

# Code of Conduct Enforcement Workshop

**Please change your display name  
to include your pronouns**

(if you're comfortable sharing them)

Click Participants,  
select your name, More >, Rename

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Otter Tech LLC  
sharp@otter.technology

# Workshop Format

- Slide presentations
  - Please ask questions!
  - Use "raise hand" or ask in chat
- Breaks:
  - 15 min break at 1:15 in
  - 15 min break at 2:30 in



Public domain:  
U.S. Department of Agriculture

# Ground Rules



CC BY Steve Johnson

- This is a safe(r) space
- If you are asked to stop, you will stop
- Be open to new knowledge
- Acknowledge different lived experiences

# Vocabulary

- Incident
- Reporter
- Reported person
- Incident Responder



CC BY U.S. Army Africa

# Incident Responder Duties

- Workshop covers:
  - Taking an incident report
  - Protecting reporter privacy
  - Evaluating a report
  - Encouraging a change in behavior
  - Deciding consequences
  - Following up with reported person
- Off topic:
  - Responding to impacted people
  - Documenting the incident



CC BY Open Knowledge

# When taking a report

- Do:
  - Listen
  - Ask clarifying questions
  - Acknowledge emotions
  - Thank the reporter
  - Next steps and timeline
- Don't:
  - Judge the reported person
  - Promise any particular action
  - Ask how to handle the situation



CC BY painteverything

# Acknowledging Reporter Emotions

- **You felt** (emotion) **when** (behavior)
- "You felt scared when their raised their voice."
- Feels too direct? Try:
  - **"So you felt** (emotion) **when** (behavior)?"
  - **"I'm hearing that you felt** (emotion) **when** (behavior)."

"Nonviolent communication" by Marshall B. Rosenberg, PhD



# Common Reporter Emotions

- Repeating themselves
- Becoming flustered
- Talking fast
- Judgment words
- Anger
- Mistrust



Emotion CC BY 2.0 Osamu Kaneko



# Handling Privacy Concerns

- Report will be confidential
- Take an anonymous report
- Tell reported person  
a witness overheard / saw



Locked CC BY 2.0 montillon.a

# Report Template

- Most important:
  - How to identify the reported person
  - Reporter's contact info
  - Key points of the incident
- [Link to download report template](#)

# Taking an Incident Report: **QUEST**

- **Quiet place** - offer a private room / private chat
- **Unsafe** - call another incident responder
- **Emotions** - "You felt (emotion) when (behavior)"
- **Security** - how to protect reporter privacy & safety?
- **Timeline** - when will the CoC committee meet?

Get reporter's contact info.  
Thank the reporter.

# Practice Receiving Reports

# Discussion

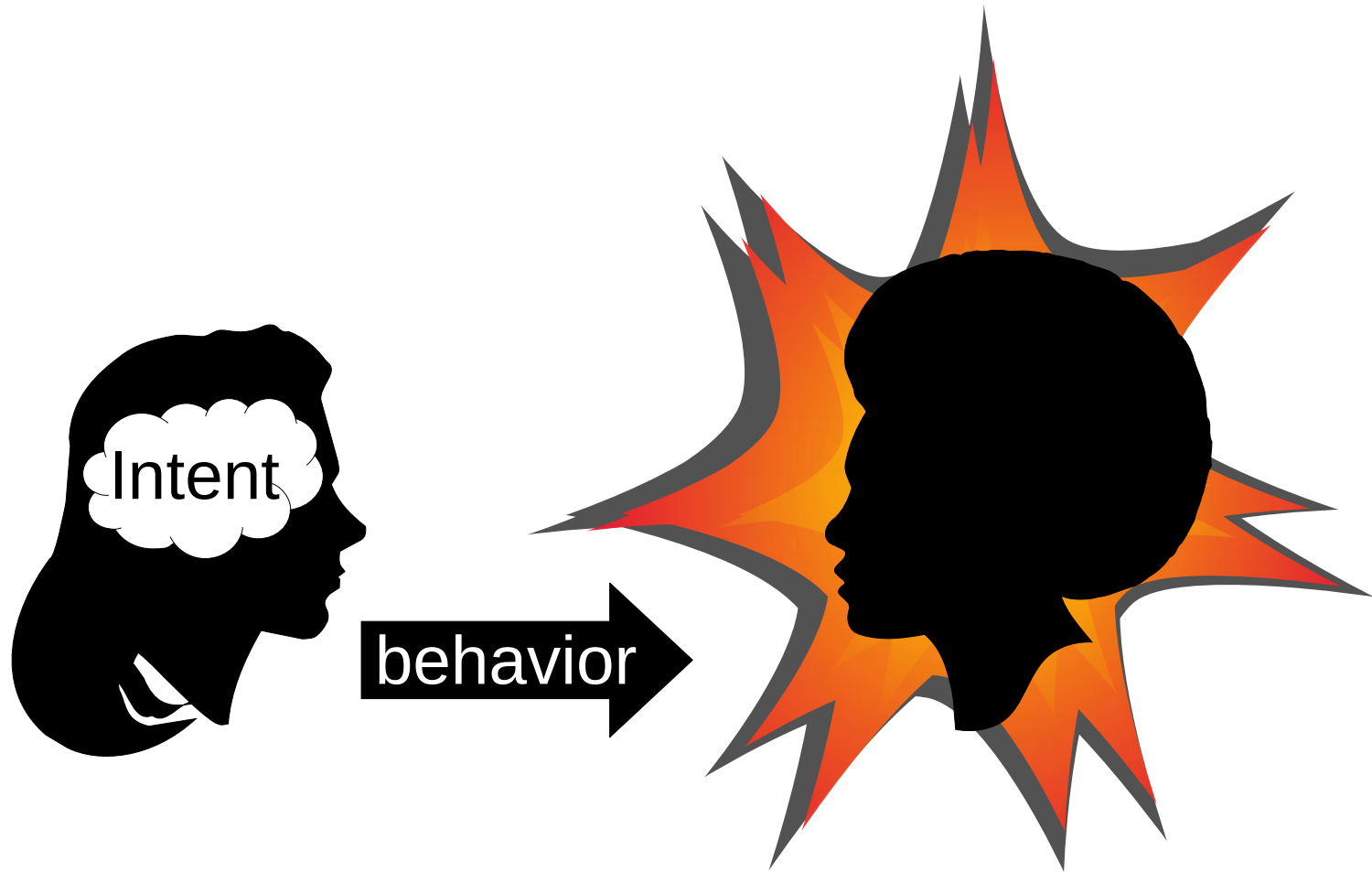
- Any questions that came up?
- For the incident responder:
  - What was hard, complex, or complicated?
- For the reporter:
  - What did the incident responder do well?
  - What techniques did they use?
  - Any effective phrases?

(Break)

Once you're back,  
write "Back" in the chat

Following up on  
Incident Reports

# Intent vs. Impact



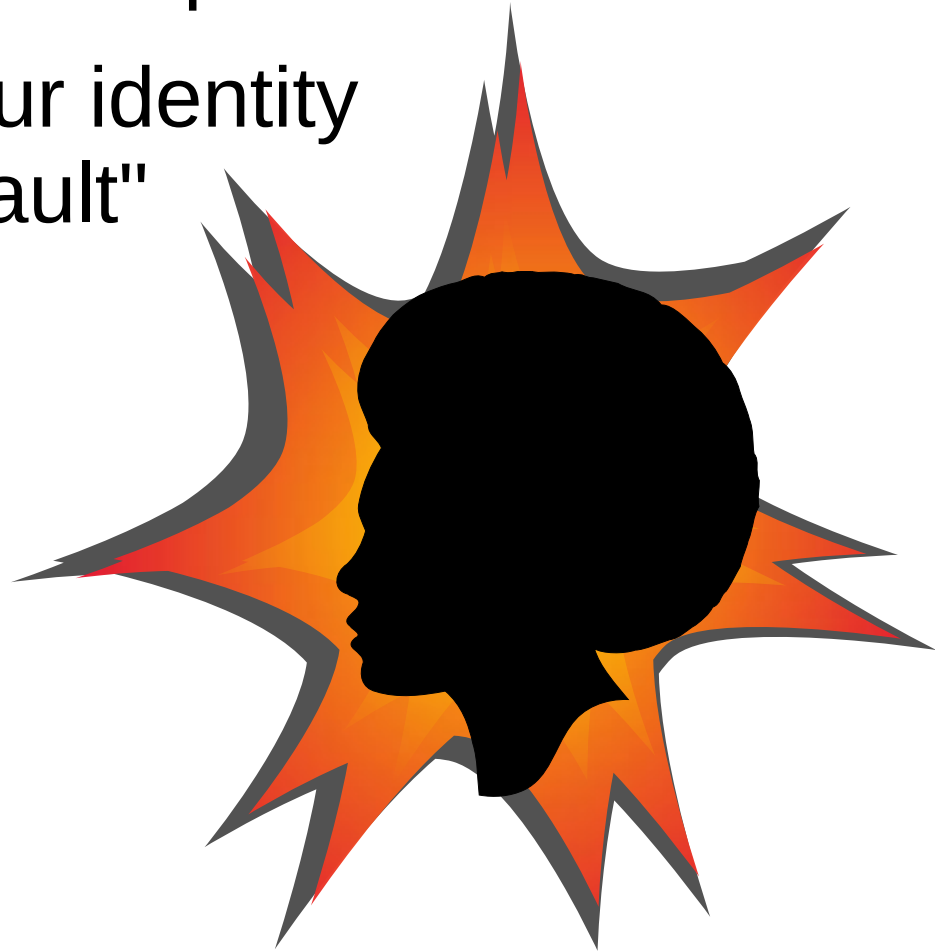


# When does intent matter?

- **Goal: Stop the inappropriate behavior**
- Ask the reported person:
  - Do you agree this behavior was inappropriate?
  - Do you agree to change this behavior?
- Based on those answers, tell your CoC committee if you think the reported person **intends** to continue the behavior

# Microaggressions: Constant Inequality

- Microaggressions are under-reported
- Harm caused because your identity is not considered "the default"
  - e.g. disability, race, gender
- Can be traumatic
- Can be smaller harm that builds up over time



# Microaggressions: Constant Inequality

- Microaggression examples
- **Interpersonal:** a sexist joke
- **Lack of representation:**  
there are no Black or Asian  
community members
- **Policy:** no live captioning  
for conference talks
- **Structural:** websites are  
not accessible to a screen reader



# What about False Reporting?

- What does a reporter have to lose?
  - Community
  - Career
  - Safety & mental health
- Society favors reported person
  - less likely to face consequences
- Microaggressions & sexual harassment are under reported
- Believe reporters by default



CC BY Adam Lehman

# Reversed Power Dynamics

- Be cautious of when the power dynamic is reversed:
  - "racism against white people"
  - "sexist discrimination of men"
  - other "reverse-isms"
- Reporting process can be used to harass minorities
- "Our CoC Committee determined this was not a Code of Conduct violation"



CC BY Jesper Sehested  
Pluslexia.com

# Potential Consequences

- Warning
- Final Warning
- Do not interact with reporter
- Do not talk about specific topics
- Removal of inappropriate material
- Removal from leadership positions
- Temporary Ban
- Permanent Ban

# Evaluating Reports

## Risk and Impact

- Risk:
  - physically unsafe?
  - impacts mental health?
  - risk of behavior being repeated?
- Impact:
  - number of witnesses
  - authority / leadership of reported person
  - impact to people from marginalized groups



# Evaluating Risk: Examples

	Low Risk	High Risk
Low Impact	Inappropriate comment in private conversation	Repeated inappropriate comments after warning
High Impact	Racist "joke" during a presentation or in public channel	Stalking Sexual assault

# Deciding Response: Examples

	Low Risk	High Risk
Low Impact	Issue warning	Monitor and document patterns of behavior, warn or temporary ban, remove from leadership
High Impact	Reprimand, removal of offensive material Public response from staff or organization	Permanent Ban

# Before Speaking to a Reported Person

- Write down:
  - Their behavior and impact
  - A plan to change their behavior
  - Consequences for their behavior (?)
- What will happen if they don't agree to modify their behavior?
- Who can they appeal the decision to?

# Common responses to being reported

- Defensiveness
- Denial
- Blame shifting
- Seeking reassurance
- Apology
- Manipulation



Emotion CC BY 2.0 Osamu Kaneko

# "Calling in" vs "Calling Out"

- Minimize number of incident responders
- Use teaming language:
  - our community
  - we need your help
- Shared community goals:
  - collaboration
  - constructive communication
- Practice new skills privately



Blame CC BY 2.0 周小逸 Ian

# Following up with the reported person: **BIRDS**

Go to a private place / private message or video chat

Have an exit plan. Bring another responder if a ban is likely.

- State what their **Behavior** was without judgment words
- State the **Impact** on the community or marginalized group
- Allow the reported person to **Respond**
- **Don't** say who the reporter was
- **Set** a plan to change their behavior

Accept apologies on behalf of the reporter

Practice:  
Following up with  
the Reported Person



(Break)

Once you're back,  
write "Back" in the chat

Following up on  
Incident Reports

# Discussion

- What questions came up?
- For the incident responder:
  - What was hard, complex, or complicated?
- For the reported person:
  - What did the incident responder do well?
  - What techniques did they use?
  - Any effective phrases?

# Following up after an incident

- Try to talk to everyone impacted
- May need a public statement
- Transparency reports
- Whisper networks exist
- Document the incident
- May need to notify volunteers

Q&A

# Advanced Topics

# Systemic Inequality

- Collective lack of action
- Biased harmful policies or systems
- Negatively impacts marginalized groups
- Example: No 'religious symbols' policies
  - Must choose between a headscarf & education/jobs
  - 2x more Muslim girls don't go to secondary school in France
  - Source:  
<https://www.washingtonpost.com/politics/2019/06/03/how-will-austrias-new-headscarf-ban-affect-muslims/?noredirect=on>

# Dealing with Unwelcome Attendees

- “You aren’t permitted to attend the conference”
- Don’t provide details
- Ask them to leave
- “This is a private venue”
- Get onsite help
- Report for trespassing
- Know your local trespassing laws



CC BY Mike Mozart



# Dealing with Weapons Policy Violations

- “Weapons are not allowed at our conference”
- Ask them to leave
- Come back without the weapon
- Do not argue, be firm
- Ask staff, response team, security to help
- If there is a safety risk, call 911

# Conflicts of Interest

- Is anyone a friend or coworker?
  - conference staff or volunteers
  - incident response team
  - papers committee
  - sponsors
- Review leadership positions for potential leaks:
  - other incident responders
  - volunteers & staff
  - papers committee
  - board members



CC BY Jay Weldenbach

# Personal Conflicts

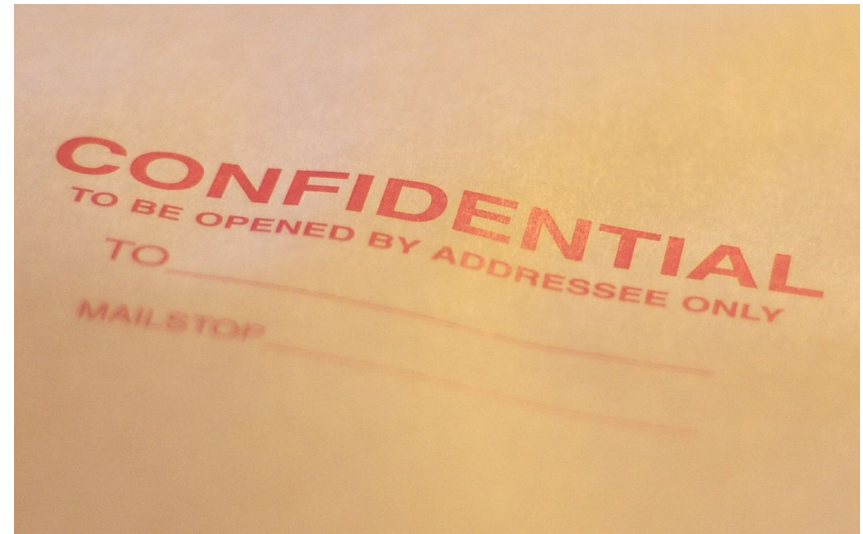
- Not all conflicts will be a Code of Conduct violation
- Communication breakdown
- Is this a pattern?
- Know emotional and verbal abuse behaviors:  
<http://outofthefog.website/traits/>



CC BY Martha Soukup

# Confidentiality Issues

- Reporter fears retaliation
- NDAs & severance
- Police Investigation
- Limit incident docs access
- Ask around (discretely)
- Often multiple incidents
- Other grounds to dismiss



CC BY Casey Marshall

# Known Harassers

- Not just internet trolls
- Stalkers do show up
- Power plays & disruption
- Have a mitigation plan
- Strict confidentiality plan
- Ensure attendee safety



CC BY Paul VanDerWerf