

LD 33 Republicans

Special Rule: Grievance Process

Special

Investigative Committee

Upon receipt of a duly submitted grievance against a locally elected Republican, the LD 33 Committee will convene a Special Investigative Committee (SIC).

LD 33 Committee is defined as PCOs or duly appointed APCOs as well as elected Officers in accordance with BCRCC bylaws.

Charter

To receive and review any grievance, to discover and inspect the facts in a fair and unbiased manner, to submit an analysis of those facts in the form of the SIC's findings, along with an accompanying recommendation for action, to the Executive Committee for the purposes of scheduling and to manage broader communications.

Discovery by the SIC includes an invitation to the accused Republican (AR) to meet with the SIC so that the proverbial "other side of the story" can be heard in an impartial manner—which is an attribute of the Golden Rule which we resolutely cherish and uphold.

Parliamentary procedures: Robert's Rules of Order 12th Edition (RONR), Chapter XX Section 63

Outline of a fair grievance process:

1. Confidential investigation by a convened SIC
2. Confidential report of findings from the SIC including any recommendation(s) to the Executive Committee ~~and to the AR~~
3. Formal notification of findings by the Executive Committee to the accused local Republican
4. A report from the Executive Committee to the LD 33 Committee for action
5.
 - a. Formal notice to the accused local Republican of the LD 33 Committee's action
 - b. A hearing if recommended or required.

Membership

The SIC will consist of four members elected from the LD 33 Committee PCOs or APCOs in accordance with BCRCC bylaws. The members of the committee will be selected for known integrity and good judgement. Voting by the LD 33 Committee for PCO committee members may occur by nomination and secret ballot if requested:

The Chair of the committee will be appointed by the LD Chairman.

During the PCO nomination process by the LD 33 Committee, if there is an objection to any nominee at the point of nomination, then the nominee's name will be immediately placed before the LD 33 Committee with the question, "Should the nominee be included on the ballot?" with the question requiring a majority vote for the nominee to be placed on the ballot. Nominations of up to six PCOs will occur. Each voting member will cast a ballot for up to four nominees. The four individuals with the most

LD 33 Republicans • Special Rule: Grievance Process

votes are appointed as members of the committee and the remaining two will be alternates. A PCO lodging or carrying a complaint cannot serve on the SIC and an alternate will take the seat.

1. Chair –
2. PCO/APCO –
3. PCO/APCO –
4. PCO/APCO –
5. PCO/APCO –
6. Alternates X2 –

* PCOs/ APCOs appointed by nomination/volunteer and vote of the LD 33 Committee

Scope of Work

1. As the result of an affirmative vote by the LD 33 Committee, the SIC will be convened, and the confidential nature of its work will begin. Interviews of the AR may commence two weeks after receipt of the allegations.
2. The SIC will first develop a timeline and detailed plan for the investigation. The timeline and plan will be delivered to the Executive Committee.
3. Investigation, discovery, and documentation of the concerns or issues:
 - a. All factual evidence which clearly illustrates the accusation(s) must be included within the SIC's written work product.
 - b. All oral statements and arguments that will be presented to the LD 33 Committee in support of findings and recommendations must be included within the SIC's written work product.
 - c. All evidence substantiating any accusations must be offered in a form that can be distributed via email.
 - d. Information that is determined to be hearsay or secondhand information by the SIC shall be identified as such in the final report and shall not be used to recommend charges against the accused.
 - e. New accusations will not be included once the investigation process has been completed.
 - f. The AR or the accusers may provide affidavits or letters, from inside or outside the LD, of facts and/or support. These documents will be attached too and made part of the Allegation/Response.
 - g. Note: AR and the accusers will be provided with the time necessary to respond to the allegation and answer questions as approved by majority vote of the Committee.
4. Report recommendations: The options for the SIC's recommended action could be as simple as dismissing the grievance, or issuing a form of written reprimand, or censuring the accused Republican, or a hybrid of the options depending on the complexity of the grievance.

When used, censure is a tool of the LD 33 Committee to declare, via resolution, its resounding disapproval of the elected Republican's performance.

LD 33 Republicans • Special Rule: Grievance Process

5. At the conclusion of the investigation, the SIC will forward its confidential report to the Executive Committee and the AR. The Executive Committee will develop an agenda topic for a future LD 33 Committee meeting.
6. The AR or the accusers may motion for open or closed ballot for a vote by the Full committee.

Hearing Purpose, Outline and Details

The Purpose of the Hearing

When the SIC recommends a hearing to the LD 33 Committee, then: A hearing will promote a transparent LD 33 Committee conversation regarding any portion of a formally filed grievance for which the facts of the Party's SIC, following a fair and balanced due diligence process, finds violations within the following scope:

One or more *wholly unmitigated** violations of the Idaho Republican Party Platform, the Idaho State Constitution, and/or the U.S. Constitution or conduct that is unbecoming by any local elected Republican, or

Regarding a Precinct Committee Officer, one or more *wholly unmitigated* violations of the Idaho Republican Party Platform, the Idaho State Constitution, and/or the U.S. Constitution or any conduct that is unbecoming and/or one or more wholly unmitigated violations of the Bonneville County Republican Bylaws.

*Recognizing that differences of focus or opinion are cherished rights among Americans, *wholly unmitigated* means that the original grievance relies on a statement:

- Existing clearly within the documents in scope of the hearing, and
- About which at least one clear counterbalancing statement from these documents was not offered as justification by the Republican who is the subject of the grievance.

Where counterbalancing statements exist, it is not within the SIC's role or authority to prioritize such statements. That a counterbalancing statement exists results in a specific aspect of any grievance being nullified and therefore not a violation.

The hearing will be open to attendance by members of the public. The hearing will include an open comments segment for non-voting members of the LD 33 Committee—subject to the rules provided herein.

The hearing will culminate with deliberation and a vote by the members of the LD 33 Committee on balance, measuring the elected Republican's presentation in response to the fact-based violation(s).

Preparatory main motions to the LD 33 Committee:

LD 33 Republicans • Special Rule: Grievance Process

1. The LD 33 Committee Chair will designate a parliamentary team to assist the Chair during the hearing.
2. Stipulate the use of the Idaho voter registration file, with a voter registration deadline of [the DATE the file will be obtained for voters in the 33rd Legislative District] as the means of validating both Republican affiliation and residency validation for non-voting members of the LD 33 Committee who wish to speak during the open comments segment.
3. Direct during the public open comments phase of the hearing, that:
 - a. Non-voting members of the public may attend the hearing and a notice that those in attendance must abide by decorum and respect of the highest standard, and
 - b. That a public comment segment, of a reasonable specified time duration, be incorporated into the hearing—provided that:
 - 1) Any such individuals wishing to speak during the comments segment must be currently registered in the Idaho voter registration file as a Republican, and reside within the Idaho 33rd Legislative District,
 - a) Such individuals must register to speak prior to the start of the meeting, providing their full name, address, phone number and indicating for or against the grievance. A check-in form will be made available at the hearing.
 - b) Such comments will be subject to an individual time limit, the speaker's comments must be directly related to and constrained to the accusation(s) within the SIC's report, and the speaker consents that they will conduct themselves with decorum—all as a condition of having access to a microphone provided by the hearing.
 - 2) Speakers will be selected on a first come first serve basis, alternating between those for and against the grievance until a total allocated public comment time has expired.
 - 3) That no further public comments be allowed outside the predetermined time duration established by rule, and
 - 4) The public comment segment be placed at a logical point on the hearing timeline to create the least amount of disruption to the Committee's business,
 - 5) That a microphone moderation process be developed to manage the points in 3. B. 1) and 2) above.
4. Wherever possible within LD 33 Committee debate or the public-comment segment, pro and con arguments and points will alternate, pro argument and then a con argument. If one side lacks speakers, the other side may make consecutive points, subject to the other hearing rules, until such time as a qualified speaker arises to speak to the counter point.
5. The LD Chair will direct the reading, from the SIC's findings, of any grievance which rises to the level of violation.
6. The SIC will bring a resolution reflecting the findings and their recommendation, in order for the resolution to be transferred into a motion. Any motion related to the SIC's work

LD 33 Republicans • Special Rule: Grievance Process

being moved to debate must limit debate to the scope of the final report of the SIC's due process work.

7. Presentation of each alleged violation:

- a. A designated individual from the SIC reads the first violation,
- b. The elected Republican makes their presentation,
- c. The SIC Chair makes its presentation,
- d. The elected Republican makes a rebuttal.
- e. Q & A by the LD Committee.

Repeat this process through each violation.

8. Any motion for a vote on the violations must occur after all the violations have been presented. At the time such a motion is made:

- a. Any violation may be removed by proper procedure because the body does not feel the violation rises to the level of consequence, but
- b. No new violations may be added to any motion within the hearing for which the SIC, relative to this hearing's purpose, has not already found a violation.

9. At the conclusion of debate on any remaining violations that the LD 33 Committee deems to warrant any degree of consequence, then the potential consequences not otherwise prohibited by the authority granted to the LD 33 by State law or Idaho Republican Party rule include:

- a. A reprimand to the Republican with any future performance conditions specified.
- b. A censure
- c. Removal from their elected office (limited to Precinct Committee Officers)

10. Hard deadlines for each phase of the hearing will be established at the beginning of the hearing.

NOTE: For the purpose of the hearing, a document will be distributed to PCOs/APCOs which contains any grievance rising to the level of violation, numbered in sequence, with room to make notes during the Presentation phase of the hearing.

Hearing and Public Comment Rules:

11. The LD Chair will designate a parliamentary team to assist the Chair during the hearing.

- _____
- _____

12. Wherever possible within LD 33 Committee debate or the public comment segment, pro and con arguments and points will alternate, pro argument and then a con argument. If one side lacks speakers, the other side may make consecutive points, subject to the other hearing rules, until such time as a qualified speaker arises to speak to the counter point.

13. Stipulate the use of the Idaho voter registration file, with a voter registration deadline of the June 2, 2023 for validating both Republican affiliation and residency validation for

LD 33 Republicans • Special Rule: Grievance Process

non-voting members of the LD 33 Committee who wish to speak during the open comments segment.

14. The LD Chair will present the Allegation passed by the LD 33 Committee at the _____, 2023 meeting.

15. Presentation of each alleged specification:

- a. Presentation of each alleged violation by a designated individual from the SIC one minute.
- b. The elected Republican makes their presentation, Five minutes.
- c. The LD 33 Committee managers make their presentation, Five minutes.
- d. The elected Republican makes a rebuttal, three minutes.
- e. Q & A by the LD Committee.

Note: Additional time may be requested by Committee manager/elected Republican if approved by majority vote of the Committee.

All remarks made by speakers will be directed to the chair. Repeat this process through each allegation.

16. Public open comments phase of the hearing:

- a. Open public comment will occur after the process of presenting all allegations. The time allotted for public comment will be 25 minutes maximum.
- b. Non-voting members of the public may attend the hearing and be notified that those in attendance must abide by decorum and respect of the highest standard, and
- c. Public comment segment:
 - 6) Any such individuals wishing to speak during the public comment segment must be registered in the Idaho voter registration file as a Republican and reside within the Idaho's 33rd Legislative District as of June 2, 2023,
 - a) Individuals must register to speak prior to the start of the meeting, providing their full name, address, phone number and indicating for or against the allegation by completing a check-in form at the entrance.
 - b) Comments will be subject to an individual time limit of 1 minute each. The speaker's comments must be directly related to and constrained to the allegations, and the speaker consents that they will conduct themselves with decorum—all as a condition of having access to a microphone provided by the hearing. All remarks by speakers will be directed to the chair.
 - 7) Speakers will be selected on a first come first serve basis, alternating between those for and against the resolution until the allocated public comment time has expired. A total of 10 speakers pro and 10 speakers con will be allowed. If there are less than the allowed speakers for a specific side,

LD 33 Republicans • Special Rule: Grievance Process

no extra speakers nor time will be granted for the other side. Effort will be made to give all speakers time to speak but the 25-minute limit will be strictly enforced.

- 8) No further public comments will be allowed outside the predetermined time duration established by the rule.
- 9) Time may be requested by Committee manager/elected Republican to make a rebuttal to any Public comments.

Executive Session Deliberation

Once the public comment period is completed there will be a short recess. The hearing will reconvene in executive session and all guests and non-voting members, including the AR will leave the room prior to final deliberations. The public may return following all deliberations and voting. A notification will be sent out with the results of the deliberations the following day.

- 1) Any motion for a vote on the allegation must occur after all the allegations have been presented and the public comment period has ended. At the time such a motion is made:
 - a. Any allegation may be removed by proper procedure because the body does not feel the allegation rises to the level of consequence, but
 - b. No new allegation may be added to any motion within the hearing.
 - i. Debate on debatable motions will occur with the following limitations.
(2X2)
 - c. A total of four people can debate a debatable motion, two in favor and two against for a total of 2 minutes for each speaker.
 - ii. This will allocate 8-10 minutes per debatable item.
 - iii. All procedural votes will take place by a standing vote.
 - iv. All other votes will take place by secret ballot.

At the conclusion of debate on any remaining allegations that the LD 32 Committee deems to warrant any degree of consequence, then the potential consequences not otherwise prohibited by the authority granted to the LD Committee by state law or Idaho Republican Party rule include:

- d. A reprimand to the Republican with any future performance conditions specified.
- e. A censure

LD 33 Republicans • Special Rule: Grievance Process

17. Hard deadlines for each phase of the hearing will be established at the beginning of the hearing.

Authority

The hearing is the concluding component of a Grievance Process which reflects the authority and the responsibility of the governing body of LD 33 Republicans, which is comprised of the duly elected members of the LD 33 Committee, in accordance with the laws of the state of Idaho, to seek clarity and accountability of elected Republicans.

By approval of the LD 33 Committee.

_____, 2023 – Foundational rules adopted

Signed by:

_____, Secretary _____ Date: _____

Elected Republican _____ Date: _____

Printed _____

Roberts Rules:

Executive Session

9:24 An executive session in general parliamentary usage has come to mean any meeting of a deliberative assembly, or a portion of a meeting, at which the proceedings are secret. This term originally referred to the consideration of executive business—that is, presidential nominations to appointive offices, and treaties—behind closed doors in the United States Senate. The practice of organizations operating under the lodge system is equivalent to holding all regular meetings in executive session. In any society, certain matters relating to discipline such as trials, must be handled only in executive session. A meeting enters executive session only when required by rule or established custom, or upon the adoption of a motion to do so. A motion to go into (or out of) executive session is a question of privilege and is adopted by a majority vote.