

Washington State Democratic Central Committee Procedures for Code of Conduct Violations

I. Purpose

These procedures govern the handling of complaints that arise under the Code of Conduct guidelines.

II. Definitions

As used in these procedures:

- A. "**WSDCC**" means The Washington State Democratic Central Committee
- B. "**Executive Committee**" means The Executive Committee of the Washington State Democratic Central Committee
- C. "**Code**" refers to The Code of Conduct adopted by the Washington State Democratic Central Committee at its September 10, 2017 meeting as thereafter amended from time to time
- D. "**DNC Member(s)**" means The Democratic National Committeemen and Committeewomen elected by the **WSDCC** pursuant to Article III(E) of the Charter
- E. "**Chair**" means The Chair of the Washington State Democratic Party
- F. "**Executive Director**" means the Executive Director of the Washington State Democratic Party

III. Scope

- A. All elected members of the **WSDCC**, members of any **WSDCC** standing or ad-hoc committee, the elected officers of the **WSDCC**, the **DNC Members**, and members of any Democratic organization chartered by the **WSDCC** are expected to abide by the **Code** and may, if warranted after review of an alleged violation of the **Code**, be subject to one or more penalties specified herein for violation of the **Code**. The **Executive Committee** may decline to review alleged violations by members in circumstances in which the allegations are being reviewed by government agencies, courts, or local organizations.
- B. These procedures do not apply to employees of the state party not expressly mentioned here, whose conduct is regulated by existing personnel policies, special members of the Central Committee described in the Charter or Bylaws of the Democratic Party of the State of Washington and not expressly mentioned here, or members of other Democratic organizations described in Article V and VI of the Charter not expressly mentioned here.

IV. Initiation of Complaint

- A. *Who Initiates*: A complaint is initiated by a member of the **WSDCC**, members of any **WSDCC** standing or ad-hoc committee, the elected officers of the **WSDCC**, the **DNC Members**, Chair or Vice Chair(s) of any Democratic organization chartered by the **WSDCC**, and Chair or Vice Chair(s) of a local party

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organization but the member need not be the alleged victim of a violation in order to initiate a complaint.

- B. *Form:* A complaint must clearly identify the portion of the **Code** alleged to be violated, describe the violation, and identify the alleged victim and any witnesses known to the submitting member. The requirements of this subsection may be waived by the **Executive Committee**.
- C. *Submission:* A complaint must be submitted to the **Chair** with a copy to the **Executive Director** and one DNC member unless the complaint alleges a violation by the **Chair**, in which case the complaint shall instead be submitted to one or more of the **DNC Member(s)**.
- D. In advance of accepting any complaint, the complainant will be advised that in the case of potential criminal conduct the complainant may request that no notification is made to law enforcement, but such notification will be at the discretion of the **Chair** in consultation with the **Executive Committee**.
 - 1. If the allegation involves a situation requiring mandatory reporting to any authority under state law, it will be reported as required by statute.

V. Initial Procedures

- A. The **Chair** (or **DNC Member(s)** if relevant) with consultation of at least one additional member of the **Executive Committee**, shall review within five business days of receiving the complaint and shall make a recommendation to the **Executive Committee** whether there should be a formal investigation or trial.
- B. If the **Chair** (or **DNC Member(s)** if relevant) recommends that the **Executive Committee** shall review the complaint, the complainant and the alleged violator shall be notified, provided with an outline of the next procedural steps, and reminded about the confidential nature of the proceedings.
- C. The **Chair** (or **DNC Member(s)** if relevant) may, with agreement of at least one additional member of the **Executive Committee**, pending an investigation, make an interim suspension of an alleged violator for a period of up to 72 hours from all State Party activities and appointments, with the exception of business meetings of the **WSDCC** at which the alleged violator has a right to vote. The **Executive Committee** may by two thirds vote extend the interim suspension until the conclusion of the investigation. Nothing in this provision limits the inherent authority of the **WSDCC** to further govern the participation of one of its members during a meeting.
- D. Action by the **Executive Committee** may be suspended during any criminal investigation.

VI. Duties of the Executive Committee

- A. The **Executive Committee** shall cause to be investigated all properly submitted complaints to the extent reasonable considering the seriousness of the violation alleged, the specificity of the factual statement and the availability of recipient

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witnesses but may determine that no further investigation is necessary. The **Chair** or **DNC Member(s)** may call such special meetings of the **Executive Committee** as are necessary.

- B. The **Executive Committee** shall offer the alleged violator an opportunity to provide their version of events.
- C. The **Executive Committee** may retain or utilize professional resources or refer to an appropriate agency if deemed necessary.
- D. The **Executive Committee** may establish a disciplinary subcommittee(s) that will be available if requested to assist it to further investigate complaints and/or recommend to the **Executive Committee** disposition of the complaint, including, if the recommendation is not to dismiss the complaint, the penalty the disciplinary committee recommends be pursued by the **Executive Committee**.
 - 1. Any such disciplinary subcommittee must be created by the second meeting of the **Executive Committee** following the reorganization of the **WSDCC** and must reflect appropriate gender equity and include representation of at least a majority of congressional districts.
 - 2. Alleged violators, victims, and complainants cannot serve on the disciplinary committee.
 - 3. Members of the disciplinary committee shall continue serving through the disposition of the complaint, even if their term of office has expired.
- E. Unless there are extraordinary circumstances, all investigations of the **Executive Committee**, and any disciplinary subcommittee(s), shall conclude within 90 days from the initial filing of the complaint.
- F. In the event a complaint is summarily dismissed the **Executive Committee**, the complainant shall be notified of the extent of investigation undertaken and the reason the complaint was summarily dismissed.
- G. In the event a penalty is recommended, the complainant and violator shall be notified of the extent of the investigation and the reason for the recommendations and given an opportunity to respond.
- H. The **Executive Committee** shall be informed in summary fashion about any complaints submitted to the **Chair** since the last meeting of the **Executive Committee**.
- I. If a member of the **WSDCC** is suspended or expelled, the **Chair** shall give notice to the chair of the Local Party Organization (LPO) within 72 hours of the action taken.

VII. Penalties for Violation

The penalties that may be imposed for violation of the **Code** are the following:

- A. *Warning/Reprimand.* The **Chair** (or **DNC Member(s)** if relevant) shall review with the violator (in the presence of the complainant at the complainant's option) the violator's conduct, clearly indicate to the violator that the conduct was inappropriate, and advise the repetition will lead to further and more serious

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disciplinary action, and obtain from the violator a plan to reform the inappropriate conduct. The **Executive Committee** of the **WSDCC** may also choose to adopt a resolution, which shall be made part of the minutes of the **Executive Committee** meeting, describing the conduct determined to be violative of the **Code** and formally reprimanding the violator.

- B. *Suspension.* By affirmative two-thirds vote the **Executive Committee** may, in include in its resolution of Reprimand, or in connection with any recommendations of expulsion by the **WSDCC**, immediate suspension of the violator from all State Party appointments and activities for a duration of up to one year unless the **WSDCC** by subsequent resolution determines that the suspension should end sooner.
- C. *Expulsion.* By affirmative two-thirds vote of the entire **WSDCC** at a meeting after special notice of at least 14 days a violator may be expelled from the body and the organization previously represented by the violator notified that it is required to elect a new representative in order to participate in further meetings of the **WSDCC**. Both the violator and the complainant shall be entitled but not required to address the **WSDCC** during debate on the motion to expel.

VIII. Confidentiality

- A. All parts of these procedures shall remain confidential, if so requested by either the complainant or the alleged violator, except for any required votes for any sanction by the **WSDCC**, which shall occur in a public session.
- B. Violation of the confidentiality of these procedures shall be a violation of the **Code** provided, however, that by requesting confidentiality a party agrees to cooperate with the **WSDCC** in maintaining confidentiality and will, if requested, participate in state committee meetings only by proxy during the pendency of an investigation or interim suspension.
- C. Confidentiality will be waived in the case of a criminal investigation or court subpoena.

IX. Robert's Rules

In matters not expressly addressed in these Rules, Robert's Rules may be consulted for guidance but need not be followed if, in the opinion of the **Executive Committee**, it would be more appropriate in the specific circumstances to follow an alternative course.