

RULES OF CONDUCT, DECORUM AND THEIR ENFORCEMENT

THE PALM BEACH COUNTY DEMOCRATIC EXECUTIVE COMMITTEE (DEC) Adopted August 4, 2022

Rules of Decorum

1. The DEC expects and requires all leaders, members, and employees of the DEC to act in a manner consistent with the CODE OF CONDUCT OF THE PALM BEACH COUNTY DEMOCRATIC PARTY (“Code of Conduct”).
2. Offensive, obscene, or abusive language or behavior; or acting in any way either intended or likely to injure, frighten, harass, or intimidate any other person; or discrimination or offensive behavior based on race, creed, color, sex, sexual orientation, gender or gender-appearance, religion, national origin, cultural background, or familial status is strictly prohibited.
3. At meetings conducted electronically in whole or in part, chat room comments shall be considered both speech and actions subject to the Code of Conduct and these Rules of Decorum.

4. Signs, placards, memes, or other objects of similar nature shall be permitted in meeting rooms (a) only while business meetings are in session and (b) only when the Chair of that meeting has approved such objects generally (not individually) in advance of the specific business meeting.
5. Neither intoxication nor impairment by alcohol or drugs may be considered a defense to any alleged violation of the Code of Conduct or these Rules of Decorum.
6. Any act of retaliation or intimidation against any member who in good faith files a complaint alleging a violation of the Code of Conduct or these Rules of Decorum, or who in good faith provides information in support of or in opposition to a complaint, or who serves as a witness, shall be considered a violation of these rules and subject to all the sanctions available under these rules.
7. If a participant at any DEC activity, meeting, or event is removed for just cause, that participant shall not be eligible for a refund, if applicable.

Jurisdiction

1. Any Party Officer, Club or Caucus President, Zone Leader, Democratic Executive Committee member, or Democratic Party Chartered Club member (Member) shall be subject to disciplinary action pursuant to the procedures set forth in these rules. The preceding sentence augments item 6) of the Code of Conduct.

2. The DEC's authority to monitor or discipline activities by its Members is limited to the DEC, 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 DEC, a Club, or a Caucus under the DEC do not fall under the jurisdiction of the DEC merely because they are posted or publicized on the calendar.

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 submit to the DEC's Chair a written complaint (written either on paper or as an email) that (a) clearly and fully identifies the member submitting 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) (the Respondent(s)) allegedly violated one or more provisions of the Code of Conduct or these Rules of Decorum); 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.
3. During the fifteen (15) days following the Respondent(s) receipt of the complaint, the Respondent(s) may file with the DEC's Chair 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 shall promptly forward the complaint and any responses to the Rules Committee. The Rules Committee shall, as fairly and quickly as possible, review the complaint, any responses, and the related facts, laws, and rules, and determine a resolution.

5. 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.
6. 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.
7. While conducting its review, the Rules Committee or its delegated Panel shall have access to any video recordings and to any potentially relevant documents, including any prior allegations, violations, or sanctions involving the Complainant and the Respondent(s).
8. 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.

9. Neither the Rules Committee nor any delegated Panel shall have the 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 their allegations or statements.)
10. 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 participating 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 recommend imposition of

one or more of the sanctions listed below that it, in its sole discretion, finds by a majority vote to be appropriate.

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

- a. Issuing a written formal warning by the Committee's Chair, copies of which shall be retained in the member's file and in the files of the Rules Committee;
- b. Calling upon the DEC Chair to issue a written formal warning to the member, copies of which shall be retained in the member's file and in the files of the DEC;
- c. Calling upon the DEC membership by majority vote of those attending to censure the member;
- d. Removing the member from all appointments by the DEC Chair, including appointed officer status;
- e. Denying the member entry to all or specific activities, meetings, or events; and/or
- f. Calling upon the DEC membership to remove the member from a DEC elected office in accordance with the Bylaws.

12. If the complaint is determined to have been wholly without merit, the Rules Committee shall consider whether to recommend the Complainant be sanctioned for having filed a frivolous accusation. Because filing a complaint that is without merit wastes the Committee's time and resources, and because it might constitute abusive or harassing behavior, the Rules Committee in such instances may recommend imposition of one or more of the above-referenced sanctions on the Complainant.
13. The decision by the Rules Committee on the complaint and any sanction(s) shall be set forth in writing. A copy of that decision shall be immediately sent to the Chair of the DEC, the Complainant, and the Respondent(s).
14. A failure by a Respondent or a Complainant to comply with a sanction shall itself be subject to further review and potential sanctions.
15. Once the Rules Committee has made its decision and sent that decision to the Chair, Complainant and Respondent(s), the matter shall remain confidential unless the rules Committee has included a sanction that calls upon the DEC membership to act against the sanctioned member.