

PROCEDURES of the RULES COMMITTEE
of the
Palm Beach County Democratic Executive Committee.

A. CODE OF CONDUCT

1. The Palm Beach County Democratic Executive Committee (“PBCDEC”) and its Rules Committee expect and the PBCDEC requires all leaders, members, and employees of the PBCDEC to act in a manner consistent with the CODE OF CONDUCT OF THE PALM BEACH COUNTY DEMOCRATIC PARTY (“Code of Conduct”).

B. JURISDICTION

1. Any Party Officer, Club or Caucus President, Zone Leader, Democratic Executive Committee member, or Democratic Party Chartered Club member shall be subject to disciplinary action pursuant to the procedures set forth in these rules. The preceding sentence both derives from and augments item 6) of the Code of Conduct.
2. The PBCDEC’s authority to monitor or discipline activities by its members is limited to the PBCDEC, Club, or Caucus events or activities, except for a member’s support of a Party or candidate in violation of the Oath to the Democratic Party. Third parties whose events and activities are posted or publicized on the calendar of the PBCDEC, a Club, or a Caucus under the PBCDEC do not fall under the jurisdiction of the PBCDEC merely because they are posted or publicized on the calendar.
3. Pursuant to Article V, Section 2 (k)(1), of the PBCDEC’s Bylaws, the Rules Committee has the task of addressing grievances and complaints that are brought or referred to it.

C. RULES OF PROCEDURE FOR ENFORCEMENT

1. The procedure for determining whether a violation the Code of Conduct or these rules of decorum occurred and, if so, whether one or more sanctions is warranted, begins with someone filing a signed written complaint. Any DEC member may file with the DEC's Chair a written complaint (written either on paper sent by Certified US mail or as an email) that (a) clearly and fully identifies the person filing the complaint (the Complainant); (b) clearly and fully identifies a member or members (including the individuals identified in JURISDICTION, para. 1, above) and sets forth the dates, times, circumstances, and ways that the identified member(s) allegedly violated one or more provisions of the Code of Conduct or these rules of decorum (the Respondent(s)); and (c) identifies to the best of the Complainant's ability any additional witnesses or sources of information, or states that no such witnesses or sources can be identified. The Chair may decide not to consider further any complaint that does not meet all three of these requirements.

2. To be considered, a complaint must be filed with the DEC's Chair within ten (10) days of the earliest conduct identified in 1.(b) above. The Chair shall promptly provide a copy of the complaint to the Respondent(s) and shall make an informal effort to resolve the matter. If the DEC's Chair is the Respondent, then the Complaint may be filed with the Chair of the Rules Committee, who shall make an informal effort to resolve the matter.

3. During the fifteen (15) days following the Respondent(s)' receipt of the complaint, the Respondent(s) may file with the DEC's Chair or the Chair of the Rules Committee as appropriate a written response that (a) clearly and fully identifies the person responding; (b) responds specifically to each of the allegations set forth in the complaint; and (c) identifies to the best of the Respondent's ability any additional witnesses or sources of information, or states that no such witnesses or sources can be identified. If there is more than one Respondent, then each may file a written response within this time.

4. If a complaint has not been resolved informally within fifteen (15) days of its receipt by the Respondent(s), the DEC Chair or the Chair of the Rules Committee as appropriate shall promptly forward the complaint and any responses to the members of the Rules Committee.

5. The Rules Committee may determine, in its sole and unreviewable discretion, to extend the ten (10) days requirement of the first sentence of 2, above; however, any such extension may not reach further than forty (40) days from the earliest conduct identified in 1.(b) above. In any event, the Committee shall, as fairly and quickly as possible, review the complaint, any responses, and the related facts, laws, and rules, and determine a resolution.

6. The complaint shall be treated as confidential by the DEC Chair and the DEC's Rules Committee and, except as necessary to resolve the matter, the complaint, any responses, and the allegations shall not be discussed with or shared with others until the matter is fully resolved. Whenever the complaint and any related actions or events or materials are to be discussed at a Rules Committee meeting, that portion of the meeting shall be in Executive Session.

7. The Chair of the Rules Committee may delegate the initial review to a panel of three (3) members of the Rules Committee, which Panel shall as fairly and quickly as possible review the complaint, any responses, and the related facts, laws, and rules, and recommend a resolution to the full Rules Committee.

8. While conducting its review, the Rules Committee or its delegated Panel shall have access to any video or audio recordings and to any potentially relevant documents, including any prior allegations, violations, or sanctions involving the Complainant and the Respondent(s)

9. The Rules Committee or the delegated Panel may call as witnesses both the Complainant and the Respondent(s). The Rules Committee or the delegated Panel may, but is not required to, call as witnesses other persons who might have relevant information.

10. Neither the Rules Committee nor any delegated Panel shall have subpoena power to require a person's participation or to compel those it calls as witnesses to attend or participate, but it may draw adverse inferences whenever a person is, in the Committee's or Panel's view, not open or reasonably responsive to the requests. (One example of not being "open or reasonably responsive" to a request would be for either the person who made the complaint or the person against whom the complaint was made

failing to appear as a witness. In such an instance the Committee or Panel may draw an adverse inference against that person or the veracity of his or her allegations or statements.)

11. If a Panel has been designated, that Panel shall make its recommendations regarding the alleged violation, any other violations it might have found, and any potential sanction(s) to the Rules Committee; if a Panel has not been designated then the Rules Committee shall make such determinations. Any Panel and the Rules Committee shall make its final recommendations or determinations by a majority vote of its members. Such determinations may include dismissing the complaint in whole or in part, finding in whole or in part for the Complainant, or finding other violations from its review of the evidence. Further, if the Rules Committee does find one or more violations, it may then impose or recommend one or more of the sanctions listed below that it, in its sole discretion, finds by a majority vote to be appropriate.

12. If the complaint is determined to have merit whether in whole or in part, sanctions by the Committee may include one or more of the following:

(a) Issuing a written formal warning by the Committee's Chair, a copy of which shall be retained in the files of the Rules Committee;

(b) Calling upon the PBCDEC Chair to issue a written formal warning to the member, copies of which shall be retained in the a file maintained by the Rules Committee;

(c) Calling upon the PBCDEC Chair to remove the member from all appointments by the PBCDEC Chair, including appointed officer status;

(d) Calling upon the DEC membership to remove the member from a PBCDEC elected office in accordance with the Bylaws, and/or

(e) Calling upon the DEC membership by majority vote of those attending to censure the member.

13. If the complaint is determined to have been wholly without merit, the Rules Committee shall consider whether to sanction the Complainant for having filed a frivolous accusation. Because filing a complaint that is without merit wastes the time and resources of the PBCDEC and the Committee, and because it might constitute abusive or harassing behavior, the Rules Committee in such instances may impose one or more of the above-referenced sanctions on the Complainant.

14. The decision by the Rules Committee on the complaint and any sanction(s) shall be final and conclusive and shall be set forth in writing. A copy of that decision shall be immediately sent to the Chair of the PBCDEC, the Complainant, and the Respondent(s).

15. A failure by a Respondent or a Complainant to comply with a sanction decision shall itself be subject to further review and potential sanctions.

16. Once the Rules Committee has made its decision and sent that decision to the Chair, Complainant and Respondent(s), the matter is no longer confidential by rule. However, unless the Rules Committee has included a sanction that calls upon the PBCDEC membership to act against the sanctioned member, in the same meeting where the Rules Committee renders its decision, the Committee also may, by majority vote, continue to hold the matter confidential for a period of up to five (5) years from the date of that decision.

CONFIRMED THESE 25th & 31st days of July, 2023:

Committee Chair s/ William F. Steigman

William "Bill" Steigman

Committee Secretary (acting) _____

Tom