

# **WEST VIRGINIA DELEGATE SELECTION PLAN**

FOR THE 2024 DEMOCRATIC NATIONAL CONVENTION

ISSUED BY THE  
WEST VIRGINIA  
DEMOCRATIC PARTY

APPROVED BY THE  
WVDP STATE EXECUTIVE COMMITTEE  
ON MAY 13, 2023

# The West Virginia Delegate Selection Plan For the 2024 Democratic National Convention

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# West Virginia Delegate Selection Plan For the 2024 Democratic National Convention

## Section I Introduction & Description of Delegate Selection Process

### A. Introduction

1. West Virginia has a total of 25 delegates and 2 alternates. *(Call I & Appendix B)*
2. The delegate selection process is governed by the *Charter and Bylaws of the Democratic Party of the United States*, the *Delegate Selection Rules for the 2024 Democratic National Convention* (“Rules”), the *Call for the 2024 Democratic National Convention* (“Call”), the *Regulations of the Rules and Bylaws Committee for the 2024 Democratic National Convention* (“Regs.”), the rules of the Democratic Party of State, the state election code, and this Delegate Selection Plan. *(Call II.A)*
3. Following the state Party Committee’s adoption of this Delegate Selection Plan (“DSP” or “Plan”), the state Party shall submit the Plan for review and approval by the DNC Rules and Bylaws Committee (“RBC”). The state Party Chair shall be empowered to make any technical revisions to this document as required by the RBC to correct any omissions and/or deficiencies as found by the RBC to ensure its full compliance with Party Rules. Such corrections shall be made by the state Party Chair and the Plan resubmitted to the RBC within 30 days of receipt of notice of the RBC’s findings. *(Reg. 2.5, Reg. 2.6 & Reg. 2.7)*
4. Once this Plan has been found in compliance by the RBC, any amendment to the Plan by the state Party must be submitted to and approved by the RBC before it becomes effective. *(Reg. 2.9)*

### B. Description of Delegate Selection Process

1. West Virginia will use a proportional representation system based on the results of the Primary for apportioning delegates to the 2024 Democratic National Convention.
2. The “first determining step” of State’s delegate selection process will occur on May 14, 2024, with a state run Primary.

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### C. Voter Participation

1. Participation in the state's delegate selection process is open to all voters who wish to participate as Democrats. *(Rule 2.A and Rule 2.C.)*
  - a. The Deadline to register to vote, and switch parties in West Virginia for the Primary is April 23, 2024.
  - b. Voter registration may occur at each County Clerks' office or online via a secure system maintained by the West Virginia Secretary of State. Voters in West Virginia are eligible to vote in the Democratic Primary if they are 1) Registered as a Democrat; or 2) They do not belong to another recognized political party in West Virginia; in which case, they may request the Democratic Party ballot. Other Recognized political parties in West Virginia are the Republican, Libertarian, and Mountain Parties.
  - c. The state of West Virginia provided for absentee voting (WV State Code [§3-3-5](#)) due to physical disability or is a qualified first responder as defined in §3-3-1(c)(3) and for military and overseas voters. Applications for absentee voting are accepted January 1, 2024 through May 8, 2024. County clerks begin mailing absentee ballots to voters from whom they received applications on March 29, 2024.
  - d. The state of West Virginia provides for Emergency Absentee voting (WV State code [§3-3-5c](#)). Emergency Absentee voting applications may be received May 1 - May 11, 2024, under the following circumstances:
    - Voter in the hospital on Election Day
    - replacement poll worker appointed after the period for early voting
    - voter and license Healthcare facilities within an adjacent County or within 35 miles of the County Seat (county policy required)
    - voter in nursing home within the county if they have resided there for a period of less than 30 days (county policy required)
    - Voter becomes confined, on or after the seventh day preceding an election, to a specific location within the county because of illness, injury, physical disability, immobility due to advanced age, or another medical reason (county policy required)
  - e. In-person early voting is May 1 - May 11, 2024, excluding Sundays. County commissions set the location and times for early voting, however, each county will have at least one early voting location. Times and locations will be posted on the WVSOS website once determined by the counties.
  - f. To encourage participation by youth in the delegate selection process, any individual who will have turned 18 by the date of the general election will be allowed to participate in the delegate selection process. *(Reg. 4.3.C)*

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- g. At no stage of State's delegate selection process shall any person be required, directly or indirectly, to pay a cost or fee as a condition for participating. Voluntary contributions to the Party may be made, but under no circumstances shall a contribution be mandatory for participation. *(Rule 2.D & Reg. 4.4)*
  - h. No person shall participate or vote in the nominating process for the Democratic presidential candidate who also participates in the nominating process of any other party for the corresponding election. *(Rule 2.E)*
  - i. Votes shall not be taken by secret ballot at any stage of the delegate selection process, including processes leading up to the selection of DNC Members or State Chairs or Vice Chairs, who serve as DNC members by virtue of their office, except that use of such voting by secret ballot may be used in a process that is the first determining stage of the delegate selection process and in which all individual voters who wish to participate as Democrats are eligible to do so. *(Rule 2.F)*
  - j. No person shall vote in more than one (1) meeting which is the first meeting in the delegate selection process. *(Rule 3.E & Reg. 4.7)*
2. ***[Describe how the State Party has taken steps [or is taking steps] to seek enactment of legislation, rules, and policies at the state and local level to enhance voter and election security and combat election subversion, to accomplish the following goals:]***
- a. Maintain secure and accurate state voter registration rolls, so that every eligible American who registers to vote has their personal information protected and secure; *(Rule 2.H.1)* The State Party will maintain secure and accurate state voter registration rolls, so that every eligible West Virginian who registers to vote has their personal information protected and secure.
  - b. Implement transparent and accurate voter registration list maintenance procedures that comply with federal requirements and ensure that every eligible voter stays on the rolls; *(Rule 2.H.2)* The State Party will implement transparent and accurate voter registration list maintenance procedures that comply with federal requirements and ensure that every eligible voter stays on the rolls.
  - c. Promote the acquisition, maintenance, and regular replacement of precinct based optical scan voting systems; *(Rule 2.H.3)* The State Party will promote the acquisition, maintenance, and regular replacement of precinct based optical scan voting systems by advocating for legislation that supports the adoption and maintenance of these systems.

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- d. Ensure that any direct recording electronic systems in place have a voter verified paper record; *(Rule 2.H.4)* The State Party will ensure that any direct recording electronic systems in place have a voter verified paper record by *providing* training and education to poll workers and election officials to ensure that they are able to properly use and maintain systems, including the voter-verified paper record. *In addition the State Party will* conduct regular audits and testing of the systems to ensure that they are functioning properly and producing accurate voter-verified paper records.
  
- e. Implement risk limiting post-election audits such as manual audits comparing paper records to electronic records; *(Rule 2.H.5)* The State Party will seek enactment of legislation, rules and policies at the state and local level to ensure that both optical scan and direct recording electronic systems include recognized security measures. These measures include automatic routine manual audits comparing paper records to electronic records following every election and prior to certification or results where possible; parallel testing on election day; physical and electronic security for equipment; banning use of wireless components and connections except where required to provide a voter with a disability a secure and approved means to access voting materials and exercise the right to vote; public disclosure of software design; use of transparent and random selection for all auditing procedures; and effective procedures for addressing evidence of fraud or error. Maintain secure and accurate state voter registration rolls, so that every eligible West Virginian who registers to vote has their personal information protected and secure, implement transparent and accurate voter registration list maintenance procedures that comply with federal requirements and ensure that every eligible voter stays on the rolls.
  
- f. Ensure that all voting systems have recognized security measures; *(Rule 2.H.6)* *The State Party will seek enactment of legislation, rules and policies at the state and local level to ensure that both optical scan and direct recording electronic systems include recognized security measures. These measures include automatic routine manual audits comparing paper records to electronic records following every election and prior to certification or results where possible; parallel testing on election day; physical and electronic security for equipment; banning use of wireless components and connections except where required to provide a voter with a disability a secure and approved means to access voting materials and exercise the right to vote; public disclosure of software design; use of transparent and random selection for all auditing procedures; and effective procedures for addressing evidence of fraud or error.*
  
- g. Use accessible and secure voting machines that make it possible for individuals with disabilities to vote securely and privately, with votes verifiable by voters;





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- c. Speed up the voting process and minimize long lines; (*Rule 2.1.1.c*)
  - d. Eliminate onerous and discriminatory voter identification requirements; (*Rule 2.1.1.d*)
  - e. Count and include in the final total ballots from voters who are eligible to vote but cast their ballots in the wrong precinct, for offices for which they are eligible to vote; and (*Rule 2.1.1.e*)
  - f. Facilitate military and overseas voting. (*Rule 2.1.1.f*)
4. As part of encouraging participation in the delegate selection process by registered voters, ***[describe how the State Party has been and is supporting efforts to make voter registration easier, including supporting: (Rule 2.1.2) More information***
- a. *Voter registration modernization, including online voter registration and automatic and same-day registration; (Rule 2.1.2.a)*
  - b. *Pre-registration of high school students so that they are already registered once they reach voting age; (Rule 2.1.2.b)*
  - c. *Restoration of voting rights to all people who have served the time for their criminal conviction, without requiring the payment of court fees or fines; and (Rule 2.1.2.c)*
  - d. *Same-day or automatic registration of voters for the Democratic presidential nominating process.] (Rule 2.1.2.d)*
5. In 2016, when the Republican majority in the WV Legislature ran a bill to require voter ID, the Democrats successfully amended the bill to what would become the least restrictive voter ID law in any red state. Additionally, Democrats amended Automatic Voter Registration (“AVR”) into the bill. While we were on track to implement AVR under our previous Democratic Secretary of State, once a Republican won that office, they dragged their feet and kept it from happening.

Democrats in the WV Legislature have introduced bills to allow for same day registration, vote by mail, and the creation of an independent redistricting commission. The Republican majority conversely has passed bills to limit mail in voting and in 2021 they were able to badly gerrymander the legislative districts, which Democrats vigorously opposed. Like so many other red states, the maps were drawn based on how people vote, not simply where they live.

However, state Party rules have been revised since the last presidential election to provide for more diversity and inclusion of Democrats at all levels. Following a signed July 2020 Memorandum of Understanding between the DNC’s Rules and Bylaws

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Committee Co-chairs, the WVDP Chair and challengers to the 2020 WVDP Delegate Selection Plan, the WVDP adopted Bylaw amendments that created for the first time a state party affirmative action committee, diversity caucuses for historically underrepresented groups, a rule providing for equal division, and six (6) at large diversity positions on the WVSDEC, a requirement for 14 day notice for all meetings at all levels, and 30 day notice for meeting at all levels, where nominations and elections will occur, among other reforms. These changes have led to WV moving from having extremely little representation of historically underrepresented groups on the WVSDEC to, in less than two(2) years, having met nearly all representative goals for all groups, including electing the first black woman to represent the state party on the DNC. (*Rule 2.J and Rule 2.J.1*)

The WVDP, specifically the WVSDEC and the Democratic caucus of the WV House and Senate have taken steps to ensure an open and inclusive process and resist attempts at voter suppression and disenfranchisement.

### **D. Scheduling of Delegate Selection Meetings**

1. The dates, times and places for all official Party meetings and events related to the state's delegate selection process are scheduled to encourage the participation of all Democrats. Such meetings must begin and end at reasonable hours. (*Rule 3.A & Reg. 4.*)
2. The State Party will ensure that the location of all official meetings related to the delegate selection process are publicly accessible facilities.
3. The State Party will consider and take every reasonable effort to ensure that official meetings related to the delegate selection process do not interfere with religious observances that could affect participation.

## Section II

### Presidential Candidates

#### A. Ballot Access

A presidential candidate gains access to the State presidential preference primary ballot, or is eligible to participate in the State's first-tier caucuses, by the following:

A presidential candidate gains access to the West Virginia presidential preference primary ballot by filing a certificate declaring themselves a candidate not earlier than January 8, 2024 and not later than midnight January 27, 2024 with the West Virginia Secretary of State (State Capitol Complex, Charleston, WV 25305). To gain access to the ballot each such candidate shall pay a filing fee of \$2500 in accordance with West Virginia Code [3-5-8](#), or provide 10,000 signatures in accordance with WV State Code [3-5-8a](#). The January 27 deadline occurs 107 days before the Primary; therefore West Virginia will seek a waiver since the deadline falls outside the required 75 days for Rule 15. E (Rule 1 A.7; Rule 1 A.8; Rule 15.A; Rule 15 B; Rule 15.D and Rule 15.E)

Per WV State Code [3-6-4a](#), "No certificate of announcement may be accepted and no person may be certified as a write-in candidate for a political party nomination for any office."

#### B. Other Requirements

1. Each presidential candidate shall certify in writing to the State Democratic Chair, the name(s) of their authorized representative(s) by February 14, 2024. *(Rule 13.D.1)*
2. Each presidential candidate (including uncommitted status) shall use their best efforts to ensure that their respective delegation within the state delegation achieves the affirmative action, outreach and inclusion goals established by this Plan and is equally divided between men and women. *(Rule 6.I)*

## Section III

### Selection of Delegates and Alternates

#### A. District-Level Delegates and Alternates

1. West Virginia is allocated 13 district-level delegates and 2 district-level alternates. *(Rule 8.C, Call I.B, I.I, & Appendix B)*
2. District-level delegates and the state's two (2) alternates shall be elected at the post primary district level caucuses by state delegates to the WV Democratic State Convention on June 14, 2024, at the Charleston Civic Center, Charleston, WV.

The processes which leads to the election of the district-level delegates and alternates to the national convention are as follows:

- a. Mass County Conventions: The WV Democratic State Convention delegates are selected by registered Democrats throughout the state that are selected at mass county conventions to be held on March 16, 2024 in counties throughout the state.

Each county will have a predetermined number of state delegates that they can elect. The delegates shall be elected according to WV State Code §[3-5-21](#) with the added exception of being equally divided. The WVSDEC, by resolution, shall designate the place and fix the date of the convention, shall prescribe the number and gender of delegates thereto, and shall apportion the delegates among the several counties of the state in proportion to the vote cast in the state for the party's candidate for Governor at the last preceding general election at which a Governor was elected.

The party's county executive committee shall call a meeting of the members of the political party in mass convention in the county, which meeting shall be held on March 16, 2024, and at which meeting the members of the party in each magisterial district shall elect the number of delegates to which the district is entitled in the state convention.

The meeting place in the county shall be as central and convenient as can reasonably be selected, and all recognized members of the Democratic party in that county shall be entitled to participate in the mass convention and in the selection of delegates. Notice of the time and place of holding the county mass convention and of the person who shall act as temporary chairman thereof shall be given by publication as provided for in WV State Code [3-5-21](#), and specify the number of delegates which each magisterial district in the county is entitled to elect to the state convention.

Upon assembling, the mass convention of the county shall choose a chairperson and a secretary.

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If a vacancy exists for a delegate from any magisterial district, the party's county executive committee, within ten days after the mass convention, shall appoint a member of the party in the magisterial district to fill the vacancy.

All contests over the selection of delegates to the convention shall be addressed as provided for in WV State Code [3-5-21](#).

For counties that do not have a county executive committee to hold a mass convention, outreach will be done to encourage Democrats in that county to apply to be a delegate to the state convention. If the number of applicants are less than the number of state convention delegates allocated to that county, maintaining equal division requirements, all applicants will be accepted as state convention delegates. However, if there are more applicants than state delegates allocated to that county, the State Executive Committee will approve randomly selected applicants, based on equity of magisterial districts and equal division, to be state delegates representing that county.

- b. Primary: On May 14, 2024, the state of WV will hold a state run primary. All eligible Democrats may participate, as well as registered unaffiliated voters that request the Democratic Party ballot.
- c. Filing to be a national delegate: Those interested in being a delegate to the national convention shall file their [Statement of Candidacy \(Attachment 1\)](#) with the WV Democratic Party which includes their singular presidential candidate, or that they are uncommitted, as well as their pledge of support. The deadline for filing is May 15, 2024. Candidacy applications may be received by email at [dnc2024@wvdemocrats.com](mailto:dnc2024@wvdemocrats.com) or mailed to WVDP, PO Box 11926, Charleston WV 25339 and received by May 15, 2024. The State Party will ensure that each candidate is a registered Democrat by confirming with the Secretary of State or the County Clerk of the applicant's county.
- d. State Convention: The WV Democratic State Convention will be held on June 14 and 15, 2024, at the Charleston Civic Center, Charleston, WV. District delegates will be selected according to provisions in WV State Code [3-5-2](#), the [2024 Delegate Selection Rules for the 2024 Democratic National Convention](#), the Bylaws of the WV Democratic Party and the 2024 WV Delegate Selection Plan.

On June 14, 2024, credentialed state delegates will participate in a post-primary district caucus. State delegates from each of WV's two (2) congressional districts will meet to elect a predetermined number of congressional district level national delegates and one alternate.

(i) Post-primary district caucus: Each congressional district will convene separately. A temporary chairperson will call the caucus to order and immediately hold an election for chair of the caucus. Each candidate for district level delegate will be given five (5) minutes to speak to the caucus. After each candidate speaks the chair will explain the

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process for voting, which will be with an electronic ballot.. Each delegate will receive an electronic ballot with instructions and will be able to vote by accessing the ballot with their phone, or tablets, which will be available at stations in the room. Staff or volunteers will be available to assist delegates, as needed. Once all delegates have voted, or have been given a reasonable time to complete their ballot, the results will be tallied by three (3) tellers, or more if the Chair deems fair or necessary, however, candidates for national delegate and state conventions delegates may be present for the tally. The tellers will submit a report to the Chair, who will announce the district level delegates and alternate to the national convention.

### 3. Apportionment of District-Level Delegates and Alternates

- a. State’s district-level delegates and alternates are apportioned among the districts based on a formula provided for in WV State Code [3-5-2\(5\)](#) which provides, “The number of persons which each of the congressional districts in the state are entitled to elect as delegates to the national convention of the political party shall be apportioned among the congressional districts in the same proportion to the total number of delegates to the party's national convention elected in all congressional districts in the state as the population of the congressional district bears to the total population of the state based upon the census of population taken by the bureau of the census of the United States Department of Commerce in the year one thousand nine hundred ninety, and in every tenth year thereafter.”
- b. The number of men and the number of women in the state’s total number of district-level delegates and alternates will not vary by more than one. (*Rule 6.C.1 & Reg. 4.9*)
- c. The district-level delegates and alternates are apportioned to districts as indicated in the following table, assuming no gender non-binary delegates\* or alternates\*:

District	Delegates			Alternates		
	Males	Females	Total	Males	Females	Total
#1	3	3	7	-	1	1
#2	3	4	6	1	-	1
Total	6	7	13	1	1	2

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\*In the case of gender non-binary delegates, they shall not be counted as either male or female, and the remainder of the pledged delegates shall be equally divided.

- d. Participants to the mass county convention on March 16, 2024, and state delegates to the 2024 WV Democratic State Convention are as follows (*Rule 8.B*):

(i) Mass County Convention participants: See Section III.A.2(a) of this DSP. Any Democrat in each county may participate in their county's mass county convention on March 16, 2024 to select delegates to the WV Democratic State Convention.

(ii) Each county will be apportioned state delegates per WV State Code 3-5-21, which provides that the WVSDEC, "shall apportion the delegates among the several counties of the state in proportion to the vote cast in the state for the party's candidate for Governor at the last preceding general election at which a Governor was elected."

(iii) A chart describing the apportionment is attached to this DSP as [Attachment 2 - \[Chart will be created and attached\]](#).

#### 4. District-Level Delegate and Alternate Filing Requirements

- a. A district-level delegate and alternate candidate may run for election only within the district in which they are registered to vote. (*Rule 13.H*)

b. ***[Choose one of the options below:]***

An individual can qualify as a candidate for district-level delegate or alternate to the 2024 Democratic National Convention by filing a Statement of Candidacy ([Attachment 1](#)) designating their singular presidential (or uncommitted) preference and a signed pledge of support for the presidential candidate (including uncommitted status) with the State Party by 11:59 PM on May 15, 2024 by emailing to [dnc2024@wvdemocrats.com](mailto:dnc2024@wvdemocrats.com) or mailing to PO Box 11926, Charleston, WV 25339. All Statements of Candidacy mailed must be received by May 15, 2024. The Statement of Candidacy form will be available on the WVDP website beginning February 1, 2024 and available by request by calling 304.342.8121. A delegate or alternate candidate may modify their singular presidential preference by submitting an updated pledge of support no later than the filing deadline. (*Rule 13.B, Rule 15.F & Reg. 4.22*)

- d. All candidates considered for district-level alternate positions must meet the same requirements as candidates for district-level delegate positions. (*Rule 13.C*)

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5. Presidential Candidate Right of Review for District-Level Delegates and Alternates
  - a. The State Democratic Chair shall convey to the presidential candidate, or that candidate's authorized representative(s), not later than 5:00 PM on May 17, 2024, a list of all persons who have filed for delegate or alternate pledged to that presidential candidate. (*Rule 13.D & Rule 13.F*)
  - b. Each presidential candidate, or that candidate's authorized representative(s), must then file with the State Democratic Chair by 5:00 PM on May 20, 2024, a list of all such candidates they have approved, provided that approval be given to at least three (3) separate individuals for each position for delegate and three (3) separate individuals for each alternate position to be selected. (*Rule 13.E.1, Reg. 4.23 & Reg. 4.24*)
  - c. Failure to respond will be deemed approval of all delegate and alternate candidates submitted to the presidential candidate unless the presidential candidate, or the authorized representative(s), signifies otherwise in writing to the State Democratic Chair not later than May 20, 2024.
  - d. National convention delegates and alternate candidates removed from the list of bona fide supporters by a presidential candidate, or that candidate's authorized representative(s), may not be elected as a delegate or alternate at that level pledged to that presidential candidate. (*Rule 13.E & Reg. 4.23*)
  - e. The State Democratic Chair shall certify in writing to the Co-Chairs of the DNC Rules and Bylaws Committee whether each presidential candidate has used their best efforts to ensure that their respective district-level delegate candidates and district-level alternate candidates meet the affirmative action and outreach and inclusion considerations and goals detailed in the Affirmative Action section of this Plan within three (3) business days of returning the list of approved district-level delegate candidates and district-level alternate candidates as indicated in Section III.A.5.b of this Plan. (*Rule 6.I & Reg.4.10.C*)

6. Fair Reflection of Presidential Preference

- (1) Presidential Primary - Proportional Representation Plan (*Rule 14.A, Rule 14.B & Rule 14.D*)

The West Virginia presidential primary election is a "binding" primary. Accordingly, delegate and alternate positions shall be allocated so as to fairly reflect the expressed presidential (or uncommitted) preference of the primary voters in each district. The National Convention delegates and alternates selected at the district level shall be allocated in proportion to the percentage of the primary vote won in that district by each preference, except that preferences falling below a 15% threshold shall not be awarded any delegates or alternates.



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- b. Within a district, if no presidential preference reaches a 15% threshold, the threshold shall be half the percentage of the vote received in that district by the front-runner. *(Rule 14.F)*
- c. District-level delegates shall be selected as described in this DSP Section III.A.2.d. by state convention delegates. State convention delegates shall be selected as described in this DSP Section III.A.2.a. The selection of district-level delegates will be held June 14, 2024, at the Charleston Civic Center, Charleston, WV.

Congressional district 1 post-primary caucus will elect seven (7) delegates and one (1) alternate as described in the chart in this DSP Section III.A.3.c.

Congressional district 2 post-primary caucus will elect six (6) delegates and one (1) alternate as described in the chart in this DSP Section III.A.3.c. *(Rule 13.G)*

### 7. Equal Division of District-Level Delegates and Alternates

- a. To ensure the district-level binary-gendered delegates are equally divided between men and women (determined by gender self-identification) the gender of the first binary delegate elected in each district will be designated. At the time of election of delegates in the district, the binary gender advantage will alternate as delegate positions are filled and the alternation shall continue across presidential preferences in order of vote-getting preference. In the case of non-binary gender delegates, they shall not be counted in either the male or female category, but do count towards the total delegate allotment. *(Rule 6.C., Rule 6.C.1 & Reg. 4.10)*

**(1)** In the case of non-binary gender delegates, they shall not be counted in either the male or female category, but do count towards the total allocation of delegates.

- b. After the delegates are selected, the alternates will be awarded, using the same process described above.

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

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### B. Automatic Delegates

1. Automatic Party Leaders and Elected Officials
  - a. The following categories (if applicable) shall constitute the Automatic Party Leaders and Elected Official delegate positions:
    - (1) Members of the Democratic National Committee who legally reside in the state; *(Rule 9.A.1, Call I.F, Call I.J, & Reg. 4.15)*
    - (2) Democratic President and Democratic Vice President (if applicable); *(Rule 9.A.2 & Call I.G)*
    - (3) All of State's Democratic Members of the U.S. House of Representatives and the U.S. Senate; *(Rule 9.A.3, Call I.H & Call I.J)*
    - (4) The Democratic Governor (if applicable); *(Rule 9.A.4, Call I.H & Call I.J)*
    - (5) "Distinguished Party Leader" delegates who legally reside in the state (if applicable). Persons who qualify as "Distinguished Party Leader" delegates are: all former Democratic Presidents or Vice Presidents, all former Democratic Leaders of the U.S. Senate, all former Democratic Speakers of the U.S. House of Representatives and Democratic Minority Leaders, as applicable, and all former Chairs of the Democratic National Committee. *(Rule 9.A.5, Call I.G & Reg. 4.14)*
  - b. An Automatic delegate may run and be elected as a Pledged delegate. If an Automatic delegate is elected and certified as a Pledged delegate, that individual shall not serve as an Automatic delegate at the 2024 National Convention. *(Call I.J)*
  - c. The certification process for the Automatic Party Leader and Elected Official delegates is as follows:
    - (1) Not later than March 6, 2024, the Secretary of the Democratic National Committee shall officially confirm to the State Democratic Chair the names of the Automatic delegates who legally reside in State. *(Rule 9.A)*
    - (2) Official confirmation by the Secretary shall constitute verification of the Automatic delegates from the categories indicated above. *(Call IV.B.1)*
    - (3) The State Democratic Chair shall certify in writing to the Secretary of the DNC the presidential preference of state's Automatic delegates 10 days after the completion of the State's Delegate Selection Process. *(Call IV.C)*

## West Virginia 2024 Delegate Selection Plan

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2. For purposes of achieving equal division between delegate men and delegate women and alternate men and alternate women within the state's entire convention delegation (determined by gender self-identification), the entire delegation includes all pledged and Automatic delegates, including those who identify as male or female. *(Rule 6.C and Reg. 4.9)*

### C. Pledged Party Leader and Elected Official Delegates (PLEOs)

1. West Virginia is allotted PLEO three (3) pledged Party Leader and Elected Official (PLEO) delegates. *(Call I.D, Call I.E & Appendix B)*
2. Pledged PLEO Delegate Filing Requirements
  - a. Individuals shall be eligible for the pledged Party Leader and Elected Official delegate positions according to the following priority: big city mayors and state-wide elected officials (to be given equal consideration); state legislative leaders, state legislators, and other state, county and local elected officials and party leaders. Automatic delegates who choose to run for PLEO delegate will be given equal consideration with big city mayors and state-wide elected officials. *(Rule 10.A.1 & Reg. 4.16)*
  - b. An individual can qualify as a candidate for a position as a pledged PLEO delegate by completing a Statement of Candidacy ([Attachment 1](#)) by 5:00 PM on May 15, 2024 by email at [dnc2024@wvdemocrats.com](mailto:dnc2024@wvdemocrats.com) or mailing to WVDP, PO Box 11926, Charleston, WV 25339. Forms sent by USPS must be **received by** May 15, 2024. *(Rule 15.G, Reg.4.18 & Reg. 4.17)*
3. Presidential Candidate Right of Review
  - a. The State Democratic Chair shall convey to the presidential candidate, or that candidate's authorized representative(s), no later than May 17, 2024, a list of all persons who have filed for a party and elected official delegate pledged to that presidential candidate. *(Rule 13.D)*
  - b. Each presidential candidate, or that candidate's authorized representative(s), must file with the State Democratic Chair, by 8:00 AM June 15, 2024, a list of all such candidates they have approved, as long as approval is given to at least two (2) names for every position to which the presidential candidate is entitled. *(Rule 13.E.2 & Reg. 4.24)*
  - c. Failure to respond will be deemed approval of all delegate candidates submitted to the presidential candidate unless the presidential candidate or

## West Virginia 2024 Delegate Selection Plan

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the authorized representative(s) signifies otherwise in writing to the State Democratic Chair not later than 8:00 AM June 15, 2024. *(Rule 13.D)*

- d. The State Democratic Chair shall certify in writing to the Co-Chairs of the DNC Rules and Bylaws Committee whether each presidential candidate has used their best efforts to ensure that their respective pledged PLEO delegate candidates meet the affirmative action and outreach and inclusion considerations and goals detailed in the Affirmative Action section of this Plan within three (3) business days of returning the list of approved pledged PLEO candidates as indicated in Section III.C.3.b of this Plan. *(Rule 6.I & Reg. 4.10.C)*
4. Selection of Pledged Party Leader and Elected Official Delegates
    - a. The pledged PLEO slots shall be allocated among presidential preferences on the same basis as the at-large delegates. *(Rule 10.A.2, Rule 11.C, Rule 14.E & Rule 14.F)*
    - b. Selection of the pledged PLEO delegates will occur at 10:00 AM on June 15, 2024, at the Charleston Civic Center, Charleston, WV, which is after the election of district-level delegates and alternates and prior to the selection of at-large delegates and alternates. *[(Rule 10.A)]*
    - c. These delegates will be selected by the state convention. Each delegate will receive an electronic ballot with instructions and will be able to vote by accessing the ballot with their phone, or tablets, which will be available at stations in the room. Staff or volunteers will be available to assist delegates, as needed. Once all delegates have voted, or have been given a reasonable time to complete their ballot, the results will be tallied by three (3) tellers, or more if the Chair deems fair or necessary, however, candidates for national delegate and state conventions delegates may be present for the tally. The tellers will submit a report to the Chair, who will announce the pledged party leaders and elected officials to the national convention.
  5. The State Democratic Chair shall certify in writing to the Secretary of the Democratic National Committee the election of the state's pledged Party Leader and Elected Official delegates to the Democratic National Convention within ten (10) days after their election. *(Call IV.A & Reg. 5.4.A)*

### D. At-Large Delegates and Alternates

1. The state of West Virginia is allotted 4 at-large delegates.. *(Rule 8.C, Call I.B, II, Appendix B & Reg. 4.32)* West Virginia's two (2) alternates will be divided between the two (2) congressional districts as described in this DSP Section III.A.2.d.
2. At-Large Delegate and Alternate Filing Requirements

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- a. Persons desiring to seek at-large delegate or alternate positions may file a statement of candidacy designating their singular presidential or uncommitted preference and a signed pledge of support for the presidential candidates (including uncommitted status) with the State Party by May 15, 2024. A delegate or alternate candidate may modify their singular presidential preference by submitting an updated pledge of support no later than the filing deadline. (*Rule 13.A., Rule 13.B, Rule 15.G, Reg. 4.21, Reg. 4.22, & Reg. 4.29*)
  - b. 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 the state convention], those persons not chosen will then be considered candidates for at-large alternate positions unless they specify otherwise when filing. (*Rule 19.A*)
3. Presidential Candidate Right of Review
- a. The State Democratic Chair shall convey to the presidential candidate, or that candidate's authorized representative(s), not later than 5:00 PM May 17, 2024 , a list of all persons who have filed for delegate or alternate pledged to that presidential candidate. (*Rule 13.D*) (*Reg. 4.23.D & Reg. 4.29.C*)
  - b. Each presidential candidate, or that candidate's authorized representative(s), must then file with the State Democratic Chair, by 12 PM on June 15, 2024, a list of all such candidates they have approved, provided that, at a minimum, 2 names remain(s) for every national convention delegate or alternate position to which the presidential candidate is entitled. (*Rule 13.D.4, Rule 13.E.2 & Reg. 4.24*)
  - c. Failure to respond will be deemed approval of all delegate candidates submitted to the presidential candidate unless the presidential candidate or the authorized representative(s) signifies otherwise in writing to the State Democratic Chair no later than 1:00 PM June 15, 2024.
  - d. The State Democratic Chair shall certify in writing to the Co-Chairs of the DNC Rules and Bylaws Committee whether each presidential candidate has used their best efforts to ensure that their respective at-large delegate candidates and at-large alternate candidates meet the affirmative action and outreach and inclusion considerations and goals detailed in the Affirmative Action and Outreach and Inclusion section of this Plan within three (3) business days of returning the list of approved at-large delegate candidates and at-large alternate candidates as indicated in this Section.

## West Virginia 2024 Delegate Selection Plan

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4. Fair Reflection of Presidential Preference
  - a. At-large delegate and alternate positions shall be allocated among presidential preferences according to the state-wide primary vote. *(Rule 11.C)*
  - b. Preferences which have not attained a 15% threshold on a state-wide basis shall not be entitled to any at-large delegates. *(Rule 14.E)*
  - c. If no presidential preference reaches a 15% threshold, the threshold shall be half the percentage of the statewide vote received by the front-runner. *(Rule 14.F)*
  - d. If a presidential candidate otherwise entitled to an allocation is no longer a candidate at the time of selection of the at-large delegates, their allocation will be proportionally divided among the other preferences entitled to an allocation. *(Rule 11.C)*
  - e. If a given presidential preference is entitled to one (1) or more delegate positions but would not otherwise be entitled to an alternate position, that preference shall be allotted one (1) at-large alternate position. *(Rule 19.B, Call I.I & Reg. 4.31)*
  
5. Selection of At-Large Delegates and Alternates
  - a. The selection of the at-large delegates will occur at 2:00 PM on June 15, 2024, at the Charleston Civic Center, Charleston, WV, which is after all pledged Party Leader and Elected Official delegates have been selected. *(Call III)* Each delegate will receive an electronic ballot with instructions and will be able to vote by accessing the ballot with their phone, or tablets, which will be available at stations in the room. Staff or volunteers will be available to assist delegates, as needed. Once all delegates have voted, or have been given a reasonable time to complete their ballot, the results will be tallied by three (3) tellers, or more if the Chair deems fair or necessary, however, candidates for national delegate and state conventions delegates may be present for the tally. The tellers will submit a report to the Chair, who will announce the at-large delegates to the national convention.
  - b. These delegates will be selected by the state convention: *(Rule 10.B, Rule 11.B & Rule 11.B)*
  - d. Priority of Consideration
    - (1) In the selection of the at-large delegation priority of consideration shall be given to African Americans, Hispanics, Native Americans, Asian Americans and Pacific Islanders and women, if such priority of

## West Virginia 2024 Delegate Selection Plan

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consideration is needed to fulfill the affirmative action goals outlined in the state's Delegate Selection Plan. *(Rule 6.A.3)*

- (2) To continue the Democratic Party's ongoing efforts to include groups historically under-represented in the Democratic Party's affairs and to assist in the achievement of full participation by these groups, priority of consideration shall be given other groups by virtue of race, sex, age, color, creed, national origin, religion, ethnic identify, sexual orientation, gender identity and expression, economic status or disability. *(Rule 5.C, Rule 6.A.3, Rule 7 & Reg. 4.8)*
  - (3) The election of at-large delegates shall be used, if necessary, to achieve the equal division of positions between men and women as far as mathematically practicable, and may be used to achieve the representation goals established in the Affirmative Action Plan and Outreach and Inclusion Program section of this Plan. The election of at-large alternates shall be used, if necessary, to achieve the equal division of positions between men and women as far as mathematically practicable, and may be used to achieve the representation goals established in the Affirmative Action Plan and Outreach and Inclusion Program section of this Plan. *(Rule 6.A, Rule 6.C and Reg. 4.9)*
  - (4) Delegates and alternates are to be considered separate groups for this purpose. *(Rule 6.C.1, Rule 11.A, Reg. 4.9 & Reg. 4.19)*
6. The State Democratic Chair shall certify in writing to the Secretary of the Democratic National Committee the election of the state's at-large delegates and alternates to the Democratic National Convention within 10 days after their election. *(Rule 8.C & Call IV.A)*

### **E. Replacement of Delegates and Alternates**

1. A pledged delegate or alternate may be replaced according to the following guidelines:
  - a. Permanent Replacement of a Delegate: *(Rule 19.D.3)*
    - (1) A permanent replacement occurs when a delegate resigns or dies prior to or during the national convention and the alternate replaces the delegate for the remainder of the National Convention.
    - (2) Any alternate permanently replacing a delegate shall be of the same presidential preference (including uncommitted status) and gender of the delegate they replace, and to the extent possible shall be from the same political subdivision within the state as the delegate.

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- (a) In the case where the presidential candidate has only one (1) alternate, that alternate shall become the certified delegate.
  - (b) If a presidential candidate has only one (1) alternate, and that alternate permanently replaces a delegate of a different gender, thereby causing the delegation to no longer be equally divided, the delegation shall not be considered in violation of Rule 6.C. In such a case, notwithstanding Rule 19.D.2, the State Party Committee shall, at the time of a subsequent permanent replacement, replace a delegate with a person of a different gender, in order to return the delegation to equal division of men and women. *(Reg. 4.34)*
  - (3) If a delegate or alternate candidate who has been elected but not certified to the DNC Secretary resigns, dies, or is no longer eligible to serve, they shall be replaced, after consultation with the State Party, by the authorized representative of the presidential candidate to whom they are pledged. *(Rule 19.D.2)*
- b. Temporary Replacement of a Delegate: *(Rule 19.D.4)*
- (1) A temporary replacement occurs when a delegate is to be absent for a limited period of time during the convention and an alternate temporarily acts in the delegate's place.
  - (2) Any alternate who temporarily replaces a delegate must be of the same presidential preference (including uncommitted status) as the delegate they replace, and to the extent possible shall be of the same gender and from the same political subdivision within the state as the delegate.
- c. The following system will be used to select permanent and temporary replacements of delegates: *(Rule 19.D.1)*
- The alternate who receives the highest number of votes becomes the delegate.
- d. Certification of Replacements
- (1) Any alternate who permanently replaces a delegate shall be certified in writing to the Secretary of the DNC by the State Democratic Chair. *(Rule 19.D.3)*
  - (2) Permanent replacement of a delegate (as specified above) by an alternate and replacement of a vacant alternate position shall be certified in writing by the State's Democratic Chair to the Secretary of the Democratic National Committee within three (3) days after the replacement is selected. *(Call IV.D.1)*



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- (3) Certification of permanent replacements will be accepted by the Secretary up to 72 hours before the first official session of the Convention is scheduled to convene. *(Call IV.D.1 & Reg. 4.33)*
  - (4) In the case where a pledged delegate is permanently replaced after 72 hours before the time the first session is scheduled to convene or, in the case where a pledged delegate is not on the floor of the Convention Hall at the time a roll call vote is taken, an alternate may be designated (as specified above) to cast the delegate's vote. In such case, the Delegation Chair shall indicate the name of the alternate casting the respective delegate's vote on the delegation tally sheet. *(Call IX.F.3.e, Call IX.F.3.c & Reg. 5.6)*
  - e. A vacant alternate position shall be filled by the delegation. The replacement shall be of the same presidential preference (or uncommitted status), of the same gender and, to the extent possible, from the same political subdivision as the alternate being replaced. *(Rule 19.E)*
2. Automatic delegates shall not be entitled to a replacement, nor shall the state be entitled to a replacement, except under the following circumstances: *(Call IV.D.2 & Reg. 4.35)*
    - a. Members of Congress and the Democratic Governor 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. In the event of a change or vacancy in the state's office of Governor, the DNC shall recognize only such changes as have been officially recognized by the Democratic Governors' Association. *(Call IV.D.2.a)*
    - b. Members of the Democratic National Committee shall not be entitled to a replacement, nor shall the state be entitled to a replacement, except in the case of death of such delegates. In the case where the state's DNC membership changes following the DNC Secretary's official confirmation, but prior to the commencement of the 2024 Democratic National Convention, acknowledgment by the Secretary of the new DNC member certification shall constitute verification of the corresponding change of Automatic delegates. *(Call, IV.D.2.b)*
    - c. Automatic distinguished Party Leader delegates allocated to the state pursuant to Rule 9.A.(5), shall not be entitled to name a replacement, nor shall the state be entitled to name a replacement. *(Call IV.D.2.c)*
    - d. In no case may an alternate cast a vote for an Automatic delegate. *(Call IX.F.3.e)*

## Section IV

### Selection of Convention Standing Committee Members

#### A. Introduction

1. West Virginia has been allocated one (1) member on each of the three (3) standing committees for the 2024 Democratic National Convention (Credentials, Platform and Rules), for a total of 3 members. *(Call VII.A & Appendix D)*
2. Members of the Convention Standing Committees need not be delegates or alternates to the 2024 Democratic National Convention. *(Call VII.A.3)*
3. These members will be selected in accordance with the procedures indicated below. *(Rule 1.G)*

#### B. Temporary Standing Committee Members

1. Temporary members for the Convention Standing Committees, will be selected by the WVSDEC at a meeting at 6:00 PM on March 18, 2024, . The meeting shall be open to the public and well publicized in accordance with this Plan. Members of **WVSDEC** shall receive timely notice of the meeting, in accordance with State Party rules. *(Call VII.G.2)*
2. Any Democrat may apply for a position as a temporary member of the standing committees. Persons wishing to be considered must submit a letter of interest to the Chair of the WVDP , including the committee for which they wish to be considered, no later than 5:00 PM on March 18, 2024. .
3. A separate election shall be conducted for membership on each of the standing committees. The male and female membership of each standing committee shall be as equally divided among men and women (determined by self-identification) as possible under the state allocation; i.e. the variance between men and women on the committee shall not exceed one. *(Call VII.E.2)* In the case of gender non-binary committee members, they shall not be counted as either a male or female, and the remainder of the standing committee members shall be equally divided between male gender (men) and female gender (women). *(Call VII.E.1)*
4. Temporary members serve only in the event that the respective standing committee is called to meet prior to completion of the state's delegate selection process and subsequent selection of permanent standing committee members. No temporary member may continue to serve after the selection of the permanent standing committee members unless they are elected as a permanent member. *(Call VII.G.3)*

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5. Temporary members selected after the first determining step has occurred in a state shall reflect the Presidential preferences so established. *(Call VII.G.3)*
  
6. The State Chair shall certify the temporary standing committee members in writing to the Secretary of the Democratic National Committee within three (3) days after their selection. Substitutions in a state's list of temporary members may only be made up to ten (10) days prior to the time the standing committee meets. Substitute temporary standing committee members will be selected at a meeting of the **WVSDCE** in accordance with the provisions outlined above. *(Call VII.B.3 and Call VII.G.4)*

### C. Standing Committee Members

1. Selection Meeting
  - a. The members of the standing committees shall be elected by a quorum of West Virginia's National Convention delegates, at a meeting to be held on **June 15, 2024.** *(Call VII.B.1)*
  - b. All members of the delegation shall receive adequate notice of the time, date and place of the meeting to select the standing committee members. *(Call VII.B.1)*
  
2. Allocation of Members
  - a. The members of the standing committees allocated to West Virginia shall proportionately represent the presidential preference of all candidates (including uncommitted status) receiving the threshold percentage used in the state's delegation to calculate the at-large apportionment pursuant to Rule 14.E. of the Delegate Selection Rules. *(Call VII.C.1 & Reg. 5.9)*
  - b. The presidential preference of each candidate receiving the applicable percentage or more within the delegation shall be multiplied by the total number of standing committee positions allocated to West Virginia. If the result of such multiplication does not equal 0.455 or above, the presidential preference in question is not entitled to representation on the standing committee. If the result of such multiplication is 0.455 but less than 1.455, the presidential preference is entitled to one (1) position. Those preferences securing more than 1.455 but less than 2.455 are entitled to two (2) positions, etc. *(Call VII.C.2)*
  - c. Where the application of this formula results in the total allocation exceeding the total number of committee positions, the presidential candidate whose original figure of representation is farthest from its eventual rounded-off total shall be denied that one (1) additional position. Where the application of this formula results in the total allocation falling short of the total number of

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committee positions, the presidential candidate whose original figure of representation is closest to the next rounding level shall be allotted an additional committee position. *(Call VII.C.3)*

- d. Standing committee positions allocated to a presidential candidate shall be proportionately allocated, to the extent practicable, to each of the three (3) standing committees. When such allocation results in an unequal distribution of standing committee positions by candidate preference, a drawing shall be conducted to distribute the additional positions. *(Call VII.C.4)*

### 3. Presidential Candidate Right of Review

- a. Each presidential candidate, or that candidate's authorized representative(s), shall be given adequate notice of the date, time and location of the meeting of the state's delegation authorized to elect standing committee members. *(Call VII.D.1)*
- b. Each presidential candidate, or that candidate's authorized representative(s), must submit to the State Democratic Chair, by 12:00 PM on June 15, 2024, a minimum of (1) name for each slot awarded to that candidate for members of each committee. The delegation shall select the standing committee members from among names submitted by the presidential candidates (including uncommitted status). Presidential candidates shall not be required to submit the name of more than one (1) person for each slot awarded to such candidate for members of standing committees. *(Call VII.D.2)*

### 4. Selection Procedure to Achieve Equal Division

- a. Presidential candidates (including uncommitted status) shall use their best efforts to ensure that their respective delegation of standing committee members shall achieve West Virginia's affirmative action, outreach and inclusion goals and that their respective male and female members are equally divided between the men and women determined by gender self-identification. *(Rule 6.1 & Reg. 4.10)*
- b. The first binary gender position on each standing committee shall be assigned by binary gender as self-identified. For example, the first binary position on the Credentials Committee of the presidential candidate with the most standing committee positions shall be designated for a male, and the next binary position, if one occurs, will be designated for a female, and the remaining binary positions, to the extent they occur, shall be designated in like fashion, alternating between males and females, where applicable. For avoidance of doubt: there is no requirement that positions be assigned to gender non-binaries but the described alternation of binary genders may not be used to exclude a gender non-binary from consideration for a committee position. Positions for presidential candidates on each committee shall be ranked

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according to the total number of standing positions allocated to each such candidate. After positions on the Credentials Committee are designated by gender, the designation shall continue with the Platform Committee, then the Rules Committee.

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

### 5. Certification and Substitution

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

## Section V

### Delegation Chair and Convention Pages

#### A. Introduction

West Virginia will select one (1) person to serve as Delegation Chair and two (2) to serve as Convention Pages. (*Call IV.E, Call IV.F.1 & Appendix C*)

#### B. Delegation Chair

1. Selection Meeting
  - a. The Delegation Chair shall be selected by a quorum of the state's National Convention Delegates, at a meeting to be held on **June 15, 2014** (*Call IV.E & Call VII.B.1*)
  - b. All members of the delegation shall receive timely notice of the time, date and place of the meeting to select the Delegation Chair. (*Rule 3.C*)
2. The State Democratic Chair shall certify the Delegation Chair in writing to the Secretary of the Democratic National Committee within three (3) days after their selection. (*Call IV.E*)

#### C. Convention Pages

1. Two individuals will be selected to serve as State's Convention Pages by the State Democratic Chair in consultation with the members of the Democratic National Committee from the state. This selection will take place **June 15, 2024**. (*Call IV.F.3, Appendix C & Reg. 5.7*)
2. The Convention Pages shall be as evenly divided between men and women (determined by self-identification) as possible under the state allocation and shall reflect as much as possible, the Affirmative Action and Outreach and Inclusion guidelines in the state plan. In the case of gender non-binary pages, they shall not be counted as either a male or female, and the remainder of the pages shall be equally divided. (*Reg. 5.7.A*)
3. The State Democratic Chair shall certify the individuals to serve as State's Convention Pages in writing to the Secretary of the Democratic National Committee within three (3) days after the selection. (*Call IV.F.3 & Reg. 5.7.B*)

## Section VI Presidential Electors

### A. Introduction

West Virginia will select 4 persons to serve as Presidential Electors for the 2024 Presidential election.

### B. Selection of Presidential Electors

The Presidential Electors shall be selected by:

1. Two nominated by congressional caucuses on June 14, 2024 and two At-Large nominated by State Convention Delegates on June 15, 2024.
2. Within fifteen (15) days the State Party Chairperson must submit all the names of the individuals elected to the Secretary of State's office.

### C. Affirmation

1. Each candidate for Presidential Elector shall certify in writing that they will vote for the election of the Democratic Presidential and Vice Presidential nominees. *(Call VIII)*
2. In the selection of the Presidential Electors, the State Party will take the following steps to ensure the persons selected are bona fide Democrats who are faithful to the interests, welfare, and success of the Democratic Party of the United States, who subscribe to the substance, intent and principles of the Charter and the Bylaws of the Democratic Party of the United States: West Virginia does not bind the presidential election therefore, in order to ensure the electors will vote for the Democratic Presidential and Vice-Presidential the state party chairperson will review and approve the list of candidates for electors. Section VII

## General Provisions and Procedural Guarantees

- A. The State Democratic Party reaffirms its commitment to an open party by incorporating the “six basic elements” as listed below. As our Party strives to progress in the fight against discrimination of all kinds, these six basic elements have evolved and grown along with the constant push for more inclusion and empowerment. These provisions demonstrate the intention of the Democratic Party to ensure a full opportunity for all minority group members to participate in the delegate selection process. *(Rule 4.A, Rule 4.B & Rule 4.C)*

1. All public meetings at all levels of the Democratic Party in West Virginia should be open to all members of the Democratic Party regardless of race, sex, age, color,

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creed, national origin, religion, ethnic identity, sexual orientation, gender identity and expression, economic status or disability (hereinafter collectively referred to as “status”). (Rule 4.B.1)

2. No test for membership in, nor any oaths of loyalty to, the Democratic Party in West Virginia should be required or used which has the effect of requiring prospective or current members of the Democratic Party to acquiesce in, condone or support discrimination based on “status.” (Rule 4.B.2)
  3. The time and place for all public meetings of the Democratic Party in West Virginia on all levels should be publicized fully and, in such a manner, as to assure timely notice to all interested persons. Such meetings must be held in places accessible to all Party members and large enough to accommodate all interested persons. (Rule 4.B.3)
  4. The Democratic Party in West Virginia, on all levels, should support the broadest possible registration without discrimination based on “status.” (Rule 4.B.4)
  5. The Democratic Party in West Virginia should publicize fully and in such a manner as to assure notice to all interested parties a full description of the legal and practical procedures for selection of Democratic Party officers and representatives on all levels. Publication of these procedures should be done in such fashion that all prospective and current members of the State Democratic Party will be fully and adequately informed of the pertinent procedures in time to participate in each selection procedure at all levels of the Democratic Party organization. As part of this, the State Democratic Party should develop a strategy to provide education programs directly to voters who continue to experience confusing timelines for registration, changing party affiliation deadlines, or lack of awareness of the process for running for delegate, to ensure all Democratic voters understand the rules and timelines and their impact on voter participation. (Rule 4.B.5)
  6. The Democratic Party in West Virginia should publicize fully and in such a manner as to assure notice to all interested parties, a complete description of the legal and practical qualifications of all positions as officers and representatives of the State Democratic Party. Such publication should be done in a timely fashion so that all prospective candidates or applicants for any elected or appointed position within each State Democratic Party will have full and adequate opportunity to compete for office. (Rule 4.B.6)
- B. Discrimination on the basis of “status” in the conduct of Democratic Party affairs is prohibited. (Rule 5.B)
- C. West Virginia’s delegation shall be equally divided between delegate men and delegate women, and alternate men and alternate women, i.e. the number of men and women shall not vary by more than one. Such goal applies to the entire delegation, which includes all pledged delegates and alternates and all automatic delegates. Delegates and alternates



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shall be considered separate groups for purposes of achieving equal division as determined by gender self-identification. In the case of gender non-binary delegates or alternates, they shall not be counted as either a male or female, and the remainder of the delegation shall be equally divided by gender. *(Rule 6.C)*

- D. All delegate and alternate candidates must be identified as to presidential preference or uncommitted status at all levels which determine presidential preference. *(Rule 13.A)*
- E. No delegate at any level of the delegate selection process shall be mandated by law or Party rules to vote contrary to that person's presidential choice as expressed at the time the delegate is elected. *(Rule 13.I)*
- F. Delegates elected to the national convention pledged to a presidential candidate shall in all good conscience reflect the sentiments of those who elected them. *(Rule 13.J)*
- G. Each delegate, alternate and standing committee member must be a registered Democrat in the state of West Virginia, who is faithful to the interests, welfare and success of the Democratic Party of the United States, who subscribes to the substance, intent and principles of the Charter and Bylaws of the Democratic Party of the United States, and who will participate in the Convention in good faith. *(Rule 13.H, Call VII.A.4 & Reg. 4.25)*
- H. Forty (40) percent of the members of any Party body above the first level of the delegate selection process shall constitute a quorum for any business pertaining to the selection of National Convention delegates, alternates, standing committee members, and other official Convention participants. *(Rule 16)*
- I. An accredited participant in a caucus, convention or committee meeting, after having established credentials, may register a non-transferable proxy with (i.e., deliver a signed proxy to) another duly accredited participant at that meeting (except where an accredited alternate is present and eligible to serve as a replacement), provided that no individual may hold more than one (1) proxy at a time. *(Rule 17 & Reg. 4.30)*
- J. The unit rule, or any rule or practice whereby all members of a Party unit or delegation may be required to cast their votes in accordance with the will of a majority of the body, shall not be used at any stage of the delegate selection process. *(Rule 18.A)*
- K. Any individual or group of Democrats may sponsor or endorse a slate of candidates for convention delegates. But no slate may, by virtue of such endorsement, receive a preferential place on a delegate selection ballot or be publicly identified on the ballot as the official Democratic Party organization slate, and all slates must meet identical qualifying requirements for appearing on a ballot at all levels of the delegate selection process. *(Rule 18.B)*
- L. All steps in the delegate selection process, except the filing of presidential candidates as allowed by rule 15.D, must take place within the calendar year of the Democratic National

## West Virginia 2024 Delegate Selection Plan

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Convention, except with respect to the implementation of the Affirmative Action Plan and Outreach and Inclusion Programs or as otherwise allowed. *(Rule 1.F & Rule 12.B)*

- M. In electing and certifying delegates and alternates to the 2024 Democratic National Convention, the State Democratic Party hereby undertakes to assure all Democratic voters in West Virginia, a full, timely and equal opportunity to participate in the delegate selection process and in all Party affairs and to implement affirmative action and outreach and inclusion plans toward that end; that the delegates and alternates to the Convention shall be selected in accordance with the Delegate Selection Rules for the 2024 Democratic National Convention; and that the delegates certified will not publicly support or campaign for any candidate for President or Vice President other than the nominees of the Democratic National Convention. *(Call II.B)*

## Section VIII

### Affirmative Action Plan and Outreach and Inclusion Program

#### A. Statement of Purpose and Organization

1. Purpose and Objectives
  - a. To make sure 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 West Virginia. *(Rule 5.A)*
  - b. Discrimination on the basis of “status” in the conduct of Democratic Party affairs is prohibited. *(Rule 5.B)*
  - c. All public meetings at all levels of the Democratic Party in West Virginia should be open to all members of the Democratic Party regardless of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, gender identity and expression, economic status or disability (hereinafter collectively referred to as “status”). *(Rule 4.B.1)*
  - d. Consistent with the Democratic Party’s commitment to including groups historically under-represented in the Democratic Party’s affairs, by virtue of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, gender identity and expression, or disability, West Virginia has established goals for these groups. *(Rule 5.C & Reg. 4.8)*
  - e. To encourage full participation by all Democrats in the delegate selection process and in all Party affairs, the State Democratic Party has adopted and will implement programs with specific goals and timetables for African Americans, Hispanics, Native Americans, Asian Americans and Pacific Islanders and women. To further encourage full participation in the process, the State Party has established goals and timetables for other underrepresented groups,

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including the LGBTQ+ community, people with disabilities, and youth. (*Rule 6.A & Rule 7*)

- (1) The goal of the programs shall be to encourage participation in the delegate selection process and in Party organizations at all levels by the aforementioned groups as indicated by their presence in the Democratic electorate. (*Rule 6.A.1*)
- (2) For the delegate selection process, “Youth” is defined as any participant younger than 36 years old at the time of election. (*Reg. 5.3.A*)
- (3) For the delegate selection process, individuals identifying as Native Americans should provide their tribal affiliation and indicate if they are enrolled in a tribe. (*Reg. 5.3.B*)
- (4) These goals shall not be accomplished either directly or indirectly by the Party’s imposition of mandatory quotas at any level of the delegate selection process or in any other Party affairs. (*Rule 6.A.2*)

### 2. Organizational Structure

- a. The WV Democratic Party’s Affirmative Action Committee as established in the WV Democratic Party Bylaws Article VIII, Section A shall serve as the Affirmative Action Committee for WV Delegate Selection planning purposes. Article VIII, sec. A. states, *“To encourage full participation by all Democrats, with particular concern for minority groups, African Americans, Native Americans, Asian/Pacific Islanders, Latinos, women, youth (under 36 years old), LGBTQ+, seniors, and disabled individuals in the delegate selection process and in all Party affairs, as defined in the DNC Charter and Bylaws, the Executive Committee shall establish an Affirmative Action Committee.*

*The Affirmative Action Committee (“AA Committee”) Committee shall consist of the two (2) Co Chairs of different genders elected by the members from each of the Democratic constituency organizations set forth in the Affirmative Action and Outreach Plan. The Co-Chairs of each diversity caucus will be chosen by the members of that diversity caucus.” (Rule 6.F)*

- b. The State Democratic 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 of the members no later than 15 days after their appointment. (*Reg. 2.2.J*)
- c. The Committee shall consist of members who are regionally diverse and represent the Democratic constituency groups set forth in the Introduction to

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the Affirmative Action Plan and Outreach and Inclusion Program and the WVDP Bylaws Article VIII. Attachment A.

- d. The Affirmative Action Committee shall be responsible for:
    - (1) Helping develop and design the proposed Affirmative Action Plan and Outreach and Inclusion Program and making recommendations to the State Democratic Chair. *(Rule 6.F)*
    - (2) Directing the implementation of all requirements of the Affirmative Action Plan and Outreach and Inclusion Program section of this Plan.
    - (3) Implementing a specific outreach and financial assistance program for persons of low and moderate income to encourage their participation and representation in the national convention delegation. *(Rule 6.G)*
    - (4) Ensuring, on behalf of the State Party Committee, that district lines used in the delegate selection process are not gerrymandered to discriminate against African Americans, Hispanics, Native Americans, Asian Americans and Pacific Islanders and women. *(Rule 6.E)*
  - e. Financial and staff support for the Affirmative Action Committee shall be provided by the State Party Committee to the greatest extent feasible, including, but not limited to, making the State Party staff and volunteers available on a priority basis and covering all reasonable costs incurred in carrying out this Plan.
3. Implementation of the Affirmative Action Plan and Outreach and Inclusion Program shall begin on **November 15, 2023**, with the distribution of the press kits, and will continue through the end of the delegate selection process. *(Rule 1.F)*

### **B. Representation Goals**

1. In cooperation with the National Committee, the State Party has determined the demographic composition of African Americans, Hispanics, Native Americans, and Asian Americans and Pacific Islanders in the state's Democratic electorate. These constituency percentages shall be established as goals for representation in the state's convention delegation. *(Rule 6.A)*
2. In cooperation with the National Committee, the State Party has determined the demographic composition of members of the LGBTQ+ community, people with disabilities, and youth in the state's Democratic electorate. The State Party has chosen to establish these percentages as goals for representation in the state's convention delegation. *(Rule 7 & Reg. 4.8.C.iii)*

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3. The method used for determining the democratic composition of West Virginia’s Democratic electorate has been provided by the DNC and calculates the percentage of Democrats from each historically underrepresented group:
  1. Estimate the number of Democrats in each state by multiplying the size of each state’s citizen voting-age population (CVAP) by the level of Democratic support in that state.
  2. Estimate the number of eligible voters from each demographic group in each state by multiplying each state’s CVAP by the percentage of the population belonging to each group in each state.
  3. Estimate the number of Democrats in each demographic group in each state by multiplying the size of each group in each state by the level of Democratic support from each group in each state.
  4. Estimate the prevalence of each demographic group among Democratic supporters in each state by dividing our estimates of the number of Democrats in each group in each state by our estimates of the number of Democrats in each state.

	African Americans	Hispanics	Native Americans	Asian Americans and Pacific Islanders	LGBTQ+ Americans	People with Disabilities	Youth
Percent in Democratic Electorate	7%	2%	less than 0.5%	1%	7%	23%	25%
Numeric Goals for Delegates	2	1	1*	1	2	6	7

\*Note that the democratic composition of WV’s Native American electorate is less than 0.5%, however, the WVDP Affirmative Action Committee includes a representative goal of one (1) Native American delegate.

4. When selecting the at-large portion of the delegation, the demographic composition of the other delegates (district-level, pledged PLEO, and Automatic) shall be compared with the State Party’s representation goals to achieve an at-large selection process that helps to bring about a representative balance. *(Rule 11.A)*
5. Although the selection of the at-large delegation may be used to fulfill the affirmative action goals established by this Plan, the State Party will conduct outreach and inclusion activities such as recruitment, education and training at all levels of the delegate selection process. *(Rule 6.A.3)*

**C. Efforts to Educate on the Delegate Selection Process**

1. Well-publicized educational workshops will be conducted in each of the delegate districts beginning in **September 2023**. These workshops will be designed to encourage participation in the delegate selection process, including apprising potential delegate and alternate candidates of the availability of financial assistance.

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- These workshops will be held in places that are easily accessible to persons with disabilities. The times, dates, places and rules for the conduct of all education workshops, meetings and other events involved in the delegate selection process shall be effectively publicized by the party organization and include mailings to various organizations representative of the Democratic voting electorate. (*Rule 3.A, Rule 3.C & Rule 3.D*)
2. The WVDP officers and the Affirmative Action Committee Co-Chairs shall be comprised of individuals who are fully familiar with the process and will be available to appear before groups, as needed, to provide information concerning the process.
  3. The State Party's education efforts will include outreach to community leaders within the Democratic Party's constituencies and ensuring that information about the delegate selection process is available to Democratic committees, recognized organizations, and Party caucuses representing specific constituencies.
  4. The State Party will publish, and make available at no cost, a clear and concise explanation of how Democratic voters can participate in the delegate selection process. As well, the State Party shall also make available copies of the State Party Rules, the Delegate Selection Plan (and its attachments), the Affirmative Action Plan and Outreach and Inclusion Program (included in the DSP Section VIII), and relevant state statutes at no cost. Copies of documents related to the state's delegate selection process will be prepared and the State Party and Affirmative Action Committee will distribute them in the various delegate districts not later than November 15, 2023. (*Rule 1.H*)
  5. Participation in the delegate selection process shall be open to all voters who wish to participate as Democrats. Democratic voters shall be those persons who publicly declare their Party preference and have that preference publicly recorded. (*Rule 2.A*)
  6. The State Party shall take all feasible steps to encourage non-affiliated voters and new voters to register or enroll, to provide simple procedures through which they may do so and to eliminate excessively long waiting periods for voters who wish to register or to change their party enrollment status. (*Rule 2.C*) Voter registration forms and information will be available at all training events and at the mass county conventions. Proof of a completed form indicating the person is registering as a Democrat is all that is needed to participate in a county mass convention.
  7. The Affirmative Action Committee will develop a State Party strategy to be implemented beginning **November 15, 2023**, that will provide education programs directly to voters who continue to experience confusing timelines for voter registration and deadlines for changing party affiliation, or who are unaware of the process for running for delegate, so that all Democratic voters understand the rules and timelines and their impact on voter participation. (*Rule 4.B.5*)

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

1. The State Party shall direct special attention to 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 the State Party communications and on the State Party's website. 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)*
2. The State Party shall have a Delegate Selection Media Plan **(see Attachment B.10)** for using all available and appropriate resources, such as social media, websites, newspapers, radio and television, to inform the general public how, when and where to participate in the delegate selection process. Specifically, the Delegate Selection Media Plan will provide details as to how to qualify to run as a delegate candidate. Regular updates should be posted/released throughout the state's delegate selection process to ensure broad and timely coverage and awareness about the process to all interested persons. Visitors to the State Party website will have the option to sign up for email updates to the delegate selection process. *(Rule 4.B.3 & Rule 6.D)*
3. A priority effort, as described in the Delegate Selection Media Plan, shall be directed at publicity among the Democratic Party's constituencies.
  - a. Information about the delegate selection process will be posted on and made available to social and specialty media directed toward the Democratic constituency groups set forth in the introduction of this Affirmative Action Plan and Outreach and Inclusion Program.
  - b. The State Party shall be responsible for the implementation of this publicity effort. For purposes of providing adequate notice of the delegate selection process, the times, dates, places and rules for the conduct of the mass county conventions and the 2024 WVDP Democratic State Convention shall be effectively publicized to encourage the participation of minority groups. Parties will make a good faith effort to publicize this information in an accessible manner and multilingually where necessary. *(Rule 6.D)*
4. Not later than **November 15, 2023**, the State Party will make information about the delegate selection process available on its website and publicize the resource through press releases and communications to Party leaders, activists and targeted constituencies. Information to be posted on the website will include:
  - a. Materials designed to encourage participation and inform prospective delegate candidates;

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- b. A summary explaining the role of the 2024 Convention in nominating the Party's Presidential and Vice Presidential candidates and adopting the National Platform;
- c. A summary of the State Party's delegate selection process including all pertinent rules, dates, and filing requirements related to the process;
- d. A map of delegate districts and how many delegates will be elected within each district, along with filing forms or information on how to obtain the filing forms.

### **E. Obligations of Presidential Candidates to Maximize Participation**

1. Presidential candidates shall assist the State Democratic Party in meeting the demographic representation goals reflected in the Affirmative Action Plan and Outreach and Inclusion Program. *(Rule 6.H)*
2. Each presidential candidate must submit a written statement to the State Democratic Chair by **February 29, 2024**, which indicates the specific steps they will take to encourage full participation by their supporters in West Virginia's delegate selection process, including, but not limited to, procedures by which persons may file as candidates for delegate or alternate pledged to the presidential candidate. *(Rule 6.H.1)*
3. Each presidential candidate must submit demographic information with respect to all candidates for delegate and alternate pledged to them. Such information shall be submitted in conjunction with the list of names approved for consideration as delegate and alternate candidates pledged to the presidential candidate. *(Rule 6.H.2)*
4. Presidential candidates shall use their best effort to ensure that their respective delegates, alternates and standing committee members shall achieve the affirmative action goals reflected in the Affirmative Action Plan and Outreach and Inclusion Program and that the number of men and the number of women in their respective delegations shall not differ by more than one (as determined by gender self-identification). Furthermore, presidential candidates shall use their best efforts at the district level to approve delegate, alternate, and standing committee candidates who meet applicable equal division and affirmative action considerations to promote and achieve the state's affirmative action, outreach and inclusion goals and equal division for their respective delegations. *(Rule 6.C., Rule 6.I & Reg. 4.10)*

### **F. Outreach and Inclusion Program**

1. The State Democratic Party is committed to help achieve full participation of those groups of Americans who have historically been explicitly denied the right to vote or who have been subjected to discriminatory and exclusionary practices that have denied them voting rights and full participation in the delegate selection process and



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other Party meetings, events and elections, along with other groups of Americans who are also underrepresented in Party affairs.

2. As such, the State Democratic Party has developed outreach and inclusion programs and is committed to fully implementing the programs so that all persons who wish to participate as Democrats understand they are welcome and encouraged to be a part of the delegate selection process and in the Party at the local, state and national levels.
3. The State Party will make accommodations to facilitate greater participation by people with disabilities. Specific accommodations that people with disabilities can expect are as follows:
  - All meetings at every level of the Delegate selection process will be held at locations that are accessible to people in wheelchairs or other assistance devices.
  - All meetings at every level of the Delegate selection process will have an area designated for people with disabilities that will allow for wheelchairs and other assistive devices and an assistive person to accompany the disabled person, if needed.
  - All virtual meetings or trainings at every level of the delegate selection process will be held by a program that provides for video and can enable subtitles for hearing impaired participants.
  - The Chairs of all meetings at every level of the Delegate selection process will make every reasonable effort to make accommodations for a person with disabilities as requested before or during a meeting.
  - Efforts will be made to identify hearing impairment needs prior to an event related to the delegate selection process, as well as to attempt to meet that request. This may include American Sign Language (“ASL”) or closed captions, with a preference of having ASL.
  - The state party headquarters phone number, or other dedicated phone number, will be listed for those seeking assistance with forms related to the delegate selection process. The individual and need will be dispatched to representatives identified by the AAC who will contact them to provide assistance as needed.
4. In addition to the education, publicity and other steps described above, the State Party will ensure the following:
  - Each diversity caucus, recognized Democratic organization, and external organization that represents historically underrepresented groups will be sent information about the delegate selection process and encouraged to share that information with their constituents.
  - Each county committee will be asked to utilize the WVDP Affirmative Action and Outreach Plan to conduct effective outreach in their county.
  - The Affirmative Action Committee will recruit members of various diversity caucuses to assist in education events specific to the delegate selection process.
  - Each diversity caucus will be asked to hold an education event specific to the delegate selection process and recruit their constituencies to attend.



## Section IX Challenges

### A. Jurisdiction & Standing

1. Challenges related to the delegate selection process are governed by the *Regulations of the DNC Rules and Bylaws Committee for the 2024 Democratic National Convention (Reg. Sec. 3)*, and the “Rules of Procedure of the Credentials Committee of the 2024 Democratic National Convention.” (*Call Appendix A*)
2. Under Rule 21.B. of the *2024 Delegate Selection Rules*, the DNC Rules and Bylaws Committee has jurisdiction over challenges pertaining to the submission, non-implementation and violation of State Delegate Selection and Affirmative Action Plan and Outreach and Inclusion Program. (*Rule 21.B & Call Appendix A*)
3. The Rules and Bylaws Committee has jurisdiction to hear and decide any challenge provided it is initiated before the 56th day preceding the date of the commencement of the 2024 Democratic National Convention. (*Call Appendix A & Reg. 3.1*)
4. Challenges to the credentials of delegates and alternates to the 2024 Democratic National Convention initiated on or after the 56th day preceding the date of commencement of the Democratic National Convention shall be processed in accordance with the “Rules of Procedure of the Credentials Committee of the 2024 Democratic National Convention.” (*Call Appendix A*)
5. Any challenge to the credentials of a standing committee member shall be considered and resolved by the affected standing committee in accordance with Appendix A of the *Call for the 2024 Democratic National Convention*. The Rules and Bylaws Committee shall have jurisdiction over challenges brought before the 56th day preceding the date of the commencement of the Democratic National Convention. (*Call VII.B.5*)
6. Copies of the Regulations of the Rules and Bylaws Committee and/or the Call for the 2024 Democratic National Convention, including the Rules of Procedure of the Credentials Committee (*Appendix A*), shall be made available by the State Party upon reasonable request.
7. Any group of 15 Democrats with standing to challenge as defined in Reg. 3.2 or the Call (*Appendix A, Sec. 2.A*), may bring a challenge to this Plan or to the implementation of this Plan, including its Affirmative Action provisions.

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

1. A challenge to the 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

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Committee not later than 30 calendar days prior to the initiation of the state's delegate selection process. *(Rule 21.A & Reg. 3.4.A)*

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

### **C. Challenges to Implementation**

1. A challenge may be brought alleging that a specific requirement of an approved Plan has not been properly implemented. Jurisdiction over all challenges initiated in a timely fashion shall reside with either the Rules and Bylaws Committee or the Credentials Committee of the National Convention (See Section VII.A. above). However, the Rules and Bylaws Committee may provide advice, assistance or interpretations of the Delegate Selection Rules at any stage of the delegate selection process. *(Reg. 3.1.C)*
2. An implementation challenge brought before the Rules and Bylaws Committee is initiated by filing a written challenge with the State Party Committee and with the Rules and Bylaws Committee not later than 15 days after the alleged violation occurred. The State Party has 21 days to render a decision. Within 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 21-day period. *(Reg. 3.4.C, Reg. 3.4.E & Reg. 3.4.H)*
3. Performance under an approved Affirmative Action Plan and Outreach and Inclusion Program and composition of the convention delegation shall be considered relevant evidence in the challenge to any state delegation. If a State Party has adopted and implemented an approved affirmative action program, the State Party shall not be subject to challenge based solely on delegation composition or primary results. *(Rule 6.B)* The procedures are the same for challenges alleging failure to properly implement the Affirmative Action Plan and Outreach and Inclusion Programs of a Plan, except that such challenges must be filed not later than 30 days prior to the initiation of the state's delegate selection process. *(Reg. 3.4.C)*
4. Depending on the appropriate jurisdiction (see Section VIII.A. above), implementation challenges must be brought in conformity with the Regulations of the Rules and Bylaws Committee or the Rules of Procedure of the Credentials Committee, which should be consulted for a detailed explanation of challenge procedures.

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**Section X  
Summary of Plan**

**A. Selection of Delegates and Alternates**

West Virginia will use a proportional representation system based on the results of the (Select One: Caucus, Primary, or Party-Run Primary) apportioning its delegates to the 2024 Democratic National Convention.

The “first determining step” of West Virginia’s delegate selection process will occur on **[date]**, with a (Select One: Caucus, Primary, or Party-Run Primary).

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

Type	Delegates	Alternates	Date of Selection	Selecting Body
				Filing Requirements and Deadlines
District-Level Delegates	13	2	June 14, 2024	Selecting Body: District Caucuses held at the West Virginia State Democratic Convention
District-Level Alternates				File with State Executive Committee by May 15, 2024
Automatic Party Leader and Elected Official Delegates*	5	n/a	n/a	Automatic by virtue of respective public or Party office as provided in Rule 9.A. of the 2024 Delegate Selection Rules.
Pledged Party Leaders and Elected Officials (PLEOs)	3	**	June 15, 2024	State Convention
				File with the State Party Chair by May 15, 2024
At-Large Delegates	4		June 15, 2024	State Convention
				File with the State Party Chair by May 15, 2024
TOTAL Delegates and Alternates	25	2		

\* Automatic Party Leader and Elected Official (PLEO) delegates includes the following categories, if applicable, who legally reside in the state: the Democratic National Committee Members, the Democratic President, the Democratic Vice President, all Democratic members of the U.S. House of Representatives and the U.S. Senate, the Democratic Governor, and any other Distinguished Party Leader as specified in Rule 9.A. of the 2024 Delegate Selection Rules. The exact number of Automatic PLEO Delegates is subject to change due to possible deaths, resignations, elections or special elections.

**B. Selection of Standing Committee Members (For the Credentials, Platform and Rules Committees)**

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

## West Virginia 2024 Delegate Selection Plan

Members Per Committee	Total Members	Selection Date	Filing Requirements and Deadlines
1	3	<i>June 15, 2023</i>	<i>Presidential candidates will submit a list of standing committee members by June 15, 2024.</i>

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

The Delegation Chair will be selected by the National Convention Delegates on June 15, 2024 .

### D. Selection of Presidential Electors

Four (4) Presidential Electors will be selected by the State Convention. One (1) elector will be selected by each of the two post-primary district caucuses on June 14, 2024. Two (2) electors will be selected by the State Convention on June 15, 2024.

For the post-primary district caucuses on June 14, 2024, and the state convention on June 15, 2024, each delegate will receive an electronic ballot with instructions and will be able to vote by accessing the ballot with their phone, or tablets, which will be available at stations in the room. Staff or volunteers will be available to assist delegates, as needed. Once all delegates have voted, or have been given a reasonable time to complete their ballot, the results will be tallied by three (3) tellers, or more if the Chair deems fair or necessary, however, candidates for presidential elector may be present for the tally. The tellers will submit a report to the Chair, who will announce the presidential electors.

### E. Presidential Candidate Filing Deadline

1. Presidential candidates must file with the West Virginia Secretary of State no later than midnight January 27, 2024.
2. Presidential candidates must certify the name of their authorized representative(s) to the State Democratic Chair by February 14, 2024. *(Rule 15.D)*

### F. Timetable

*(Reg. 2.2.B)*

Date	Activity
<b>2023</b>	
February 1	WVDP Affirmative Action Committee confirmed to be the Delegate Selection Affirmative Action Committee members by the State Chair.
March 1	List of Affirmative Action Committee members submitted to DNC Rules and Bylaws Committee.
April 11	Proposed Delegate Selection and Affirmative Action Plan and Outreach and Inclusion Program is tentatively approved for public comment by the Affirmative Action Committee.
April 11	Public comments are solicited on the proposed Delegate Selection and Affirmative Action Plan and Outreach and Inclusion Program. Press releases are mailed announcing the public comment period.

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Date	Activity
April 11-May 12	Period for public comment on the State Plan is concluded. Responses are compiled for review by the State Party Committee.
May 13	State Party Committee reviews public comments and adopts revised Delegate Selection and Affirmative Action Plan and Outreach and Inclusion Program for submission to the DNC Rules and Bylaws Committee. Press releases are mailed announcing the approval of the Plan.
May 15	Delegate Selection and Affirmative Action Plan and Outreach and Inclusion Program is forwarded to the DNC Rules and Bylaws Committee.
November 15	State Party begins implementation of the Affirmative Action Plan and Outreach and Inclusion Program. Press kits, as described in the Affirmative Action Plan and Outreach and Inclusion Program, are sent to all state media.
<b>2024</b>	
January 1 - May 8	Eligible voters, and military and overseas voters, may request an absentee ballot.
January 8 - January 27	Presidential candidate filing period
January 27	Presidential candidate deadline for filing the petition of candidacy with the Secretary of State and a copy to the State Party.
February 1-May 15	Delegate and alternate candidates may obtain the statement of candidacy and pledge of support forms and filing instructions from State Party Committee Headquarters, in person, by mail, or from State Party's web site at <a href="http://www.democrats.org">www.democrats.org</a>
February 14	Presidential candidate deadline for certifying the name(s) of their authorized representative(s) to the State Party.
February 29	Deadline for each announced presidential candidate to submit a statement specifying steps the candidate will take to encourage full participation in the delegate selection process. (Individuals who announce their candidacy after this date must provide this full participation statement to the State Party no later than 30 days after their announcement.)
March 16	Mass County Conventions to select
March 26	Write-in Deadline
March 29	First date on which county clerks begin mailing Absentee ballots
April 23	Last day to register to vote in the 2024 WV Primary
May 1	In-person Early voting begins for Presidential preference primary. Ends May 11
May 7-May 14	Emergency Absentee ballot requests accepted.
May 8	Last day to request an Absentee ballot
May 11	Last day for Early Voting in person
May 14	Presidential preference primary.
May 15	District-level delegate and alternate deadline for filing the statement of candidacy and pledge of support forms with the State Party.
May 15	Pledged PLEO and at-large delegate or alternate candidate deadline for filing the statement of candidacy and pledge of support forms with the State Party.
May 17	State Party provides a list of district-level delegate and alternate candidates to the respective Presidential candidates.
May 17	State Party provides a list of PLEO and at-large delegate and alternate candidates to the respective Presidential candidates.
May 20	Presidential candidates provide a list of approved district-level delegate and alternate candidates to the State Party.

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Date	Activity
June 13	The Secretary of State certifies results of the primary.
June 14	State Convention convenes. Pledged district level delegates and alternates, and 1 presidential elector for each congressional district, are selected at post-primary district caucuses.
June 15	State Convention continues. Presidential candidates provide approved list of pledged PLEO delegate candidates to State Party. Pledged PLEO delegates selected. Following selection of PLEO delegates, presidential candidates provide approved list of at-large delegates to State Party. State Convention selects at-large delegates. State Convention selects 2 at-large presidential electors. Presidential candidates submit lists of candidates for standing committee members to State Party.
June 15	National Convention delegation meeting. Delegates select National Convention Standing Committee Members and Delegation Chair. State Chair names convention pages.
June 17	State Party certifies elected district-level delegates and alternates to the Secretary of the Democratic National Committee.
June 17	State Party certifies remainder of elected delegates and alternates (PLEOs and at-large), along with standing committee members, delegation chair, and convention pages.
June 17	State Chair certifies in writing to the Secretary of the DNC the State's Delegation Chair, Convention Pages and Standing Committee Members.
June 17	State Party certifies in writing to the Secretary of the DNC the presidential preference (including uncommitted) of the state's Automatic Delegates.



## Attachments

**A. Affirmative Action Committee**

**[to be submitted to RBC within 15 days after their appointment]**

**1. List of Affirmative Action Committee Members**

*[List the members of the Affirmative Action Committee and indicate relevant demographic data about each member (i.e. African American, Hispanic, Native American, Asian Americans and Pacific Islanders, gender, LGBTQ+, youth, people with disabilities, seniors, ethnics, labor, and any other applicable Democratic constituency group as set forth in the Introduction to the Affirmative Action Plan and Outreach and Inclusion Program).]*

**2. Statement from the State Chair confirming that the composition of the State Affirmative Action Committee complies with Rules 5.C, 6.A., and 7 and that the names, demographic data and contact information of members was submitted to the RBC 15 days after their appointment. (Reg. 2.2.K)**

**B. [As specified in Reg. 2.2, the following documentation must accompany the state's Delegate Selection Plan at the time it is formally submitted to the Rules and Bylaws Committee.]**

- 1. A summary** of the process for selecting delegates, alternates, standing committee members, the delegation chair and convention pages, and Presidential Electors, along with related deadlines. *[It is recommended that this information be incorporated as part of the state's Delegate Selection Plan - see Section X. of the Model Plan.] (Reg. 2.2.A)*
- 2. A timetable** reflecting all significant dates in the state's delegate selection process. *[It is recommended that this information be incorporated as part of the state's Delegate Selection Plan - see Section I. of the Model Plan.] (Reg. 2.2.B)*
- 3. A copy of the press release** distributed by the State Party Committee announcing its adoption of the Plan and summarizing the major components of the Plan. (Reg. 2.2.D)
- 4. A statement from the State Democratic Chair certifying the following:**
  - a. The Plan** as submitted to the RBC was approved by the State Party Committee. (Reg. 2.2.C)
  - b. The proposed Plan**, including all attachments and appendices, was placed on the State Party website during the 30-day public comment period. (Reg. 2.2.E)

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- c. **Compliance with Rule 1.C** which requires a 30-day public comment period prior to the adoption of the Plan by the State Party Committee, provided that the State Party has published specific guidance for the submission of public comments. *(Reg. 2.2.F)*
5. A statement from the Chair of the Affirmative Action Committee certifying **compliance with Rule 6.F.**, which requires that the Affirmative Action Committee has reviewed the proposed Affirmative Action outreach plan, including any numerical goals established. *(Rule 6.F & Reg. 2.2.I)*
6. **A copy of all written public and online comments** submitted through the process provided above about the Plan. ***[Include information identifying each person and/or organization making the comment and where appropriate, a description of the person or group so represented, if such information has been provided or is available to the State Party.]*** *(Rule 1.C & Reg. 2.2.G)*
7. **A blank copy of forms** to be filed with the state and the State Party by delegate and alternate candidates. *(Rule 1.A.7, Rule 1.A.8 & Reg. 2.2.H)*
8. **Copies of all state statutes and other relevant legal authority** reasonably related to:
  - a. The Delegate Selection Process ***[For example, include any and all state statutory requirements related to: ballot access for presidential candidates; filing requirements for delegate and alternate candidates; timing of the presidential primary, caucuses, and/or the state convention; participation in the state's presidential primary or caucuses, including Party registration or enrollment provisions; and any other stipulations made by the state regarding the selection process or the role of National Convention delegates.]*** *(Reg. 2.2.L)*
  - b. The election of Presidential Electors ***[i.e., state statutory requirements related to the selection of Presidential Electors, including whether the Electors are required to vote for the Party's nominee and how that is enforced.]*** *(Call VIII)*
9. A copy of all **presidential candidate qualifying forms** to be filed with the state and the State Party. *(Reg. 2.2.M)*
10. A copy of the **State Delegate Selection Media Plan**, describing how the State Party will communicate information about the process to all available and appropriate sources, including social and specialty media directed toward Democratic constituency groups as described in the Affirmative Action Plan and Outreach and Inclusion Program.

### C. **[For Caucus States]**

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1. Attach a copy of the **State Party's proposed budget** outlining State Party's financial plan and demonstrating the technical ability to successfully run the delegate selection process. *(Rule 2.K.2)*
2. Attach a copy of the **State Party's Caucus Plan** specifically describing how the caucus process will be implemented and how each level of the caucuses will be conducted.

### **D. [For States in receipt of a 12.A Waiver]**

1. A copy of the terms for providing a base voter file to presidential candidates qualified under Call Article VI.