

Enforcement procedures for dealing with violations of the Evolution Meeting Code of Conduct

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Code of Conduct:

<http://www.evolutionmeetings.org/conference-policies.html>

Contact information for the Safety Officer, Joint Meeting Committee, Society Executive Officers, security and emergency personnel:
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Sources consulted in developing this document:

<https://us.pycon.org/2013/about/code-of-conduct/harassment-incidents-staff/>
<https://us.pycon.org/2013/about/code-of-conduct/harassment-incidents/>
[http://geekfeminism.wikia.com/wiki/Conference anti-harassment/Responding to reports](http://geekfeminism.wikia.com/wiki/Conference_anti-harassment/Responding_to_reports)
<http://journal.frontiersin.org/article/10.3389/fmars.2016.00103/full>

A. Context statements

1. All registered attendees, staff, sponsors, vendors, volunteers, and participants (here after 'participants') have agreed to abide by the Code of Conduct. Our official conference policies also protect the societies against liability, and grant the society Executive officers "*...the right to enforce this code of conduct in any manner deemed appropriate*" (See section I.2.)
 - the Tri-societies (SSE, SSB and ASN) will contract with an on-site Safety Officer who is not an evolutionary biologist and does not have any direct personal or professional connection with members of any of the societies
 - the Tri-society Executive Officers are ultimately responsible for determining sanctions based on the information and recommendation of the Safety Officer
2. The purpose of enforcing the Code of Conduct is to maintain a safe, welcoming, inclusive and productive environment for scientific exchange by all meeting participants
 - enforcement of the Code of Conduct is the responsibility of society Executive Officers with the assistance of the Safety Officer
 - *however, reporting and intervention by meeting participants are essential components of enforcement*; there should be no barriers to the reporting of potential violations of the Code of Conduct to the on-site Safety Officer and no barriers to prudent intervention in incidents of inappropriate behavior
 - incidents involving meeting participants that occur 'off-site' (e.g., bars, hotels) are subject to the Code of Conduct; a valid complaint can be made even if the incident does not happen at the conference center or meeting venue
 - incidents involving non-participants are beyond the scope of this procedure and the meeting Code of Conduct
 - participants are not expected to police or butt into others' private conversations, make assumptions about intent or response, or actively look for code violations, but anyone who sees something that looks like a potential violation of the Code of Conduct should say or do something (consult sections B, F-H and/or consult with the on-site Safety Officer)
3. The purpose of this document is to provide guidelines for enforcing the Code of Conduct consistently
 - it provides guidelines to the society Executive Officers on when and how to refer an incident to the Safety Officer and what steps to take if they witness an incident first hand or if someone comes to them with a complaint
 - it provides guidelines to the Safety Officer on steps required to document and investigate incidents with all parties and make recommendations to the Executive Officers regarding sanctioning

- it provides guidance to society Executive Officers in determining possible sanctions based on information and recommendations from the Safety Officer
 - additional resources for dealing with incidents, including training (e.g., bystander intervention techniques) will be offered to Executive Officers and meeting participants, as appropriate
4. As much as possible, when an incident occurs, keep all parties calm and composed at all times – the goal is always de-escalation
- if anyone involved in an incident is intoxicated or incapacitated, the situation should be *acknowledged* immediately to all parties present at the time of the incident; it should be made clear at that time that the incident will be dealt with. The situation should be de-escalated as effectively as possible, but reporting, discussion, and sanctioning should take place at a later time; *waiting to acknowledge an incident until later is not advised*
5. As much as possible, everyone enforcing the Code of Conduct should avoid conflicts of interest (COIs) with both complainants and those accused of inappropriate behavior
- note that investigations of all complaints will be carried out by the Safety Officer, but sanctions are determined by the society Executive Officers upon recommendation by the Safety Officer
 - as much as possible, sanctions will be determined based on confidential reports of the details of the incident by the Safety Officer to the Executive Officers, which should reduce COIs
 - if a confidential report is not possible, all reasonable efforts will be made to avoid COIs with the society Executive Officers
 - in case of a clear and strong COI with an Executive Officer (e.g., student, advisor, co-author, or familial relationship), that Executive Officer will not be consulted on an incident report or sanctioning
- 6. IMPORTANT DEFINITIONS**
- an **anonymous report** means that the complainant's name is not recorded anywhere and may not even be known by the Safety Officer
 - a **confidential report** means that the Safety Officer and anyone else involved in the situation will do their best to protect the identities of all parties but cannot guarantee anonymity; e.g., someone accused of inappropriate behavior may already know or may infer the identity of an accuser, or an incident may have happened in a public space
7. Confidentiality is of utmost importance and will be maintained following these guidelines:
- confidentiality is key in minimizing the potential for retaliation and damage to the reputation or career of all parties
 - anonymous reports of incidents made by third parties on behalf of a victim cannot be formally investigated or sanctioned, but they will be reported and considered in aspects of meeting planning and

- development of procedures for handling incidents (i.e., used in attempts to prevent such incidents from happening)
- investigations of Code of Conduct violations cannot be anonymous to the Safety Officer because they require interviews and because repeat offenses must be noted, but reports and investigations will remain confidential unless:
 - disclosure of identities is legally required
 - in the judgement of the Safety Officer, withholding identities impedes a fair and thorough investigation (e.g., the Safety Officer may require help from the Executive Officers to find a witness, complainant or accused person at the meeting; the specific identity of a witness, complainant or accused may be relevant to the documentation or assessment of evidence)
 - all reports and recommendations by the Safety Officer to the Executive Officers will be made anonymously whenever possible and kept confidential at all times; names will be provided to the Executive Officers only if serious sanctions are warranted
 - serious sanctions include but are not limited to: ejection from the meeting, removal from society leadership, revocation of opportunities to participate in future meetings or events in any capacity (see section D4)
 - all reports will be taken and kept only on paper so that there is no lasting electronic record (see section D); paper records of incidents will be kept confidentially by current Safety Officer or by the Chair of the Code of Conduct committee if the Safety Officer position is unfilled
 - all paper reports will be kept in individual sealed envelopes that are labelled with a cryptic code that can be used to identify repeat offenders without using the offender's full name
8. All efforts will be made to contract with a professional Safety Officer for on-site meetings; in the absence of a professional, the members of the Code of Conduct committee assume the duties of the Safety Officer

B. Steps for following up on an incident witnessed first-hand or initiated with a complaint

1. Decide whether or not you must act immediately to de-escalate and acknowledge the situation, or if you can delay the response and refer the situation to the Safety Officer
 - immediate action should always be taken if anyone has been harmed or is at risk of harm – call emergency or security personnel as necessary (see section E)

2. If you decide to take immediate steps to de-escalate and acknowledge an incident:
 - as necessary, interrupt an inappropriate conversation, or end a presentation or question period that becomes verbally abusive, threatening, discriminatory, or otherwise inappropriate
 - mention the meeting Code of Conduct aloud, and note that all participants agreed to follow the Code of Conduct when they registered
 - “I would like to remind everyone that the meeting Code of Conduct prohibits [*relevant words to describe the incident at hand*], and that registration for the meeting served as an agreement to follow this code of conduct.”
 - calmly but firmly demand that person(s) being verbally abusive, threatening, intimidating, discriminatory, or otherwise inappropriate **stop immediately, and that any further violations of the Code of Conduct could result in sanctions**
3. Assure all parties and other witnesses that the incident will be handled confidentially by the Safety Officer using established procedures, followed by reporting and potential sanctioning by the society Executive Officers
 - it is important to assure all conference participants that the Code of Conduct is enforceable; swift and public action is essential in response to all public incidents
 - consider saying “*This may be a breach of our Code of Conduct. I am going to consult with the Safety Officer and Executive council to determine if this is a violation and what the response will be,*” and ask if the complainant(s) are OK with moving forward (see section C)
 - **AVOID:**
 - any language that implies pre-judgement or pre-determination of outcomes or sanctions—stick with acknowledgement of the incident and reassurance that established procedures are in place to investigate and address it
4. Document all witnessed incidents and provide all available information to the on-site Safety Officer; obtain as much of the following information as possible:
 - identifying information (name/badge info) of the participant doing the harassing
 - the behavior that was in violation
 - the approximate time of the behavior (if different than the time the report was made)
 - the circumstances surrounding the incident
 - whether or not other people were involved in the incident (names, if known)

C. Steps for documenting and investigating incidents

1. The on-site Safety Officer will follow the procedure below to document an incident with a complainant:
 - offer the complainant the option of having a friend with them, if they would like
 - find a private place to take the complaint [*rooms will be allocated for this purpose*] and offer the complainant help
 - begin a written report of the incident; if the complainant does not have all of the information required for reporting, inform them of the additional pieces needed to make the report (see Section B4)
 - make sure the complainant has a way to contact the Safety Officer and someone on society Executive council for or with questions, further information or feedback on the process, as they wish
 - ask the complainant if they would like action to be taken but do NOT ask them what sanctions they would like to see imposed
 - we will honor the wishes of a complainant and respect the extent to which they are comfortable divulging details, naming an accused/accuser, or following up with an investigation of an incident that has affected them
 - if a complainant does not wish an investigation to continue, the incident will be documented in a confidential report but **no sanctions will be imposed without a formal investigation**
 - if there is an immediate safety concern associated with the report of an incident suggesting that others are at imminent risk, the Safety Officer or Executive Officers may act accordingly to seek help without the permission of the complainant
 - **AVOID:**
 - suggesting that the victim has the option to withdraw the complaint (this can be interpreted as coercion to withdraw)
 - asking the victim their preference for how the situation should be dealt with (sanctions must be determined by the society Executive Officers)
2. The Safety Officer will follow the steps below investigating a complaint with the person accused of inappropriate behavior or with a witness to an incident:
 - contact them via email and request a private meeting
 - offer them the option of having a friend with them, if they would like
 - inform them of what has been reported about the incident by the complainant
 - allow them to give their side of the story without interruption
 - if the information from the accused or witness does not contradict the complainant's report, the complaint stands
 - if key details are contradictory or missing, the Safety Officer will continue the investigation through further discussions with all

parties (including additional witnesses either known or named by the complainant and/or accused)

- if an investigation is inconclusive and no further information is available, the incident will be reported but no sanctions will be imposed at that time; however, subsequent accusations against the same person will be regarded as confirming the behavior in the first report and will be acted on accordingly by the Safety Officer
- inform the accused that a report of the incident will be made confidentially to the society Executive Officers unless serious sanctions are recommended (see section A7) and that the Safety Officer will make a recommendation for sanctioning based on the findings of the investigation
- inform the accused that they have a right to appeal, in writing, to the society Executive Officers, that the appeal will be handled confidentially and a decision on appropriate sanctions (if any) will be made by the society Executive Officers
 - Consider saying “If you'd like to discuss this further, please contact XYZ, but in the meantime, you must <stop behavior> or sanctions must be taken.”
- **AVOID:**
 - encouraging the accused to apologize to the complainant or interact with the complainant in any way, as further interaction tends to be upsetting for a complainant
 - discourage an in-person apology if they offer to make one, but allow a written apology to be included in the incident report if offered voluntarily by the accused
 - a written apology may be conveyed to the complainant at the discretion of the Safety Officer
 - revealing the identity of the complainant or witnesses to the accused unless the Safety Officer determines that withholding the identities would impede a fair and thorough investigation
 - note that a complainant may be the target of the inappropriate behavior or a witness and that information should also be kept confidential

D. Steps for sanctioning inappropriate behavior by Executive Officers

1. The Tri-society Executive Officers will determine sanctions for a documented incident upon receiving a confidential incident report and recommendation from the Safety Officer following an investigation
 - if serious sanctions are recommended (beyond requests to stop certain behaviors or to not post a video; see D4 and sections F-H for examples of substantial sanctions beyond these), the identity of the accused should be made known to the Executive Officers after those sanctions

- are determined and only in cases of substantial sanctions (see section A7)
2. At least three Executive Officers should be involved in discussions of an incident with the Safety Officer and determination of possible sanctions
 - to the extent possible, the Executive Officers involved in sanctioning should represent all three societies, have diverse backgrounds and identities, and have completed some degree of training related to harassment and inappropriate behavior
 - members of the Code of Conduct Committee must complete training related to harassment and inappropriate behavior
 3. Determination of sanctions should consider the severity of the incident and the nature of the participation of the accused
 - a simple majority of the Executive Officers involved must agree on the appropriate sanctions
 - as appropriate, the Executive Officers may consult with legal counsel before determining sanctions
 4. In addition to a demand to stop the behavior, sanctions may include but are not limited to:
 - refusal to make an offensive presentation available (e.g., on the Evolution YouTube channel)
 - ejection from the meeting without refund of fees and with return of society sponsorship (e.g., a travel award)
 - removal from society leadership
 - revocation of future opportunities to participate as a vendor, volunteer or employee
 - ban from future events organized or sponsored by any of the Tri-societies (either indefinitely or for a specified period of time)
 - see sections F-H for additional examples
 5. In the case of serious sanctions (e.g., more than a warning and demand to stop the behavior), the accused will be notified of the sanctions in person by the Executive Officers with the Safety Officer present, and the sanctions recorded in the report
 - sanctions should be imposed immediately upon notification
 - expulsion from the meeting should be carried out by at least two Executive Officers, and security personnel should be called if someone refuses to leave the premises
 - sanctions will be imposed confidentially (e.g., ejections from a meeting will be carried out as discreetly as possible) and any details of a report that are made public will be anonymized
 6. The accused will also be notified of their right to appeal, in writing, to members of the society Executive Council, other than those initially involved in sanctioning if they wish
 - recommended sanctions must stand until the appeals process is complete

- the Safety Officer will be involved in the appeals process and make additional recommendations to the Executive Officers

E. When to call security or law enforcement

1. there are clear emergent or immediate threats to the safety of any participant
2. a decision has been made to eject a participant from the meeting but the person refuses to vacate the premises
3. a participant has been physically harmed AND has requested the involvement of security or law enforcement
 - if the victim states that they do not wish to have security or law enforcement involved on their behalf and no participant is at imminent risk, the victim's wishes must be honored
 - the Professional Conference Organizer (PCO), if immediately available, should be involved in contacting on-site security personnel; otherwise, 911 should be called
4. the inappropriate behavior involves an illegal action AND the victim has requested the involvement of security or law enforcement
5. in the case of physical injury, emergency services may be called to provide treatment or transportation to a hospital or other medical facility

The previous sections (A-E) outline the process of formal reporting and investigating incidents and complaints of inappropriate behavior. If an investigation warrants sanctioning, the following sections (F-H) list examples of behaviors and likely sanctions for offending parties. However, these are examples, not prescriptive, and there may be circumstances where a more or less severe consequence is reasonable given the nature of the incident.

F. Examples of behaviors resulting in a formal report of the infraction and a demand to stop the behavior

1. verbal abuse, bullying, harassment, discrimination, language that is upsetting and exclusionary, hate speech, identity-based slurs, etc.
2. showing inappropriate and/or graphic images or language during a talk or on a poster (e.g., but not limited to pornography, images demeaning a protected class, demeaning words, or depictions of violence)
3. unwanted attention, especially attention related in any way to a person's identity or a personal characteristic

G. Examples of behaviors possibly warranting expulsion from the current meeting in addition to a formal report of the infraction

1. repeated infractions by the same person(s) at a single meeting or reported at multiple meetings
2. refusal to comply with demands to stop inappropriate behavior
3. refusal to meet with the Safety Officer, Executive Officers, security or emergency personnel in response to a request to discuss a Code of Conduct issue
4. submitting a false claim; falsely accusing someone of inappropriate behavior

5. retaliation against someone who has submitted a complaint

H. Examples of behaviors possibly resulting in ban from future meetings in addition to a formal report of the infraction

1. extreme behavior in violation of the code of conduct
2. actions causing physical harm to participants (including any form of physical assault)
3. actions requiring intervention by security or emergency personnel
4. violation of the conference weapons policy
5. any actions that threaten the safety of conference participants
6. repeated infractions by the same person(s) at a single meeting or reported at multiple meetings
7. repeated false reports of inappropriate behavior at a single meeting or reported at multiple meetings

I. Additional considerations

1. Society representatives, officers and conference organizers are not considered to be mandated reporters in their roles in society leadership; a conference is a private event hosted by private organizations; as long as the organizers and officers do not discriminate in a way that violates civil rights laws, they can ask any participant to leave the meeting for any reason
2. it is not recommended to encourage any interaction between a harasser and a victim, including to make an apology
 - if the accused offers to apologize, discourage them from making one in person; if you feel compelled to do so, you can express appreciation for the intent of the apology before advising them against doing so
 - interactions between victims and harassers tend to be further upsetting to victims
 - harassers who want to apologize because they were unaware of the potential harm may not be prepared to make a sensitive apology
 - if an apology is offered voluntarily by the accused, allow a written apology to be submitted to the Safety Officer for inclusion in the incident report; such an apology may also be presented for consideration of sanctions by the Executive Officers
 - a written apology may be conveyed to the complainant at the full discretion of the Safety Officer
3. it is also not recommended that a harasser be asked to avoid interacting with a complainant, as this prevents confidentiality of the complainant; the complainant will likely avoid the harasser
4. when speaking to individuals who are aware of the incident *but were not involved*, it is a good idea to inform them that action was taken, but keep the details out; if these individuals are angered by an incident, it is helpful to express

regret that the incident occurred (“I’m sorry that this happened” goes a long way)

5. the Code of Conduct specifically says that *“Harassment presented in a joking manner is still harassment and constitutes unacceptable behavior.”* It is very difficult to determine when joking goes far enough to be considered harassment; careful judgement is needed, always considering whether or not a person who belongs to a class that is a target of joke(s) would be deterred from attending or participating in the scientific aspects of the meeting because they heard or overheard those jokes
 - consider saying, “Do you think that’s really appropriate?”
 - if you are involved in a conversation that you think is going too far, consider changing the subject
 - if someone submits a complaint in response to joking, it should be taken as seriously as any other complaint

J. Templates for reports (see following pages)

REPORT ID [use YYYYMMDD of report + reporters' initials]:

Date, time, and location of report-taking meeting: _____

Safety Officer filling out this report: _____

Any others consulted about the incident: _____

Person(s) making the complaint: _____

Any others present when the complaint was made and their role in the incident, if any (e.g., witness, support for complainant, etc.):

Person(s) accused of violating the code of conduct:

Other person(s) involved or present at the time of the incident and their role in the incident, if any:

Behavior that was in violation/brief description of the incident:

Date/time/location of the incident: _____

Were security or emergency personnel involved? If so, how?

Detailed description of the incident according to accused, incl. circumstances surrounding the incident:

Final recommendation for sanctions as determined by Executive Officers:

Notes about any appeals, the resolution of the incident and/or the effectiveness of the intervention(s):

Signatures of the reporters:

REPORT ID [use YYYYMMDD of report + reporters' initials]:

Date, time, and location of report-taking meeting: _____

Safety Officer filling out this report: _____

Any others consulted about the incident: _____

Person(s) accused of violating the code of conduct:

Other person(s) involved or present at the time of the incident and their role in the incident, if any:

Behavior that was in violation/brief description of the incident:

Date/time/location of the incident: _____

Were security or emergency personnel involved? If so, how?

Detailed description of the incident, incl. circumstances surrounding the incident:

Detailed description of any immediate actions taken:

Would the complainant be open to accepting a written apology from the accused if one was offered? _____

Initial recommendation for sanctions as determined by the Safety Officer:

Date/time/location of conversation with the accused:

Any others present during this conversation and their role in the incident, if any (e.g., witness, support for accused, etc.):

Detailed description of the incident according to accused, incl. circumstances surrounding the incident:

Final recommendation for sanctions as determined by Executive Officers:

Notes about any appeals, the resolution of the incident and/or the effectiveness of the intervention(s):

Signatures of the reporters:
