



who) that the alleged perpetrator and respondent Chair Bailey Stober, had been engaging in harassing behavior towards Ms. Natalia Koss Vallejo.

The complaint alleged that Koss Vallejo had reportedly received numerous messages calling her a “stupid bitch” and “stupid cunt”.

- A. Verbally related to the complainant that she had experienced constant pressure from Stober to engage in excessive drinking.
- B. Additionally the complainant alleged that they had heard that Stober had gotten into Koss Vallejos luggage to show off her undergarments to others in a hotel room.
- C. Complainant alleged that Koss Vallejo had verbally expressed was concerned that raising these incidents could bring on retaliation from Stober.
- D. During this phone call VC MJM was also informed that [REDACTED] and [REDACTED] had witnessed Koss Vallejo expressing her concerns verbally.
- E. One or all of those who had been witness to Koss Vallejo expressing her concerns verbally had access to screenshots and text messages regarding the allegations.

This phone call from the complainant set in motion a preliminary investigation. During this preliminary investigation Koss Vallejo was terminated from her position after a series of alleged events cumulating with an incident that was captured on film during a state party meeting.

- F. It is alleged Stober violated bylaws in his termination of Koss Vallejo without consult from the secretary treasurer or Vice Chair.

The preliminary investigation by the VCs included obtaining a statement from a witness who had been volunteering on a campaign that shared the office with KC Dems. Koss Vallejo was also interviewed after. Additionally several screen shots of text exchanges and photos between Stober and Koss Vallejo were submitted.

- G. This statement alleged that Stober made derogatory comments about the physical appearance and relationship status both verbally and in text.
- H. Testimony that Stober had allegedly verbally called Koss Vallejo a “bitch” and “cunt” while out for drinks.
- I. Testimony gathered from Koss Vallejo alleges Stober used Koss Vallejos phone, without consent, to post “I shit my pants” onto Koss Vallejos Facebook page while her phone was unattended.
- J. Allegations of assault arose in response to testimony and screenshot. Further allegations of sexual assault brought forth during interview of non-witness referenced in statements.
- K. Allegations of KCDCC funds misuse arose from testimony given by Koss Vallejo

#### **Factual findings:**

1. Violation of KCDCC Code of Conduct anti-harassment policy as follows:

- i) Offensive verbal or written comments related to gender or physical appearance.

Substantiated. Event G. was verified through review of texts, admittance of respondent and testimony of one office staff member. Stober engaged in negative verbal commentary regarding physical appearance as well as via text.

ii) Sexist or otherwise discriminatory jokes and language.

Substantiated. Event G. specifically in relation to “jokes” about physical appearance as verified by respondent admittance, testimony of one staff member and text review.

iii) Posting, without permission [on social media] from that individual, other peoples personally identifying material.

Substantiated. Event I. was verified through review of screenshots and admittance of respondent.

2. Additional allegations, not relevant to the KCDCC Code of Conduct, as set forth by KCDCC Vice chairs recommendations and findings report of January 8, 2018.

iii) Creating a dangerous work environment.

Substantiated. Video footage of Stober spraying Koss Vallejo in face with silly string while car was engine was engaged. Though at a stop in a parking lot, there was the potential for physical harm to have occurred.

**Inconclusive, conflicting or inconsistent findings:**

1.

i) Offensive verbal or written comments related to gender and physical appearance.

Inconclusive. Contradicting testimony was given by four separate individuals regarding the allegation of Stober verbally calling Koss Vallejo a “cunt”. The alleged incident took place late into the evening at a club. All had consumed various amounts of alcohol and were at varying degrees of sobriety. Two first hand witnesses testify that he did call Koss Vallejo a “cunt”, two others testify that he did not. The fact of what occurred remains contradictive. Koss Vallejo refutes that Stober ever texted “cunt”. No material evidence was produced regarding the alleged text. Stober texting “bitch” was verified through screen shots and respondent admittance. Testimony Koss Vallejo gave refuted that “bitch” was used in a gender based way in text which does not directly qualify the commentary as ‘sexist’.

ii) Sexist or otherwise discriminatory jokes.

Inconclusive per the testimony from Koss Vallejo asserting the term “bitch” was not used in a gender based manner during texts. Two allegations of Stober using the word “bitch” verbally in a gender based derogatory manner have been made, none were witnessed by a second party and thus cannot be established as true or false.

2.

i) Pressuring staff to drink alcohol.

Inconclusive. Event C. Further investigation found that drinking was a typical component of field and office work at times. "Pressure to drink" was illustrated through drinks being bought by Stober after having been turned down by the party they were bought for, who was requesting water. A party member stated that they been offered drinks by Stober at democratic events though he was aware that they did not drink. There is not enough evidence to conclude that these incidents do or do not qualify as excessive or unreasonable "pressure to drink".

ii) Creating a hostile work environment.

Inconclusive. Testimony was given by Koss Vallejo to several party members regarding fear of retaliation. Four individuals gave testimony that Koss Vallejo had approached them regarding her discomfort and fear of retaliation in reporting Stobers behavior. No direct threats were ever alleged or witnessed. No evidence of withholding, or threatening to withhold pay by Stober was discovered. A third party was asked to intercede and council Stober about the alleged behavior by those Koss Vallejo had conveyed her concerns to. The third party counseled Stober who received the allegations with surprise. There was no follow up made by any parties after these exchanges.

iii) Creating a dangerous work environment.

Inconclusive. No evidence found to suggest dangerous working conditions.

Event B. "Getting into luggage and showing of undergarments"

Refuted by Koss Vallejo.

Event F. It is alleged Stober violated bylaws in his termination of Koss Vallejo without consulting the secretary treasurer.

Contradicting testimonies recounting one on one conversations regarding Koss Vallejos termination neither prove nor disprove that there was or was not proper deliberation. While there are consistencies in wording, there are inconsistencies in interpretation, intention and timing. ██████████ asserts that she was told, not consulted. ██████████ asserts that they reluctantly supported the decision after they were told by Stober that Koss Vallejo was to be terminated without consult. Stober asserts that he consulted both and they were all in agreement. There is no substantive evidence to corroborate any of these assertions as they are direct testimony not witnessed by others.

iv) Evidence of physical assault.

Inconclusive. Incident J) Two incidents were alleged. One in relation to a text photo absent of contextual words. No witness nor police report could be produced to substantiate this allegation. A secondary incident was reported. A police report (SPD 630848) was produced to substantiate that Stober was, according to the SPD report, the victim of the second alleged incident. Alleged sexual assault, was refuted by alleged victim.

Note: As per the actions taken during the March 19<sup>th</sup> meeting, the sole role of this investigation was to complete the investigation regarding the harassment and hostile workplace allegations. The report of the finance committee was accepted as complete at the time and serves as the findings for the economic components.