Code of Conduct
Incident Response Training

**Please change your Zoom name
to include your pronouns
(if you're comfortable sharing them)**
It's under Participants, hover over your name,
click rename

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Otter Tech LLC
sharp@otter.technology

Workshop Format

- Slide presentations
  - Please ask questions!
  - Use "raise hand" in Zoom

- Breaks:
  - 5 min break at 1:30 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
- You may leave at any time
- Be open to new knowledge
- Acknowledge different lived experiences

Vocabulary

- Incident
- Reporter
- Reported person
- Incident Responder

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?
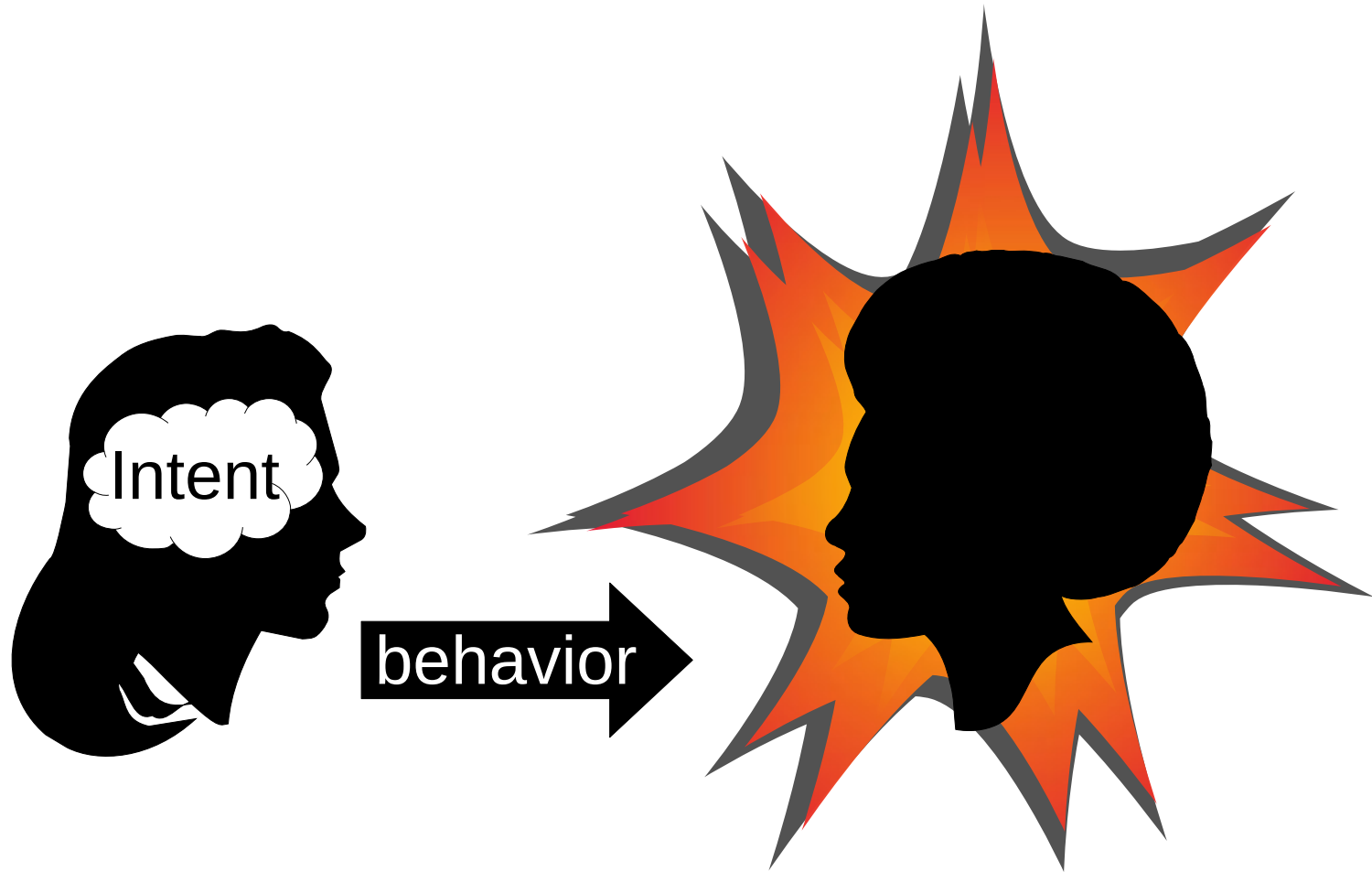- **Trust** - help the reporter feel more welcome

Thank the reporter. Get their contact info.

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?

Intent vs. Impact

When does intent matter?

- **Goal: Stop the inappropriate behavior**

- After following up, does the reported person:

  - Understand why their behavior was inappropriate?

  - Agree to change?

- Does the reported person **intend** 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
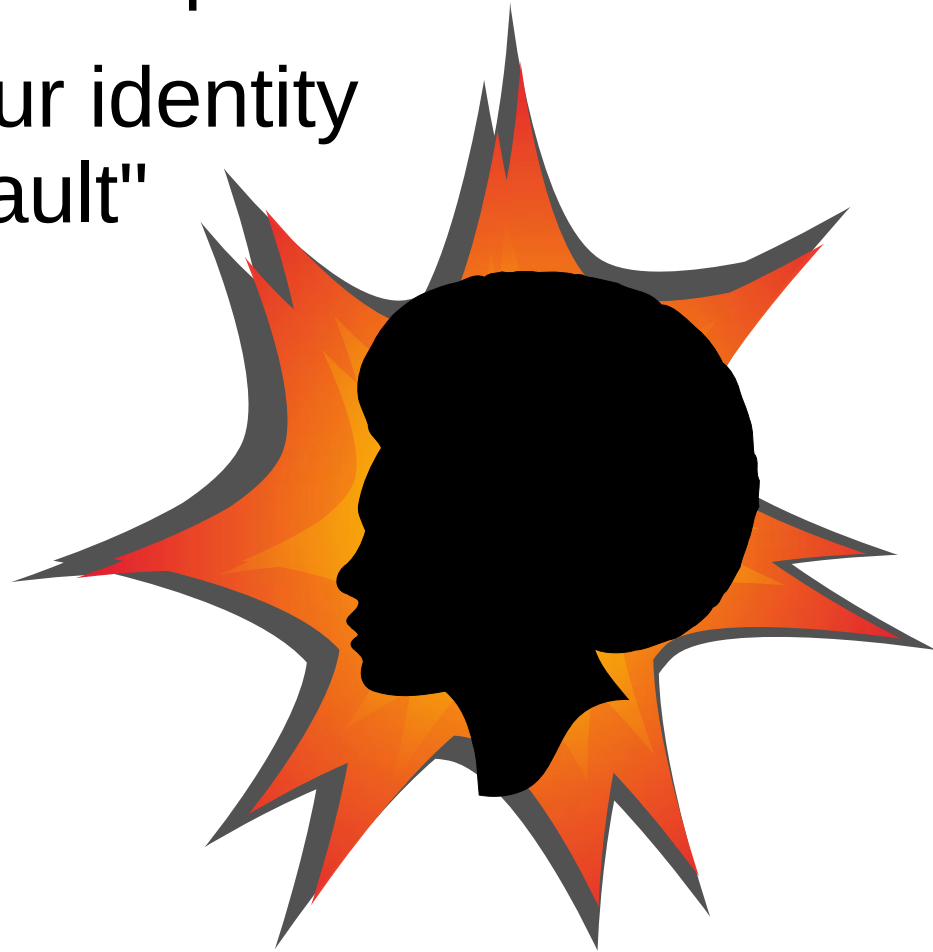
Microaggressions: Constant Inequality

- 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

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

Following up on
Incident Reports

Evaluating Reports
Risk vs. 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

Potential Consequences

- Warning

- Final Warning

- Removal from leadership positions

- Do not interact with reporter

- Temporary Ban

- Permanent Ban

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 reporter or community
- Allow the reported person to **Respond**
- **Don't** reassure or allow the reporter to be contacted
- **Set** a plan to change their behavioral

Offer to relay any apologies

Practice:
Following up with
the Reported Person

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/
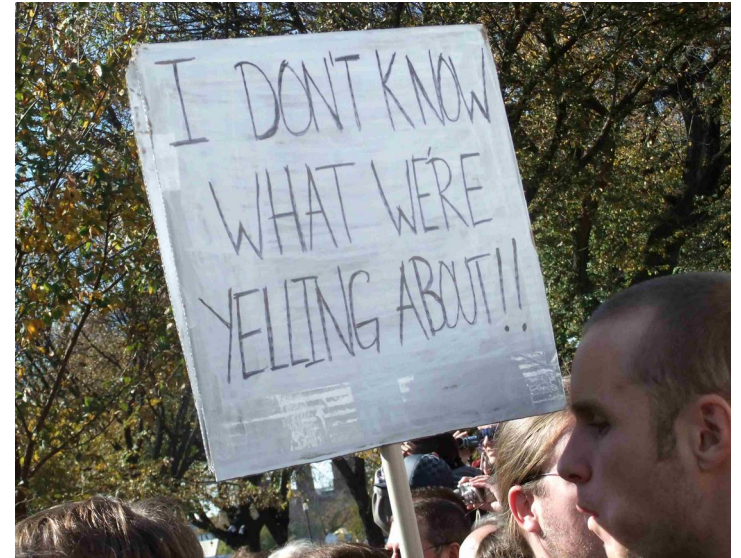
CC BY Martha Soukup

Confidentiality Issues

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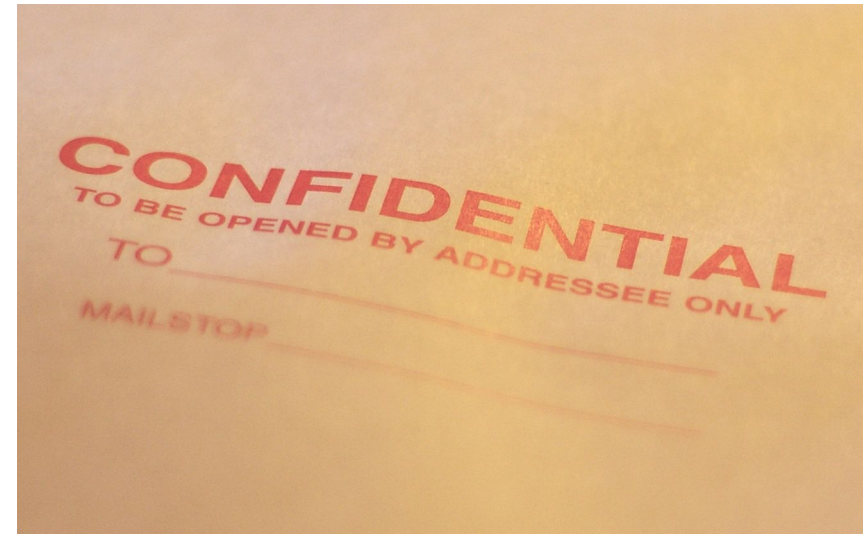
CC BY Casey Marshall

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