

Code of Conduct Enforcement Workshop

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

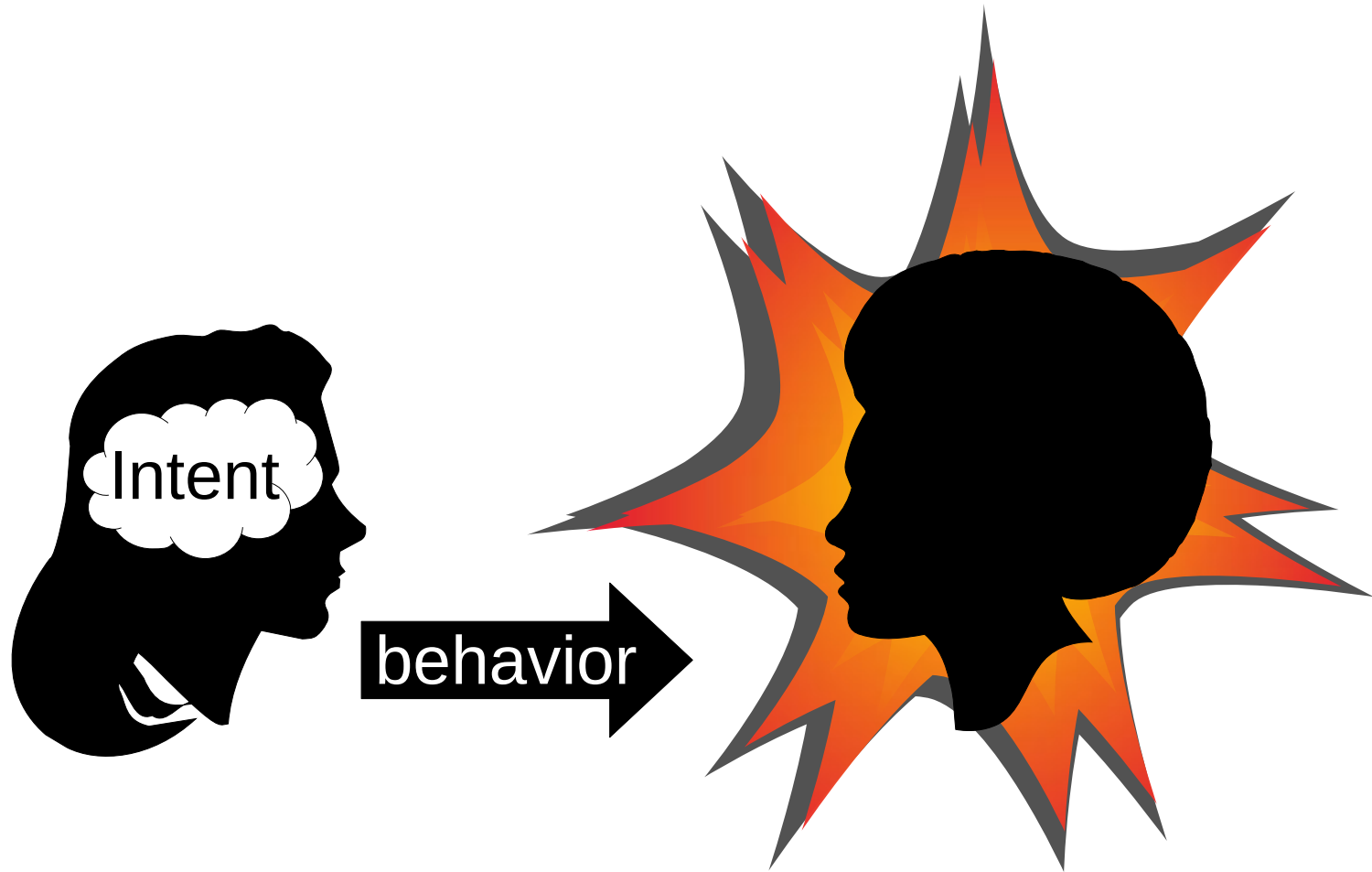
Thank the reporter. Get their contact info.

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

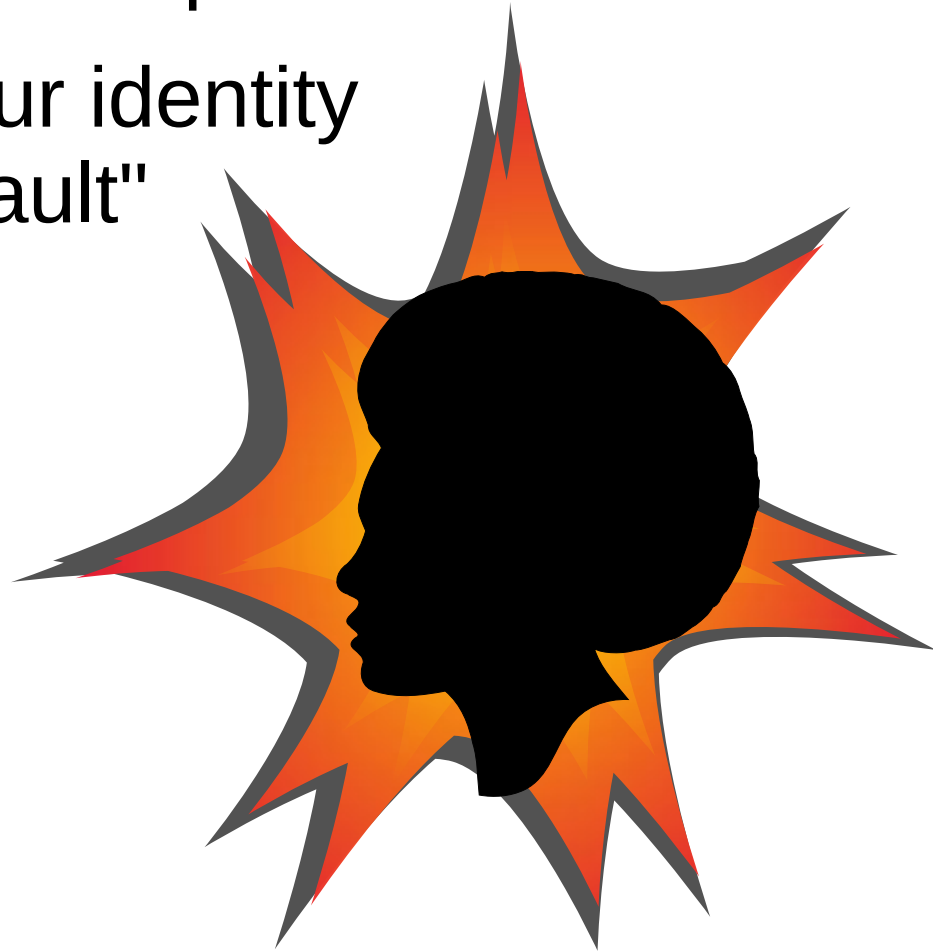


When does intent matter?

- **Goal: Stop the inappropriate behavior**
- 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

(Break)

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

Following up on
Incident Reports

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** reassure and **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

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



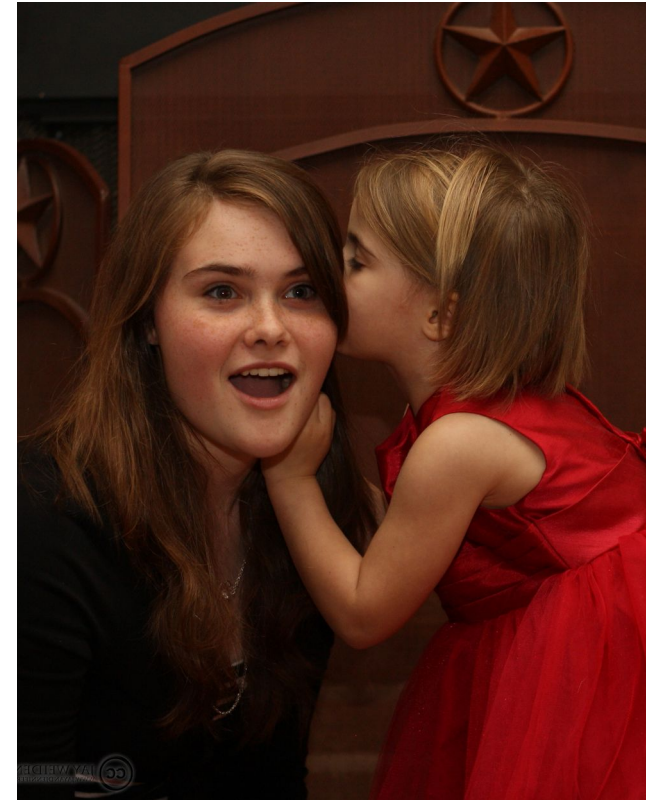
CC BY Mike Mozart

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

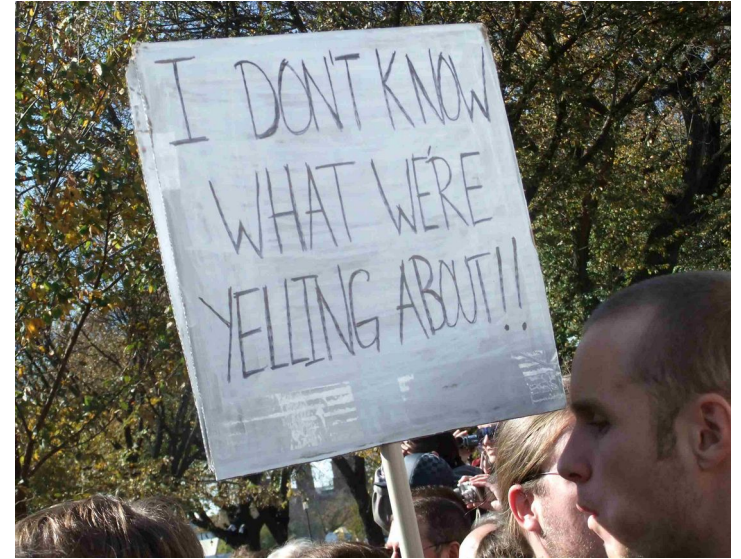
- Is anyone a friend or coworker?
 - conference staff or volunteers
 - incident response team
 - papers committee
 - sponsors
- Review leadership positions for potential leaks:
 - other incident responders
 - volunteers & staff
 - papers committee
 - board members



CC BY Jay Weldenbach

Personal Conflicts

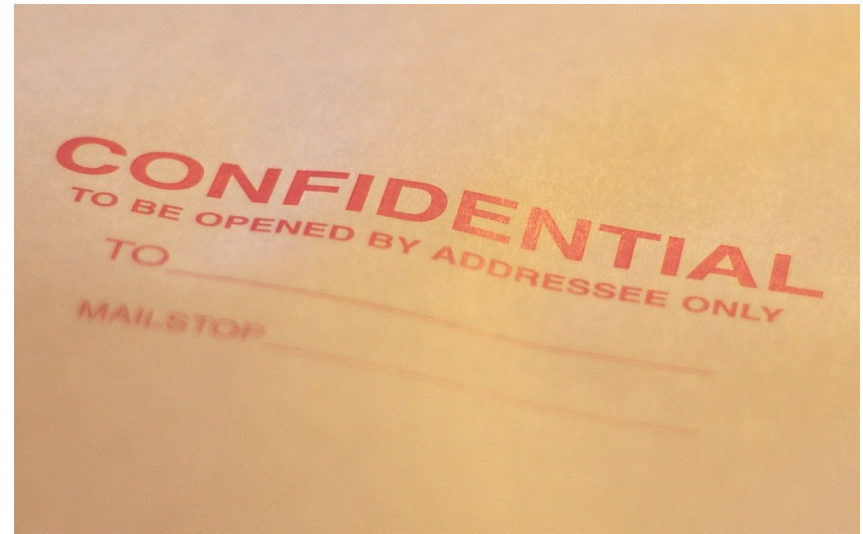
- Not all conflicts will be a Code of Conduct violation
- Communication breakdown
- Is this a pattern?
- Know emotional and verbal abuse behaviors:
<http://outofthefog.website/traits/>



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