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 Committee men and Committee women 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 committee of the WSDCC (including “other” committees as well as Standing Committees), the elected officers of the WSDCC or of its local party organizations, the DNC Members, and the elected officers 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. The scope of these procedures shall be limited to complaints that pertain to state party affairs. Local party organizations are expected to handle internal complaints, either under a local Code of Conduct consistent with the Code or Robert’s Rules.

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.

C. A complaint alleging violation of the Code by a person described in Section A is not required to be dismissed solely because subsequent to the submission of the complaint the alleged violator severs their connection with the Party or
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changes their status to be no longer described in Section A.

IV. Initiation of Complaint

A. Who Initiates: A complaint is initiated by a member of the WSDCC, the elected
officers of the WSDCC, the DNC Members, Chair or Vice Chair(s) of any
Democratic organization chartered by the WSDCC, or the Chair or Vice
Chair(s) of a local party organization, or the elected leadership of any other
committee of the WSDCC, but the initiator need not be the alleged victim of a
violation in order to initiate a complaint.

B. Form: A complaint should be on the form provided by the State Party on its
website, if possible, and in any event 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. The reporting form shall advise the complainant that in the case of potential
criminal conduct the complainant may request that no notification is made to
law enforcement, but such notification may, in some cases, be required by law.

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 the complaint
within five business days of receipt and, if the complaint states a violation of the
Code and is supported by relevant, specific evidence shall make a
recommendation to the Executive Committee whether the complaint should be, referred back to the local party organization, pursued with an informal
investigation, or pursued with a formal investigation and trial. The report of
the initial review recommendation shall include the nature of the complaint and a
plan for an appropriate investigation. If evidence uncovered during the
investigation significantly changes the facts and circumstances that need to be
determined in order to resolve the complaint or the nature of the investigation,
the investigative team may return to the Executive Committee for approval to
 revise the plan. If a decision cannot be reached within 5 business days the
individuals conducting the initial review shall report to the Executive Committee
the nature of the complaint, the status of the review, and the reason a decision
has not been made. The Executive Committee may, by majority vote, either
make the decision on how to proceed or provide an extension to complete the
review. Any extension must include a deadline for completion.
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B. If, on initial review, it is concluded that the complaint does not state a Code violation or lacks adequate evidentiary support, the complainant shall be notified of the dismissal of the complaint and the reasons therefor. The dismissal of a complaint for lack of evidentiary support shall not bar the submission of a subsequent complaint supported by evidence.

C. 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 as soon as reasonable, provided with an outline of the next procedural steps, and reminded about the confidential nature of the proceedings.

D. If a complaint is received immediately prior to or during a WSDCC meeting or convention it may require an immediate response prior to completion of a full investigation if the violation is of such an egregious nature that it threatens the safety of one or more persons. In such circumstances, 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. In such cases, the suspension, along with information about the nature of the violation and the rationale of the suspension shall be reported to an emergency meeting of the Executive Committee. The Executive Committee may, by two thirds vote, overrule the suspension. 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.

E. Action by the Executive Committee may be suspended during any criminal investigation.

VI. Duties of the Executive Committee

A. The Executive Committee shall investigate all properly submitted complaints to the extent the Executive Committee deems reasonable considering the seriousness of the violation alleged, the specificity of the factual statement and the availability of percipient 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. Such meeting may be electronic.

B. The Executive Committee shall offer the alleged violator an opportunity to provide their version of events prior to determining whether a violation has occurred.

C. The Executive Committee may retain or utilize professional resources or refer to an appropriate agency if deemed necessary. Such professional resources shall be paid for by the state party.

D. The Executive Committee may establish a disciplinary committee(s) of seven (7)
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people, which need not be composed solely of members of the Executive Committee, 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 committee 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. The Executive Committee shall also identify two alternates who may be called upon if a committee member resigned, or if investigation reveals information that requires a committee member to recuse themselves from the investigation. The members of the committee shall select one of its members to act as chair for the committee. Reasonable and necessary travel for the members shall be compensated by the state party.

2. Alleged violators, victims, percipient witnesses, 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. A confidential report shall be provided to the full Executive Committee summarizing the complaint, what was found during the investigations, and the final outcome or recommendation. The investigating committee may also recommend a non-confidential summary for distribution to the elected members of the WSDCC if needed. Summary statistics on the flowtime and cost of investigations shall be tracked by the state party staff and reported to the Executive Committee.

F. In the event a complaint is summarily dismissed by 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 by the Chair in summary fashion about any complaints submitted to the Chair (or DNC members, if relevant) since the last meeting of the Executive Committee. Such reports will include the number of complaints, the nature of the complaints, the dispensation of investigations.

I. If a member of the WSDCC is suspended or expelled, the Chair shall give written notice to the chair of the member’s Local Party Organization (LPO) within 72 hours of the action taken.

J. The Executive Committee shall serve as the Trial Committee for all trials.
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VII. Penalties for Violation
The penalties that may be imposed for violation of the Code are the following:

A. Warning. 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 disciplinary action. An additional member of the Executive Committee shall be present to verify that the warning was complete and accepted by the violator.

B. Reprimand. 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.

C. Suspension. By affirmative two-thirds vote the Executive Committee may 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.

D. Expulsion. By affirmative two-thirds vote of the elected members and officers of the WSDCC at a special meeting after, providing notice of at least 14 days, a violator may be expelled from the body and the organization previously represented by the violator must be notified that it is required to elect a new representative to 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. Violations of confidentiality by the investigators or the Executive Committee shall be considered a violation of the Code.

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.