

# Washington State Democratic Central Committee Procedures for Code of Conduct Violations

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43

## 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 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

# Washington State Democratic Central Committee

## Procedures for Code of Conduct Violations

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.

## Washington State Democratic Central Committee Procedures for Code of Conduct Violations

- 1 B. If, on initial review, it is concluded that the complaint does not state a Code  
2 violation or lacks adequate evidentiary support, the complainant shall be  
3 notified of the dismissal of the complaint and the reasons therefor. The  
4 dismissal of a complaint for lack of evidentiary support shall not bar the  
5 submission of a subsequent complaint supported by evidence.
- 6 C. If the **Chair** (or **DNC Member(s)** if relevant) recommends that the **Executive**  
7 **Committee** shall review the complaint, the complainant and the alleged violator  
8 shall be notified as soon as reasonable, provided with an outline of the next  
9 procedural steps, and reminded about the confidential nature of the  
10 proceedings.
- 11 D. If a complaint is received immediately prior to or during a WSDCC meeting or  
12 convention it may require an immediate response prior to completion of a full  
13 investigation if the violation is of such an egregious nature that it threatens the  
14 safety of one or more persons. In such circumstances, the **Chair** (or **DNC**  
15 **Member(s)** if relevant) may, with agreement of at least one additional member  
16 of the **Executive Committee**, pending an investigation, make an interim  
17 suspension of an alleged violator for a period of up to 72 hours from all State  
18 Party activities and appointments, with the exception of business meetings of  
19 the **WSDCC** at which the alleged violator has a right to vote. In such cases, the  
20 suspension, along with information about the nature of the violation and the  
21 rationale of the suspension shall be reported to an emergency meeting of the  
22 **Executive Committee**. The **Executive Committee** may, by two thirds vote,  
23 overrule the suspension. The **Executive Committee** may by two thirds vote  
24 extend the interim suspension until the conclusion of the investigation. Nothing  
25 in this provision limits the inherent authority of the **WSDCC** to further govern the  
26 participation of one of its members during a meeting.
- 27 E. Action by the **Executive Committee** may be suspended during any criminal  
28 investigation.

### VI. Duties of the Executive Committee

- 31 A. The **Executive Committee** shall investigate all properly submitted complaints  
32 to the extent the Executive Committee deems reasonable considering the  
33 seriousness of the violation alleged, the specificity of the factual statement and  
34 the availability of percipient witnesses but may determine that no further  
35 investigation is necessary. The **Chair** or **DNC Member(s)** may call such special  
36 meetings of the **Executive Committee** as are necessary. Such meeting may be  
37 electronic.
- 38 B. The **Executive Committee** shall offer the alleged violator an opportunity to  
39 provide their version of events prior to determining whether a violation has  
40 occurred.
- 41 C. The **Executive Committee** may retain or utilize professional resources or refer  
42 to an appropriate agency if deemed necessary. Such professional resources  
43 shall be paid for by the state party.
- 44 D. The **Executive Committee** may establish a disciplinary committee(s) of seven (7)

## Washington State Democratic Central Committee Procedures for Code of Conduct Violations

1 people, which need not be composed solely of members of the Executive  
2 Committee, that will be available if requested to assist it to further investigate  
3 complaints and/or recommend to the **Executive Committee** disposition of the  
4 complaint, including, if the recommendation is not to dismiss the complaint, the  
5 penalty the disciplinary committee recommends be pursued by the **Executive**  
6 **Committee**.

- 7 1. Any such disciplinary committee must be created by the second meeting of  
8 the **Executive Committee** following the reorganization of the **WSDCC** and  
9 must reflect appropriate gender equity and include representation of at least  
10 a majority of congressional districts. The Executive Committee shall also  
11 identify two alternates who may be called upon if a committee member  
12 resigned, or if investigation reveals information that requires a committee  
13 member to recuse themselves from the investigation. The members of the  
14 committee shall select one of its members to act as chair for the committee.  
15 Reasonable and necessary travel for the members shall be compensated by  
16 the state party.
- 17 2. Alleged violators, victims, percipient witnesses, and complainants cannot  
18 serve on the disciplinary committee.
- 19 3. Members of the disciplinary committee shall continue serving through the  
20 disposition of the complaint, even if their term of office has expired.

21 E. Unless there are extraordinary circumstances, all investigations of the **Executive**  
22 **Committee**, and any disciplinary subcommittee(s), shall conclude within 90 days  
23 from the initial filing of the complaint. A confidential report shall be provided to  
24 the full **Executive Committee** summarizing the complaint, what was found  
25 during the investigations, and the final outcome or recommendation. The  
26 investigating committee may also recommend a non-confidential summary for  
27 distribution to the elected members of the WSDCC if needed. Summary  
28 statistics on the flowtime and cost of investigations shall be tracked by the state  
29 party staff and reported to the Executive Committee.

30 F. In the event a complaint is summarily dismissed by the **Executive Committee**,  
31 the complainant shall be notified of the extent of investigation undertaken and  
32 the reason the complaint was summarily dismissed.

33 G. In the event a penalty is recommended, the complainant and violator shall be  
34 notified of the extent of the investigation and the reason for the  
35 recommendations and given an opportunity to respond.

36 H. The **Executive Committee** shall be informed by the Chair in summary fashion  
37 about any complaints submitted to the **Chair (or DNC members, if relevant)**  
38 since the last meeting of the **Executive Committee**. Such reports will include  
39 the number of complaints, the nature of the complaints, the dispensation of  
40 investigations.

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

44 J. The Executive Committee shall serve as the Trial Committee for all trials.  
45

# Washington State Democratic Central Committee

## Procedures for Code of Conduct Violations

### 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

## Washington State Democratic Central Committee Procedures for Code of Conduct Violations

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