

**South Carolina Delegate Selection Plan and Affirmative Action Plan**  
**for the**  
**2020 Democratic National Convention**

South Carolina Democratic Party  
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## **I. Call to Convention**

By authority of the Democratic State Executive Committee, the state convention of the South Carolina Democratic Party is hereby called to meet on Saturday, May 30, 2020, at the Columbia Convention Center, 1104 Lincoln Street, Columbia, South Carolina to elect three members of the Democratic National Committee, and to elect Delegates and Alternates to the Democratic National Convention to be held in Milwaukee, Wisconsin, July 13-18, 2020, and to conduct such other business as seems necessary and advisable.

## **II. Policy**

In preparing for the state convention, conducting the presidential primary, the precinct meetings, the county conventions, and other business relating to the activities of the South Carolina Democratic Party leading up to the state convention, the South Carolina Democratic Party Executive Committee hereby adopts the following policy to be followed and to be considered as a guidance supplementary to the rules of the South Carolina Democratic Party and the laws of the State of South Carolina as presently written.

In order to insure that the South Carolina Democratic Party is an open party accessible to all who wish to associate with it in good faith and in order to insure that all Democrats will have a full, meaningful, and timely opportunity to participate, the Party states and emphasizes the six basic principles of openness:

1. All public meetings at all levels of the Democratic Party shall be open to all members of the Democratic Party regardless of race, gender, age, color, creed, national origin, religion, ethnic identity, sexual orientation, gender identity or expression, economic status or physical disability, hereinafter referred to as status.
2. No test for membership in or oath of loyalty to the Democratic Party shall be required or used which as the effect of requiring prospective or current members of the Democratic Party to acquiesce in, condone, or support discrimination on the grounds of status.
3. The time and place for all public meetings of the Democratic Party on all levels shall be publicized full and in such a manner as to assure timely notice to all interested persons. Such meetings must be held in public places accessible to all party members and large enough to accommodate all interested persons.
4. The Democratic Party on all levels shall support the broadest possible registration without discrimination on grounds of status.
5. The Democratic Party shall 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 the Democratic Party officers and representatives on all levels. Publication of these procedures shall be done in such a fashion that prospective and current members of the 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.
6. The Democratic Party shall publicize fully, and in such a manner as to assure notice to all interested parties, a full description of the legal and practical qualifications of all officers and representatives of

the state Democratic Party. Such publication should be done in a timely fashion so that all prospective candidates or applicants for any elected or appointed position within the state Democratic Party will have full and adequate opportunity to compete for office.

### III. Schedule for Delegate Selection

The items of business in Section 1-Call to Convention will be dealt with in precinct meetings and county conventions, as well as in the state convention. All elements involved in the delegate selection process will take place in the Calendar year of the National Convention, except those related to the Affirmative Action Plan or those otherwise specifically allowed by the DNC Rules and Bylaws Committee.

| <b>Date/Deadline</b> | <b>Activity 2019</b>  |
|----------------------|---|
| <b>March 2-</b>      | State Party Chair appoints Delegate Selection Affirmative Action Committee Members  |
| <b>March 15-</b>     | State Party announces the Affirmative Action Committee members and relays information to the DNC  |
| <b>March 23-</b>     | State Executive Committee approves proposed Delegate Selection and Affirmative Action Plan  |
| <b>March 25-</b>     | Public comments solicited on proposed Delegate Selection Plan. Press release issued. Plan advertised on SC Democratic Party web page and Facebook page. Affirmative Action Committee begins review            |
| <b>April 24-</b>     | Period for Affirmative Action Committee and public comment on state plan completed.<br>Input and responses compiled for review by the State Party Executive Committee.  |
| <b>April 27-</b>     | State Party Executive Committee reviews public comments and adopts revised (if necessary) Delegate Selection and Affirmative Action Plan. Press release will be issued thereafter.                            |
| <b>May 3-</b>        | Delegate Selection and Affirmative Action Plan forwarded to DNC Rules and Bylaws Committee  |
| <b>August 1-</b>     | Initiate Precinct Reorganization and County Convention planning   |
| <b>September 15-</b> | Implementation of Affirmative Action Plan begins. Press kits are posted on SCDP website and sent to all in-state media.   |
| <b>November 1-</b>   | County Chairs provide County Convention date to SCDP. Date chosen for county conventions must be between March 28 and April 18, 2020, except that no county convention may be held April 8-- April 12, 2020.. |
| <b>November 1-</b>   | Presidential candidate filing petition form available at SCDP.  |
| <b>November 16-</b>  | 9:00 am Presidential candidates may begin to file with the Democratic Party of South Carolina to qualify for the primary.   |
| <b>November 27-</b>  | SCDP must give written notice to the State Election Commission of the date set for  |

the Party's Presidential Preference Primary.

- December 4-** 12:00 Noon Filing period for Presidential candidates closes. Presidential candidates must certify the names of their authorized representatives to the State Party Chair.
- December 7-** Every Presidential candidate must submit a written statement indicating steps that his or her campaign will take to encourage diversity and full participation in delegate selection.
- December 6-** SC Executive Council reviews and certifies presidential candidates for the ballot. (Meeting may be via phone or email)
- December 6-** 5:00pm SCDP Chair provides presidential primary ballot names to SC Election Commission.
- February 29-** State-run Presidential Primary. Note: Candidates for National Delegate must vote.
- March 14-** Precinct Reorganization Meeting 10:00am. Candidates for National Delegate must attend.
- March 25-  
April 7** County Democratic Conventions-date to be set by each County Chair and provided to the SCDP by no later than November 1, 2019. Candidates for National Delegate must attend their county conventions as delegates or alternates. See Section V.A. for Delegate qualification requirements.
- April 2-** Delegate Candidate forms available on SCDP.org or at the SCDP office.
- April 30-** 5:00pm Pledged PLEO, Congressional District and At-large Delegate or Alternate candidate deadline to file statement of candidacy and pledge of support forms with State Party Headquarters. Such candidates must have been elected delegate or alternate to the state convention.
- May 4-** 5:00pm The State Party Chair will convey to each Presidential candidate a list of all Delegate or Alternate candidates pledged to the candidate.
- May 11-** 5:00 Presidential candidate approval deadline for District-level, At-large, and pledged PLEO delegate candidates. By May 9, candidates or their representatives must notify, in writing or electronically, all candidates for Delegate who are removed from the ballot by the presidential candidate of such removal.
- May 21-** The State Party Chair will certify to the DNC Rules and Bylaws Committee whether a presidential candidate has used his or her best efforts to submit a list of Delegate candidates, at each level, that meets the affirmative action considerations.
- May 30\*-** State convention convenes in Columbia. Congressional District caucuses elect Congressional District delegates. Pledged PLEO delegate candidates who have not already filed a pledge of support may do so at this time. The state party considered religious observations which could significantly affect participation when selecting this

date.

State Party Chair transmits list to Presidential candidates, who have 15 minutes to return a revised list of approved delegates. Pledged PLEO delegates are elected. State convention elects At-large Delegates and Alternates after Presidential candidates' approval is received.

**June 12-** 5:00pm Presidential candidates submit names of candidates for standing committees to the State Party Chair

**June 10-** The SCDP Chair must certify Delegates to the Secretary of the DNC. Certification should occur within 10 days of the election of the Delegates.

**June 13-** SC National Delegates elect Delegation Chair and National Convention Standing Committee Members from the candidates submitted by the Presidential candidates. SCDP Chair names Convention Pages

SCDP Chair certifies the election of the Standing Committee members, pages and delegation Chair in writing to the Secretary of the DNC.

\*Congressional District caucuses will be held at the State Convention.

**IV. Selection of Delegates and Alternates Summary**

South Carolina will use a proportional representation system based on the results of a primary for apportioning its delegates to the 2016 Democratic National Convention. The "first determining step" of South Carolina's delegate selection process will occur on Saturday, February 29, 2020.

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

| Type  | Delegates | Alternates | Date of Selection                         | Selecting Body/ Filing Requirements Deadlines                              |
|---|-----------|------------|---|--|
| District Level                              | 35        | 0          | 5/30/2020                                 | Congressional District Delegates- File with SCDP by 5:00pm, April 30, 2020 |
| Unpledged PLEO Delegates                    | 8         | N/A        | N/A                                       | Automatic (current DNC members and Democratic Congressmen)                 |
| Pledged Party Leaders and Elected Officials | 7         | N/A        | 5/30/2020after CD Delegates are elected   | State Convention Delegates - File with SCDP by 5:00pm April 30, 2020       |
| At-large                                    | 12        | 5          | 5/30/2020after PLEO delegates are elected | State Convention/File with SCDP by 5:00pm April 30, 2020                   |
| <b>Total:</b>                               | <b>62</b> | <b>5</b>   |   |  |

The exact number of Unpledged PLEO Delegates is subject to change due to possible deaths, resignations, elections or special elections.

- A. **Selection of DNC Standing Committee Members (for the Credentials, Platform, and Rules Committees).** The state’s National Convention delegates as summarized below will select standing committee members.

| Members per Committee | Total Members | Selection Date | Filing Requirements & Deadlines   |
|-----------------------|---------------|----------------|---|
| 2                     | 6             | 6/13/20        | Presidential candidates must submit a list of approved names by June 12, 2020, 5:00pm |

- B. **Selection of Delegation Chair and Convention Pages.** The National Convention Delegates will select the Delegation Chair, in consultation with the South Carolina DNC members on June 13, 2020. The State Democratic Party Chair will select one male Convention Page and one Female Convention Page on June 13, 2020.

**V. Selection of Delegates and Alternates**

This Delegate Selection Plan provides the procedures for the selection of 62 Delegates and 5 Alternates from South Carolina to the 2016 Democratic National Convention.

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 (“Rules”), the Call for the 2020 Democratic National Convention (“Call”), the Regulations of the Rules and Bylaws Committee for the 2020 Democratic National Convention (“Regs.”), the rules of the Democratic Party of South Carolina, the South Carolina Code of Laws, and this Delegate Selection Plan.

South Carolina’s delegation shall be equally divided between Delegate men and Delegate women, and Alternate men and Alternate women. This goal applies to the entire delegation, which includes all pledged Delegates and Alternates and all unpledged Delegates. Delegates and Alternates shall be considered separate groups for purposes of achieving equal division.

At every level of the delegate selection process the following procedures will be adhered to so that the process will yield a delegation to the 2020 Democratic National Convention that fairly reflects the division of presidential preference among those who participate.

**A. General Provisions**

1. Qualifications for Delegates and Alternates

- a. No one may be elected as a Delegate or Alternate to the National Convention unless he or she has voted in the 2020 SC Democratic Presidential Primary *and* attended his or her 2020 precinct meeting and 2020 County Convention as a delegate or alternate. The precinct meetings will take place at 10:00am on March 21, 2020 in every county. Information on locations will be posted on the SCDP website and in public notices in accordance with SC Law. All Democrats may attend precinct meetings where precinct officers and delegates to county conventions will be elected.

b. Any delegate or alternate to the State Convention who has met the requirements of this Plan may place his/her name in nomination for a position as a Delegate or Alternate to the National Convention by following the filing process outlined in this plan, with the understanding that, under Rule VI.B of this Plan, a presidential candidate's authorized representative may remove names from the Delegate ballot.

c. Any delegate or alternate to the county convention who has met the requirements of this plan may place his/her name in nomination for a position as a delegate or alternate to the State Convention. Every county convention must hold an election to choose delegate and alternates to the state convention.

## 2. Other Provisions

a. Participation is open to all registered voters who wish to participate as Democrats, regardless of status. There is no requirement that a voter shall have been registered for any minimum time prior to the precinct meetings. A voter must have been registered for 30 days prior to the primary. Persons who will turn 18 before the November, 2020, general election may register to vote in SC in time to vote in the primary.

b. No person shall vote in more than one precinct meeting or county convention.

c. No person shall participate or vote in the nominating process for the Democratic presidential candidate who also participates in the nominating process for any other party for the corresponding elections. A party's nominating process includes the presidential primary (or caucuses), precinct meetings, county conventions and state conventions. All voters in the primary and all participants in the precinct meetings shall sign the following statement prior to voting: "I do solemnly swear or affirm that I am a registered voter of this precinct and I have not participated in the 20120 Presidential nominating process of any other political party."

d. At no stage of South Carolina's delegate selection process shall any person be required, directly or indirectly, to pay a cost or fee as a condition for participating. (However, travel and lodging are the personal responsibility of the delegate or alternate.) Voluntary contributions to the party may be made, but under no circumstances shall a contribution be mandatory for participation.

e. No voting shall be by secret ballot at any level of the delegate selection process.

f. At every stage of the process above the precinct level, there shall be equal division between delegate men and women and between alternate men and women, provided there may be a variance no greater than one. There may be an exception to this in a precinct where sufficient numbers of one sex are not present to fill the delegate slots allotted to that sex. Nonbinary delegates will not be counted in either category.

g. 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.

h. Delegates elected to the national convention pledged to a presidential candidate shall in good conscience reflect the sentiments of those who elected them.



i. Forty percent (40%) 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 convention delegates.

j. There will be no proxy voting at any stage of this process. Alternates who are replacing delegates must register with the county chair or the chair's designee at the time of the replacement in order to vote for Delegates and Alternates to the National Convention.

k. The unit rule, or any other 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.

l. Any individual, including presidential candidates, 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.

m. In electing and certifying Delegates and Alternates to the 2020 Democratic National Convention, South Carolina undertakes:

- To insure 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 programs toward that end.

- To insure 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.

- To guarantee 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 for any candidate for President and Vice President other than the nominees of the Democratic National Convention.

- To guarantee 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.

n. All Delegates, Alternates, and standing committee members must be *bona fide* Democrats who have the interests, welfare and success of the Democratic Party of the United States at heart, 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 Democratic National Convention in good faith.

3. South Carolina is participating in the state government-run presidential preference primary that will utilize government-run voting systems. The SCDP will continue to take provable positive steps to:

- a. Promote the acquisition, maintenance, and regular replacement of accessible precinct based optical scan systems, wherever possible .
- b. Seek enactment of legislation, rules, and policies at the state and local level to ensure that direct recording electronic systems include a voter verified paper trail.
- c. Seek enactment of legislation; rules and policies at the state and local level to ensure that both optical scan and direct recording election 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 of 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 their 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.

4. These provable positive steps have included or will include: the drafting of corrective legislation; public endorsement by the state party of such legislation; efforts to educate the public on the need for such legislation; active support for the legislation by the state party lobbying state legislators, other public officials, Party officials, and Party members; and encouraging consideration for all auditing procedures; and effective procedures for addressing evidence of fraud or error.

#### 5. Scheduling of Delegate Selection Meetings

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 as well as take in consideration of any religious observations that could significantly affect participation.

### **B. Procedures for Selecting Delegates and Alternates to the County and State Conventions**

1. Prior to the precinct reorganization meeting meetings, each county party's Executive Committee shall determine the number of delegates to be elected by each precinct to the County Convention. Under South Carolina State Law each precinct is entitled to one delegate for each twenty-five (25) voters or for major fraction thereof in the first primary of the preceding general election year in that precinct, or one for each 25 votes, and major fraction, for the Democratic electors in the last election for President. These numbers may be doubled, tripled, or halved at the discretion of the county Executive Committee, provided that the numbers from every precinct in a county must be treated the same way.

2. Prior to the precinct reorganization meetings, the state party shall notify each county party of the number of delegates that the county may elect to the State Convention. Those numbers are in a chart in Appendix A. (Under South Carolina State Law, each county is entitled to one

delegate for each 6000 residents, according to the latest U.S. Census, plus two additional delegates.) These numbers will be doubled and the delegates given half votes. Every county convention must hold an election to choose its delegates and alternates to the state convention.

3. A county Democratic Party with so many convention participants that electing delegates and alternates county wide or congressional district wide is unwieldy may adopt a process which divides the participants into smaller units for electing its delegates and alternates to the State Convention. These smaller units must be based on either number of registered voters or Democratic voting strength and must maintain the principle of one person, one vote. Affirmative action requirements and equal division shall be adhered to and there can be no single member districts.

4. For the election of alternates at the County level to the State Convention the same process used to elect delegates will be repeated.

5. For the purpose of electing delegates and alternates to the State Convention, several county conventions must divide into Congressional District Caucuses. The chart in Appendix A indicates these counties that contain two Congressional Districts and the number of delegates to be elected in each Congressional District. These numbers are half votes.

Congressional Districts in effect as of Jan. 1, 2020, will be used to apportion district level delegates.

\*In those counties containing two Congressional Districts/ each electing an odd number of delegates/ a drawing will be held between the temporary Congressional District chairs to determine the gender of the odd numbered delegate to achieve overall equal division of that county's delegation to the State Convention except that in Colleton County the single delegate from the 6th Congressional District shall be elected without regard to gender and the 1st Congressional District caucus shall elect the remaining 16 delegates in an equal division between men and women.

6. Replacement of County and State Convention delegates and alternates will be accomplished in the following manner:

a. A delegate who is to be absent or resigns will select from the alternates of his or her county and Congressional District (if possible) the particular alternate who shall take his or her place. If possible that alternate shall be of the same sex.

b. If, due to health, absence, or disability, a delegate is unable to select the alternate to take his or her place, that selection shall be made by the delegation in a manner which assures that the alternate will be of the same sex and political subdivision as the delegate replaced.

c. A vacant alternate position shall be filled by the precinct or county delegation and the replacement shall be of the same sex and, if possible, from the same political subdivision.

The election of delegates at each level shall be handled in such a way that the process is open to every delegate who has met the qualifications set forth in this To ensure that there are no secret ballots, if paper ballots are used, each ballot will be signed by the delegate. **Unsigned ballots will not be counted.**

## VI. Responsibilities and Rights of the Presidential Candidates

### A. Filing and Certification of Candidates for President

1. A presidential candidate gains access to the South Carolina ballot by filing a statement of candidacy with the South Carolina Democratic Party. Filing opens at 9:00AM, November 16, 2019. Filing must be completed by 12:00 noon, December 4, 2019. A fee of \$20,000.00 must accompany the statement of candidacy, payable to the South Carolina Democratic Party, by each candidate seeking access to the ballot in accordance with Section 7-11-20 (8) (2) of the S.C. Code of Laws. This \$20,000.00 fee will be counted toward the filing fee payable to the South Carolina Election Commission, which can be up to \$20000.00, as determined by the Commission. The SCDP will transmit the filing fee from the candidate to the S.C. Election Commission.

Pursuant to Section 7-11-20 (8) (2) of the Code of Laws of South Carolina, a candidate seeking the nomination of the Democratic Party for President of the United States will be certified by the S.C. Democratic Party to the State Election Commission as a candidate for the Democratic presidential primary. A vote of the State Party Executive Council will determine which candidates will be certified. The Executive Council will only vote to certify those candidates who are *bona fide* Democrats, whose record demonstrates their faithfulness to the Democratic Party, who are generally acknowledged or recognized in news media throughout the United States as viable candidates for that office, who are actively campaigning for the South Carolina Democratic presidential primary, and who are taking demonstrable steps to qualify for the delegate selection process in at least 12 states.

Only those candidates about whom such determination is made by the Executive Council shall be deemed to meet the qualifications of party rules under and for purposes of Section 7-11-20 (8) (2) of the Code of Laws. Additionally, no one may gain access to the South Carolina Democratic ballot unless he or she is a registered voter, is legally qualified to hold the office of President of the United States, and is entitled to obtain delegates.

The Executive Council will meet at 1:00PM on Monday, December 6, 2019, to certify candidates for the presidential primary ballot.

2. Each presidential candidate shall certify in writing to the State Democratic Party Chair the name of her or his authorized representative by noon on December 4, 2020.

3. Each presidential candidate shall use his or her best efforts to ensure that her or his respective delegation within the state delegation achieves the affirmative action goals established by this Plan and is equally divided between men and women and shall inform the SCDP Party Chair of what those efforts are. (See XIII.A.5.a,b,c of this plan)

4. In order to insure that participants in the delegate selection process can be fully informed and in order to insure a more orderly process, the following procedures were adopted by which presidential candidates may qualify to seek and obtain delegates to the 2016 National Convention.

a. No later than November 1, 2019, the State Party Chair shall send to all known, declared, or potential candidates and the Democratic National Committee a certified letter informing said persons that they may register their desire to seek and obtain delegates from South Carolina.

b. Above letter will include as enclosures an envelope addressed to the South

Carolina Democratic Party and a statement of candidacy form.

c. The candidate must complete the signed and witnessed form and return it to the Chair of the South Carolina Democratic Party at the state party headquarters in Columbia between November 16, 2019 and noon on December 4, 2019.

d. The returned statement of candidacy form must be accompanied by a certification fee of \$20,000.00 to be counted toward the filing fee, the amount to be determined by the S.C. Election Commission. If the filing fee set by the Election Commission is set at less than \$20,000, presidential candidates will be notified that the filing fee has been reduced. No candidate will be required to pay more than the fee set by the Election Commission.

Nothing herein shall be deemed to preclude a participant or delegate to the state convention from adopting or maintaining an uncommitted status.

#### B. Presidential Candidate Right of Approval

1. The State Democratic Party Chair shall convey to the presidential candidates, or that candidate's authorized representative, not later than 5:00PM on May 4, 2020, a list of all persons who have filed for Delegate or Alternate pledged to that presidential candidate.

2. Each presidential candidate, or that candidate's authorized representative, must then file with the State Democratic Party Chair, by May 11, 2020, a list of all such candidates she or he has approved, provided that, at a minimum, three names remain for every Congressional District National Convention Delegate position and two names remain for each PLEO national convention Delegate to which the presidential candidate is entitled.

At the District level, approval is to be given to at least three (3) times the number of candidates for Delegate men and three (3) times the number of candidates for Delegate women to which a candidate is entitled, keeping in mind the requirement that no more than half the Delegates from any Congressional District may be from the same county.

At the PLEO level, approval is to be given to at least 2 times the number of Delegate men and 2 times the number of Delegate women to which a candidate is entitled.

The presidential candidate, or that candidate's authorized representative, must notify candidates for Delegate who are removed from the ballot at this time, in writing or electronically, of such removal, by May 12, 2020.

After the Congressional District level and the PLEO national convention Delegates have been selected on May 30, 2020, each presidential candidate, or that candidate's authorized representative, must file with the State Democratic Party Chair a list of At-Large candidates she or he has approved, provided that, for each At Large Delegate and/or Alternate position, a minimum of two names remain. The candidate or candidate's authorized representative has 15 minutes to return a revised list of PLEO delegates following the selection of district-level delegates and that each candidate has 15 minutes to return a revised list of at-large Delegates following the selection of PLEO Delegates.

3. Failure to respond in writing by the presidential candidate or the candidate's authorized representative to the State Party Chair by 5:00PM on May 8, 2020, will be deemed approval of all

District-level Delegate candidates submitted to the presidential candidate.. For PLEO Delegates and At-Large delegates, failure to respond in writing after the 15 minute periods described in VI.B.2 will be deemed approval by the presidential candidate.

4. Pursuant to Rule 6.1 and Reg.4.9(c), the State Party Chair will certify to the DNC Rules and Bylaws Committee by May 21, 2020, whether a presidential candidate has used his or her best efforts to submit a list of delegate candidates, at each level, that meets the affirmative action consideration.

5. National convention Delegate and Alternate candidates removed from the list of *bona fide* supporters by a presidential candidate may not be elected at that level as a Delegate or Alternate pledged to that presidential candidate.

6. Presidential candidates' review and approval of PLEO candidates shall occur after the selection of district-level Delegates at the convention; at least two names must remain for every position. Candidate representatives may review the list of candidates for At-large Delegate and Alternate after all other Delegates have been selected and may at this time exercise their right to remove names from the ballot under the provisions of B.2. provided that in each category at least two candidates remain for every position.

## VII. Procedures for Qualifying for Delegates and Alternates to the National Convention

- A. Any delegate or alternate to the State Convention who is a resident of the appropriate Congressional District may place his or her name in nomination for Congressional District Delegate by filing a statement of candidacy designating his/her singular presidential preference and a signed pledge of support for the presidential candidate at the state Democratic Party headquarters on ??? Columbia, SC by 5:00PM, Thursday, April 30, 2020.. The mailing address for filing is South Carolina Democratic Party, Attn: Convention Delegate, P.O. Box 5965, Columbia, S.C. 29250. The statement of candidacy may also be scanned and emailed to [delegate20@scdp.org](mailto:delegate20@scdp.org). A Delegate candidate may modify his/her singular presidential preference by submitting an updated form before the filing deadline.
- B. Any delegate or alternate to the State Convention who has met the other qualifications to run as stated in V.A.1.a of this Plan can qualify as a candidate for a position as an At-large Delegate or At-large Alternate by filing a statement of candidacy designating her or his singular presidential preference, a signed pledge of support for the presidential candidate favored and the signatures of at least ten delegates to the State Convention at the state Democratic Party headquarters ???, Columbia, SC by 5:00PM, April 30,2020. The mailing address for filing is South Carolina Democratic Party, Attn: Convention Delegate, P.O. Box 5965, Columbia, S.C. 29250. The statement of candidacy may also be scanned and emailed to [delegate20@scdp.org](mailto:delegate20@scdp.org) or it may be filed by fax at 803-765-1692. A delegate candidate may modify his/her singular presidential preference by submitting an updated form before the filing deadline.

**No delegate shall sign more than one such petition. In the case of two or more petitions submitted bearing duplicate signatures, only the signature on the first petition received will qualify. In the case of petitions that are enclosed in an envelope for delivery, there may be no more than one petition per envelope.** *Any person wishing to run for an at-large delegate slot may, instead of submitting a petition, pay a filing fee of \$50.00 (check or money order) at the time of filing.*

This filing fee will not be refunded in the event the Delegate candidate's name is removed from the ballot by the presidential candidate or due to the failure of the candidate for Delegate or Alternate to comply with other candidate qualifications. The mailing address for filing is South Carolina Democratic

Party, Attn: Convention Delegate, P.O. Box 5965, Columbia, SC 29250. Forms may be scanned and emailed [delegate20@scdp.org](mailto:delegate20@scdp.org).

- C. Any delegate or alternate to the State Convention who meets the criteria outlined in section VIII.D.1 of this Plan may also qualify as a candidate for Pledged Party Leader and Election Official Delegate by filing a statement of candidacy designating his/her singular presidential preference at the state Democratic Party headquarters at 915 Lady Street Suite 111 Columbia, SC by 5:00PM Thursday, April 4, 2016. The mailing address for filing is South Carolina Democratic Party, Attn: Convention Delegate, P.O. Box 5965, Columbia, S.C. 29250. It may also be scanned and emailed to [delegate20@scdp.org](mailto:delegate20@scdp.org). A delegate candidate may modify his/her singular presidential preference by submitting an updated form before the filing deadline.
- D. The statement of candidacy and pledge of support for At-large Delegates and/or At-large Alternates will be the same. After the At-large Delegates are elected those persons not chosen will then automatically be considered candidates for Alternate positions unless they specify otherwise when filing. No additional filing is necessary.
- E. **No statement of candidacy (except as stated in F. below) will be accepted for any reason after 5:00PM on Thursday, April 30, 2020.** It is the responsibility of those wishing to run for Delegate positions to ascertain, by contacting state Democratic Party headquarters prior to the deadline, whether their statements of candidacy and petitions (or check/money order) have been received, and whether their petition signatures are valid. No candidates for Delegate or Alternate will be added to the list **for any reason** after 5:00PM, Thursday, April 30, 2020, nor will any person be allowed to run for a slot allotted to a Presidential candidate other than that candidate to whom she/he has pledged support.
- F. If persons eligible for pledged Party Leader and Elected Official Delegate positions have filed but have not already made known the presidential preference, they must do so by filing a pledge of support with the SCDP Parliamentarian at the state convention on April 30, 2016 within 30 minutes after the selection of Congressional District delegates.
- G. A delegate or alternate candidate may modify his or her singular presidential preference by submitting an updated pledge of support no later than the applicable filing deadline.

## VIII. Selecting Delegates and Alternates to the Democratic National Convention

### A. Congressional District Delegates

1. South Carolina is allocated 35 Congressional District Delegates to be elected by presidential preference caucuses within district-level caucuses at the state convention. Participants in Congressional District Caucuses must sign a pledge of support for a presidential candidate in order to vote for Delegates allocated to that candidate.
2. District-level Delegate positions will be allocated to presidential preferences through a proportional representation system based on a primary held on Saturday, February 29, 2020.
  - a. South Carolina's District Delegates are apportioned among the Congressional Districts based on a formula giving equal weight to the vote for the Democratic candidates in the most recent presidential (2016) and gubernatorial (2018) elections. This formula also provides the most transparency and it is the clearest method to understand of the DNC options.

1. The state's total number of Congressional District Delegates will be equally divided between men and women with a variance of one.

2. No more than one-half of the Delegates elected in a Congressional District caucus shall be from the same county.

b. Alternates will not be elected at the congressional district level. All 5 alternates will be elected at the at-large level. The District delegates are apportioned to Districts as indicated in the following chart:

| Congressional District | Male delegates | Female delegates | Add delegate if odd # | TOTAL DELEGATES |
|------------------------|----------------|------------------|-----------------------|-----------------|
| 1                      | 3              | 3                |                       | 6               |
| 2                      | 2              | 2                |                       | 4               |
| 3                      | 1              | 1                | +1 of either sex      | 3               |
| 4                      | 2              | 2                |                       | 4               |
| 5                      | 2              | 2                | +1 of either sex      | 5               |
| 6                      | 4              | 4                |                       | 8               |
| 7                      | 2              | 2                | +1 of either sex      | 5               |

Presidential candidates' representative(s) will determine a method (i.e. coin toss) to provide for the "plus 1" Delegates to be chosen by lot so the end result will be 18/17 females/male delegates or vice versa.

In 2020, South Carolina is allotted only five Alternates who will be elected at-large to provide opportunity for more candidates from across the entire state to run for Alternate positions.

The allocation in the above chart is based on the 2016 Presidential vote and the 2018 vote for Governor.

4. District-Level Delegate Filing Requirements (See Section VII of this Plan)

a. All Delegate candidates must be identified as to presidential preference.

b. A District-level Delegate candidate may run for election only within the district in which he or she is registered to vote.

5. Fair Reflection of Presidential Preference

a. Primary/Convention - Proportional Representation Plan. South Carolina is a primary/convention state. Accordingly, Delegates shall be allocated so as to fairly reflect the expressed presidential preference of the primary voters in each Congressional District. Therefore, the national convention Delegates elected 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 preference falling below a fifteen percent (15%) threshold at the Congressional District primary level shall not be



awarded any delegates or alternates.

b. Within a Congressional District, if no presidential preference reaches a fifteen percent (15%) threshold, the threshold shall be the percentage of the vote received in that District by the front-runner minus ten percent (10%).

6. Equal Division of District-Level Delegates

a. In order to ensure that district-level Delegates are equally divided between men and women, Delegate positions within each district will be designated by presidential preference beginning with the highest vote-getting presidential preferences. This assignment of Delegate positions, alternating by sex as mathematically practical, will continue with the next highest vote-getting preferences in descending order until the gender of each position has been assigned.

b. The gender of the first position to be filled by the winning presidential candidate will be determined by drawing lots. The remaining delegate positions will be assigned to the presidential preference(s), in order of vote won, alternating by gender, once the allocation of district delegates among presidential preference(s) has been calculated. This determination will be made between April 4 and 8, 2020,, by representatives of the Affirmative Action Committee as chosen by the SCDP Chairman.

**B. Automatic Party Leaders and Elected Officials**

1. The following categories (if applicable) shall constitute the Automatic Party Leader and Elected Official Delegate positions:

- a. Members of the Democratic National Committee who legally reside in the state;
- b. South Carolina's Democratic Members of the U.S. House of Representatives;
- c. "Distinguished Party Leader" Delegates who legally reside in the state. These include the former chairs of the Democratic National Committee.

2. The certification process for the 8 unpledged Party Leader and Elected Official Delegates is as follows:

- a. Not later than March 1, 2020, the Secretary of the Democratic National Committee shall officially confirm to the state Democratic Party Chair the names of the unpledged Delegates who legally reside in South Carolina.
- b. Official confirmation by the Secretary shall constitute verification of the unpledged Delegates from the categories indicated above.

An Automatic Delegate may run as a pledged Delegate in order to have a vote at the Convention. If elected, he/she will not also serve as an Automatic Delegate.

**C. Pledged Party Leader and Elected Official (PLEO) Delegates**

South Carolina is allotted 7 pledged Party Leader and Elected Official (PLEO) Delegates.

Pledged PLEO Delegate Filing Requirements:

1. Individuals shall be eligible for the pledged Party Leader and Elected Official Delegate positions according to this priority: Democratic Mayors of big cities (Greenville, Columbia and Charleston); state legislative leaders, state legislators, and other state, county and local (not precinct) elected officials and party officers.
2. An individual can qualify as a candidate for a position as a pledged PLEO Delegate by filing a statement of candidacy at the state Democratic Party headquarters ?????. The mailing address for filing is South Carolina Democratic Party, Attn: Convention Delegate, P.O. Box 5965, Columbia, SC 29250.
3. Pledged PLEO Delegate Candidates must be identified as to presidential preference. If persons who have filed and are eligible for pledged Party Leader and Elected Official Delegate positions have not already made known their presidential preference, they must do so by filing a pledge of support with the state party at the state convention on May 30, 2020, within 30 minutes after the selection of district-level Delegates.
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.
  - b. Selection of the pledged PLEO delegates will occur on May 30, 2020, at the State Convention after the election of district-level delegates and prior to the selection of At-large delegates and alternates.
  - c. These Delegates will be selected by the state convention. The entire convention will caucus according to presidential preference with each caucus electing the number of PLEO delegates to which it is entitled. These delegates will be apportioned in the same manner as the At-large delegates. The state convention as a whole will ratify the PLEO delegates.
  - d. The pledged PLEO delegates must be equally divided between men and women with a variance of no more than one, and must include African Americans. Efforts should also be made to include other historically underrepresented groups.
  - e. Alternates are not selected at the pledged Party Leader and Elected Official level as all Alternates are elected at the At-large level.

**D. At-large Delegates and Alternates**

1. The state of South Carolina is allotted 12 At-large Delegates and 5 At-large Alternates.
2. Selection of At-large Delegates and Alternates (See Section VI of this plan)
  - a. At-large Delegate and Alternate positions shall be allocated among presidential preferences according to the division of preferences expressed among primary voters statewide.

b. Presidential preferences which have not attained a fifteen percent (15%) threshold on a statewide basis shall not be entitled to any At-large Delegates. If no presidential preference reaches a fifteen percent (15%) threshold, the threshold shall be the percentage of the statewide vote received by the frontrunner, minus ten percent.

c. The statement of candidacy for At-large Delegates and for At-large Alternates will be the same. After the At-large Delegates are elected by candidate caucuses at the State Convention, those persons not chosen will then be considered candidates for At-large alternate positions unless they specify otherwise when filing.

d. The selection of the At-large Delegates and Alternates will occur at the State Convention immediately after the pledged Party Leader and Elected Official delegates have been selected. These Delegates and Alternates will be elected in the same manner as the pledged PLEO delegates.

e. In the selection of the At-large delegation, priority of consideration shall be given to African Americans, Hispanics, and LGBT Democrats, if necessary to achieve Affirmative Action goals. The election of At-large Delegates and Alternates shall be used, if necessary, to achieve equal division of positions between men and women, and may be used to achieve the representation goals established in the affirmative action section of this Plan. Delegates and Alternates are to be considered separate groups for this purpose.

f. 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.

g. If a given presidential preference is entitled to one or more Delegate positions but would not otherwise be entitled to an Alternate position, that preference shall be allotted one Alternate position.

#### **IX. Certification of Delegates and Alternates to the National Convention**

The State Democratic Party Chair shall certify in writing to the Secretary of the Democratic National Committee (DNC) and the election of the state's Delegates and Alternates to the Democratic National Convention within ten days after their election.

#### **X. Replacement of Delegates and Alternates to National Convention**

A. A pledged Delegate or Alternate may be replaced according to the following guidelines:

##### **1. Permanent Replacement of a Delegate**

a. A permanent replacement occurs when a Delegate resigns or dies prior to and during the National Convention and an Alternate replaces that Delegate for the remainder of the National Convention.

b. Any Alternate permanently replacing a Delegate shall be of the same presidential preference and sex as the Delegate she/he replaces, and to the extent possible shall be from the same political subdivision within the state as the Delegate.

- (1) In the case where the presidential candidate has only one Alternate, that Alternate shall become the certified Delegate.
- (2) If a presidential candidate has only one Alternate, and that Alternate permanently replaces a delegate of the opposite sex thereby causing the delegation to no longer be equally divided, the delegation shall not be considered in violation of Rule 6.C (Delegate Selection Rules for the 2020 Democratic National Convention). In such a case, notwithstanding Rule 18.D (2) (Delegate Selection Rules for the 2020 Democratic National Convention), the National Convention delegation shall, at the time of a subsequent permanent replacement, replace a Delegate with a person of the opposite sex, in order to return the delegation to equal division of men and women.
- (3) If a Delegate or Alternate candidate who has been elected but not yet certified to the Secretary of the DNC resigns, dies, or is no longer eligible to serve, the delegate-elect or alternate-elect shall be replaced, after consultation with the SCDP, by the authorized representative of the presidential candidate to whom the delegate or alternate was pledged.

## 2. Temporary Replacement of a Delegate

a. 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.

b. Any Alternate who temporarily replaces a Delegate must be of the same presidential preference as the Delegate he/she replaces, and to the extent possible shall be of the same sex and from the same political subdivision within the state as the Delegate.

3. Where more than one Alternate meets the demographic criteria to replace a Delegate, both permanent and temporary replacement of a Delegate shall be by the Alternate who received the highest number of votes.

## 4. Certification of Replacements

a. The State Democratic Party Chair shall certify any Alternate who permanently replaces a Delegate in writing to the Secretary of the Democratic National Committee.

b. 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 Democratic Party Chair to the Secretary of the Democratic National Committee within three days after the replacement is selected.

c. 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.

d. 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 a case, the Delegation Chair shall indicate the name of the Alternate casting the respective Delegate's vote on the delegation tally sheet.

5. If an Alternate position becomes vacant after the Convention begins, the position shall be filled by the delegation. The replacement shall be of the same presidential preference and sex and, to the extent possible, from the same political subdivision as the Alternate being replaced.

B. Automatic Delegates shall not be entitled to a replacement, nor shall the state be entitled to a replacement, except under the following condition:

1. Members 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 Caucus of the U.S. House of Representatives or the Democratic Conference of the U.S. Senate.

2. 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 following 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's certification shall constitute verification of the corresponding change of Automatic delegates.

3. In no case may an Alternate cast a vote in the place of an Automatic Delegate on the floor of the Democratic National Convention.

## **XI. Selection of Standing Committee Members**

A. Introduction

1. South Carolina has been allocated two members on each of the three standing committees for the 2020 Democratic National Convention (Credentials, Platform, and Rules), for a total of six (6) members.

2. Members of the Convention Standing Committees need not be Delegates or Alternates to the 2020 Democratic National Convention.

B. Selection of Members

1. Selection Meeting

a. The members of the standing committees shall be elected by a quorum of South Carolina's National Convention delegates, at a meeting to be held on Saturday, June 13, 2020, at 11:00AM.

b. A quorum shall consist of forty percent (40%) of the state's delegates to the National Convention.

c. All members of the delegation shall receive timely notice of the time, date and place of the meeting to select the standing committee members.

## 2. Allocation of Members

a. The members of the standing committees allocated to South Carolina shall proportionately represent the presidential preference of all candidates (including uncommitted status) receiving the threshold percentage used in the state's delegation to calculate the At-large apportionment pursuant to Rule 13.E. of the Delegation Selection Rules of the 2020 Democratic National Convention.

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 South Carolina. 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, the presidential preference is entitled to one position. Those preferences securing more than 1.455 but less than 2.455 are entitled to two positions, etc.

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 the farthest from its eventual rounded-off total shall be denied one 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.

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.

## 3. Presidential Candidate Right of Approval

a. Each presidential candidate, or that candidate's authorized representative, 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.

b. Each presidential candidate, or that candidate's authorized representative, must submit to the State Democratic Party Chair by 5:00PM, June 12, 2020, a minimum of one name for each slot awarded to that candidate for members of each committee. The delegation shall select the standing committee members from among the names submitted by the presidential candidates. Presidential candidates shall not be required to submit the name of more than one person for each slot awarded to such candidate for members of standing committees.

## 4. Selection Procedure to Achieve Equal Division

a. Presidential candidates shall use their best efforts to ensure that their respective delegation of standing committee members shall achieve South Carolina's affirmative

action goals and that their respective members are equally divided between men and Women.

b. Each position on each standing committee shall be assigned by gender. For example, the first position on the Credentials Committee of the presidential candidate with the most standing committee positions shall be designated for a female; the second for a male, and the remaining positions shall be designated in like fashion, alternating between females and males. Positions for presidential candidates on each committee shall be ranked according to the total number of standing positions allocated to each such candidate. After positions on the Credentials Committee are designated by sex, 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 between men and women.

(3) The positions allocated to each presidential candidate on each committee shall be voted on separately, and the winners shall be the highest vote-getter(s) of the appropriate sex.

#### 5. Certification and Substitution

a. The State Democratic Party Chair shall certify the standing committee members in writing to the Secretary of the Democratic National Committee within three days after their selection.

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 days after the substitute member is selected but not later than 48 hours before the respective standing committee meets (Call VII.BA).

## **XII. Selection of the Delegation Chair and Convention Pages**

A. Introduction: South Carolina will select one person to serve as Delegation Chair and two to serve as Convention Pages

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 on Saturday, June 13, 2020, at 11:00AM.

b. A quorum shall consist of forty percent (40%) of the state's delegates to the National Convention.

c. All members of the Delegation shall receive timely notice of the time, date, and place of the meeting to select the Delegation Chair.

2. The State Democratic Party Chair shall certify the individuals to serve as South Carolina's Convention Pages in writing to the Secretary of the Democratic National Committee within three days after the selection. This certification shall be made not later than the time the state certifies its standing committee members.

### **XIII. Affirmative Action Plan**

#### **A. Introduction**

1. All public meetings at all levels of the Democratic Party in South Carolina shall be open to all members of the Democratic Party regardless of race, sex, gender, age, color, creed, national origin, religion, ethnic identity, sexual orientation, gender identity or expression, economic status, or physical disability (hereinafter collectively referred to as "status").

2. 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 South Carolina Democratic Party.

3. Discrimination on the basis of "status" in the conduct of Democratic Party affairs is prohibited.

4. In order to achieve full participation by groups that are significantly underrepresented in our party's affairs, South Carolina has developed party outreach programs.

a. Such programs include recruitment, education, and training, in order to achieve full participation by underrepresented groups in the delegate selection process and at all levels of party affairs for 2020.

b. As part of these programs, outreach will be directed at all Democratic constituencies, including groups such as youth, persons over 65 years of age, lesbians, gay, bisexual and transgendered persons, hourly workers, persons with a high school education or less, persons with physical disabilities, veterans, persons of low and moderate income, rural residents, and women.

5. In order to encourage full participation by all Democrats in the delegate selection process and in all party affairs, the South Carolina Democratic Party has adopted and will implement affirmative action programs with specific goals and timetables for African Americans, women, people 36 and younger, LGBT and Hispanic, Asian Americans and Pacific Islanders, Native Americans and people with disabilities.

a. The goal of the affirmative action 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.

b. 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.



c. Because South Carolina voters do not register by party, the SC Democratic Party has determined the demographic composition of the state's Democratic electorate based on the 2016 Democratic presidential primary and 2018 Democratic primary participation, in compliance with DNC 2020 Delegate Selection Rules. The data comes from the SC Election Commission, which does include race and gender and age statistics but does not include statistics for LGBT voters or for persons with physical disabilities. For LGBT Democrat determination, exit poll data has been utilized to reach the 5% participation estimate resulting in the numeric goal of 3 delegates. The SCDP has generally established a 5% participation and population threshold to justify the establishment of a numeric goal for delegates. However, the SCDP Executive Committee voted to waive that 5% threshold in order to establish a specific goal for one Hispanic delegate in recognition of the tremendous growth in the Hispanic population of South Carolina and as an incentive for participation in the Democratic Party by members of the Hispanic community.

d. In light of the DNC Rules and Bylaws Committee recommendation concerning the establishment of a specific goal for persons with physical disabilities, the SCDP Executive Committee voted to waive the 5% threshold for disabled persons (if necessary) to establish a specific goal for one delegate for a person with physical disabilities. Because the SC Election Commission does not collect data on persons with disabilities, we were not able to determine the actual Democratic participation level of persons with disabilities. The 2010 Census data from the Social Security Administration provides data on persons with disabilities; however, the disability data available is not limited to persons with physical disabilities.

e. The calculations for the establishment of the goal are based on disabled South Carolinians among the general population because we don't have voter participation data. The Affirmative Action Committee is committed to significant outreach and media activity to persons with physical disabilities, beyond the established numeric goal. The SCDP Executive Committee believes the Affirmative Action Committee Plan, as well as the usual outreach and participation to persons with disabilities is substantial and continuing and is an important part of the overall inclusion efforts of the SCDP Delegate Selection Plan. The specific efforts are outlined in the SC Delegate Selection Plan Inclusion Program for Underrepresented Groups. We have retained this program for persons with disabilities as part of our Affirmative Action Plan, as a supplemental program, even though a specific goal was also set.

f. With respect to Asian Pacific Islanders and Native American voters, numbers of registered voters and those voting in the Democratic primaries are clearly under 1% of the total voter registration or electorate in South Carolina. This is also true for Democratic primary voters. Census data confirms that there has not been any significant change in the increase of these groups of voters among the general population or in voter participation so there was no impetus to waive the 5% threshold.

|  |                   |       |      |          |                                    |                         |
|--|-------------------|-------|------|----------|------------------------------------|-------------------------|
|  | African Americans | Youth | LGBT | Hispanic | Native Americans, Asian Americans, | Persons w/ disabilities |
|--|-------------------|-------|------|----------|------------------------------------|-------------------------|

|                 |     |    |    |      |  |      |
|-----------------|-----|----|----|------|--|------|
|                 |     |    |    |      | & Pacific Islanders                                |      |
| % of electorate | 57% | 7% | 5% | .04% | <1% combined<br>(w/o significant growth in 10 yrs) | .09% |
| Numeric goals   | 35  | 4  | 3  | 1    | 0  | 1    |

6. Inclusion Program for Underrepresented Groups. The South Carolina Democratic Party's Inclusion Program, without specific goals, is designed to proactively reach the state's various Democratic constituencies, specifically to include groups such as Native Americans, Asian Americans and Pacific Islanders. The SC Democratic Party's efforts include outreach, recruitment, education and training, in order to achieve full participation by such groups. The goal is to heighten awareness among these groups of the Democratic Party's desire to have them fully participate in the delegate selection process and at all levels of Party affairs for 2020. The SCDP Affirmative Action Plan and Inclusion Programs are consistent with the Democratic Party's commitment to including these historically underrepresented groups in the Democratic Party's affairs. (Rules 5.C and 7 and Reg. 4.7.)

The South Carolina Democratic Party will include additional outreach for persons with disabilities in addition to adding a specific goal for persons with disabilities. The SCDP is pleased that for many cycles our delegations have included persons with disabilities. We will continue and expand our outreach, recruitment, education and training efforts to be certain the South Carolina delegation continues to include persons with disabilities. In securing this level of full participation of persons with disabilities, the SC Democratic Party will work with the SC Protection and Advocacy for People with Disabilities Inc. and the National Disability Rights Network. Additional resources are available and will be utilized for outreach and education and recruitment efforts for persons with disabilities, including the national Protection and Advocacy for Voting Access (PAVA) program, which is designed to ensure election access to individuals with disabilities.

The PAVA website provides significant resources which are useful in our outreach and education efforts. PAVA.<http://www.ndrn.org/en/issues/voting/365-pa-va-materialshtml>

The State Party will continue to make accommodations to facilitate greater participation by people with disabilities. For example, we will choose sites with wheelchair accessibility and which have a sign language interpreter present, if needed, or assisted listening devices when available or if requested, at any point during the delegate selection process or meetings. The State Party will extend a good faith effort to utilize culturally sensitive and appropriate terminology when conducting outreach efforts in all of these communities. The State Party will appoint a staff person to seek out leaders within these communities to assist the Party with community outreach and delegate training. Further description of efforts to achieve full participation by persons with disabilities and groups relating to publicity, education outreach and recruitment are detailed below in Section C. Implementation of the Plan.

7. In accordance with DNC Reg. 5.3 "Youth" includes persons 36 years and younger. However SCDP will continue to focus on including 18 to 30-year-old delegates.

8. Native American delegate candidates will be asked to provide their tribal affiliation and enrollment in accordance with DNC Rules.

9. Presidential candidates shall assist the South Carolina Democratic Party in meeting the demographic representation goals reflected in the Affirmative Action Plan.

a. Each presidential candidate must submit a written statement to the State Democratic Party Chair by December 7, 2019, to indicate the specific steps he or she will take to encourage full participation in the delegate selection process, including, but not limited to, procedures by which persons may file as candidates for delegate or alternate.

b. Each presidential candidate must submit demographic information with respect to all candidates for Delegates and Alternates 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.

c. Presidential candidates shall use their best effort to ensure that their respective delegations within the state's delegate, alternate and standing committee delegations shall achieve the affirmative action goals reflected in the Affirmative Action Plan and that the respective delegations of each presidential candidate shall be equally divided between women and men. Furthermore, presidential candidates shall use their best efforts at the district-level to approve delegate and alternate candidates who meet applicable equal division and affirmative action considerations in order to achieve the affirmative action goals and equal division for their respective Delegations.

10. Implementation of the Affirmative Action Plan shall begin on September 15, 2019, with the distribution of press kits, and will continue through the end of the process.

#### B. Organizational Structure — Affirmative Action Committee

1. An Affirmative Action Committee shall be appointed by the State Democratic Party Chair on March 2, 2019.

2. The State Chair shall certify in writing to the Rules and Bylaws Committee of the Democratic National Committee the compliance of the State's Affirmative Action Committee with Rules 5.C, 6.A and 7, and submit the names, demographic data and contact information no later than 15 days after appointment (March 15, 2019).

3. 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.

4. The Affirmative Action Committee shall be responsible for:

a. Reviewing the proposed Delegate Selection and Affirmative Action Plans and making recommendations to the State Democratic Party Chair.

b. Directing the implementation of all requirements of the Affirmative Action section of this Plan.

c. Implementing a financial assistance program for delegates and alternates. In carrying out this responsibility, the Affirmative Action Committee shall:

(1) Encourage the participation and representation of persons of low and moderate income;

(2) Advise prospective delegates and alternates in a timely manner of the role and mandate of this Affirmative Action Committee:

(3) Receive requests for financial assistance from delegates and alternates otherwise unable to participate in the National Convention;

(4) Prepare specific information for all delegates and alternates as to how and where to seek financial assistance to defray expenses to the National Convention This information may include lists of groups or organizations willing to help, and fundraising ideas;

(5) Advise the State and County Democratic Parties on how to plan and conduct the fund raising events or solicitations necessary to supplement other delegate financial assistance fund raising efforts;

(6) Ensure, on behalf of the State Democratic Party, 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.

d. A portion [to be determined by the State Party Executive Council) of the voluntary filing fees paid in place of obtaining signatures for the petitions by candidates for Delegate will be placed in the financial assistance fund. Information about this use of the filing fees will be included on the Delegate filing forms.

e. Financial and staff support for the Affirmative Action Committee shall be provided by the State Party to the greatest extent feasible, including, but not limited to, the state party staff and volunteers and all reasonable costs incurred in carrying out this plan.

C. Implementation of the Plan

1. Efforts to Publicize the Delegate Selection Process

a . 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 in state party communications and on the SCDP Website, Facebook page and twitter account. 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 Democratic National Convention. (Rule 3.C & Rule 3.D).

b. Electronic and social media, newspapers, radio and television will be utilized to inform the general public how, when and where to participate in the delegate selection process. Specifically, this information should provide details as to how to qualify to run as a Delegate candidate. The State Democratic Party Chair, Affirmative Action Committee members, and staff shall direct special effort to the major daily newspapers, radio and television stations. There will be regular releases during the delegate selection process to all other media sources, weekly newspapers, and wire services. Frequent emails will be sent to all known Democrats reminding them of the process. We will also include information on all relevant Democratic group social media sites such as Facebook, twitter etc.

c. A priority effort shall be directed at publicity among the Democratic Party's constituencies. Information about the delegate selection process will be provided to minority newspapers and radio stations, ethnic press, radio stations, and publications, and women's organizations, student newspapers, Native American, Asian Americans and Pacific Islanders, Spanish-speaking and other non-English press, radio stations and publications, LGBT press, disability press, and any other special media in the state that is likely to reach the Democratic constituency groups set forth in the Introduction of this Affirmative Action Plan.

d. The State Democratic 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 t h e conduct of caucuses, conventions, meetings, etc. shall be effectively publicized, to encourage the participation of minority groups. Bilingual publication of information about the delegate selection process will be provided, if needed, to encourage the participation of minority groups. The list of "Constituency and Specialty Media Outlets and Targeted Groups are included as part "C" of "Exhibit #2" to this Plan.

e. Not later than September 15, 2019, a press kit shall be made and provided to each daily and weekly newspaper as well as to the electronic media. The press kit will include:

1. a summary of all pertinent rules related to the state's delegate selection process;
2. a map of congressional districts and how many delegates will be elected within each district;

3. a summary explaining the operation and importance of the 2016 State Convention; and

4. materials designed to encourage participation by prospective delegate candidates.

## 2. Education

a. Well-publicized educational workshops will be conducted in each of the delegate districts 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 physical 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 CD and county organizations and include mailings to various organizations representative of the Democratic voting populace as well as by email and social media.

b. A speaker's bureau of volunteers from the Affirmative Action Committee and others, composed of individuals who are fully familiar with the process will be organized to appear before groups as needed, to provide information concerning the process.

c. The SCDP will publish and make available at no cost a clear and concise explanation of how Democratic voters can participate in the delegate selection process. The State party shall also make available copies of the State Party Rules, the Delegate Selection Plan, the Affirmative Action Plan, and relevant state statutes at no cost not later than September 15, 2019. Copies of documents related to the state's delegate selection process, including county convention dates, will be distributed by the SCDP to county party officials not later than December 1, 2019. All these documents will be readily available on the State Party website, and county parties will be encouraged to post them as well. The Affirmative Action Committee and other volunteers will work closely with the SCDP staff to create messaging for all types of media including traditional media as well as Facebook, Twitter and YouTube.

d. The SCDP shall provide information explaining how, where and when persons can register to vote and will seek to ensure simple and easy registration procedures as much as possible. The SCDP will take all feasible steps to encourage persons to register and vote for Democrats.

## 3. Representation Goals

a. These goals are set forth above in A.5.c.

b. When selecting the At-large portion of the delegation, the demographic composition of the other Delegates (District-level and pledged PLEO) shall

be compared with the State Democratic Party's goals in order to achieve an At-large selection process, which helps to bring about a representative balance. Priority of consideration will be given to women, African Americans, young people, LG BT and Hispanic Democrats as well as Asian Americans, Pacific Islanders, Native Americans and persons with disabilities in the selection of the At-large delegation, if necessary to reach Affirmative Action goals.

c. Use of the At-large delegation to achieve the affirmative action goals established by this Plan does not obviate the need for the State Democratic Party and the presidential campaigns to conduct outreach activities such as recruitment, education and training.

## **XIV. Challenges**

### **A. Introduction**

#### **1. Jurisdiction**

a. 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 (Regs.3.], and the "Rules of Procedure of the Credentials Committee of the 2020 Democratic National Convention."

b. 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 Plans.

c. The Rules and Bylaws Committee has jurisdiction to hear and decide any challenge provided that it is initiated before the 56th day preceding the date of the commencement of the 2020 Democratic National Convention.

d. Challenges to the credentials of Delegates and Alternates to the 2020 Democratic National Convention initiated 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."

e. 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.

f. Copies of the Regulations of the Rules and Bylaws Committee and/or the Call for the 2020 Democratic National Convention, including the Rules of Procedures of the Credentials Committee (Appendix A), shall be made available by the State Democratic Party upon reasonable request.

2. Standing: Any group of fifteen [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 status of the state party committee as the body entitled to sponsor a delegation from that state shall be filed with the Rules and Bylaws Committee not later than thirty [30] calendar days prior to the initiation of the state's delegate selection process.

2. A challenge to the state's Delegate Selection Plan must be filed with the Chair of the South Carolina Democratic Party and the Co-Chairs of the Rules and Bylaws Committee within fifteen (15) calendar days after the adoption of the Plan by the State Democratic Party

3. A challenge to a Plan must be brought in conformity with the Rules and the Regs., 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.). 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.

2. An implementation challenge brought before the Rules and Bylaws Committee is initiated by filing a written challenge with the State Democratic Party and with the Rules and Bylaws Committee not later than fifteen (15) days after the alleged violation occurred. The State Democratic Party has twenty-one (21) days to render a decision. Within ten (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, any party to the challenge may request the Rules and Bylaws Committee to process it. The request must be made within ten (10) days after expiration of the above twenty-one (21) day period.

3. Performance under an approved Affirmative Action Plan and composition of the convention delegation shall be considered relevant evidence in the challenge to any state delegation. If a State Democratic Party has adopted and implemented an approved affirmative action program, the State Democratic Party shall not be subject to challenge based solely on delegation composition or primary results. (Rule 6.8. Delegate Selection Rules for the 2020 Democratic National Convention) The procedures are the same for challenges alleging failure to properly implement the Affirmative Action section of a Plan, except that such challenges must be filed not later than thirty (30) days prior to the initiation of the state's delegate selection process.



4. Depending on the appropriate jurisdiction (see Section VII.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.