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Rule 27 Policy

1 message

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To: Kevin Lafky <klafky@lafky.com>

Wed, Dec 16, 2020 at 5:00 PM

Hello Kevin,

I looked up Rule 27 and here's what it says on what the process is for conduct complaints in terms of sharing that information:

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(12) Conduct complaints.

(d) The independent investigator shall promptly examine the conduct complaint and determine if the complaint meets the requirements of paragraph (b) of this subsection. If the complaint does not meet the requirements of paragraph (b) of this subsection, the investigator shall request the complainant to supplement the complaint. A complaint that does not meet the requirements of paragraph (b) of this subsection may not be the subject of an investigation under subsection (14) of this rule.

(e) The independent investigator shall promptly:

(A) Deliver a copy of the conduct complaint to the person accused of engaging in behavior prohibited by this rule, who shall thereafter be the respondent; and

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(16) Confidentiality and transparency.

B) In the case of a respondent who is a member of the Legislative Assembly, the investigator may disclose the fact of the investigation and any relevant details of the investigation to the person to whom the conduct complaint was delivered under subsection (12)(e)(B) of this rule.

(c) A conduct complaint made under subsection (12) of this rule is disclosable upon being made under subsection (12) of this rule, but all records relating to an ongoing investigation under subsection (14) of this rule shall be maintained in confidence.

(d) Records and information of the independent investigator and the Legislative Equity Officer shall be exempt from disclosure as prescribed under applicable law, except that, also as prescribed under applicable law:

Kevin, in terms of the timing and then notifying us of a timeline or even why it was extended:

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(b) An investigation that is to be conducted under this subsection shall be conducted promptly and shall be completed as soon as is practicable. The investigation must be completed within 84 days from the date the complaint is made, except that the Legislative Equity Officer may extend the time by which the investigation must be completed if the independent investigator provides **advance notice** to the complainant and the respondent of the extension **and an explanation justifying the extension**.

c) The independent investigator shall keep the complainant and the respondent apprised of the investigation timeline and the status of the investigation at the outset of an investigation, on a regular basis thereafter and upon request of the complainant or respondent.

<https://olis.leg.state.or.us/liz/2019R1/Downloads/MeasureDocument/HCR20>

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HCR20.pdf

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