

Decision of the Appeals Committee

June 15, 2009

The General Counsel ruling of June 12, 2019 is based upon two points that the Appeals Committee believes are in error: (1) that a proper appeal of the "removal" of Dale Taylor is already underway, and therefore no ruling on Chairman Wilson's original question should be made while an appeal is pending; and (2) that the Hanover County Republican Committee ("Hanover Committee") by-laws do not provide for a temporary or acting chair in the absence of the unit chair.

The Appeals Committee heard directly from Ms. Taylor that she has not, as of this date, exercised her right of appeal of the Hanover Committee's vote to remove her as unit chair. Since Ms. Taylor can, in this instance, be the only individual deemed adversely affected by that decision, there cannot properly be an appeal of her removal before any official committee until such time as initiated by Ms. Taylor.

On the issue of whether the Hanover Committee by-laws provide for a temporary chairman in the absence of the unit chair, the appeals committee believes the Hanover Committee's by-laws explicitly provide for the Vice Chairman of Precinct Organization to fill that role.

Moving to the original question posed by Chairman Wilson to the General Counsel, the Appeals Committee finds there are many years of consistent interpretation and application of the signature requirement by RPV General Counsels and the State Central Committee as part of initiating a valid removal process. Moreover, the General Counsel issued a ruling on May 29, 2019 specifically covering the situation with the Hanover Committee, which is binding upon that committee and other committees should a proper appeal be initiated and come before them.

The removal notice printed in the Hanover Committee's newsletter, which all parties seem to agree was the only document provided to Ms. Taylor in initiating a removal, clearly did not meet the requirements of the Party Plan or of several General Counsel rulings on the issue, as it merely included a list of names, but no signatures of any kind.

If the listing of names was backed up by actual written or authenticated electronic signatures, a copy of the signatures or evidence of such must be included with the list of charges furnished to the individual whose removal is being sought, at least 30 days before a vote takes place.

Unless there is evidence that this was in fact provided to Ms. Taylor, then the removal process has not yet been initiated, and the process and vote were improper.

The appeals committee notes that those seeking to remove Ms. Taylor did not appeal the May 29 ruling prior to initiating a vote, even though they were made aware of it.

It is for these reasons that the Appeals Committee overturns the General Counsel ruling of June 12, 2019 and determines that, in the absence of any evidence to the contrary, the petition to remove Dale Taylor as Hanover County Republican Committee chairman did not meet the requirements of the Party Plan, and thus the removal process was never properly initiated.