math in South Area. As mentioned above, the requirements stipulated in the SDCDCC Bylaws are barebones and require almost nothing beyond twenty founding members to start a club and receive a club associate vote. So, throughout the first half of 2017, Jesus simply founded and chartered 12 more Young Democrat clubs.

Twelve New Young Democrat Clubs

Although each of these clubs uses the name of an area high school in its title, all are regional rather than academic clubs, and none meet on campus or retain an academic advisor. All are apparently composed of a mixture of current students of the eponymous schools and non-students in their late teens and twenties. All thirteen South Area Young Democrat clubs meet simultaneously at the same location. They do not take formal endorsement votes, which leaves their club associates free to vote for whichever candidate Grassroots Resources supports in a given race. They do not function as corporate bodies outside of their common meeting, do not have individual club websites or other social media platforms, and do not seek to grow their clubs beyond their charter members.

Alvarex, Moreno, and their staff and supporters attempted without success to convince the Executive Board of the SDCDCC to stop the proliferation of these shell clubs. Recognizing that the Party was unwilling to close the loopholes in the bylaws, and that the 12 clubs had put Antonio in striking range of endorsement, the Alvarez/Moreno faction themselves hastily formed 6 clubs to try to stay ahead of the rapidly inflating Area Caucus vote. In order to do so, they, in turn, exploited the failure of the bylaws to specify criteria for founding members, and thus formed all six clubs with the same twenty members. They subsequently, however, allowed these clubs to expire.

South Area Membership Bloated By Fake Clubs

The result of this evolution is a South Area Caucus bloated beyond recognition by the proliferation of clubs gaming the gap between the chartering criteria stipulated by the bylaws and the normative expectations of the responsibilities of a club. Of fifty some-odd votes in the Area, eighteen had been chartered exclusively to throw the recommendation to one candidate or the other. In the end, Cardenas’s Young Democrat club associates were, indeed, able to deliver Antonio the recommendation, which was accepted on consent by the Central Committee. It is perhaps not a surprise that the Party went on to pay Grassroots Resources to have some of these same Young Democrats phonebank for Antonio.

Furthermore, though the clubs were formed to block Vivian Moreno, their club delegate votes were ultimately used to help secure the South Area endorsement recommendations of at least two
other clients of Grassroots Resources, Myrtle Cole for San Diego City Council District 4 and Leticia Cazares for Southwestern College Board (to be fair, the latter’s recommendation was a foregone conclusion; in the interest of transparency, I endorsed and fundraised for the opposing candidates in all three of these races).

**Disenfranchisement**

Several of those responsible for facilitating the creation of these clubs have accused critics of these clubs’ charters of racism, chastising them for "disenfranchising people of color." The accusation demonstrates an astonishing degree of disingenuousness and bad faith. I can grudgingly respect hardball politics and system-gaming, but cloaking it in sanctimony and philanthropic spirit is a step too far.

The individuals leveling these accusations are the same that designed these clubs to game the current club chartering bylaws in order to deny candidates in the South Area--again, overwhelmingly of color--of their right to a transparent, equitable, and genuinely democratic endorsement process. They're the same people who have benefited financially from the skewed endorsements that these 'clubs' were able to deliver to their preferred candidates. They know perfectly well that their clubs are satisfying the letter of the bylaws while violating their spirit, because that is precisely what they were intended to do.

I have no doubt that the members of these clubs are wonderful, hard-working young activists. I have spoken to several of them and found them to be intelligent, forthright, and eager to contribute. It is all the more shameful, therefore, that they have been brought into the Democratic Party institution in such an expedient manner.

The attempt to scare off reformers by attributing the demand for reform to discrimination willfully misunderstands that members of color are the primary victims of the bogus club chartering and that, although the harm is inflicted overwhelmingly in the South Area, it can only be remedied by a SDCDP bylaw change at the Central Committee. The admonishment is really just a threat to leave the existing party machine in the South Area--with its nexus of crooked politics and profit--to its own devices.

Setting aside the fact that it strains the meaning of “enfranchisement” to use the word to describe the privilege of voting for whichever of his clients Mr. Cardenas or an associate instructs, and that the “franchise” was obtained by violating the norms of the Party and the spirit of the County bylaws; this controversy is not, ultimately, about what categories of individuals can and can’t vote, but about what responsibilities are expected of Democratic clubs for the privilege of obtaining a vote in an Area Caucus and a voice on the Central Committee. And, furthermore, this
is not exclusively or primarily about the 12 shell clubs chartered in the South Area, but also about the infinite fake clubs that could potentially fit in the future through the gaping hole in our bylaws.

We need only look at the harm done in the South Area to candidates and other caucus members (overwhelmingly of color) to anticipate what it will do throughout county if not remedied.

Who Is Harmed?

The chartering of fake clubs inflicts four interrelated harms:

1. It denies candidates a legitimate endorsement process.
2. It denies caucus members the full value of their vote through dilution.
3. It denies the Central Committee of a recommendation that genuinely represents the members of the Democratic community in the respective area.
4. It undermines the public's perception of the legitimacy of the Party's endorsed candidates and of the Party more generally.

Candidates of Color

The most significant harm is inflicted on candidates in the South Area, overwhelmingly persons of color, who come to the South Area Caucus expecting a recommendation process that is free, transparent, and equitable, and instead discover that their endorsement is contingent on cutting a deal, hiring, or otherwise gaining the support of a local consultant who controls 13 of the votes by gaming flaws in the bylaws governing club chartering. If you want to know how this feels, talk to the candidates who have already suffered the harm, like Monica Montgomery, Vivian Moreno, or Nicole Jones, or any of the candidates for internal caucus positions that have confronted the same reality. Or talk to current candidates for offices in the South Area, for example Rafael Castellanos and Ben Hueso, both Latino candidates for District 1 Board of Supervisors, who face an opponent who has retained Grassroots Resources for general consulting services.

Black Candidates

Furthermore, the fake clubs harm one group of candidates disproportionately, and that is African American candidates. The term ‘people of color’ can be socially, politically, and culturally useful, but it can also obscure the differential burdens of its constituent groups. In this case, African American candidates are differentially impacted by the club inflation. African American San Diegans are already being displaced and demographically overwhelmed by Latinos. The
Young Democrat club associates are all Latinx, and their members are exclusively or overwhelmingly Latinx, and the proliferation of these clubs thus compounds the underlying relative demographic decline of the African American community. Given that there is a significant identitarian or communitarian aspect to Democratic politics, the club-stacking is clearly prejudicial to the interests and aspirations of African American candidates and caucus members.

**Legitimate Voting Members**

All legitimate voting members of the Caucus find the value of their vote significantly reduced. There are roughly fifty voting members of the South Area caucus. The 12 fake clubs thus represent 24% of the vote. All the other legitimate voters thus suffer a proportionate dilution and diminishment of the power of their vote. But even this underestimates the impact, since endorsement recommendations are typically closely fought, and the margin hardly ever exceeds twelve votes in contested races. These twelve associate votes are thus capable of overcoming almost any vote outcome that expresses the will of the legitimate voting members.

Other club associates and the club members they represent are particularly harmed, since the sham clubs now represent the majority of club associate votes in the Area. Prior to the mass chartering of these clubs, there were seven club associates in the South Area. The associates of the twelve sham clubs thus represent 63% of all club associates in the area. Each has a vote equal to that of the Eastlake-Bonita Democratic Club associate, who represents a club whose monthly meetings typically draw 100-200 community members for high-quality panels and featured speakers.

**The Democratic Party**

The next category of harm is that done to the Central Committee and to the Party it represents, which receives recommendations that are unrepresentative of the Democratic community in the South Area, which the Caucus purports to represent. It is not coincidental that both of the San Diego City Council recommendations provided by the Area resulted in Party endorsements that contradicted the endorsements of a majority of the Party’s Democratic clubs and which ultimately led the Party to back candidates who lost in the Primary and General elections. This is hardly surprising, since the manipulation of the recommendation process was designed specifically to produce outcomes that ran counter to the will of the community as represented by the Caucus’s legitimate voters.

These flawed recommendations and the resulting endorsements made the Party seem out of touch, opaque, unfair, and ultimately impotent to affect the electoral outcome of the 2018
Elections. The result is a Party that is diminished in the eyes of the very populations we most need to get to the polls to ensure the future health of the Party and the advancement of our common policy objectives.

The Community

Finally, the Democratic community at large in the South Area is harmed by the gamed recommendation process. As described above, genuine clubs provide valuable services to Democrats in regional or affinity communities. The time and effort expended in gaming the system draws precious time, energy, and resources from legitimate electoral work. One needs simply to imagine what would happen if all Democratic activists spent their time inflating club numbers to acquire associates rather than building functioning clubs.

I, for example, am far, far too busy fulfilling the spirit of the Democratic club system, and the goals of the San Diego County Democrats for Environmental Action in particular, to misallocate my time and energy to gaming the bylaws. I could spend my time and the time of my board members gaming the system and using charter-magic to turn our one club into 15 regional clubs, all meeting at the same time and place as we do currently, but while that effort might net us fourteen club associate votes, it would draw valuable time from the fulfillment of our responsibilities to our community and to the causes that we champion.

How Can We Effectively Reform The Process?

Given all of these harms, I believe it is essential to close the loopholes in the bylaws that allow these clubs to be chartered and to persist. The greatest blame falls on the Party itself, and particularly its leadership, who knew what was happening and have failed to close the loopholes. Consultants are not stewards of the Democratic Party and its norms and values. They are hired guns. It is the Central Committee and its Executive Board that must take responsibility for protecting the integrity of its endorsement process.

The central flaw that has been exploited in the South Area is the gap between the chartering criteria stipulated in the bylaws and the normative expectations of a club’s service to its community. When those responsible for the gaming protest that they’ve satisfied all the criteria, they are fully aware of the sleight of hand they are attempting. They know perfectly well that they’ve satisfied the chartering criteria and nothing else.

The fact of the matter is that a real club is so time-consuming that a single area caucus vote is insufficient motivation to establish and maintain one. The only way to make it cost-effective is to
game the system by satisfying the explicit chartering criteria and while shirking the implicit club responsibilities.

Incorporate Normative Expectations Into The Bylaws

The best way to discourage gaming, therefore, is to incorporate those normative expectations into the bylaws, and thus make the privilege of voting on endorsement recommendations in the Area Caucuses contingent on actual service to the Party and the Democratic community. In addition to ensuring that clubs fulfill genuine Democratic mandates, this will make it too labor-intensive to charter, maintain, and develop a club merely to acquire a caucus vote. The following criteria should therefore be added to club chartering requirements:

1. Clubs must hold at least six meetings a year, in a time and location not shared with any other club. Joint meetings are encouraged, but will not count toward this minimum requirement.

2. Club meetings must be of sufficient duration to perform their mandated duties--informing members, providing members with an opportunity to discuss, debate, and develop consensus (preferably through featured speakers, panels, and other forums). Any meeting of less than one hour and a half will not count toward minimum meeting requirements.

3. Clubs must demonstrate organized participation in their community, including, potentially, at marches, protests, canvasses, special events, and the meetings of planning groups, boards and commissions, city councils, boards of supervisors, and state and federal legislatures. The Admin Committee should identify measurable criteria that could demonstrate this corporate participation in civic life.

4. All clubs must maintain at least 20 unique members to obtain and preserve their charter.

5. Area caucus endorsement votes can only be cast with proof that a legitimate endorsement process has been completed by the club in that race. This must involve notification of all candidates for the race under consideration, except in the case of a friendly incumbent endorsement.

Taken together, these reforms will bring the chartering requirements and the normative, labor-intensive club expectations of party activists into alignment.
Let People of Color Lead

Let me say in closing, that a number of individuals have suggested that it is inappropriate for affluent white individuals from north of the 8 to demand reform of bylaws to prevent gaming in the South Area. There is an extraordinary degree of irony in the admonishment. The fact of the matter is that people of color have been loudly demanding reform for the last two years! What do people think the protests that shut down the Central Committee last year were about? A minor technicality in the D4 recommendation process? The only way critics can accuse myself and other white Party members of leading is by failing to see or hear the women of color that have been leading and pleading all along!

Furthermore, candidates and activists of color remain the most impacted and the most motivated to reform the bylaws. This is not ultimately about the past. This is about the principle, and the present, and the future. Many recommendations will come out of South Area this cycle, the most important of which will be District 1 Board of Supervisors. One of the candidates has already retained Jesus Cardenas, and barring a reform of the bylaws, will receive the votes of all 13 of his clubs. Ask the two competing candidates of color how this makes them feel about the fairness of the process and about the Party more generally.

Conclusion

For too long I have heard ‘that’s just how it is in South Area.’ I do not accept the ‘soft bigotry of low expectations.’ I do not accept violations of our shared values and of the integrity of our democratic process. I do not accept deafness and indifference to the protests of candidates of color against the rigged process in South Area. If affluent, white candidates north of the 8 faced a similarly gamed endorsement process, there would be hell to pay. I will not accept a party that guarantees Lincoln-Douglas debates for white candidates, while condemning candidates of color to Tammany Hall. No candidate should be made to kiss the ring in this Party. That’s not the Party for which we sacrifice evenings, and weekends, and vacations, and paychecks. If the Central Committee will not protect our values and the integrity of our own endorsement process, who will?