



Republican Party of Virginia
www.rpv.org

February 20, 2016

Jo Thoburn, Chairman
10th District Republican Committee
PO Box 650552
Potomac Falls VA 20165

VIA E-mail to jo@jothoburn.com

Dear Chairman Thoburn:

On February 9, you requested a ruling or interpretation of the Party Plan under Article X on the following question:

“For the case of disqualifying a voter under Article I, §A, para 2 of the Party Plan when the voter signs a statement of intent and later publicly supports a candidate who is opposing the Republican nominee, does the statement of intent need to be signed as part of the nomination process?

That is to say, does the statement of intent that a voter signs during the process of joining a city or county Republican Committee also satisfy the requirement of Article I to bar the voter from participation in party actions?”

No. A statement of intent made solely as a condition of joining a unit committee and not for purposes of participation in a mass meeting, party canvass, convention or primary (collectively, “nominating events”) may not be considered for purposes of paragraph 2. However, in many instances, the statement is made simultaneously in order to both participate in a party action and as a condition of election to a unit committee. In such instances, the statement would be considered for paragraph 2 insofar as it related to the ensuing election.

The qualifications for participation in Article I of the Party Plan have long provided that legal and qualified voters who are “in accord with the principles of the Republican Party, and who, if requested, express ... their intent to support all of its

nominees for public office in the ensuing election” may participate in nominating events.
Art. I, Sec. A, para. 1

In December 2013, the Plan was amended to include what is now numbered as paragraph 2: “A voter who, subsequent to making a statement of intent, publicly supports a candidate in opposition to a Republican nominee shall not be qualified for participation in party actions as defined in Article I for a period of four (4) years.”

The “statement of intent” in paragraph 2 refers back to the expression of intent to support all Republican nominees in the ensuing election that is a condition of participation in paragraph 1. As such, the prohibited conduct must be in relation to the election to which the statement applies.

However, unit committee members are elected to two-year terms at the same nominating event where delegates are elected to biennial district conventions. *See* Art. VI, Sec. B, para. 1. So, where a statement of intent is made, not only as a condition of election to the unit committee, but also as a condition of participation in that nominating event, support for an opponent of a Republican nominee in the next general election would disqualify an individual under paragraph 2.

Consider two examples.

Example 1.

- Jane Doe is elected to the Podunk County Unit Committee at the mass meeting held to elect delegates to the 12th District Biennial Convention in 2014.
- Jane participates in the mass meeting where she is elected.
- In August of 2014, Jane publicly supports Lucy Liberal, who opposes the Republican nominee, Consistent Conservative.
- Jane is excluded from participation in nominating events for four years.

Example 2.

- Jack Doe is elected to the Podunk County Unit Committee at the same mass meeting to elect delegates to the 12th District Biennial Convention in 2014.
- Jack also participates in the mass meeting where he is elected.
- Jack does not participate in the 2015 mass meeting at which Susie Supervisor is nominated as the Republican candidate for Chairman of the Podunk Board of Supervisors.
- In August of 2015, Jack publicly supports Genevieve Green, Susie Supervisor’s opponent.
- Jack is not excluded from participating in nominating events.

While Jack in Example 2 is not excluded from participating in nominating events, note that, pursuant to the removal provisions for official committees, Jack is deemed to have resigned his seat on the Podunk County Unit Committee because of his support for Genevieve Green. *See* Art. VII, Sec. C.

This letter constitutes a ruling or interpretation under Article X and may be appealed either to the Appeals Committee or the State Central Committee within 30 days of the date it is posted on the RPV website.

Sincerely,

A handwritten signature in blue ink that reads "Chris". The signature is written in a cursive, flowing style.

Chris Marston,
General Counsel