

## Voting Cycle #17

- Summary of Enforcement Decisions

Hello Optimists,

As per the Code of Conduct Council [charter](#), the Code of Conduct Council (CoCC) must publish a report of summary of enforcement actions during each voting cycle's review period. This report in turn "will be added to the Voting Roundup and optimistically approved. In this context, optimistic approval means the Council's decisions are assumed to be approved unless the Token House explicitly vetos an enforcement action."

So, taking this charter structure on board, this Forum Thread will act as the formal Report to summarize the enforcement actions of Voting Cycle #17

, and begin a conversation with any interested members in the community here.

To provide context for this cycle's deliberations:

- There were no new Code of Conduct Violation Reports from the start of the new year, and through the first two weeks of Season 5.
- There were however three (3) legacy Code of Conduct Violation Reports that had been submitted at the latter end of 2023 that had not been handled by the Foundation (since the new Code of Conduct Council was pending at the time).
- Thus the CoCC was tasked with assessing, deliberating, and deciding on three (3) reports that claimed a code of conduct violation.

The process is taken by the CoCC Members:

- All members of the CoCC were provided with raw details of the three legacy violation reports at the end of 2023.
- Over the new year break, individual CoCC members conducted preliminary research into the three cases.
- In the 2nd week of January, the CoCC met to discuss the main issues of the three cases (along with having discussions around administrative matters of the newly formed council).
- Post this meeting, the reports and report summaries were transferred to a shared online document where over the following week each individual CoCC member added their thoughts, opinions, and reasoning on each case to the shared document. The shared document was indeed a living document as each member's opinion or thought led to the next member's response.
- On January 16th, a final vote was taken by members of the council to finalize a decision on each of the cases. The voting was conducted electronically, with a variety of alternate actions to choose from, and a 'first past the post' voting system was used.
- NOTE: While all the processes mentioned above appear as discrete events, it's worth noting that the council members have been in discussions on an almost daily basis since late November 2023 via a private CoCC Telegram group.

None of the three cases had unanimous voting decisions, but using the voting system mentioned just prior, three resolutions were decided upon.

The briefcase summaries are decisions are described below:

### REPORT 1:

An anonymous complaint was made against [@alexcutlerdoteth](#)

While there was a rescoping of the Code of Conduct and the Rules of Engagement in December 2023, the complainant claimed that Alex had cyberbullied community members, harassed community members, and incited others to harass them.

Decision: No action to take

Reasoning: The Code of Conduct Council has decided not to proceed with any sort of enforcement type related to the presented report. It has been reviewed along with the supporting documentation and has concluded this matter will not be considered a violation of the Code of Conduct, as the information presented only contains factual details of an alleged grant misuse, and is then considered whistleblowing. Whistleblowing is not considered a violation of the Code of Conduct.

\*Parties involved in this case should please see 'important notes' below

### REPORT 2:

An anonymous complaint was made against [@0xWeston](#).

While there was a rescoping of the Code of Conduct and the Rules of Engagement in December 2023, the complainant claimed that Weston harassed community members, did not have a positive impact through adding value, and failed to keep the community safe.

Decision: Warning (with a request to make a redeeming public apology or clarification of allegations)

Reasoning: With substantial documentation to support the violation report there was a prima facie case that Weston had misused or heavily mismanaged a grant provided by Optimism. However, considering the timing of the grant and the lack of formal grant rules around this period, the CoCC found it inappropriate to issue a stronger enforcement action when it would need to be applied retroactively. Therefore, a warning from Optimism to Weston was the agreed-upon decision. Beyond this, and in the interests of inclusivity, redemption, and self-directed decentralized activities, the CoCC invites Weston to address the community on the Forum to either apologize for the poor behavior and/or otherwise acknowledge the weaknesses of the grant management while fully explaining and clarifying what happened in this case.

\*Parties involved in this case should please see 'important notes' below

### REPORT 3:

An anonymous complaint was made against kuso.eth.

While there was a rescoping of the Code of Conduct and the Rules of Engagement in December 2023, the complainant claimed kudo.eth engaged in discrimination based on identifying features, such as religion, sexuality, ethnicity, or geographical location.

Decision: Suspension

Reasoning: The CoCC believed that the reported violation was a clear and unambiguously serious violation of the Rules of Engagement and that any enforcement needed to convey the clear boundaries of what are the acceptable and not acceptable interactions within this human-driven community. While on-chain activities cannot be controlled by the CoCC or the Collective at large, a suspension from all of Optimism's online platforms hopes to communicate how seriously the CoCC took this issue and how unequivocally it wanted to act.

### NOTES FOR THE COMMUNITY:

This Code of Conduct Council is a new type of live experiment that the current council members are carrying out. We've had our teething problems, and we are the first to admit that the structures and processes do not yet meet the highest standards that each of the council members envisioned when first elected. But we can assure the community that we are doing our best to learn fast and iterate, to be open, available, and transparent with the community and all other stakeholders, and we aim to continually improve over Season 5 so we can hand over a well structured and highly functioning Code of Conduct Council to the council members of Season 6.

### IMPORTANT NOTES FOR PARTIES INVOLVED IN THESE CASES:

A member of our council said something important in relation to these first three decisions, "(The CoCC is) setting a precedent for what the CoCC is. How we can be fast with things that are clearly violations of the rules, and careful with breaches in the social fabric? How also instead of a punitive council, we are restoring optimism from its own contributors."

This statement was quickly agreed upon by other members of the council.

What is trying to be said here is that Reports 1 and 2 appear to be cases that relate more to a breach in the social fabric of Optimism, and importantly we do NOT want to be a punitive council but instead one that inspires and engenders optimism.

And, thus in that vein, we don't necessarily want to 'close the books' on the dispute(s) here, and just wash our hands of it. Instead, we would like to offer any of the disaffected parties here an opportunity to reach out and contact the Code of Conduct Council if you wish to discuss your situation further. The Council currently has members who are experts in conflict resolution, mediation, alternative dispute resolution, and DAO coordination. We would like to use these skills and experience to offer you a more optimal outcome, beyond the cut & dry of the Code of Conduct Council decisions. We're happy to work with you to find the outcome to the complaint you want or ideally find happiness and satisfaction in the situation that you thought the hoped outcome would bring. So, please, if you are still unsatisfied then please reach out to us at [codeofconduct@optimism.io](mailto:codeofconduct@optimism.io)

While there will be upcoming office hours, and discussions with the CoCC here on the Forum and on Discord, our next formal report of enforcement decisions will be delivered by the end of the next review period.

As the implementation of the Council is an ongoing experiment, each of us is committed to making every effort to modify and improve as deemed necessary. We will accept any critique or criticism of our process thus far and will work to amend our process to reflect our learnings.

Thank you for your time,

Members of the Code of Conduct Council