

This is the Intake Report and Recommendation on the Green Party of Colorado (GPCO) dispute resolution request by the Caucus to Restore Green Values (CRGV).

This document is based on the 6/13/17 “Appeal for Intervention in the Conduct of the GPCO Steering Committee” document submitted to the Accreditation Committee by the CRGV regarding the GPCO, the 6/25/17 response letter from GPCO to the Accreditation Committee, the 9/7/17 CRGV’s request for action from the Dispute Resolution Committee, a youtube video of the August 12, 2017 GPCO state meeting, and conversations with 2 of the primary parties; Judy Harrington/CRGV and Andrea Merida/Co-Chair GPCO. These conversations happened on 9/21/17 & 9/23/17. Finally, a Dispute Resolution Committee (DRC) teleconference occurred on 9/27/17 which led to this Recommendation.

The 6/13/17 “Appeal for Intervention” can be found here:

<http://restoregreenvalues.org/Case to Remove Andrea 05bb-full-doc.pdf>.

DRC Process:

According to the DRC information on gp.org, our process is the following:

This Intake Report is completed by a DRC member (me) and should include a “preliminary determination on how to proceed.” That’s below.

I can recommend mediation, arbitration, no action, or a series of suggestions. The DRC then reviews the Intake Report and takes action.

Our rules talk about determining whether disputes are ethical, interpersonal, political, or other issues, and taking action based on

which ones are contained in a dispute. Obviously many disputes may have more than one of those involved.

Preliminary determination:

This request for DRC action mainly rests on a political disagreement about what GPCO should focus on. This disagreement has been exacerbated by personality conflicts that manifest themselves in counter-charges of bad faith efforts, rule violations, and political impurity.

A lot of the very well-documented complaints are minor or concern subjects that are moot at this point (and probably were never really within our jurisdiction anyway like whether or not GPCO/GPUS should support Jill Stein's recount effort of the November 2016 election results).

Despite the existence of irregularity in some of the processes, none of it rises above either playing hardball politics (Jason Justice trying to pack a meeting with new Greens) or understandable scrambling to make sure tasks are done.

Proposals were proposed and either passed or were defeated, as per proper procedure. As Facilitator, Merida has the responsibility to make judgment calls about the process and we assume that the state party has a process for overruling decisions (such as a majority or 2/3rds of the body can overrule her as per Robert's Rules of Order or another decision-making guideline). Yet, that apparently never happened in any these cases or wasn't successful due to lack of support.

DRC Findings:

We find a sincere disagreement on what the GPCO should focus on.

We find a series of personality conflicts that are being fought out

through by-laws and voluminous complaints of by-law/rule violations.

We find two groups of dedicated Green Party volunteers aggressively trying to put their vision of the party forward. Both sides are using the political and structural tools at their disposal to win. Concurrently, these efforts involve demonizing the “other” side.

Based on these findings we determined that this focus on winning and the breakdown in party collegiality is what the DRC can mediate. If the parties agree to move forward in a less personally destructive manner, then they can come up with various proposals to address any remaining issues.

Recommendation:

We recommend that the 2 parties enter into mediation with a DRC mediator (to be appointed) in order to repair the intra-party personal relationships and, as a second focus, IF agreed to by both parties, identify joint recommendations to improve GPCO processes in the future.

Mediation points/goals from the parties:

Merida and her allies are open to mediation IF the following items are addressed:

1. The mediation doesn't “relitigate” August 12th decisions like duly elected party officials or properly decided state council decisions.
2. CRGV must withdraw the complaint delivered to the AC. (They feel the AC is holding accreditation over GPCO's head)
3. CRGV must retract libelous statements & personal attacks made about Merida, Jason Justice, & David Bell.

Harry Hempy/CRGV (who I did not talk with) e-mailed the following for his personal involvement.

“My pre-requirements for Andrea are simple. To show good faith, Andrea will acknowledge that:

1. acting as GPCO Webmaster, she blocked Harry Hempy from accessing the GPCO public website on or about Oct. 30, 2016,
2. acting as Denver County chapter Co-chair and Newsletter Editor, she refused to correct factual errors in the Denver County chapter newsletter published in July 2015 that reflected negatively on ColoradoCare, then known as Initiative 20, and
3. acting as GPCO Co-chair and GPCO Webmaster, she announced in Dec. 2016 that the 2017 GPCO Annual Meeting would be in August without direction from, or consultation with, GPCO Council.”

Merida added a conditional item at the end of our conversation, paraphrased here:

If this ends up being “just” anti-Andrea Merida, then the CRGV people have to take some anti-oppression training before she’ll enter mediation. She said she was talking only for herself, not her allies.

The CRGV representative DRC member Jesse Townley spoke with- Judy Harrington- presented no mediation points.

Regarding the conditions:

Merida’s 1st condition is reasonable and something we think would be made clear by DRC anyway. However, we did point out to Merida that if both parties agree in the mediation process, a new election/elections could be held.

As part of our recommendation, as soon as the parties agree to mediation, we shall request that the Accreditation Committee put the CRGV complaint on hold during our process. This shall ensure that the DRC will be able to facilitate good faith mediation with the parties. We anticipate no opposition from the AC, as they referred this complaint to the DRC. If mediation is not agreeable to both parties

then the AC may choose to continue their investigation and actions. We would strongly recommend that the AC stand aside as the mediation process goes forward and either of the parties could restart the AC process if mediation fails to resolve the issues.

Condition #3 is a bit more difficult. That involves identifying exactly what comments are at issue, and would be more appropriate to address during a mediation.

Hempy's preconditions are 3 comparatively minor issues from 2015, 2016, and early 2017. Like Merida's condition #3, these are things that are better addressed within a mediation.

Merida's conditional pre-condition is a tough one. I'd hope every GP activist has had anti-oppression training. It would definitely ease any communication gaps around oppression issues since everyone would be on the same page, even if they still disagree. However, it's something that could be a RESULT of mediation, not a pre-requisite for mediation.

If this offer of mediation is agreeable to both parties as laid out above, the DRC requests written agreement within one week (9AM Pacific time Monday October 9 2017). Once received, the DRC will do the following:

1. request the AC to put the complaint on hold
2. review the responses from the parties in committee
3. appoint a mediator at our next regularly scheduled meeting 3rd Wednesday in October
4. The DRC appointed mediator will contact the parties to arrange mediation and issue a suggested timeline for resolution of this request and mediation.

Please reply to me, Jesse Townley, or the co-chair of the DRC, Darryl Moch.

Yours,
Jesse Townley October 1, 2017