

Republican Party of Texas
900 Congress, Suite 300
Austin, Texas 78701
Attn: Tina Benkiser

Ref: Challenges

Madam Chair:

Please deliver the following challenges to the Republican State Officials Committee as constituted in the bylaws of the SREC for delivery to the Temporary Credentials Committee of the State Convention.

The signers of this challenge, all of whom voted in the 2008 Republican General Primary and reside in the same county and/or senatorial district as the delegate or alternate being challenged, individually and collectively challenge the delegate status of the following persons:

1. Larry Kauffman, temporary and permanent Nominations Committee Chairman of the Tarrant County SD10 Convention.

These named person(s) intentionally violated the Rules of the Republican Party of Texas (RPT) and the Texas Election Code (TEC). In accordance with RPT Rule 11b and Rule 27b(1) we hereby specify the grounds for the challenge and detail the specific rule or rules alleged to have been violated, and hereby demand that if any part or the whole of this challenge is upheld that these person(s) be removed from serving as a delegate to any convention of the Party at any level throughout the year.

1. RPT Rule 14, Open Meeting and Right to Testify, states:

“All meetings of any committee or sub-committee of any convention, whether it be in temporary or permanent organization, shall be open to any delegate or alternate to that convention, any State or County Republican Party Officer, any elected Republican Public Officeholder or any Republican Candidate. These same people shall have the right to appear before any convention committee or sub-committee and make recommendations for the committee's consideration or testify concerning any item under purview of the committee. The committee may adopt reasonable rules including time limits for such presentations and may establish a reasonable limit of time for these presentations. This privilege shall include delegates and alternates under challenge at any convention.”

On the morning of the SD 10 Convention, delegate Paul Sinclair attempted to attend the final deliberations meeting of Nominations Committee. He was told the meeting was closed by Chairman Larry Kauffman and that the Committee “passed a rule.” Mr. Sinclair left the meeting, then returned and sat down. Mr. Kauffman again told him he could not stay. Mr. Sinclair protested

that he was a delegate, and Mr. Kauffman appeared to let the issue drop. However, the Committee did not resume discussions while Mr. Sinclair was present, and he quickly felt intimidated and left the meeting again.

Mr. Kauffman was well aware of RPT Rule 14, as it was asserted to the Convention officers several times during the period leading up to the Convention. He intentionally violated RPT Rule 14 in an attempt to hold a meeting in secret, and succeeded through abuse of his authority and intimidation of at least one delegate. Later, both Mr. Kauffman and Convention Chairman Stuart Lane asserted that every meeting of the Nominations Committee had been public as required by the rules when arguing against delegates requesting time and opportunity to review the report of the Committee.

2. TEC S 162.001. AFFILIATION WITH PARTY REQUIRED.

(a) A person must be affiliated with a political party to be eligible to:

(1) serve as a delegate to or otherwise participate in a convention held by the party under this code;

TEC S 174.003. DELEGATE TO BE QUALIFIED VOTER.

In addition to the requirement of party affiliation, to be eligible to serve as a delegate to a county, senatorial district, or state convention held under this chapter, a person must be a qualified voter of the territory that the person is selected to represent or a resident of that territory who is eligible to vote a limited ballot.

TEC 174.004. ELIGIBILITY REQUIREMENTS EXCLUSIVE.

A political party may not impose eligibility requirements in addition to those prescribed by this title for serving as a delegate to a county, senatorial district, or state convention held under this code.

On the morning of the SD Convention, Mr. Kauffman publicly spoke to the Nominations Committee and stated that supporters of Presidential Candidate Ron Paul were not entitled to and would not be allowed to make up more than 4-5% of the delegation sent to the State Convention. This arbitrary additional requirement was based on the percentage of the popular vote Candidate Paul received in the Texas Primary.

The TEC is clear that no such requirement exists, and cannot exist. Mr. Kauffman's directly stated intent was to impose additional restriction on delegates being elected to the State Convention, both in the report being prepared by the Nominations Committee and in the delegation elected by the Convention as a whole.

The above challenges have been sent via certified or registered mail not later than thirty (30) days following the date of the SD convention.

Signed:

(signature, name, address, SD, precinct)
