

**Chandler Thornton**  
*CRNC National Chairman*

**DATED: June 25, 2021**  
*Delivered via certified email*

**TO:** Mr. Ben Smith, Chairman, Louisiana Association of College Republicans (“LACR”)  
**CC:** Ms. Rachel Howard, Chairman Emeritus, Louisiana Federation of College Republicans (“LFCR”); Mr. Collin McBride, Chairman, LFCR; National Co-Chair Tom Ferrall; Southern Regional Vice Chair Courtney Britt  
**RE: Complaint Against the LFCR and Petition for Recognition of the LACR**

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## **Introduction**

In accordance with the “Procedure for Redress of Alleged Violations of State Federation Constitutions” (“Procedure for Redress”) issued February 2, 2018, Mr. Ben Smith on behalf of the Louisiana State University College Republicans (“Complainant”) filed a complaint against Ms. Rachel Howard on behalf of the Louisiana Federation of College Republicans (“Respondent”) on March 5, 2021. Further, on June 16, 2021, Mr. Ben Smith petitioned for recognition on behalf of the newly formed Louisiana Association of College Republicans.

## **Timeline of Events**

### January 23, 2021

The Complainant notified the Respondent of concerns regarding the inadequate notice for the State Federation’s convention.

### February 28, 2021

The Respondent provided National Co-Chair Tom Ferrall and Southern Regional Vice Chair Courtney Britt notice of the Louisiana Federation of College Republicans (“LFCR”) convention to take place on March 6, 2021, at 6:00 PM Central Standard Time.

### March 5, 2021

In accordance with the Procedure for Redress, the Complainant filed a complaint against the Respondent.

### March 6, 2021

The National Chairman confirmed receipt of the complaint and provided the Procedure for Redress to the Respondent and notified the Respondent of the seven (7) day response deadline.

### March 9, 2021

The Respondent requested an extension of seven (7) days to submit a response. The extension was granted, and the Respondent was expected to submit a response by March 19, 2021.

### March 10, 2021

National Co-Chair Tom Ferrall reminded the Respondent of the seven (7) day reporting deadline set forth by the “CRNC Guidance on 2021 State Federation Conventions” (“the Guidance”).

March 11, 2021

The Respondent sent the minutes from the State Federation Convention, which reflected that quorum was not met, and therefore no elections were conducted.

March 15, 2021

The Respondent requested an additional extension of seven (7) days to submit a response. The extension was once again granted, and the Respondent was expected to submit a response by March 26, 2021.

March 26, 2021

The Respondent emailed comments related to the initial complaint, and on March 27, 2021, the Respondent sent a follow up email to clarify those comments sent on March 26, 2021.

March 30, 2021

The National Chairman requested for those comments to be submitted as a proper response in accordance with the format mandated by the Procedure for Redress. The Respondent confirmed receipt of the request and that she would reformat “as soon as possible.”

April 6, 2021

The Respondent submitted a proper response in accordance with the format mandated by the Procedure for Redress.

April 7, 2021

The National Chairman requested that the Complainant and Respondent provide responses to specific factual questions pertaining to the complaint and response, respectively. Responses were expected by April 9, 2021, at 5:00 PM Central Daylight Time.

April 9, 2021

At 12:15 PM Central Daylight Time the Complainant sent by registered email answers to the National Chairman’s questions.

April 9, 2021

At 3:46 PM Central Daylight Time, the Respondent resigned as State Chairman of the LFCR, citing personal reasons.

May 4, 2021

The Complainant called a Meeting for the Formation of the Louisiana College Republicans Federation.

May 14, 2021

The College Republicans at Louisiana State University, University of Louisiana Monroe, and Louisiana Tech assembled to properly form a State Federation of College Republicans in Louisiana. A constitution was approved, and officers were elected.

June 16, 2021

The Complainant petitioned the CRNC National Chairman for recognition as the rightful National Board Member for the state of Louisiana.

## **Decision**

The initial complaint and response, the Complainant's response, the Respondent's resignation, and the Complainant's good faith efforts to seek a remedy, and the foregoing timeline compel the National Chairman to grant the Complainant's petition recognizing the Louisiana Association of College Republicans, with Ben Smith as its State Chairman, as the State Federation recognized by the College Republican National Committee for the following reasons.

### **I. With respect to the complaint filed in accordance with Procedure for Redress, the allegations, responses, and limited facts collected weigh in favor of the Complainant.**

The Complainant alleged and argued with evidence a total of eleven (11) violations of the LFCR Constitution and provided answers to the National Chairman's questions regarding these. The Respondent asked for several extensions during which efforts appeared to be underway to cure some of the alleged violations. The responses given were insufficient, and the National Chairman's effort to clarify the facts with questions was unsuccessful because the Respondent resigned. By default, the facts weigh largely in favor of the Complainant for the following reasons based on the limited information provided.

#### **(a) The allegation that the State Federation lacks a Second Vice-Chair and State Financial Director as required by Art. III, §1 of the LFCR Constitution weighs in favor of the Complainant's allegation.**

No evidence could be provided by the Complainant to show that such a person in either position existed. Consequently, the Complainant did not provide evidence of this claim.

Regarding the Second Vice Chair, the Respondent argued in the Response that the "individual was appointed to that position after elections were held," implying (i) the position had not been elected and (ii) someone held the position, and it was not vacant. However, the Respondent failed to provide the name of this person or any evidence of a person holding this position.

Regarding the State Financial Director, the Respondent refuted the claim in the Response but did not provide any evidence or argument to contradict the assertion that the Federation lacked a State Financial Director. The Respondent's failure to answer the National Chairman's questions of who held either of these positions weighs in favor of the Complainant's allegation.

- (b) The allegation that Ms. Howard called the annual Convention on February 22, giving only 12 days' notice and violating the LFCR Constitution, Art. VI, §7, which requires a minimum of 3 weeks' notice, is shown to be true by the facts provided by both parties.**

The Complainant provided evidence in the form of a tweet from the LFCR account announcing the Convention on February 22, 2021.<sup>1</sup> The response provided evidence in the form of screenshots of an individual message to an “Amber” dated February 12, 2021, and a group text message to four (4) people dated March 6, 2021, conceding proper notice was only provided to one (1) person. No evidence of a formal call to Convention with adequate notice was provided.

Additionally, the minutes sent to the National Co-Chair of this Convention stated that quorum was not met, likely because inadequate notice was given. These facts and the Respondent's failure to answer the National Chairman's questions about the call to Convention show that adequate notice was not given.

- (c) The allegations that Ms. Howard failed to appoint the following for the annual Convention weigh in favor of the Complainant's allegation:**

- (i) Credentials Committee violating the LFCR Constitution, Art. VI, §8;**
- (ii) Rules Committee violating the LFCR Constitution Art. III, §3 (B);**
- (iii) Resolutions Committee violating the LFCR Constitution Art. III, §3 (B);**
- (iv) Program Committee violating the LFCR Constitution Art. VIII, §1**

No evidence could be provided by the Complainant to show that any of the foregoing committees were formed. Consequently, the Complainant did not provide evidence of this claim. The Respondent denied the allegation in the response but did not provide any evidence or argument to the contrary. These facts and the Respondent's failure to answer the National Chairman's questions about the formation of these committees weigh in favor of the Complainant's allegation.

- (d) The allegation that by calling the Convention for March 6, a date within the season of Winter, Ms. Howard set the Convention for a time not permitted by the LFCR Constitution, Art. VI, §7 which requires the Convention to be called during the Spring or Summer is a valid violation of the LFCR Constitution.**

The Complainant argued that the Convention date of March 6 was invalid because Spring begins March 21. The Respondent argued that it was permissible because March 6 meets the meteorological definition of Spring but conceded that it did not meet the astronomical definition of Spring. The meteorological definition of seasons evenly divides the seasons evenly across the months of the year, giving each season three (3) months and is used almost exclusively by meteorologists to define seasonal averages because the dates are fixed on the calendar and consistent from year to year. The astronomical definition of seasons is based on the planet's rotation around the sun and has been used for thousands

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<sup>1</sup> <https://twitter.com/LouisianaCRs/status/1363914363606818818>

of years. It is by far the most used definition of seasons. This coupled with the fact that the Respondent provided no argument for why the meteorological definition should be used and did not respond to the National Chairman's questions regarding it, show that the meteorological definition was merely a convenient excuse rather than an actual reason and the Convention was set for an invalid date.

- (e) The allegations that Ms. Howard violated the LFCR Constitution Art. I, §5 by revoking the membership of the Louisiana State University (LSU) chapter without**
- (i) the approval of the State Executive Board or**
  - (ii) notifying the chapter in writing giving no opportunity for defense weigh in favor of the Complainant's allegation.**

The Complainant and Respondent both provided evidence the LSU chapter's membership in the State Federation was revoked. They disagree on how this happened. The Complainant asserts it was revoked by the Respondent without proper notice or approval required by the LFCR Constitution. The Respondent contests that their membership was not actively revoked but rather it lapsed when the chapter fell below ten (10) members. The Complainant provided evidence in the form of a screenshot of a text message with the Respondent dated January 23, 2021, where he attempted to reconcile the chapter with the State Federation and was met with hostility. Because the Respondent failed to answer the National Chairman's questions regarding when and how the LSU chapter lost its good standing status, the allegation that the chapter was improperly and wrongfully removed is accepted by default.

- (f) The allegation that by failing to "encourage and assist in the organization and active functioning" of the Louisiana State University chapter, Ms. Howard violated the LFCR Constitution Art. II, §8, is valid.**

The responses by both parties clearly demonstrate that the Respondent failed to "encourage and assist in the organization and active functioning" of the Louisiana State University chapter. The Complainant provided evidence in the form of a screenshot of a text message dated January 23, 2021, where the Complainant attempted to bring his concerns to the attention of the Respondent and was met with a justification rather than an effort to remedy or explain. The Respondent merely provided reasons for violating this provision, but the LFCR Constitution does not provide exceptions to this rule. Difficult personalities, apathy, or the spread of misinformation, even if true, are not valid reasons to abandon the duty to encourage and assist each chapter. For these reasons, the Respondent's failure to answer the National Chairman's questions pertaining to this show that this provision was violated.

- (g) The allegation that Ms. Howard failed to convene the State Leadership Council outside of annual Conventions violating the LFCR Constitution Art. IV, §3 which requires a minimum of two meetings during the State Chair's term weighs in favor of the Complainant's allegation.**

No evidence could be provided by the Complainant to show that such meetings did not occur. The Respondent provided a list of dates and event names for gatherings planned by the LFCR over recent history but did not specify which of these were meetings of the State Leadership Council. Included in this list were events like the National Regional Leadership Conference and the State Federation's Convention which are clearly not meetings of the State Leadership Council and prompts the question of which meetings were, but the Respondent failed to give any answers to the National Chairman's questions seeking clarity. Rather, the Respondent spent a considerable time making allegations of violations of the Chapter Constitution of the LSU chapter, for which this is not the appropriate forum. For these reasons, it is unclear whether the Respondent properly held meetings of the State Leadership Council, and this weighs in favor of the Complainant's allegation.

**II. With respect to the complaint filed in accordance with Procedure for Redress and Petition for Recognition, the Complainant exhausted all available remedies.**

Prior to initiating the formal proceedings with the College Republican National Committee, the Complainant attempted to rectify the unconstitutional behavior at the State Federation level by reaching out directly to the State Chairman on January 23, 2021. When this was unsuccessful, on March 5, 2021, he properly filed a complaint using the Procedure for Redress and complied with that procedure. Only when the named Respondent resigned from her post while under investigation, once the Complainant was certain that no remedy was available, did he seek to properly form a new State Federation.

**III. With respect to the complaint filed in accordance with Procedure for Redress and Petition for Recognition, the Complainant acted in good faith.**

From the Complainant's initial complaint to his responses, to his formation of a new State Federation in substantial compliance with "CRNC Guidance on 2021 State Federation Conventions," and to the petition for recognition, the Chairman has demonstrated a clear effort to act honestly and with the best intentions for the good of the College Republicans in the State of Louisiana. The Respondent, by contrast, repeatedly asked for extensions, attempted to subvert the Procedure for Redress by contacting the National Chairman ex-parte, violated the State Federation Constitution and seemingly used extensions as an attempt to cure the alleged defects to avoid consequence, and ultimately resigned the day questions were due rather than respond to them.

**IV. With respect to the petition for recognition, the Louisiana Association of College Republicans exceeds the minimum requirements for recognition by the CRNC as a State Federation.**

Federations must have a minimum of two (2) clubs.<sup>2</sup> The Louisiana Association of College Republicans has shown that it has three (3) bona fide, unique, and independent clubs, including one at the flagship university in Louisiana (Louisiana State University).

**Conclusion**

Due to the Complainant's persistent attempts to rectify the unconstitutional actions taken by the Respondent, the Respondent's lack of cooperation with the Procedure for Redress, and the existence of a viable State Federation, the Chairman of which was duly elected by the College Republicans of Louisiana, the National Chairman recognizes the Louisiana Association of College Republicans, with Ben Smith as its State Chairman.

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<sup>2</sup> CRNC Constitution, Article Two, Section Three