



West Virginia Democratic Party

WEST VIRGINIA DELEGATE SELECTION PLAN

FOR THE 2020
DEMOCRATIC NATIONAL CONVENTION

ISSUED BY
THE WEST VIRGINIA DEMOCRATIC PARTY
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Table of Contents

I.	Introduction & Description of Delegate Selection Process.....	1
	A. Introduction.....	1
	B. Description of Delegate Selection Process.....	1
	C. Voter Participation	3
II.	Presidential Candidates	5
III.	Selection of Delegates and Alternates.....	5
	A. Selection of Delegates and Alternates.....	5
	B. Automatic Delegates	9
	C. Pledged Party Leader and Elected Official (PLEO) Delegates.....	9
	D. At-Large Delegates and Alternates.....	11
	E. Replacement of Delegates and Alternates.....	14
IV.	Convention Standing Committee Members.....	15
	A. Introduction.....	16
	B. Temporary Standing Committee Members.....	16
	C. Permanent Standing Committee Members.....	17
V.	The Delegation.....	19
VI.	Presidential Electors	
	A. Introduction.....	20
	B. Selection of Presidential Electors.....	20
VII.	General Provisions and Procedural Guarantees.....	21
VIII.	Affirmative Action and Outreach Plan and inclusion program.....	23
	A. Statement of Purpose and Organization.....	23
	B. Representation Goals.....	25
	C. Efforts to Educate on the Delegate Selection Process.....	26

D. Efforts to Publicize the Delegate Selection Process.....27

E. Obligations of Presidential Candidates to Maximize Participation.....28

IX. Challenges

 A. Jurisdiction and Standing29

 B. Challenges to the Status of the State Party and Challenges to the Plan.....30

 C. Challenges to Implementation30

X. Summary of Plan

 A. Selection of Delegates and Alternates.....31

 B. Selection of Standing Committee Members.....32

 C. Selection of Delegation Chair and Convention Pages.....32

 D. Presidential Candidate Filing Deadline.....32

 E. Timetable.....32

Exhibits to the Affirmative Action Plan
Attachments to the Delegate Selection Plan

SECTION I

INTRODUCTION & DESCRIPTION OF DELEGATE SELECTION PROCESS

A. INTRODUCTION

1. West Virginia has a total of 30 delegates and 2 alternates.
2. The delegate selection process is governed by the *Charter and Bylaws of the Democratic Party of the United States*, the *Delegate Selection Rules for the 2020 Democratic National Convention (Call)* the *Call for the 2020 Democratic National Convention*, the *Regulations of the Rules and Bylaws Committee for the 2020 Democratic National Convention (Regs)*, the *Rules of the Democratic Party of West Virginia*, the *West Virginia Election Code*, and this *Delegate Selection Plan*. (Call: Article II. A)
3. Following the adoption of this Delegate Selection Plan by the West Virginia Democratic Executive Committee, it shall be submitted for review and approval by the DNC Rules and Bylaws Committee (RBC). The State Party Chairman shall be empowered to make any technical revisions to this document as required by the RBC to correct any omissions and/or deficiencies as found by the RBC to ensure its full compliance with Party Rules. Such corrections shall be resubmitted to the RBC within 30 days of receipt of notice of the RBC's findings. (Reg. 2.5; Reg 2.6; and Reg. 2.7)
4. Once this Plan has been found in Compliance by the RBC, any amendment to the Plan by the West Virginia State Party will be submitted to and approved by the RBC before it becomes effective. (Reg. 2.9)

B. DESCRIPTION OF DELEGATE SELECTION PROCESS

1. West Virginia will use a proportional representation system based on the results of the Primary for apportioning delegates to the 2020 Democratic National Convention.
2. The first determining step of West Virginia's delegate selection process will occur on May 12, 2020, with the West Virginia Primary that will elect our nominees for Governor, Statewide officials, Federal, State Legislative offices, County officials and the Presidential Preference. This will be followed by a post-primary state convention in June at the Civic Center in Charleston, where the delegates and alternates will be elected.

Delegates and alternates will be selected as summarized on the following chart:

Type	Delegates	Alternates	Date of Selection	Selecting Body
				Filing Requirements and Deadlines
District Level	16		June 12,2020 State Convention	Elected at District Caucus at State Convention
				File with State Executive Committee by May 13, 2020
Automatic Party Leaders and Elected Officials PLEO Delegates	6	NA	NA	Automatic
Pledged Party Leaders and Elected Officials (PLEOs)	3	0	June 13, 2020 State Executive Committee Meeting	Elected by WV State Executive Committee File with State Executive Committee by May 15, 2020
At-Large	5	2	June 13, 2020 State Executive Committee Meeting	File with WVSDEC by May 14, 2020
				Elected by WV State Executive Committee
Total	30	2		

C. VOTER PARTICIPATION

1. Participation in State's delegate selection process is open to all voters who wish to participate as Democrats. A voter will publicly declare their party preference on the voter registration form which is recorded in the Statewide Voter Registration System maintained by the Secretary of State/ (Rule 2 A and Rule 2 C)
- a. The Deadline to register to vote, and switch parties in West Virginia for the Primary is April 21, 2020. Voter registration may occur at each County Clerks' office or online via a secure system maintained by the West Virginia Secretary of State. Voters in West Virginia are eligible to vote in the Democratic Primary if they you are 1) Registered as a Democrat; or 2) They do not belong to another recognized political party in West Virginia. Other Recognized political parties in West Virginia are the Republican, Libertarian, and Mountain Parties. (Rule 2A and Reg. 4.3A)
- b. At no stage of West Virginia's delegate selection process shall any person be required, directly or indirectly, to pay a cost or fee as a condition for participating. Voluntary contributions to the Party may be made, but under no circumstances shall a contribution be mandatory for participation. (Rule 2 D and Reg. 4.3 A)
- c. No persons shall participate or vote in the nominating process for the Democratic presidential candidate who also participates in the nominating process of any other party for the corresponding elections. (Rule 2 E)
- d. No person shall vote in more than one meeting, which is the first meeting in the delegate selection process.
- e. To encourage participation by youth in the delegate selection process, any individual who will have turned 18 by the date of the general election will be allowed to participate in the delegate selection process. (Reg. 4.3 C)
- f. **Votes** shall not be taken by secret ballot at any stage of the delegate selection process, including processes leading up to the selection of DNC members or State Chairs, Vice Chairs, who serve as DNC members by virtue of their office, except that use of such voting by secret ballot may be used in a process that is the first determining step of the delegate election process and in which all individual voters who wish to participate as Democrats are eligible to do so. (Rule 2 F)

1. West Virginia is participating in the state government-run presidential preference primary that will utilize government-run voting systems. West Virginia uses a variety of electronic voting systems, ranging from optical scan to the traditional paper ballot. However, in all cases where an electronic voting system is used, a paper trail is provided in all precincts.
2. The State Party will seek enactment of legislation, rules and policies at the state and local level to ensure that both optical scan and direct recording electronic systems include recognized security measures. These measures include automatic routine manual audits comparing paper records to electronic records following every election and prior to certification or results where possible; parallel testing on election day; physical and electronic security for equipment; banning use of wireless components and connections except where required to provide a voter with a disability a secure and approved means to access voting materials and exercise the right to vote; public disclosure of software design; use of transparent and random selection for all auditing procedures; and effective procedures for addressing evidence of fraud or error. Maintain secure and accurate state voter registration rolls, so that every eligible West Virginian who registers to vote has their personal information protected and secure, implement transparent and accurate voter registration list maintenance procedure that comply with federal requirements and ensure that every eligible voter stays on the rolls.
3. The State Party will enact a voter protection task force that will recommend ways to educate the public on their rights as voters. This plan will include but will not be limited to establishing a voter protection hotline; creating informational literature with voter ID requirements, polling locations, early voting times, and absentee information; and targeting digital ads to constitute groups that are underrepresented in our primary process.
4. The State Party will seek enactment of legislation, rules, and polices and if necessary, litigation to expand access to voting, including expanding early voting, no excuse absentee, eliminating the requirement that those convicted of a felony pay back court fees or fines before they are eligible to have their voting rights restored. same day voter registration and to ensure that the automatic voter registration law passed in the 2016 legislative session is enacted. Ensure that voting locations are accessible, fairly placed and adequate in number, and have a sufficient number of voting machines; speed up the voting process and minimize long lines; eliminate onerous and discriminatory voter identification requirements; count and include the final total ballots from voters who are eligible to votes in the wrong precinct, for office for which they are eligible to vote; and facilitate military and overseas voting. The State Party will through social media, press releases and email blast inform anyone that will be 18 before the next general election will be able to participate in our primary and the delegate selection process.
5. The dates, times and places for all official Party meetings and events related to the state's delegate selection process have been scheduled to encourage the participation of all

Democrats. Such meetings will begin and end at reasonable hours and will be required to follow the open meetings act of West Virginia to ensure an open and transparent process. The state party is responsible for selecting the dates and times and providing facilities for all official meetings and events related to this process. In addition, the scheduling of meetings shall consider any religious observations that could significantly affect participation. The West Virginia Democratic Party is committed to ensuing a fair, open, and inclusive process therefore the party will not use burdensome voter ID requirements to participant in our process. The state party will use the West Virginia Secretary of State online voter registration look up tool to determine the eligibility of a participate and will offer voter registration opportunities at events to allow whoever wishes to participate in our process is allowed.

6. Deadlines for participation in the WV Primary:
 - a. Early Voting Period April 27th – May 9th
 - b. Voter Registration Deadline April 21st (including party and address changes)
 - c. Absentee Ballot Request for non-overseas and military voters March 25-May 5th
 - d. Absentee Ballots Must be postmarked by Election Day
 - e. Military and Overseas voters can start requesting ballots starting January 1, 2020

SECTION II

PRESIDENTIAL CANDIDATES

- A. A presidential candidate gains access to the West Virginia presidential preference primary ballot by filing a certificate declaring himself or herself a candidate not earlier than January 8, 2020 and not later than midnight January 26, 2020 with the West Virginia Secretary of State (State Capitol Complex, Charleston, WV 25305). West Virginia Code, Chapter 3, Article 5, Section 78, prescribes the form for the certificate. To gain access to the ballot each such candidate shall either pay the filing fee of \$2500, or in accordance with West Virginia Code 3-5-8a, file a petition containing the signatures of 10,000 qualified voters. The January 26 deadline occurs 112 days before the Primary; therefore West Virginia will seek a waiver since the deadline falls outside the required 75 days for Rule 15. E (Rule 1 A.7; Rule 1 A.8; Rule 15 A; Rule 15 B; Rule 15 D and Rule 15E)
- B. Each presidential candidate shall certify in writing to the State Democratic Chair, the name(s) of his or her authorized representative(s) by February 14, 2020. (Rule 13D.1)
- C. Each presidential candidate (including uncommitted status) shall use his or her best efforts to ensure that his or her respective delegation within the state delegation achieves the affirmative action goals established by this Plan and is equally divided between men and women. (Rule 6 I)

SECTION III

SELECTION OF DELEGATES AND ALTERNATES

A. DISTRICT-LEVEL DELEGATES

1. West Virginia is allocated 16 district-level delegates.
2. District-level delegates shall be elected at Post-Primary-District-Caucuses to be held at the State Convention on June 12, 2020, in Charleston, West Virginia.
3. Apportionment of District-Level Delegates
 - a. West Virginia district-level delegates are apportioned among the districts based on a formula giving equal weight to total population and to the average vote for the Democratic candidates in the 2012 and 2016 presidential elections. Turnout is the highest in presidential election years The West Virginia Democratic State Party feels that this would give the most accurate picture of Democratic performance.
 - b. West Virginia’s total number of district-level delegates and the total number of delegates within each congressional district will be equally divided between men and women. In case of non-binary gender delegates, they shall not be counted in the male or female category. To ensure the district-level delegates are equally divided between men and women (determined by gender self-identification) the gender of the first binary delegate elected in each district will be designated. At the time of election of delegates in the district the binary gender advantage will alternate as delegate positions are filled and the alternation shall continue across presidential preferences in order of vote-getting preference. In the case of non-binary gender delegates, they shall not be counted in either the male or female category. (Rule 6.C., Rule 6. C. 1 & Reg, 4. 10)
 - c. West Virginia will elect the Alternate delegates at district level stage.
 - d. The district-level delegates are apportioned to districts as indicated in the following chart:

District	Delegates		
	Males	Females	Total
#1	2	3	5
#2	3	3	6

District	Delegates		
	Males	Females	Total
#3	3	2	5
Total	8	8	16

*Assuming no gender non-binary delegates are elected

- e. In a convention system, the apportionment of delegates to be elected from each tier to the next tier (e.g. precincts, counties, etc.) shall be based upon population and/or some measure of Democratic strength. A formula was used and is attached.
 - f. County Conventions will be held in all 55 counties on March 28, 2020 at a time and place determined by the respective county’s executive committee. The convention is open to all registered Democrats in that county. Delegates will be elected to the State Convention by those present at the county convention. The number of delegates per county is based on a formula using the Democratic vote for the governor in the 2016 election. Delegates will be elected with an equal number of male and females. In Case of a gender non-binary delegate, they shall not be counted in either the male or female category.
4. District-Level Delegate and Alternates
- a. A district-level delegate candidate and alternate may run for election only within the district in which they are registered to vote. (Rule 13 H)
 - b. An individual can qualify as a candidate for district-level delegate or alternate to the 2020 Democratic National Convention by filing a statement of candidacy designating there singular presidential preference and a signed pledge of support for the presidential candidate with the West Virginia State Democratic Party (231 Capitol Street, Suite 107, Charleston, WV 25301) by 5:00 P.M., May 13, 2020. The Statement of Candidacy and pledge of support form shall be available from the West Virginia State Democratic Party at the above address and on the state party’s website www.wvdems.org . The forms will be made available on January 8th. A delegate candidate may modify their singular presidential preference by submitting an updated pledge of support no later than the filing deadline. (Rule 13 B; Rule 15 F and Reg. 4.23)
5. Presidential Candidate Right of Review for District-Level Delegates and Alternate
- a. The State Democratic Chair shall convey to the presidential candidate, or that candidate’s authorized representative(s), not later than midnight, May 15, 2020, a list of all persons who have pledge for district-delegate and alternate to that presidential candidate.

- b. Each presidential candidate, or that candidate's authorized representative(s), must then file with the State Democratic Chair by 5:00 PM May 22, 2020 via mail or email to wvparty@wvdemocrats.com or 231 Capitol., Ste. 107, Charleston, WV 25301, a list of all candidates he or she has approved, provided that approval be given to at least three (3) separate individuals for each position for delegate. (Rule 13 E.1 and Reg. 4.25)
- c. Failure to respond will be deemed approval of all delegate and alternate candidates submitted to the presidential candidate unless the presidential candidate, or the authorized representative(s), signifies otherwise in writing to the State Democratic Chair not later than May 22, 2020.
- d. National Convention delegate candidates removed from the list of bona fide supporters by a presidential candidate, or that candidate's authorized representative(s), may not be elected as a delegate at that level pledged to that presidential candidate (including uncommitted status). (Rule 13 E and Reg 4.24)
- e. The State Chair shall certify in writing to the Co-Chairs of the DNC Rules and Bylaws Committee whether or not each presidential candidate has used his or her best efforts to ensure that his or her respective district-level delegate candidates meet the affirmative action and inclusion considerations and goals detailed in the Affirmative Action section of this Plan within 3 business days, of returning the list of approved district-level delegate candidates as indicated in Section III.A.5.b. above.

6. Fair Reflection of Presidential Preference

- a. Presidential Primary Proportional Representation Plan: The West Virginia presidential primary election is a binding primary. Accordingly, delegate positions shall be allocated so as to fairly reflect the expressed presidential (or uncommitted) preference of the primary voters in each district. The National Convention delegates selected at the district level by the delegates to the State Convention from the respective Congressional District shall be allocated in proportion to the percentage of the primary vote won in that district by each preference, except that preferences falling below a fifteen percent (15%) threshold shall not be awarded any delegates. (Rule 14 B and Rule 14 D)
- b. Within a district, if no presidential preference reaches a fifteen percent (15%) threshold, the threshold shall be half of the percentage of the vote received in that district by the front runner. (Rule 14 F)
- c. District-level delegates and alternates will be selected at the district-level caucus held at the State Convention on June 12, 2020 at the Civic Center in Charleston. A list of those candidates for National Delegate who filed with the State Party as of May 13, 2020, and were approved by the presidential candidate they are pledged to will be placed on a

ballot. Ballots will be distributed to the official delegates from the district at the respective candidate's caucus. There will be a ballot to elect the women and a ballot to elect the men and in the case of non-binary gender candidates, a ballot to elect the gender non-binary delegate. To insure an open election, each ballot must be signed by the individual casting the ballot. The presidential candidates will receive his or her proportional delegates based on the results of the May 12 primary starting with the position of women delegate and alternating between man and woman until all delegates have been awarded and in the case of non-binary gender

d. If a given presidential preference is entitled to one or more delegate positions but would not otherwise be entitled to an alternate position, then that preference shall be allotted one (1) alternate position. (Rule 19 B Call: Article I. I)

7. Equal Division of District-Level Delegates

In order to ensure the district-level delegates and alternate are equally divided between men and Women (Determined by gender self-identification) delegate positions within each district will be designated by presidential preference beginning with the highest vote-getting presidential preference. This assignment of delegate and alternate positions, alternating by gender as mathematically practical, will continue with the next highest vote-getting preference in descending order until the gender of each position has been assigned. In case of non-binary gender delegates, they shall not be counted in either the male or female category. (Rule 6 C; Rule 6 C.1 and Reg. 4.10)

8. The State Democratic Chair shall certify in writing to the Secretary of the Democratic National Committee (DNC) the election of West Virginia 's district-level delegates and alternates to the Democratic National Convention within ten (10) days after their election. (Rule 8 C and Call: Article IV. A)

B. Automatic Delegates

1. Automatic Party Leaders and Elected Officials

a. The following categories shall constitute the Automatic Party Leaders and Elected Official delegate positions:

1. Members of the Democratic National Committee who legally reside in the state; (Rule 9 A.1; Call: Article I. F; Call: Article I. J and Reg. 4.15)

2. All of West Virginia's Democratic Members of the U.S. House of Representatives and the U.S. Senate; (Rule 9 A.3; Call: Article I. H and Call: Article I. J)
- b. An automatic delegate may run and be elected as a Pledged delegate. If an Automatic delegate is elected and certified as a Pledged delegate, that individual shall not serve as an Automatic delegate at the 2020 National Convention. (Call: Article I. J)
- c. The certification process for the Automatic Delegates is as follows:
 - (1) Not later than March 6, 2020, the Secretary of the Democratic National Committee shall officially confirm to the State Democratic Chair the names of the Automatic delegates who legally reside in West Virginia; (Rule 9 A)
 - (2) Official confirmation by the Secretary shall constitute verification of the Automatic delegates from the categories indicated above. (Call: Article IV. B.1)
 - (3) The State Democratic Chair shall certify in writing to the Secretary of the DNC the presidential preference of the state's Automatic delegates 10 days after the completion of the State's Delegate Selection Process. (Call: Article IV. C)
2. For purposes of achieving equal division between delegate men and delegate women within the state's entire convention delegation (determined by gender self-identification), the entire delegation includes all Pledge and Automatic delegates, including those who identify as male or female. (Rule 6 C and Reg. 4.9)

C. PLEDGED PARTY LEADER AND ELECTED OFFICIAL (PLEO) DELEGATES

1. West Virginia is allotted 3 pledged Party Leader and Elected Official (PLEO) delegates. (Call: Article I. D; Call: Article I. E and Call: Appendix B)
2. Pledged PLEO Delegate Filing Requirements
 - a. Individuals shall be eligible for the pledged Party Leader and Elected Official delegate positions according to the following priority: big city mayors and state-wide elected officials (to be given equal consideration); state legislative leaders, state legislators, and there state, county and local elected officials; and party leaders. Automatic delegates who chose to run for PLEO delegate will be given equal consideration with big city mayors and state-wide elected officials. (Rule 10 A.1 and Reg 4.16)

- b. An individual can qualify as a candidate for a position as a pledged PLEO delegate by filing a statement of candidacy by May 12, 2020, with the State Democratic Executive Committee office, located at 231 Capitol Street, Suite 107 Charleston, WV 25301. Pledged PLEO delegate candidates must be identified as to singular presidential preference. However, the individual may file as a pledged PLEO at the same time they file for a district level delegate. The forms will be made available on January 8th either at the State Party Headquarters or on the state party website www.wvdems.org. A delegate or alternate candidate may modify their singular presidential preference by submitting an updated pledge of support no later than the filing deadline. (Rule 10 A.1 and Reg. 4.16)

3. Presidential Candidate Right of Review

- a. The State Democratic Chair shall convey to the presidential candidate, or that candidate's authorized representative(s), not later than Midnight, May 15, 2020, a list of all persons who have filed for a party and elected official delegate pledged to that presidential candidate. (Rule 10 A.3 and Rule 13 D)
- b. Each presidential candidate, or that candidate's authorized representative(s), must file with the State Democratic Chair, 9:00am on June 13th, 2020, either by email or hand deliver at the state convention, a list of all such candidates he or she has approved, as long as approval is given to at least one name for every position to which the presidential candidate is entitled. (Rule 13 E.2 and Reg. 4.25)
- c. Failure to respond will be deemed approval of all delegate candidates submitted to the presidential candidate unless the presidential candidate or the authorized representative(s) signifies otherwise in writing, to the State Democratic Chair not later than 9:00 AM on June 13th by mail at 231 Capitol Street, Ste. 107, Charleston, WV 25301, or via hand delivery to the state chair or email to wvparty@wvdemocrats.com.
- d. The State Chair shall certify in writing to the Co-Chairs of the DNC RBC whether each presidential candidate (including uncommitted status) has used their best efforts to ensure that their respective pledged PLEO delegate candidates meet the affirmative action and inclusion considerations and goals detailed in the Affirmative Action section of this plan within three (3) business day of returning the list of approved pledged PLEO candidate as indicated in section III.C.3.b of this Plan.

4. Selection of Pledged Party Leader and Elected Official Delegates

- a. The pledged PLEO slots shall be allocated among presidential preferences on the same basis as the at-large delegates. (Rule 10 A.2; Rule 11 C; Rule 14 E and Rule 14 F)

- b. Selection of the pledged PLEO delegates will occur June 13, 2020, in Charleston, WV, which is after the election of district-level delegates and alternates and prior to the selection of at-large delegates. (Rule 10 A)
 - c. These delegates will be selected by West Virginia State Democratic Executive Committee. Members elected on the 2018 Democratic Primary ballot for a four-year term. Four members, two women and two men, from each of the 17-state senatorial districts are elected by the Democratic voters in their respective districts. Also represented on the state committee are former state chairs, a member of the Democratic House and Senate caucus, a representative from the Young Democrats and Federation of Democratic Women. Currently the State Executive committee makes up 75 Voting members 38 males and 37 females (See attached voting roster for the WVSDEC) The Selection of the At-Large and PLEOs will be in an open meeting and comply with the DNC rules and bylaws, the West Virginia Democratic Party bylaws and the West Virginia open meetings act and in a space at the Charleston civic center that will be able to accommodate those who wish to attend. All members of the State Executive Committee will be giving a ballot and instructions. Ballots must be signed by the member of the State Executive Committee in order for their vote to count. Copies of ballots will be made to the general public at the meeting and on the state party's website www.wvdems.org.
5. The State Democratic Chairman shall certify in writing to the Secretary of the Democratic National Committee the election of the state's pledged Party Leader and Elected Official delegates to the Democratic National Convention within 10 days after their election. (Rule 8 D and Call: Article IV. A)

D. AT-LARGE DELEGATES

1. The state of West Virginia is allotted Five (5) at-large delegates (Rule 8 C; Call: Article I. B; II Call: Appendix B and Reg.4.34)
2. At-Large Delegates Filing Requirements
 - a) Persons desiring to seek at-large delegate position may file a statement of candidacy designating their singular presidential or uncommitted preference and a signed pledge of support for the presidential candidates with the State Party by 5:00 P.M., May 14, 2020. Forms may be mailed to 231 Capitol Street, Ste. 107, Charleston, WV 25301 or emailed to: wvparty@wvdemocrats.com. Forms will be made available by January 8th at the address above or on the State Party Website www.wvdems.org. A delegate candidate may modify his or her singular presidential preference by submitting an updated pledge of support no later than the filing deadline.(Rule 13 A.; Rule 13 B.; Rule 15 G.; Reg. 4.22 and Reg, 4.23)

- b) The statement of candidacy for at-large delegates will be the same. After the at-large delegates are elected by West Virginia State Democratic executive committee, those persons not chosen will then be considered candidates for at-large positions unless they specify otherwise when filing.

3. Presidential Candidate Right of Review

- a. The State Democratic Chair shall convey to the presidential candidate, or that candidate's authorized representative(s), not later than midnight, May 15, 2020, a list of all persons who have filed for delegate or alternate pledged to that presidential candidate. (Rule 13 D; Rule 15; Reg. 4.24 D and Reg. 4.31 C)
- b. Each presidential candidate, or that candidate's authorized representative(s), must then file with the State Democratic Chair, by June 13th, 2020, following the selection of PLEO candidates, a list of all at-large delegate candidates he or she has approved, provided that, at a minimum, one (1) name remains for every national convention delegate position to which the presidential candidate is entitled. (Rule 13 D.4; Rule 13 E.2 and Reg. 4.25)
- c. Failure to respond will be deemed approval of all delegate candidates submitted to the presidential candidate unless the presidential candidate or the authorized representative(s) signifies otherwise in writing to the State Democratic Chair not later than June 13th, 2020 following the election of the PLEO delegates.
- d. The State Chair shall certify in writing to the Co-Chairs of the DNC RBC whether each presidential candidate (including uncommitted status) has used their best efforts to ensure that their respective pledged at – large delegate candidates meet the affirmative action and inclusion considerations and goals detailed in the Affirmative Action section of this plan within three (3) business day of returning the list of approved at-large as indicated in section III.C.3.b of this Plan.

4. Fair Reflection of Presidential Preference

At-large delegate positions shall be allocated among presidential preferences according to the presidential primary-Proportional Representation Plan: The West Virginia presidential primary election is a “binding” primary. Accordingly, delegate positions shall be allocated so as to fairly reflect the expressed presidential preference of the primary voters in each district. The National Convention delegates selected at the district level shall be allocated in proportion to the percentage of the primary vote won in that district by each preference, except that preferences falling below a fifteen percent (15%) threshold shall not be awarded any delegates or alternates.

- a. Preferences which have not attained a fifteen percent (15%) threshold on a state-wide basis shall not be entitled to any at-large delegates. (Rule 14 E)
 - b. If no presidential preference reaches a fifteen percent (15%) threshold, the threshold shall be half the percentage of the statewide vote received by the front-runner. (Rule 14 F)
 - c. If a presidential candidate is no longer a candidate at the time of selection of the at-large delegates, then those at-large slots that would have been allocated to the candidate will be proportionally divided among the remaining preferences entitled to an allocation. (Rule 11 C)
5. Selection of At-Large Delegates
- a. The selection of the at-large delegates will occur June 13, 2020, at the State Executive Committee meeting in Charleston, WV, which is after all pledged Party Leader and Elected Official delegates have been selected. (Call: Article III)
 - b. These delegates will be selected by the WV State Democratic Executive Committee.
 - (1) Membership in the WV State Democratic Executive Committee is apportioned on the basis of State Senatorial Districts, which is population based.
 - (2) Members of the WV State Democratic Executive Committee were elected from their districts at the State Primary in 2018.
 - c. Priority of Consideration. The State Chair will submit a list of approved at-large candidates to the Executive Committee based on the following:
 - (1) In the selection of the at-large delegation priority of consideration shall be given to African Americans, Hispanics, Native Americans, Asian/Pacific Americans, LGBTQ, Religious Minorities, youth, and women. (Rule 6 A.3)
 - (2) In order to continue the Democratic Party's ongoing efforts to include groups historically under-represented in the Democratic Party's affairs and to assist in the achievement of full participation by these groups, priority of consideration shall be given to other groups by virtue of race, sex, age, color, creed, national origin, religion, ethnic identify, sexual orientation, gender identity and expression, economic status or disability. (Rule 10 B.5 and Reg, 4.18 C)
 - (3) The election of at-large delegates shall be used, if necessary, to achieve the equal division of positions between men and women as far as mathematically possible and may be used to achieve the representation goals established in the Affirmative Action Plan and Outreach and Inclusion program section of this Plan. (Rule 6 A; Rule 6 C and Reg 4.9)

- (4) The at-large delegates will be selected based on the percentage of votes received by the presidential candidates in the Primary Election. These delegates will be selected by alternating gender and following the order used in the election of district level delegates. In case of non-binary gender delegates, they shall not be counted in either the male or female category. A voice vote of the committee will be taken and if the outcome cannot be determined a roll call vote will be conducted.
- (5) Delegates and Alternates are to be considered separate groups for this purpose. (Rule 6 C.1; Rule 11 A; Reg. 4.9 and Reg. 4.20)
- (6) The State Democratic Chair shall certify in writing to the Secretary of the Democratic National Committee the election of the state's at-large delegates and alternates to the Democratic National Convention within 10 days after their election. (Rule 8 C; and Call: Article IV. A)

E. REPLACEMENT OF DELEGATES AND ALTERNATES

1. A pledged delegate or alternate may be replaced according to the following guidelines:
 - a. Permanent Replacement of a Delegate: (Rule 19 D.3)
 - (1) A permanent replacement occurs when a delegate resigns or dies prior to or during the National Convention and the alternate replaces the delegate for the remainder of the National Convention.
 - (2) Any alternate permanently replacing a delegate shall be of the same presidential preference (including uncommitted status) and gender of the delegate they replace (determined by gender self-identification), and to the extent possible shall be from the same political subdivision within the state as the delegate.
 - (a) In the case where the presidential candidate has only one (1) alternate that alternate shall become the certified delegate.
 - (b) If a presidential candidate has only one (1) alternate, and that alternate permanently replaces a delegate of a different gender (determined by gender self-identification), thereby causing the delegation to no longer be equally divided, the delegation shall not be considered in violation of Rule 6 C. In such a case, notwithstanding Rule 19 D.2, the State Party Committee shall, at the time of a subsequent permanent replacement, replace a delegate with a person of a different gender, in order to return the delegation to equal division of men and women. (Rule 6 C; Rule 19 D.2 and Reg. 4.36)
 - (3) If a delegate or alternate candidate who has been elected but not certified to the DNC Secretary resigns, dies or is no longer eligible to serve, they shall be

replaced, after consultation with the State Party, by the authorized representative of the presidential candidate to whom they are pledged. (Rule 19. D.2)

- b. Temporary Replacement of a Delegate: (Rule.19 D.4)
 - (1) A temporary replacement occurs when a delegate is to be absent for a limited period of time during the convention and an alternate temporarily acts in the delegate's place.
 - (2) Any alternate who temporarily replaces a delegate must be of the same presidential preference (including uncommitted status) as the delegate they replace, and to the extent possible shall be of the same gender (determined by gender selfidentification) and from the same political subdivision within the state as the delegate.
 - (3) The following system will be used to select permanent and temporary replacements of delegates: The delegate chooses the alternate. (Rule 19 D.1)
 - c. Certification of Replacements
 - (1) Any alternate who permanently replaces a delegate shall be certified in writing to the Secretary of the DNC by the State Democratic Chair. (Rule 19 D.3)
 - (2) Permanent replacement of a delegate (as specified above) by an alternate and replacement of a vacant alternate position shall be certified in writing by the State's Democratic Chair to the Secretary of the Democratic National Committee within three (3) days after the replacement is selected. (Call: Article IV. D.1)
 - (3) Certification of permanent replacements will be accepted by the Secretary up to 72 hours before the first official session of the Convention is scheduled to convene. (Call: Article IV. D.1 and Reg. 4.35)
 - (4) In the case where a pledged delegate is permanently replaced after 72 hours before the time the first session is scheduled to convene or, in the case where a pledged delegate is not on the floor of the Convention Hall at the time a roll call vote is taken, an alternate may be designated (as specified above) to cast the delegate's vote. In such case, the Delegation Chair shall indicate the name of the alternate casting the respective delegate's vote on the delegation tally sheet. (Call: Article IV. D.1; Call: Article IX. F.3(e); Call: Article IX. F. 3.C and Reg, 5.6)
 - d. A vacant alternate position shall be filled by the delegation. The replacement shall be of the same presidential preference (or uncommitted status), of the same gender (determined by gender self-identification) and, to the extent possible, from the same political subdivision as the alternate being replaced. (Rule 19 E)
2. Automatic delegates shall not be entitled to a replacement, nor shall the state be entitled to a replacement, except under the following circumstances: (Call: Article IV. D.2 and Reg. 4.37)

- a. Member of Congress shall not be entitled to name a replacement. In the event of changes or vacancies in the state's Congressional Delegation, following the official confirmation and prior to the commencement of the National Convention, the DNC Secretary shall recognize only such changes as have been officially recognized by the Democratic Conference of the U.S. Senate. (Call: Article IV. D.2(a))
- b. Members of the Democratic National Committee shall not be entitled to a replacement, nor shall the state be entitled to a replacement, except in the case of death of such delegates. In the case where the state's DNC membership changes follows the DNC Secretary's official confirmation, but prior to the commencement of the 2020 Democratic National Convention, acknowledgment by the Secretary of the new DNC member certification shall constitute verification of the corresponding change of Automatic delegates. (Call: Article IV. D.2.(b))
- c. Automatic distinguished Party Leader delegates allocated to the state pursuant to Rule 9.A.(5), shall not be entitled to name a replacement, nor shall the state be entitled to name a replacement. (Call: Article IV. D.2.(c))
- d. In no case may an alternate cast a vote for an Automatic delegate. (Call: Article IX. F.3.(e))

SECTION IV

CONVENTION STANDING COMMITTEE MEMBERS

A. INTRODUCTION

1. West Virginia has been allocated one member on each of the three standing committees for the 2020 Democratic National Convention (Credentials, Platform and Rules), for a total of three members. (Call: Article VII. A. and Call: Appendix D)
2. Members of the Convention Standing Committees need not be delegates or alternates to the 2020 Democratic National Convention. (Call: Article VII. A.3)
3. These members will be selected in accordance with the procedures indicated below. (Rule 1 G)

B. TEMPORARY STANDING COMMITTEE

1. Temporary members for the Convention Standing Committees for the platform committee *will* be selected by the *West Virginia State Democratic Executive Committee*. The meeting shall be open to the public and well publicized in accordance with this Plan. Members of the West Virginia State Democratic Executive Committee shall receive timely notice of the meeting, in accordance with State Party rules. (Call VII.G.2)
2. Any Democrat may apply for a position as a temporary member of the Platform standing committee. Persons wishing to be considered must submit an application to the State Party with a resume and cover letter, no later than the start of the meeting.

3. **The** male and female membership of the platform standing committee shall be as equally divided among men and women (determined by self-identification) as possible under the state allocation; i.e. the variance between men and women on the platform committee (*Call VII.E.2*) In the case of gender non-binary committee members, they shall not be counted as either a male or female, and the remainder of the standing committee members shall be equally divided between male gender (men) and female gender (women). (*Call VII.E.1*)
4. Temporary members serve only in the event that the respective standing committee is called to meet prior to completion of the state's delegate selection process and subsequent selection of permanent standing committee members. No temporary member may continue to serve after the selection of the permanent standing committee members unless they are elected as a permanent member. (*Call VII.G.3*)
5. Temporary members selected after the first determining step has occurred in a state shall reflect the Presidential preferences so established. (*Call VII.G.3*)
6. The State Chair shall certify the temporary standing committee members in writing to the Secretary of the Democratic National Committee within three (3) days after their selection. Substitutions in a state's list of temporary members may only be made up to ten (10) days prior to the time the standing committee meets. Substitute temporary standing committee members will be selected at a meeting of the **West Virginia** State Democratic Executive Committee in accordance with the provisions outlined above. (*Call VII.B.3 and Call VII.G.4*)

C STANDING COMMITTEE MEMBERS

1. Selection Meeting

- a. The members of the standing committees shall be elected by a quorum of the National Convention delegates, at a meeting to be held on June 13, 2020, after all delegates have been selected. (Call: Article VII. B.1)
- b. All members shall receive adequate notice of the time, date, and place of the meeting to select the standing committee members. (Call: Article VII. B.1)

2. Allocation of Members

- a. The members of the standing committees allocated to West Virginia shall proportionately represent the presidential preference of all candidates receiving the threshold percentage used in the state's delegation to calculate the at-large apportionment pursuant to Rule 14.E. of the Delegate Selection Rules. (Call: Article VII. C.1 and Reg. 5.9)
- b. The presidential preference of each candidate receiving the applicable percentage or more within the delegation shall be multiplied by the total number of standing committee positions allocated to West Virginia. If the result of such multiplication does not equal 0.455 or above, the presidential preference in question is not entitled to representation on the standing committee. If the result of such multiplication is 0.455 but less than 1.455, then the presidential preference is entitled to one (1) position. Those preferences securing

more than 1.455 but less than 2.455 are entitled to two (2) positions, etc. (Call: Article VII. C.2)

- c. Where the application of this formula results in the total allocation exceeding the total number of committee positions, the presidential candidate whose original figure of representation is farthest from its eventual rounded-off total shall be denied that one (1) additional position. Where the application of this formula results in the total allocation falling short of the total number of committee positions, the presidential candidate whose original figure of representation is closest to the next rounding level shall be allotted an additional committee position. (Call: Article VII. C.4)
- d. Standing committee positions allocated to a presidential candidate shall be proportionately allocated, to the extent practicable, to each of the three standing committees. When such allocation results in an unequal distribution of standing committee positions by candidate preference, a drawing shall be conducted to distribute the additional positions. (Call: Article VII. C.4)

3. Presidential Candidate Right of Review

- a. Each presidential candidate, or that candidate's authorized representative(s), shall be given adequate notice of the date, time, and location of the meeting of the state's delegation authorized to elect standing committee members. (Call: Article VII. D.1)
- b. Each presidential candidate, or that candidate's authorized representative(s), must submit to the State Democratic Chair, by 30 minutes after the election of the at-large delegates and alternates on June 13, 2020, a minimum of one (1) name for each slot awarded to that candidate for members of each committee. The delegation shall select the standing committee members from among names submitted by the presidential candidates (including uncommitted status). Presidential candidates shall not be required to submit the name of more than one person for each slot awarded to such candidate for members standing committees. (Call: Article VII. D.2)

4. Selection Procedure to Achieve Equal Division

- a. Presidential candidates (including uncommitted status) shall use their best efforts to ensure that their respective delegation of standing committee members shall achieve West Virginia's affirmative action goals and that their respective members are equally divided between men and women determined by gender self-identification.
- b. The first binary gender position on each standing committee shall be assigned by binary gender as self-identified. For example, the first binary position on the Credentials Committee of the presidential candidate with the most standing committee positions shall be designated for a female, and the next binary committee positions shall be designated for a male, and the remaining binary positions, to the extent they occur, shall be designated in like fashion, alternating between females and males, where applicable. For avoidance doubt: there is no requirement that positions be assigned to gender

nonbinaries, but the described alternation of binary genders may not be used to exclude a gender non-binary from consideration for a committee position, Positions for presidential candidates on each committee shall be ranked according to the total number of standing positions allocated to each such candidates. After positions on the Credentials Committee are designated by gender, the designation shall continue with the Platform Committee, then the Rules Committee.

- (1) A separate election shall be conducted for membership on each standing committee.
- (2) The membership of the standing committees shall be as equally divided as possible under the state allocation; if the number is even, the membership shall be equally divided between men and women; if the number is odd, the variance between men and women may not exceed one (1). (Call: Article VII. E.2)
- (3) Gender non-binary committee members shall not be counted as either a male or female, and the remainder of the delegation shall be equally divided between male gender (men) and female gender (women). (Call: Article VII. E.1)
- (4) The positions allocated to each presidential candidate on each committee shall be voted on separately, and the winners shall be the highest voter getter of the appropriate gender.

5. Certification and Substitution

- a. The State Democratic Chair shall certify the standing committee members in writing to the Secretary of the Democratic National Committee within three (3) days after their selection. (Call: Article VII. B.3)
- b. No substitutions will be permitted in the case of standing committee members, except in the case of resignation or death. Substitutions must be made in accordance with the rules and the election procedures specified in this section, and must be certified in writing to the Secretary of the Democratic National Committee within three (3) days after the substitute member is selected, but not later than 48 hours before the respective standing committee meets. (Call: Article VII. B.4)

SECTION V

THE DELEGATION

- A. West Virginia will select one (1) person to serve as Delegation Chair and two (2) to serve as Convention Pages. (Call: Article IV. E; Call: Article IV. F.1 and Call: Appendix C)

B. DELEGATION CHAIR

1. Selection Meeting

- a. The Delegation Chair shall be selected by a quorum of the state's National Convention Delegates, at a meeting to be held June 13, 2020. (Call: Article IV. E)
- b. All members of the delegation shall receive timely notice of the time, date, and place of the meeting to select the Delegation Chair. (Rule 3 C)
- c. The State Democratic Chair shall certify the Delegation Chair in writing to the Secretary of the Democratic National Committee within three (3) days after his or her selection. (Call: Article IV. E)

C. CONVENTION PAGES

1. Two individuals will be selected to serve as West Virginia's Convention Pages by the State Democratic Chair in consultation with the members of the Democratic National Committee from the state. This selection will take place June 13, 2020. (Call: Article IV. F.3; Call: Appendix C and Reg. 5.7 B)
2. The Convention Pages shall be as evenly divided between men and women (determined by gender self-identification) as possible under the state allocation and shall reflect, as much as possible, the Affirmative Action and Outreach and Inclusion guidelines in the state plan. In the case of gender non-binary pages, they shall not be counted as either a male or female. (Reg. 5.7 A)
3. The State Democratic Chair shall certify the individuals to serve as West Virginia Convention Pages in writing to the Secretary of the Democratic National Committee within three (3) days after the selection. (Call: Article IV. F.3 and Reg. 5.7 B)

SECTION VI Presidential Electors

A. Introduction

West Virginia will select 5 persons to serve as Presidential Electors for the 2020 Presidential election

B. Selection of Presidential Electors

1. Five (5) Electors will be elected on June 12th, 2020, before the voting on district level delegates during the congressional caucuses. Candidates for electors may submit a statement of candidacy by 5:00 p.m. on June 1st at the State Democratic Executive Committee office, located at 231 Capitol Street, Suite 107 Charleston, WV 25301. The forms will be made available by the state

party on January 8th either at the address above or on the state party website www.wvdems.org. The state party shall use the same outreach programs for electors as for all other Delegate Positions to ensure the Public is aware of how electors are chosen, The election will occur by ballot. Electors will follow the same voting procedure selecting district level delegates.

2. Within fifteen (15) days the State Party Chairperson must submit all the names of the individuals elected to the Secretary of State's office.
3. Affirmation
 - a. Each candidate for Presidential Electors shall certify in writing that they will vote for the election of the Democratic Presidential and Vice-Presidential nominees (Call: Article VIII)
 - b. In the Selection of Presidential Electors, the State Party will take the following steps to ensure the persons selected are bona fide Democrats who are faithful to the interests, welfare, and successes of the Democratic Party of the United States, who subscribes to the substance, intent, and principals of the charter and Bylaws of the Democratic Party of the United States. West Virginia does not bind the presidential election therefore, in order to ensure the electors will vote for the Democratic Presidential and Vice-Presidential the state party chairperson will review and approve the list of candidates for electors. (Call: Article VII)

SECTION VII

GENERAL PROVISIONS AND PROCEDURAL GUARANTEES

- A. The West Virginia Democratic Party reaffirms its commitment to an open party by incorporating the six basic elements as listed below. As our Party strives to progress in the fight against discrimination of all kinds, these six basic elements have evolved and grown along with the constant push for more inclusion and empowerment. These provisions demonstrate the intention of the Democratic Party to ensure a full opportunity for all minority group members to participate in the delegate selection process. (Rule 4 A; Rule 4 B and Rule 4 C)
 1. All public meetings at all levels of the Democratic Party in West Virginia should be open to all members of the Democratic Party regardless of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, gender identity and expression, economic status or disability hereinafter collectively referred to as "status".(Rule 4 B.1)
 2. No test for membership in, nor any oaths of loyalty to the Democratic Party in West Virginia should be required or used, which has the effect of requiring prospective or current members of

the Democratic Party to acquiesce in, condone or support discrimination based on status. (Rule 4 B.2)

3. The time and place for all public meetings of the Democratic Party in West Virginia on all levels should be publicized fully and in such manner as to assure timely notice to all interested persons. Such meetings must be held in places accessible to all Party members and large enough to accommodate all interested persons. (Rule 4 B.3)
 4. The Democratic Party in West Virginia, on all levels, should support the broadest possible registration without discrimination based on status. (Rule 4 B.4)
 5. The Democratic Party in West Virginia should publicize fully and in such a manner as to assure notice to all interested parties a full description of the legal and practical procedures for selection of Democratic Party officers and representatives on all levels. Publication of these procedures should be done in such fashion that all prospective and current members of the West Virginia State Democratic Party will be fully and adequately informed of the pertinent procedures in time to participate in each selection procedure at all levels of the Democratic Party organization. As party of this, the West Virginia Democratic Party will develop a strategy to provide education programs directly to voters who continue to experience confusing timelines for registration, changing party affiliation deadlines, or lack awareness of the process for running for delegate to ensure all Democratic voters understand the rules and timelines and their impact on voter participation. (Rule 4 B.5)
 6. The Democratic Party in West Virginia should publicize fully and in such a manner as to assure notice to all interested parties, a complete description of the legal and practical qualifications of all positions as officers and representatives of the State Democratic Party. Such publication should be done in timely fashion so that all prospective candidates or applicants for any elected or appointed position within each State Democratic Party will have full and adequate opportunity to compete for office. (Rule 4 B.6)
- B. Discrimination on the basis of status in the conduct of Democratic Party affairs is prohibited. (Rule 5 B)
- C. West Virginia's delegation shall be equally divided between delegate men and delegate women, and alternate men and alternate women. Such goal applies to the entire delegation, which includes all pledged delegates and alternates. Automatic Delegates and alternates shall be considered separate groups for purposes of achieving equal division as determined by gender self-identification. In the case of gender non-binary delegates or alternates, they shall not be counted as either male or female, and the remainder of the delegate selection shall be equally divided by gender. (Rule 6 C)
- D. All delegate and alternate candidates must be identified as to presidential preference or uncommitted status at all levels which determine presidential preference. (Rule 13 A)
- E. No delegate at any level of the delegate selection process shall be mandated by law or Party rules to vote contrary to that person's presidential choice as expressed at the time the delegate is elected. (Rule 13 I)
- F. Delegates elected to the national convention pledged to a presidential candidate shall in all good conscience reflect the sentiments of those who elected them. (Rule 13 J)

- G. Each delegates, alternates, and standing committee members must be bona fide Democrat, including being registered as a Democrat, who have the interests, welfare and success of the Democratic Party of the United States , who subscribe to the substance, intent and principles of the Charter and Bylaws of the Democratic Party of the United States, and who will participate in the Convention in good faith.
(Rule 13 H; Call: Article VII. A.4 and Reg. 4.26)
- H. A quorum shall consist of no less than 40 percent of the members of any Party body above the first level of the delegate selection process shall constitute a quorum for any business pertaining to the selection of National Convention delegates, alternates, standing committee members, and other official Convention participants. (Rule 16)
- I. An accredited participant in a caucus, convention or committee meeting, after having appeared at such meeting and having established credentials, may register a non-transferable proxy with another duly accredited participant at that meeting (except where an accredited alternate is present and eligible to serve as a replacement), provided that no individual may hold more than one (1) proxy at one time. (Rule 17 and Reg. 4.32)
- J. The unit rule, or any rule or practice whereby all members of a Party unit or delegation may be required to cast their votes in accordance with the will of a majority of the body, shall not be used at any stage of the delegate selection process. (Rule 18 A)
- K. Any individual or group of Democrats may sponsor or endorse a slate of candidates for convention delegates. But no slate may, by virtue of such endorsement, receive a preferential place on a delegate selection ballot or be publicly identified on the ballot as the official Democratic Party organization slate, and all slates must meet identical qualifying requirements for appearing on a ballot at all levels of the delegate selection process. (Rule 18 B)
- L. All steps in the delegate selection process, including the filing of presidential candidates, must take place within the calendar year of the Democratic National Convention, except with respect to the implementation of the Affirmative Action and Outreach and Inclusion Programs. (Rule 1 F and Rule 12 B)
- M. In electing and certifying delegates and alternates to the 2020 Democratic National Convention, West Virginia thereby undertakes to: assure all Democratic voters in the state full, timely and equal opportunity to participate in the delegate selection process and in all Party affairs and to implement affirmative action and outreach and inclusion programs toward that end; and that the delegates and alternates to the Convention shall be selected in accordance with the Delegate Selection Rules for the 2020 democratic National Convention; and that the voters in the state will have the opportunity to cast their election ballots for the Presidential and Vice Presidential nominees selected by said Convention; and for electors pledged formally and in good conscience to the election of these Presidential and Vice Presidential nominees, under the label and designation of the Democratic Party of the United States; and that the delegates certified will not publicly support or campaign for any candidate for President or Vice President other than the nominees for the Democratic National Convention. (Call: Article II. B)

SECTION VIII

AFFIRMATIVE ACTION AND OUTREACH AND INCLUSION PROGRAM

A. STATEMENT OF PURPOSE AND ORGANIZATION

1. Purpose and Objectives

- a. In order that the Democratic Party at all levels be an open Party which includes rather than excludes people from participation, a program of effective affirmative action is hereby adopted by the West Virginia State Executive Committee. (Rule 5 A)
- b. Discrimination on the basis of status in the conduct of Democratic Party affairs is prohibited. (Rule 5 B)
- c. All public meetings at all levels of the Democratic Party in West Virginia shall be open to all members of the Democratic Party regardless of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, gender identity and expression, economic status or disability (hereinafter collectively referred to as status) (Rule 4 B.1)
- d. In order to continue the Democratic Party's ongoing efforts to include groups historically under-represented in the Democratic Party's affairs, by virtue of race, ethnicity identity, age, sexual orientation, gender identity and expression, economic status, or disability, West Virginia has developed Party outreach programs. Such programs include recruitment, education and training, in order to achieve full participation by such groups and diversity in the delegate selection process and at all levels of Party affairs for 2020. (Rule 5 C and Reg. 4.8)
- e. In order to encourage full participation by all Democrats in the delegate selection process and in all Party affairs, the West Virginia Democratic Party has adopted and will implement affirmative action programs with specific goals and timetables for African Americans, Hispanics, Native Americans, Asian/Pacific Americans and women. To further encourage full participation in the process, the State Party has established goals and timetables for LGBTQ+ Communities, people with disabilities and youth. (Rule 6 A and Rule 7)
 1. The goal of the programs shall be to encourage participation in the delegate selection process and in Party organizations at all levels by the aforementioned groups as indicated by their presence in the Democratic electorate. (Rule 6 A.1)
 2. This goal shall not be accomplished either directly or indirectly by the Party's imposition of mandatory quotas at any level of the delegate selection process or in any other Party affairs. (Rule 6 A.2)

3. Youth is defined as any participant 36 years or younger.
 4. For the delegate selection process, individuals identifying as Native Americans should provide their tribal affiliation and indicate if they are enrolled in a tribe.
- f. In order to achieve full participation of other groups that may be underrepresented in Party affairs, including members of the LGBTQ + community, people with disabilities and youth, the State Party has adopted and will implement Inclusion Programs.

2. Organizational Structure

- a. An Affirmative Action Committee shall be appointed by the State Democratic Chair on March 1, 2019 (Rule 6 F)
- b. The State Chair shall certify in writing to the RBC of the DNC the names, demographic data, and contact information of the Affirmative Action Committee within 15 days of their appointment. (Reg. 2.2 J)
- c. The Committee shall consist of members from each delegate district representing the Democratic constituency groups set forth in the Introduction to the Affirmative Action Plan.
- d. The Affirmative Action Committee shall be responsible for:
 1. Reviewing the proposed Delegate Selection and Affirmative Action Plans and making recommendations to the State Democratic Chair. (Rule 6 F)
 2. Directing the implementation of all requirements of the Affirmative Action section of this Plan.
 3. Implementing a specific outreach and financial assistance program for persons of low and moderate income to encourage their participation and representation in the national convention delegation financial assistance program for delegates and alternates. (Rule 6 E)
 4. Ensuring, on behalf of the State Executive Committee, that district lines used in the delegate selection process are not gerrymandered to discriminate against African Americans, Hispanics, Native Americans, Asian/Pacific Americans and women. (Rule 6 E)
- e. Financial and staff support for the Affirmative Action Committee shall be provided by the State Executive Committee to the greatest extent feasible, including, but not limited

to, making available on a priority basis, the State Party staff and volunteers and covering all reasonable costs incurred in carrying out this Plan.

3. Implementation of the Affirmative Action Plan shall begin on September 1, 2019, with the distribution of the press kits, and will continue through the end of the delegate selection process. (Rule 1 F)

B. REPRESENTATION GOALS

1. The State Party has determined the demographic composition of African Americans, Hispanics, Native Americans, and Asian/Pacific Americans, LGBT Americans, and people with disabilities in the West Virginia’s Democratic electorate. Working with the DNC data science department the representation goals are as follows: African American 6% or a total of 3 delegates, Hispanic 2% or 1 delegate, Asian American Pacific Islander (AAPI) 1% or 1 Delegate, Native American 1% or 1 delegate, Disabled 23% or 8 delegates, LGBT 8% or 3 delegates, Youth 26% or 10 delegates. (Rule 6 A)
2. When selecting the at-large portion of the delegation, the demographic composition of the other delegates (district-level, pledged PLEO, and automatic) shall be compared with the State Party’s goals in order to achieve an at-large selection process which helps to bring about a representative balance.
3. Use of the at-large delegation to achieve the affirmative action goals established by this Plan does not obviate the need for the State Party to conduct outreach activities such as recruitment, education and training. (Rule 6 A.3)

	African Americans	Hispanics	Native Americans	Asian Americans and Pacific Islanders	LGBTQ+ Americans	People with Disabilities	Youth
Percent in Democratic Electorate	6	2	1	1	8	23	26
Numeric Goals for Delegation	3	1	1	1	3	8	10

C. EFFORTS TO EDUCATE ON THE DELEGATE SELECTION PROCESS

1. Well publicized educational workshops will be conducted in each delegate District, beginning in September 2019. These workshops will be designed to encourage participation in the delegate

selection process, including apprising potential delegate candidates of the availability of financial assistance. These workshops will be held in places which are easily accessible to persons with disabilities. The times, dates, places and rules for the conduct of all education workshops, meetings and other events involved in the delegate selection process shall be effectively publicized by the party organization and include mailings to various organizations representative of the Democratic voting electorate. (Rule 3 A; Rule 3 C and Rule 3 D)

2. A speakers' bureau of volunteers from the state party, including the Affirmative Action Committee comprised of individuals who are fully familiar with the process, will be organized to appear before groups as needed, to provide information concerning the process.
3. The State Party's education efforts will include outreach to community leaders within the Democratic Party's constituencies and making sure that information about the delegate selection process is available to Democratic clubs and Party caucuses representing specific constituencies.
4. The State Party will publish and make available at no cost: a clear and concise explanation of how Democratic voters can participate in the delegate selection process; an explanation of how, where and when persons can register to vote; and delegate district maps. As well, the State Party shall also make available copies of the State Party Bylaws, the Delegate Selection Plan (and its attachments), the Affirmative Action Plan, and relevant state statutes at no cost. Copies of documents related to the state's delegate selection process will be prepared and the Affirmative Action Committee will distribute them in the various delegate districts not later than October 1, 2019. (Rule 1 H)
5. Participation in the delegate selection process shall be open to all voters who wish to participate as Democrats, Democratic voters shall be those persons who publicly declare their Party preference and have that preference publicly recorded. (Rule 2 A)
6. The State Party shall take all feasible steps to encourage non-affiliated voters and new voters to register or enroll, to provide simple procedure through which they may do so and to eliminate excessively long waiting periods for voters wish to register or to change their party enrollment status (Rule 2 C)
7. The Affirmative Action Committee will develop a State Party strategy to be implemented beginning January 8th, 2020 that will provide education programs directly to voters who continue to experience confusing timelines for registration, changing party affiliation deadlines, or lack of awareness of the process for running for delegate, to ensure all Democratic voters understand the rule and timelines and their impact on voter participation. (Rule 4 B.5)

D. EFFORTS TO PUBLICIZE THE DELEGATE SELECTION PROCESS

1. The State Party shall direct Special attention shall be directed at publicizing the delegate selection process in the state. Such publicity shall include information on eligibility to vote and how to become a candidate for delegate, the time and location of each stage of the delegate selection process and where to get additional information. The foregoing information will also be published on the State Party website and social media accounts. The Party organization, official, candidate, or member calling a meeting or scheduling an event, shall effectively publicize the role that such meeting or event plays in the selection of delegates and alternates to the 2020 Democratic National Convention. (Rule 3 C and Rule 3 D)
2. The State Party shall have a Delegate Selection media Plan for using all available and appropriate resources, such as social media, websites, email list, newspapers, radio and television. to inform the general public how, when and where to participate in the delegate selection process. Specifically, the Delegate Selection Media Plan will provide details as to how to qualify to run as a delegate candidate. Regular updates should be posted/released throughout the state's delegate selection process to ensure broad and timely coverage and awareness about the process to all interested persons. (Rule 4 B.3 and Rule 6 D)
3. A priority effort, as described in the Delegate Selection Media Plan, shall be directed at publicity among the Democratic Party's constituencies.
 - a. Information about the delegate selection process will be posted on and made available to social and specialty media directed toward the Democratic constituency groups set forth in the introduction of this Affirmative Action plan and Outreach and inclusion Program.
 - b. The State Party shall be responsible for the implementation of this publicity effort. For purposes of providing adequate notice of the delegate selection process, the times, dates, places and rules for the conduct of meetings shall be effectively publicized, multilingually where necessary, to encourage the participation of minority groups. (Rule 6 D)
4. Not later than September 1st, 2019 the State Party will make information about the delegate selection process available on its website and publicize the resource through press releases and communications to Party leaders, activists and targeted constituencies. Information to be posted on the website will include:
 - a. materials designed to encourage participation and inform prospective delegate candidates;
 - b. a summary explaining the role of the 2020 Convention in nominating the Party's Presidential and Vice Presidential candidates and adopting the National Platform;
 - c. a summary of the State Party's delegate selection process including all pertinent rules, dates, and filing requirements related to the process;

- d. a map of delegate districts and how many delegates will be elected within each district, along with filing forms or information on how to obtain the filing forms.

E. OBLIGATIONS OF PRESIDENTIAL CANDIDATES TO MAXIMIZE PARTICIPATION

1. Presidential candidates shall assist the West Virginia Democratic Party in meeting the demographic representation goals reflected in the Affirmative Action Plan and Outreach and Inclusion Program. (Rule 6 H)
2. Each presidential candidate must submit a written statement to the State Democratic Chair by January 11, 2020 which indicates the specific steps he or she will take to encourage full participation in West Virginia's delegate selection process, including, but not limited to, procedures by which persons may file as candidates for delegate or alternate. (Rule 6 H.1)
3. Each presidential candidate must submit demographic information with respect to all candidates for delegate and alternate pledged to them. Such information shall be submitted in conjunction with the list of names approved for consideration as delegate and alternate candidates pledged to the presidential candidate. (Rule 6 H.2)
4. Presidential candidates shall use their best effort to ensure that their respective delegations within the West Virginia's delegate, alternate and standing committee delegations shall achieve the affirmative action goals reflected in the Affirmative Action Plan and Outreach and Inclusion Program and that the number of men and the number of women in their respective delegations shall not differ by more than one as determined by gender self-identification. Furthermore, presidential candidates shall use their best efforts at the district level to approve delegate and standing committee candidates who meet applicable equal division and affirmative action considerations to promote and achieve the state's affirmative action, outreach and inclusion goals and equal division for their respective delegations. (Rule 6 C; Rule 6 I and Reg. 4.10)

F. OUTREACH AND INCLUSION PROGRAM

1. The West Virginia Democratic Party is committed to help achieve full participation of those groups of Americans who have historically been explicitly denied the right to vote or who have been subject to discriminatory and exclusionary practices that have denied them voting rights and full participation in the delegate selection process and other Party meetings, events and elections, along with other groups of Americans who are also underrepresented in Party affairs.
2. As such, the State Democratic Party has developed outreach and inclusion programs and is committed to fully implementing the programs so that all person who wish to participate as

Democrats understand they are welcome and encouraged to be a part of the delegate selection process and in the Party at the Local, State and National levels.

3. The State Party will make accommodations to facilitate greater participation by people with disabilities by ensuring that all meetings, trainings, caucuses, and conventions are locations that are easily accessible and conform with the Americans with Disabilities Act. The State Party will provide assistants to anyone who needs it when filling out forms, ballots, or any other requirement in the Delegate Selection Plan.
4. In addition to the education, publicity and other steps described above, the State Party will attend fairs, festivals, college organization fairs, meetings, and other events that are targeted to key constituencies groups. The State Party will also use social media and other specialty media to reach out to key constituencies groups to ensure they are encouraged to participate in the delegate selection process.

SECTION IX

CHALLENGES

A. JURISDICTION & STANDING

1. Challenges related to the delegate selection process are governed by the Regulations of the DNC Rules and Bylaws Committee for the 2020 Democratic National Convention, and the Rules of Procedure of the Credentials Committee of the 2020 Democratic National Convention. (Call: Appendix A)
2. Under Rule 21.B. of the 2020 Delegate Selection Rules, the DNC Rules and Bylaws Committee has jurisdiction over challenges pertaining to the submission, non-implementation and violation of state Delegate Selection and Affirmative Action Plan and Outreach and Inclusion Program. (Rule 21 B and Call: Appendix A)
3. The Rules and Bylaws Committee has jurisdiction to hear and decide any challenge provided it is initiated before the 56th day preceding the date of the commencement of the 2020 Democratic National Convention. (Call: Appendix A and Reg. 3.1)
4. Challenges to the credentials of delegates and alternates to the 2020 Democratic National Convention initiated on or after the 56th day preceding the date of commencement of the Democratic National Convention shall be processed in accordance with the Rules of Procedure of the Credentials Committee of the 2020 Democratic National Convention. (Call: Appendix A)
5. Any challenge to the credentials of a standing committee member shall be considered and resolved by the affected standing committee in accordance with Appendix A of the Call for the

2020 Democratic National Convention. The Rules and Bylaws Committee shall have jurisdiction over challenges brought before the 56th day preceding the date of the commencement of the Democratic National Convention. (Call: Article VII. B.5)

6. Copies of the Regulations of the Rules and Bylaws Committee and/or the Call for the 2020 Democratic National Convention, including the Rules of Procedure of the Credentials Committee (Appendix A), shall be made available by the State Party upon reasonable request.
7. Any group of 15 Democrats with standing to challenge as defined in Reg. 3.2 or the Call (Appendix A, Sec. 2:A.), may bring a challenge to this Plan or to the implementation of this Plan, including its Affirmative Action provisions.

B. CHALLENGES TO THE STATUS OF THE STATE PARTY AND CHALLENGES TO THE PLAN

1. A challenge to the state's Delegate Selection Plan shall be filed with the Chair of the West Virginia Democratic Party and the Co-Chairs of the Rules and Bylaws Committee within 30 calendar days after the adoption of the Plan by the West Virginia State Party. (Rule 21 A and Reg. 3.4 A)
2. A challenge to the state's Delegate Selection Plan shall be filed with the Chair of the State Democratic Party and the Co-Chairs of the Rules and Bylaws Committee within 15 Calendar days after the adoption of the Plan by the State Party. (Reg 3.4 B)
3. A challenge to a Plan must be brought in conformity with the Rules and the RBC Regulations, which should be consulted for a detailed explanation of challenge procedures.

C. CHALLENGES TO IMPLEMENTATION

1. A challenge may be brought alleging that a specific requirement of an approved Plan has not been properly implemented. Jurisdiction over all challenges initiated in a timely fashion shall reside with either the Rules and Bylaws Committee or the Credentials Committee of the National Convention (See Section VII.A. above). However, the Rules and Bylaws Committee may provide advice, assistance or interpretations of the Delegate Selection Rules at any stage of the delegate selection process.(Reg. 3.1 C)
2. An implementation challenge brought before the Rules and Bylaws Committee is initiated by filing a written challenge with the State Party Executive Committee and with the Rules and Bylaws Committee not later than 15 days after the alleged violation occurred. The State Party has 21 days to render a decision. Within 10 days of the decision, any party to the challenge may appeal it to the Rules and Bylaws Committee. If in fact, the State Party renders no decision, then any party to the challenge may request the Rules and Bylaws Committee to process it. The request must be made within 10 days after expiration of the above 21 day period. (Reg. 3.4 C; Reg. 3.4 E and Reg .3.4 H)
3. Performance under an approved Affirmative Action Plan and Outreach and Inclusion Program composition of the convention delegation shall be considered relevant evidence in the

challenge to any state delegation. If a State Party has adopted and implemented an approved affirmative action program, the State Party shall not be subject to challenge based solely on delegation composition or primary results. The procedures are the same for challenges alleging failure to properly implement the Affirmative Action Plan and Outreach and Inclusion Programs of a plan, except that such challenges must be filed not later than 30 days prior to the initiation of the state’s delegate selection process. (Reg. 3.4 C)

4. Depending on the appropriate jurisdiction (see Section VIII.A. above), implementation challenges must be brought in conformity with the Regulations of the Rules and Bylaws Committee or the Rules of Procedure of the Credentials Committee, which should be consulted for a detailed explanation of challenge procedures.

SECTION IX

SUMMARY OF PLAN

A. SELECTION OF DELEGATES AND ALTERNATES

West Virginia will use a proportional representation system based on the results of the Primary for apportioning its delegates to the 2020 Democratic National Convention.

The first determining step of West Virginia’s delegate selection process will occur on May 12, 2020, with the state run primary.

Delegates and alternates will be selected as summarized on the following chart:

Type	Delegates	Alternates	Date of Selection	Selecting Body
				Filing Requirements and Deadlines
District-Level Delegates	16		June 12, 2020	<i>Selecting Body: District Caucuses held at the West Virginia State Democratic Convention</i>
				<i>[File with State Executive Committee by May 13, 2020]</i>
Automatic Party Leader and Elected Official Delegates*	6	n/a	n/a	Automatic by virtue of respective public or Party office as provided in Rule 9.A. of the 2020 Delegate Selection Rules.
Pledged Party Leaders and Elected Officials (PLEOs)	3	n/a	<i>June 13, 2020</i>	<i>Selecting Body: WV State Executive Committee</i>
				File with State Executive Committee by May 12, 2020
Type	Delegates	Alternates	Date of Selection	Selecting Body
				Filing Requirements and Deadlines
At-Large Delegates and Alternates	5	2	<i>June 13, 2020</i>	<i>Selecting Body: WV State Executive Committee</i>
				File with State Executive Committee by May 14, 2020
TOTAL Delegates and	30	2		

Alternates				
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* Automatic Party Leader and Elected Official (PLEO) delegates include the following categories who legally reside in the state: the Democratic National Committee Members, all Democratic Members of Congress, the Democratic Governor, and the Distinguished Party Leader as specified in Rule 9 A. of the 2020 Delegate Selection Rules. The exact number of Automatic PLEO Delegates is subject to change due to possible deaths, resignations, elections or special elections.

B. SELECTION OF STANDING COMMITTEE MEMBERS (FOR THE CREDENTIALS, PLATFORM AND RULES COMMITTEES)

Standing committee members will be selected by the state’s National Convention delegates as summarized below:

Members Per Committee	Total Members	Selection Date	Filing Requirements and Deadlines
1	3	June 13, 2020	Presidential candidates submit list of standing Committee members by June 12, 2020, 30 minutes after the selection of the at-large delegates

C. SELECTION OF DELEGATION CHAIR AND CONVENTION PAGES

The Delegation Chair will be selected by the National Convention Delegates on June 13, 2020.

Two Convention Pages will be selected by the State Democratic Chair, in consultation with the State’s DNC members on June 13, 2020.

D. Presidential Electors

Candidates for electors may submit a statement of candidacy by 5:00 p.m. on June 1st at the State Democratic Executive Committee office, located at 231 Capitol Street, Suite 107 Charleston, WV 25301. The forms will be made available by the state party on January 8th either at the address above or on the state party website www.wvdems.org. The electors will be choosing by Ballot during the District Level Caucuses.

E. PRESIDENTIAL CANDIDATE FILING DEADLINE

1. Presidential candidates must file with the West Virginia Secretary of State no later than midnight January 26, 2020.

2. Presidential candidates must certify the name of their authorized representative(s) to the State Democratic Chair by February 14, 2020.

F. TIMELINE

2019

February 16	Delegate Selection Affirmative Action Committee members are appointed by the State Chair.
February 25	Affirmative Action Committee meets to draft proposed Delegate Selection and Affirmative Action Plans.
March 2	Delegate Selection Affirmative Action Committee members must be submitted to the Rules and Bylaws Committee including names, contact information and demographic data.
February 28	Proposed Delegate Selection and Affirmative Action Plans are tentatively approved for public comment by State Party Committee. Public comments are solicited on the proposed Delegate Selection and Affirmative Action Plans. Press releases are mailed announcing the public comment period
March 30	Period for public comment on state Plan is concluded. Responses are compiled for review by the State Party Committee. State Party Committee reviews public comments and adopts revised Delegate Selection and Affirmative Action Plans for submission to DNC Rules and Bylaws Committee. Press releases are mailed announcing the approval of the Plan.
May 3	Delegate Selection and Affirmative Action Plans are forwarded to the DNC Rules and Bylaws Committee.
September 1	State Party begins implementation of the Affirmative Action Plan. Press kits, as described in the Affirmative Action Plan, are sent to all state media.

2020

January 8	Delegate and alternate candidates may obtain the statement of candidacy and pledge of support forms and filing instructions from State Party Committee Headquarters, in person, by mail, or from State Party's web site at [www.democrats.org]. Presidential Candidate filing begins in the Secretary of State's office
January 28	Presidential candidate deadline for filing the certificate of announcement of candidacy with the Secretary of State and a copy to the State Party

February 14	Presidential candidate deadline for certifying the name(s) of their authorized representative(s) to the State Party.
March 28	Pre-primary county convention to elect delegates to the state convention
May 12	Presidential preference primary. PLEO candidate deadline for filing the statement of candidacy and pledge of support forms with State Party
May 13	District-level and alternate candidate deadline for filing the statement of candidacy and pledge of support forms with State Party.
May 14	At-large candidate deadline for filing the statement of candidacy and pledge of support forms with State Party.
May 15	State Party provides list of district-level, PLEO and at-large delegate and alternate candidates to the respective Presidential candidates.
May 22	Presidential candidates provide list of approved district-level delegate and alternate candidates to State Party.
June 1	Secretary of State certifies results of primary;
June 12-13	State Convention convenes.
June 12	District –level delegates and alternate elected in district caucuses. Following election of district-level delegates, presidential candidates provide approved lists of PLEO candidates to the State Party.
June 13	By 9am., presidential candidates provide approved lists of PLEO candidates to the State Party. Pledged PLEO delegates selected. Following selection of PLEO delegates, presidential candidates provide approved list of at-large delegate candidates to State Party. State Executive Committee elects at-large delegates and alternates. Presidential candidates submit lists of candidates for standing committee members to State Party. National Convention delegation meeting. Delegates select National Convention Standing Committee Members and Delegation Chair. State Chair names convention pages
June 16	State Chair certifies in writing to the Secretary of the DNC the State's Standing Committee Members, Delegation Chair, and Convention Pages.

June 21	State Party certifies elected district-level delegates to the Secretary of the Democratic National Committee.
June 22	State Party certifies remainder of elected delegates and alternates (PLEOs and at-large), delegation chair, and convention pages.
June 22	State Party certifies in writing to the Secretary of the DNC the presidential preference of Pledged PLEOs and At-Large Delegates and Alternates.