State Committee Report

**Daniel Marks Cohen**

A number of members of the State Committee, myself included, recently signed a letter to Byron Brown, the Chair of the NYS Democratic Committee, about the events that occurred at the last state party meeting. It was at the 2018 fall meeting, held in Albany in October, when progressives attempted to hold people accountable for the scurrilous Cuomo campaign mailer that accused Cynthia Nixon of anti-Semitism during the height of the fall gubernatorial campaign season. When we attempted to raise the issue, the meeting was summarily adjourned. Furious, we confronted senior staff, including Geoff Berman, the Executive Director (who has just announced his resignation a few days ago), and received not even a half-hearted attempt to excuse their behavior. This after we spent several days and then a long night negotiating with Berman and others in an effort to prevent such an incident from happening again. The fact is that Committee members travel from across the state to meetings with no compensation for their time, travel and expenses, and to then be completely disrespected by being totally ignored was infuriating. I have reprinted the letter in full below:

**Hon. Byron Brown**

**Chair, New York State Democratic Committee**

**220 East 42nd Street, Suite 1306**

**New York, NY 10017**

December 18, 2018

Dear Chair Brown,

We, the undersigned members of the New York State Democratic Committee (“NYSDC”) and Chairs of County Democratic Committees, would like to express our disappointment with the manner in which the October 1st Fall Business Meeting was conducted. On multiple occasions during the meeting, as well as in the preceding Executive Committee meeting, the chair(s) of those respective meetings did not adhere to Robert’s Rules of Order Newly Revised (“RONR”).

Article IX § 1 “Rules of Procedure” of the Rules of the Democratic Party of the State of New York (“Party Rules”) states the following:

In all cases not provided for by law or by the Rules, the authority for parliamentary

procedure for the State Committee and the Executive Committee shall be the latest edition of "Robert's Rules of Order," insofar as such rules of order may be appropriately applied.

Consequently, adherence to RONR is required for each and every meeting of the NYSDC and its Executive Committee, and by not following RONR, the chair(s) of the October 1st Fall Business Meeting have broken the Party Rules. Specifically, the chair(s) have:

1. Failed to clearly hear, address, or rule on points of order. (RONR Art. IV § 21)
2. Failed to respond to calls for a division of the body. (RONR Art. IV § 25)
3. Entertained a motion to adjourn while a point of order was still under discussion, and while the “New Business” agenda item had not yet been addressed. (RONR Art. III § 25)

These breaches of RONR and the Party Rules call into question whether or not the officers of the NYSDC have been duly elected, and have prevented the NYSDC from considering multiple germane resolutions which are no longer timely. In addition to this, the chair(s) have broken the spirit of RONR by:

1. Inconsistently passing the gavel between officers, so that the Sergeant-at-Arms, rather than the Chair, presided over the meeting with the implicit consent of members, while seeking explicit consent at the Executive Committee meeting.
2. Allowing the Sergeant-at-Arms to preside over his own election.
3. Ignoring the right of members of the NYSDC to introduce resolutions from the floor.
4. Allowing no time for additional nominations of officers to be made.
5. Rushing adjournments in order to prevent members from introducing new business or making points of order.

We ask that, in order to prevent future breaches of RONR and the Party Rules, and to promote open discussion and productive resolution of issues within the Democratic Party of the State of New York, the following requests be met by and for the next meeting of the NYSDC:

1. That the incumbent Sergeant-of-Arms of the NYSDC, Michael Reich, no longer be permitted to chair meetings of the NYSDC or the Executive Committee, having demonstrated an insufficient knowledge, or willful disregard, of RONR and the Party Rules to do so.
2. That an independent parliamentarian shall be designated to hear disputes over RONR and the Party Rules during meetings of the NYSDC or the Executive Committee.
3. That whomever chairs a meeting of the NYSDC or the Executive Committee shall diligently hear and address points of order, points of privilege, points of information, calls for division, and any other motions made by members during the course of the meeting, without undue consideration of the member’s age, race, gender identity, sexual orientation, national origin, religion, or intra-party political orientation, affiliation, or stature.

We would appreciate a timely response from either yourself, the Executive Director of the NYSDC, or any other empowered representative of the NYSDC, by January 11, 2019, so that other avenues to resolve these grievances need not be pursued.