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Memo To: Otter Tail County Caucus Attendees
From: David Hann, Chairman, Republican Party of Minnesota
Date: March 5, 2024
Subject: Precinct Caucus Meetings, February 27, 2024

Good evening,

On Tuesday evening, February 27, Executive Director Anna Mathews and I were contacted by convenors of the Otter Tail Caucus meetings and informed that those meetings were in disarray.

Since then, I have participated in several phone calls, Zoom meetings, and in person meetings with leaders of CD7, the Otter Tail County BPOU, and other caucus attendees. The State Party has been asked by CD7 leadership and the OTC BPOU leadership to review the documents produced at the caucus meetings to determine what happened and try to resolve any issues those documents present.

There are a few general observations I would like to make. First, state statutes and the Republican Party rules specify that caucus meetings are conducted under the authority of state law and according to the rules and procedures of the Republican Party of Minnesota. We are a private political association, and we have the right and authority to conduct our internal party procedures and to affiliate with those who choose to abide by those rules and procedures. Party rules dictate the procedures for caucus meetings. Minnesota law mandates caucus voting be done by secret ballot but does not otherwise dictate what documents the Party uses at precinct caucus meetings.

Second, precinct caucus meetings are not BPOU caucus meetings. Each precinct caucus should be held with its own convenor and secretary, independent of other precincts if practicable. It is very common for county BPOUs to conduct caucuses with all or several precincts in one room with only one convenor. In many cases this process can work if the attendees are willing to act in good faith with each other and work together to accomplish the business of the caucus.

Third, the business of the caucus is fundamentally to serve the purposes of the Republican Party and aid in creating local organizations to do the political work of the Party. Until Minnesota law was changed last session, state law made it clear that caucus participation was limited to those who are eligible voters and express agreement with Party principles. It also provided a method by which a caucus attendee could be challenged if other attendees did not think that person met eligibility requirements. All those provisions were removed from Minnesota law, and the only requirement in law currently is that a participant must live in the precinct.

Fourth, at the December 2023 State Central meeting, the Republican Party of Minnesota Bylaws were amended to include the omitted portions of caucus meeting law into our rules so that they could be applied to our caucus meetings this year. The explicit purpose for doing this was to make sure that people voting for or seeking election to delegate positions or local party offices were in fact willing to abide by the principles and purposes of the Republican Party of Minnesota. Those provisions are found in our Bylaws in Article VIII – Caucus Participation.

In summary, the caucus meetings are expected to occur at the precinct level, not the BPOU level, conducted by convenors appointed and trained by the Republican Party, to facilitate the election of local precinct officers of the BPOU and to elect delegates to the BPOU convention. Before any business can take place, it must be established that the attendees do in fact meet the requirements to participate according to our Bylaws. That was the purpose of requiring a Precinct Caucus Registration Sheet to be signed by all attendees.

Unfortunately, many of the above observations were disregarded and the Otter Tail County caucus meetings turned into what has only been described to me as chaos. Although the BPOU organization could have done some things differently such as having more than two caucus meeting locations and making sure there were convenors for each individual precinct, there was nothing they planned that was in violation of state law or Republican Party rules. The chaos was not caused by the procedures the OTC BPOU chose to use but by individual attendees who refused to follow the procedures established by the state party and the OTC BPOU. In our 119 other BPOUs, caucus attendees complied with the procedures administered by their BPOU and peacefully conducted their business.

Over the past week, I have spoken to the Otter Tail County board members, Tami Barry, Nathan Miller, our CD7 chair and deputy chair, our CD7 state executive member, and the three state legislators who represent the county. I have also received emails from others who attended caucuses. I drove up to Perham with our executive director on Saturday to pick up all the paperwork from caucus night and meet with the board. After a thorough review of this paperwork over the past few days, we have discovered several concerning things which are listed below:

- 1.** All Perham PCRC forms were filled out identically showing all the precinct activities occurred at the same time. It defies reason to believe that this is what actually occurred. All PCRC forms were also signed by the same convener and secretary instead of by the precinct convenors/chairs and precinct secretaries as Party training instructed.
- 2.** Some of the times were scratched out on the Perham PCRC forms. There are no notes to back up these times, and the Perham Caucus location convener Tami Barry was on the phone with our Executive Director on caucus night at the exact time (7:56) that the forms say nominations closed. The timestamp on these forms raises questions about how nominations could be closed while the convener was engaged in a lengthy phone conversation with the Party Executive Director. It also creates the appearance that these times were added after the fact in order to claim the requirements of the law were met when in fact they were not.
- 3.** Some Perham attendees have their own notes (which we have seen) with different times for their precinct business than what is recorded on the PCRC sheet by the caucus secretary. The secretary was not present in those precinct meetings and therefore could not validate what happened and when. We have been unable to determine when nominations actually closed and whether it was within the timeframe mandated by state law.
- 4.** Because the Perham meeting was so noisy and chaotic, some Perham attendees state that they never heard nominations opened or closed, which

further complicates our ability to determine if the procedures used and the time constraints were lawfully met.

5. Not all caucus attendees, including the replacement convenor Tami Barry and her husband, signed a registration form to certify that they were eligible caucus attendees before they participated in the caucus. The state party training specified that all attendees must complete a form or have someone else complete their form if they were absent - delegate/alternate candidates, observers, and absentees alike. The paper trail for these two participants - and others - is missing. It is essential to have a paper trail because it proves that the lists were not padded on caucus night, which is the allegation made by many in OTC regarding the 2022 caucuses. The Party specifically instituted this paper trail this year in response to the concerns we heard from your county last year.

6. There were two different versions of registration forms that were brought and distributed by some Fergus Falls attendees. These participants encouraged other attendees to not use the forms provided by the BPOU but to use the alternate ones instead. There is no justification for participants in a meeting conducted by the Republican Party to attempt to impose their own rules and procedures. This kind of behavior is unacceptable and will not be tolerated. The OTC BPOU has the authority to produce registration forms (as do all BPOUs) to be used in the conduct of their meetings. The form produced by the OTC BPOU was materially different from the example suggested by the State Party only in that it asked specifically that registrants certify they “meet the MN GOP and OTC Bylaws requirements to be a delegate or alternate.” It also included information on the reverse quoting the MNGOP Bylaws and the OTC Bylaws. The use of this form was proper and not in violation of any rule of the Republican Party.

7. Attendees at both locations crossed out parts of the registration form. This raises questions about whether they were eligible to participate and why they wanted to be OTC delegates if they do not believe in the principles and mission of the OTC BPOU.

8. No PCRC sheets were completed and included in the envelopes sealed on caucus night at the Fergus Falls location. Instead, Tami Barry, who was not in attendance at the Fergus Falls location, delivered PCRC forms for some of the Fergus Falls precincts to the BPOU secretary three days later. These forms were signed by people other than the elected caucus secretary. However, even after those forms were delivered, some Fergus Falls precincts still have no PCRC form completed. The Party specified that the PCRC forms were supposed to be completed on caucus night and submitted in the packet with all the other materials. The times on these forms conflict with the times that the elected secretary recorded in the script, and some of the times made no sense at all (for example, some listed conducting an election before nominations closed). Since the control of these documents was not in the hands of the BPOU for several days, and since the information on them is contradictory, the validity of the information on those forms is in doubt.

9. The elected secretary in Fergus Falls recorded in his script that elections began after the window permitted by state statute closed. Because there were no PCRC forms completed on caucus night, we cannot verify this time.

10. Multiple people turned in absentee forms (or had others carry in their absentee form) so they could be considered for election to a delegate position. Some of those people, including the OTC BPOU chair, never had their names entered for nomination. As a result, they were not elected as delegates when they should have been given that opportunity. This is disenfranchisement.

Given what I have heard about how loud and chaotic both locations were with people yelling and arguing, it is not surprising that the convenors appointed by the Party - and the one elected later in Perham - were unable to conduct the caucus process successfully. It is not surprising that all precincts failed to complete their business as well (not adding absentee names to the sign in

sheet, forgetting to fill out PCRC forms or having the wrong person fill out PCRC forms, recording the wrong times, etc.). I am incredibly disappointed that Republicans could not come together in OTC and do what our 119 other BPOUs did - conduct their business respectfully, come to a consensus about the night's activities, and fill out the appropriate paperwork.

This situation poses a serious threat to the well-being of not only the Otter Tail County BPOU, but also CD7 and the state party. I have been massively disappointed with the reports I have heard from several people on both "sides" of the longstanding arguments in Otter Tail County. I am saddened to learn that Republicans treated each other so poorly last Tuesday and had such great disregard for not only our party bylaws and processes but also for state law and the welcoming and party-building spirit with which caucuses are supposed to be conducted.

So, in consultation with the members of the CD7 Board, our State Deputy Party Chair, and the attorney of the Minnesota Republican Party, we have concluded that no legitimate elections occurred on caucus night. Per Article V, Section 5 of our state constitution, the delegates elected in 2022 will continue to be delegates as no new delegates were elected:

"Article V, Section 5: Election and Terms of Delegates. A. All state, Congressional District, and BPOU Delegates and Alternates shall be elected in general election years and shall hold office for a term of two (2) years or until their successors are elected..."

Additionally, the March 9th OTC BPOU convention is canceled. If you were elected as a BPOU delegate in 2022, please watch your email for the BPOU convention call which will be issued at a later date. At the request of the CD7 organization and the OTC BPOU organization, this convention will be called and administered by the State Party.

My hope is that everyone in OTC will take this opportunity to reflect on the events of February 27 and how their actions contributed to the chaos. I also hope that everyone will resolve to treat their fellow Republicans with respect moving forward so we can focus on our goal: defeating the DFL and building a Republican majority in Minnesota.

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