

Dear RWA Members of the Board,

I'm sure this has been a chaotic, tough time for you. So with all that chaos, you might not be aware of the extent of the damage the last week-plus has done to the standing, credibility, and reputation of our member organization.

Publications from the *NYT*, *Guardian*, NBC, CBS, NPR, *Washington Post*, and Chuck Tingle have all included negative press about RWA. This morning's accusations in the *Guardian* by Davis expose RWA to a massive lawsuit if true. *Dozens* of literary agents and organizations are pulling out of their partnerships with RWA. Dozens of chapters and chapter heads have expressed a lack of confidence in National leadership. Yesterday's eNotes failed to mention any of this bad publicity to the membership at large, but putting our head in the sand and denying transparency to the offline portion of our membership doesn't change the facts regarding the extent of the damage.

This organization can **not** fulfill its function of advocating for romance writers with this cloud hanging over their efforts. **Failure to fix the core issues** affecting RWA's value to members and within the publishing industry is a **violation of fiduciary duty**.

- **Damon Suede must resign.**

I'm not making that statement because of any he said/she said (I've had Damon guest post on my blog before, so I'm not "anti-Damon"), but because he's lost the confidence of the membership. This is essentially a "vote of No Confidence" situation, which should be obvious by the recall petition recently submitted. His failure to resign--or the failure of the remaining Board to *require* him to resign--will lead to continued turmoil in RWA, furthering the damage to RWA's reputation and escalating the violation of fiduciary duty. He must resign, regardless of your personal opinion of whether that's the "right" thing to do. RWA *will* survive his resignation, but there's a good chance RWA *won't* survive if he doesn't resign.

Section 10.5.4 of RWA's bylaws cover what happens after Damon's resignation--namely, that the Board could appoint a President (contrary to what many are reporting that Damon has been claiming, RWA would *not* shut down). I would hope the Board would turn to one of the recently resigned Board Members (other than Damon) to fulfill this position, as they'd already been approved by the current membership through a fair election.

Alternatively, if none of those recently resigned Board Members are willing to take the position, the Board should call for a vote of the membership (with Damon *eligible* to run as one of many, thus allowing for his return if he truly has support from the membership). The Board could then appoint the fairly elected winner into the position of President and ensure the membership has confidence in RWA's leader.

- **All non-elected Members of the Board must submit to a Special Election.**

Given the lack of confidence by the membership in Damon, those Board Members he appointed also do not have confidence of the membership. A Special Election should determine all the non-elected positions of the Board, with

all those appointed eligible to run in this election.

Again, this isn't about "kicking anyone out" who wants to do good for RWA. Rather, it's about ensuring the membership has a say in RWA's next directions at this extreme crisis point. Along with the replacement of the President, this step of ensuring all Board Members are fairly elected by the membership would be beneficial toward rebuilding membership confidence in RWA's leadership.

- **A full, independent *forensic* audit and full, independent *investigation* must be completed.**

Only a full, independent *forensic* audit and full, independent *investigation* can confirm the facts of the events surrounding the complaint against Courtney Milan and events (including communication failures, discriminatory behavior, and conflicting official information) that have occurred and/or been reported since the initial story broke on Twitter.

Specifically, all those involved in the events--Board Members, Ethics Committee Members, and staff--must have their actions investigated. This morning's accusations in the *Guardian* by Davis implicate Carol Ritter and/or Allison Kelly and potentially other staff in actions that have irreparably harmed the organization. In addition, the Ethics Committee Members might have made findings and reported on claims with no proof, which is unethical at least. If true, not only should the Members involved be punished on a Code of Ethics basis and the staff involved be fired, but the potential of a lawsuit against them for the loss of RWA's value (including loss of membership at the chapter and national level, RITA entries, and conference attendees) should be considered.

Conspiracy theories and accusations of procedures going against the ethics policies--much less these conflicting claims of facts--will not go away with a simple financial audit or with a look-see by a non-investigative process by a law firm. Members will only be assured by a full, independent *investigation* that roots out the core of any issues with policies, procedures, how they were or weren't followed, potential problems with the ED or staff, whether or not everyone acted in the best interest of RWA, etc.

- **All results and findings must be transparently shared with involved parties.**

A huge part of the issue in this situation has been the utter and disgusting lack of transparency with all events, facts, and people involved. If any statements or actions have been based on untruths, misleading statements, and/or motivations that weren't in the best interest of RWA and its members, all recipients of these statements and actions must receive a full, honest, transparent apology.

Only through transparency can the membership ever hope to trust RWA again.

I understand that some of you might feel that RWA is getting unfairly blamed for events surrounding the issues with Courtney Milan. I don't say any of the above as a "Courtney fangirl," as yes, I've seen behavior from her that makes me cringe (but is not necessarily a violation of the Ethics Code). However, RWA's problems have grown far beyond just the Courtney issue.

This week, an email to you from 20 former RWA Presidents and Board members laid out their concerns with ethics violations. Hundreds of people have asked questions

along the lines of how a publisher (Tisdale) could have even filed a complaint against an author. Hundreds more have seen implications from *RWA itself* of how ethics policies weren't followed, such as the idea that Courtney was punished for issues she never saw or had the ability to respond to.

Add in the mass resignation of Board members, and add in the non-communication regarding Carolyn's presidency (Why has her resignation letter not been shared? We have only Damon's word that his takeover followed procedure, and as I mentioned above, membership has no confidence in his word), and add in the lack of acknowledgement of the recall petition against Damon, and add in how no President should be responsible for seating a majority of a Board (especially not while under a cloud of a recall petition and lack of confidence from the membership), and add in the many questions of whether Carol Ritter, Allison Kelly, and/or other staff undermined the Board's direction in regards to diversity issues and, and, and... And things look suspicious, which can look suspiciously like a cover up to many in the membership.

As the problems mount, every refusal to **fix** the problems just makes RWA's Board and staff look **more** suspicious and less responsive to members and their concerns. The communications coming out of RWA now are *not* leadership, and they're *not* addressing the core issues.

The membership has lost confidence in Damon, the entire Board, and the ED/staff leadership. Be a leader and do the right thing by recognizing that the right thing for RWA now is to wipe the slate clean with a full, independent forensic audit and a full, independent investigation to discern the facts and new *elected* leadership willing to take the hard steps with transparency, honesty, and an attitude that our genre deserves better than RWA being driven into the ground by thinking these issues will go away or that your opinion of what's "right" will be enough to turn this sinking ship around.

Thank you for your time and attention,  
Jami