

## Enforcement Procedures for Code of Conduct Complaints

The 45th District Democrats value inclusion, honesty, and respectful communication. All members and guests of the organization are expected to abide by the 45th's adopted Code of Conduct to ensure the organization is a welcoming, safe space for all who wish to participate in the work of the Democratic Party. This document sets forth the process through which complaints alleging a violation of the Code of Conduct can be lodged with the leadership of the 45th. Complaints shall be handled with care and discretion to protect the confidentiality of those involved. Matters of security, harm, or other illegal activity will be reported to law enforcement as required by law.

1. Members and guests have the right to report a perceived violation of the Code of Conduct to the leadership of the organization. Complaints must be made in writing, and must specify a current member of the organization by name in order to be investigated. Complaints must be submitted either through the U.S. Mail to the 45th's mailing address, by hand, or through the 45th's electronic communications infrastructure.
2. All complaints shall be investigated by the Code of Conduct Committee, a standing committee authorized by the bylaws of the 45th District Democrats. Members of the committee shall automatically be recused from investigating a complaint if they are involved. As stated in the bylaws, no member of the executive board may serve on the committee.
3. The Code of Conduct Committee shall attempt to investigate the complaint and submit a report detailing its findings and recommended remedial action, if a violation was confirmed, to the Executive Board within three weeks. The Executive Board must consider the recommendation and decide how to respond within one week of receiving the report. Within a week of having met, the executive board shall provide the complainant and the respondent with a copy of the Code of Conduct Committee's report and its decision in writing.
4. After hearing the committee's report and if a violation was found, the executive board shall vote on whether to adopt the investigating body's recommended enforcement action, ~~or~~, following discussion, substitute the proposed action with a different action to address the behavior or conduct that was deemed inappropriate and a violation of the code. The executive board may adopt its own enforcement action, but it cannot overturn the findings of fact of the investigating body. The Chair shall notify the membership of any confirmed violations of the Code and what actions were agreed upon in response to said violations.
5. In response to a confirmed Code of Conduct violation, the executive board may issue a warning, recommend expelling a non-PCO member in accordance with the bylaws, restrict event and meeting attendance through a suspension, or take other measures it deems reasonable and appropriate to uphold the Code of Conduct and protect the organization. Any actions taken in response to the complaint must not be arbitrary or discriminatory. The Code of Conduct Committee and the executive board shall first consider remedial and restorative measures in response to confirmed violations whenever feasible.
6. Respondents shall be entitled to notification that a complaint has been lodged against them from the Code of Conduct Committee, as well as notification of the Committee's findings and the executive board's response to those findings as provided in Rule 3.

7. The report transmitted by the executive board to the complainant and ~~responded~~ respondent may be redacted to protect sensitive information. The Code of Conduct Committee shall designate an archivist to keep appropriate records of its investigation for at least three years.
8. The Code of Conduct Committee shall be responsible for acknowledging complaints within three business days by sending written notifications to the complainant and the respondent, and impartially and objectively investigating the complaints to the best of their ability.
9. The committee shall use a preponderance of the evidence standard to determine if the allegations are true, with the understanding that the committee is not the equivalent of a criminal court, where the standard of proof is beyond a reasonable doubt.
10. Any members of the executive board who are involved in the complaint (as complainants, or as subjects of the complaint) shall automatically be recused from voting on any matters pertaining to the complaint and shall only have voice at the meeting in their capacity as complainants or respondents. Portions of executive board meetings or executive board meetings devoted to Code of Conduct matters shall be closed sessions and not open to the membership.

## Filing a Complaint

Complaints must be made in writing to the 45th District Democrats through either the U.S. Mail, hand delivery, or through the 45th's electronic communications infrastructure in accordance with Rule 1. Complaints must identify a respondent and describe the behavior or activity that violated the code, including the time, date and location of the incident, along with any pertinent details, such as names of any other persons involved and witnesses. A person wishing to file a complaint may ask any member of the executive board who is not involved for assistance.

## Filing an Appeal

A Complainant or Respondent may appeal to the Executive Board within thirty calendar days after notification of the final disposition. The appeal must be in writing and specify why the decision is unreasonable or unfair. The sole grounds for appeal shall be alleged procedural lapses or the availability of new evidence not available when the complaint was originally investigated and acted upon. Representatives of the Washington State Democratic Party shall be permitted to observe the appeals process if requested by the complainant, the respondent, or the executive board.