2021-2022 Fourth Annual Grievance Program Report
2017 Convention Resolution 33 (amended)

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April 2023
Part I: Results of HGO/Chapter Leader Survey:

Democratic Socialists of America is committed to creating a space that is welcoming and inclusive to members of all genders, races, and classes. This policy (passed as Resolution 33 in 2017, and amended in August 2021) provides guidelines to ensure that everyone is able to organize without fear of harassment, abuse, or harm.

Part I of the report evaluates Resolution 33’s operation with the data received from chapters who have been involved in the implementation and enforcement of Resolution 33. Part II is the National Harassment Grievance Officer (NHGO) report.

Scope

This report, compiled with information from NHGO Paula Brantner and/or supplied by DSA HGOs and chapter leaders, is prepared in compliance with DSA's National Harassment Policy, Resolution 33, which requires mandatory annual reports. This report covers the dates July 1, 2021 to June 30, 2022, to follow last year’s report from July 1, 2020 to June 30, 2021.

Methodology:

DSA HGOs were sent a survey link after the close of the reporting period to facilitate gathering data for the report. To reach chapters without HGOs, chapter leaders were also sent the survey. The first set of 14 questions was required to report compliance with Resolution 33. Section 2 was a set of 10 optional questions concerning the HGO position. Section 3 was a set of 7 optional questions concerning grievance/conflict resolution more generally, including questions about an organizational code of conduct, the impact of the pandemic and the summer’s racial justice protests, and confidentiality. Section 4 was required with 8 questions requesting contact information and information about chapter Codes of Conduct.

While we have increased our number of responses in each previous report, this year, participation in the report was down, with 85 responses received this year, compared to 139 responses in the last reporting period. While we of course would prefer to receive a high number of responses, there has been a downward trend in both DSA membership and the number of active chapters, with seven chapters/OCs dechartered in the reporting period and an additional 14 chartered chapters/OCs in the rest of 2022. We extended the deadline multiple times in order to provide additional response time over the holidays, and National staff conducted some additional outreach, to give HGOs, and in chapters without HGOs, chapter leaders, the opportunity to respond.

Each of the following responses will be provided individually, along with my interpretation, and any relevant comments submitted for each question. Please note that Google Forms did not always display the full question when the answer graph was copied, so I have cut and pasted questions where necessary to display the full question asked. The x axis varies by question. The y axis on each chart is the percentage for a given answer of the overall responses.
Question 1: Between ONLY July 1, 2021 and June 30, 2022, how many formal harassment grievances were filed with your chapter under Resolution 33? (Formal Res.33 grievances mean grievances filed with allegations that a member violated Resolution 33, DSA's Harassment Policy, (even if that violation was not later upheld), or where Res.33 allegations were mixed with allegations of other misconduct that didn't violate Res.33, but may have violated the Chapter By-Laws/Code of conduct.)

Commentary:

Total number: 39 formal harassment grievances were filed in chapters between 7/1/21 - 6/30/22, compared to 59 the prior year. [Please note: the scale only went up to 10, but the chapter making that selection had 14 grievances, as indicated in the notes.]

As NHGO, working mostly with chapters with grievance problems, I was pleased that **72 (reporting) chapters did not have any reportable grievances** in 2021-22 (85% of reporting chapters, compared to 71% last year). While there is still considerable conflict in the organization, the number of chapters with grievances has not increased significantly, and appears to be concentrated within a smaller handful of chapters.

Are people choosing not to report reportable conduct because they don’t have faith in the system, or because they don’t know about the grievance process? Or because they may not feel harassment occurred and therefore there is nothing to report (which if true is ideal.) It does appear that after Resolution 33 has been in effect for five years, that members are generally aware of DSA's grievance process. Over time, I have had the impression that the number of harassment grievances is going down, while non-harassment grievances (addressed later in the report) seem to comprise a higher percentage of all grievances.

Are chapters with a higher number of grievances (3 or more, representing four chapters) more contentious and problematic? Or is it a function of their greater size? At this time it seems that about half of the chapters with high numbers are ones that are also larger chapters, while the other half are smaller chapters that had multiple grievances filed concerning the same conflict. We would of course expect chapters in major cities with thousands of members to have more grievances than a chapter or OC with fewer than 100 members.
**Question 2: Of the Res.33 grievances filed, how many were investigated by your chapter HGOs?**

![Graph showing grievance investigation counts]

**Commentary:**

*Total number: 35 were investigated by chapter HGOs, compared to 50 in 2020-21 [Note: while the scale only went up to 10, the chapter making that selection had 14 grievances, as indicated in the explanatory notes to me.]*

The disparity between answers to Questions 1 and 2 indicates that only in a handful of circumstances, a formal grievance did not lead to an investigation by the HGOs. Unless there is evidence of an effort in a particular situation to suppress an investigation, then it is to be expected that some would be handled informally and not warrant a full investigation. Also, sometimes parties choose not to move forward with a full investigation. That should be respected unless a full investigation is necessary to determine whether there was a pattern of harassment or misconduct and/or people other than the original reporting party continue to face harm. Sometimes, even with a formal grievance pending, chapters are exploring (often with NHGO support) whether other methods for resolving conflict, such as mediation, restorative justice, etc., may be a possible solution instead of proceeding with the grievance.

However, having the grievance process in place gives chapters multiple tools to address the behavior and resolve the conflict in the best manner to assure accountability, whether there is a formal grievance or not, and whether there was a formal adjudication of the matter. The high percentage of investigated grievances also appears to indicate increasing familiarity with using the grievance process, rather than avoiding it out of inexperience or discomfort. It may also reflect the Resolution 33 amendments in 2021, which make clear that restorative justice approaches are not to be followed instead of a grievance investigation without any investigation to determine the scope of potential harm. This amendment was reflected in the NHGO team’s advice to chapters who sought technical assistance.
Question 3: Of the formal harassment grievances investigated by your chapter HGOs, how many were referred to chapter leadership for a resolution?

Commentary:

Total number: 24 grievances investigated by chapter HGOs were referred to chapter leadership, compared to 35 in 2019-20.

Here’s where you would expect to see a significant dropoff. Over time, chapters appear to be more experienced at handling conflict and discouraging inappropriate behavior, making it more likely that HGOs can handle some grievable behavior/conflicts without a formal grievance decision, or use restorative justice and/or mediation in lieu of the chapter leadership’s involvement.

However, Resolution 33’s system of referring the HGO’s report to the steering committee for a decision is an important set of checks and balances. Oversight of the HGOs’ work and a review of their reports and recommendations by the elected chapter leadership is also useful for chapter leaders to take responsibility for managing conflict in the chapter. The steering committee is the elected leadership of the chapter and ultimately accountable to chapter members for the climate/culture of the chapter environment. It is important that chapters not bypass this step when there is a live conflict, by punting to the chapter HGOs and/or expecting the NHGO or NPC to solve conflict without making an effort to devise appropriate solutions and consequences, tailored to the specific conflict and assessment of what is needed to resolve it.

If an HGO did not conduct a thorough investigation or reach an accurate conclusion, the steering committee can modify that outcome. Conversely if the HGO’s recommendation is rejected, the appeal can explore why that happened, whether due to bias or misconduct on the leadership’s part or the need for better HGO training and guidance. Also, in smaller chapters and/or in situations where all the parties to the grievance are well-known to the chapter leadership, having an independent HGO report and a separate consideration and validation by the chapter leadership helps reassure the parties that the Res.33 process was followed, and that the consequences imposed were not selected by a single individual or a biased group.
**Question 4:** Of the formal harassment grievances referred to leadership for a resolution, how many resulted in a finding in favor of the reporting party and/or actions impacting the accused's membership status (finding of a Res. 33 violation)?

![Graph showing number of cases with findings]

**Commentary:**

Total number: 10 of the referred cases resulted in a finding of a Resolution 33 violation, compared to 31 in 2020-21.

The number of findings of a Res. 33 violation went down considerably from the prior year. This is a development that we hope to see as part of transforming DSA's culture over time. With the grievance program in effect for four years, and nearly five since Resolution 33 was passed in August 2017, the anti-harassment norms expressed in Res.33 appear to have taken hold. We have worked through the pent-up demand we experienced early on, and have removed from DSA a significant number of individuals whose pattern of inappropriate behavior can no longer be repeated in chapter spaces.

With 24 grievances referred to the chapter leadership body and 10 resulting in a finding of harassment, there is potential concern about whether HGO recommendations are being upheld, which will be closely monitored. However, one chapter’s process accounts for these anomalous percentages, as of 14 investigated complaints, only 1 resulted in a SC report. We want leadership bodies trusting their HGOs’ judgment and generally following their recommendations, without becoming such a rubber stamp that there is no longer sufficient oversight of the HGO’s role and an independent view of the evidence. This also includes situations where the steering committee didn’t make a formal finding but was able to resolve the conflict another way, so we cannot necessarily conclude that in the remaining situations, that chapter leadership actually “overruled” the HGO.

I have also advised in my trainings and one-on-one technical assistance conversations (advising on applying Resolution 33 in the chapter’s specific situation) to avoid an overly legalistic approach to Resolution 33. 42% (down from 89%) is a low affirmance rate (but explainable due to one chapter’s processing). Ideal is a high but not 100% affirmance rate, which I anticipate we will return to in the future.
**Question 5:** Of the formal harassment grievances that resulted in a finding of a Res. 33 violation, how many resulted in an appeal to National DSA?

![Bar chart showing the number of appeals](chart.png)

**Commentary:**

*Total number: 3 chapter findings of a Resolution 33 violation were appealed, down from 11.*

The number of appeals is going down over time, particularly as compared to the prior reporting period, which can be attributed to an early 2021 consolidation of our grievance process, which routed all appeals through the NHGO, whether they were under Resolution 33 or not. An appeal means the parties were not able to reach a resolution at the chapter level, but sometimes are able to do so with the NHGO’s assistance before it goes to the NPC.

We continue to streamline the process over time, in an effort to reduce the appeals with policy or process issues to address before the underlying appeal could be processed and recommended consequences could be determined. Virtually every appeal early on identified new issues that lacked concrete guidance from Res. 33, but that is not as often the case now. At the beginning the reporting period for this report, the Convention amended Resolution 33, which appears to have reduced the number of policy and process issues on appeal.

I continue to rely upon my professional background and best practices and assess the grievance’s impact to prioritize appeals for resolution. There are also other, non-appeal priorities that are addressed through technical or other support to chapter HGOs, so that the NHGO’s work is less focused on the appeals process, and more in supporting HGOs and chapter leaders to handle conflicts optimally to promote accountability and change behavior that violates Resolution 33 and other organizational norms. Ideally, we could manage all cases such that appeals were not necessary, but some members are insistent, even in the face of overwhelming evidence that supports the other party, on filing an appeal as a matter of principle.
Question 6: How many formal grievances were filed where the conduct didn't come under Res. 33 but was handled under your Chapter By-Laws/Code of Conduct (non-Res.33 grievances)?

Commentary:

Total number: 39 non-Resolution 33 cases were filed, compared to 30 in 20-21.

With Resolution 33 in place for over five years, and 300+ members trained as HGOs, it is increasingly true that a number of disruptive conflicts do not fit under Res. 33. To address non-Res. 33 conflict, some chapters have created codes of conduct that encompass other conduct. Others have used the expulsion procedure in their by-laws that typically covers “undemocratic, disruptive behavior,” and/or “failure to follow the policies of DSA.” In 2021, at the beginning of this reporting period, Res. 33 was amended to bring non-harassment grievances within the grievance process, to guide chapters handling these conflicts.

Even with the Res. 33 amendments, some do not think Res. 33 goes far enough to discourage harmful conduct not based on the target’s membership in a protected class. Others think it goes too far, by using a process developed for "harassment" to deal with less important, and what some would consider minor disputes. There is still a lack of organizational consensus around dealing with disruptive conduct. Some prefer a more punitive approach that removes the member and prevents further harm to the chapter’s reputation. Others feel strongly that a restorative justice approach is most consistent with DSA’s values.

In September 2020, the NPC passed a National Code of Conduct that reconciles the various approaches (Res. 33, chapter expulsion, National expulsion by the NPC), eliminates barriers to enforcement against parties and chapter leadership, uses a consistent methodology to managing conflict and inappropriate behavior, and takes into account current threats and disruption within DSA. In 2021, the Convention built upon the National Code of Conduct by passing Res.33 amendments that required chapters to have a Code of Conduct or adopt National’s. This year’s increase is largely attributable to these developments (plus a double counting of one chapter’s conflict).
Question 7: How many requests for conflict resolution did you receive? (The request for conflict resolution could have come in conjunction with a grievance, or may have been requested without a grievance having been filed.)

Total number: 60 requests for conflict management, compared to 63 requests in 20-21.

This question, asked for the first time last year, continues to represent a strong focus of the grievance program. Not every conflict needs to result in the filing of a grievance, and training HGOs, chapter leaders, and members in conflict resolution strategies could result in fewer grievances being filed. This would reduce the amount of time that is now being spent on grievances, and would strengthen relationships in the chapter if conflicts could be handled without a formal grievance process.

Ana Avendaño, who works with the NHGO to address identified needs in the grievance program, developed a complex conflict management training in 2021, which was paused following the Convention but resumed in March 2022, with three trainings delivered during the reporting period.) We will continue to work with chapters on conflict management strategies, and to present information to the membership that will assist in resolving conflict in ways other than filing a grievance. We also have continued to do conflict management trainings on a regular basis for HGOs and other people involved in conflict management in chapters, including chapter leaders, with the goal of monthly trainings, alternating between conflict management and HGO trainings, in the 2022-23 reporting period, and adding a second “advanced” course for those who have received the basic training and want additional training and support.
Question 8: How many requests for mediation did you receive? (The request for mediation could have come in conjunction with a grievance, or may have been requested without a grievance having been filed.)

Total number: 39 requests for mediation in 21-22, compared to 38 requests in 20-21.

This question was also asked this year for the first time, and also represents an area for further exploration and training. Sometimes a conflict can be mediated to reach a mutually agreed upon solution, and prevent further escalation of the conflict.

Ana Avendaño, who works with the NHGO to address identified needs in the grievance program, is trained in conducting mediations, and began conducting mediations of DSA conflicts the last reporting period, in late 2020. Resolution 33 was also amended in 2021 to provide for mediation of conflicts, with the important caveats that mediation must be voluntary and conducted by trained mediators. We are aware anecdotally of situations where parties experienced pressure to mediate conflicts where it was not something that they wanted.

We are also aware of situations where the NHGOs’ assistance was sought after a failed mediation that had the unfortunate impact of escalating the conflict. We have also received requests for mediation in situations where in Ana’s professional judgment, the conflict was not well suited or appropriate to be resolved via mediation, particularly in situations where the harm had not been sufficiently articulated or identified through even a preliminary investigation of the reporting party’s complaint, or where mediation could not be successful due to a party’s inability to take accountability for their actions. Based upon increasing awareness of the services offered by the NHGO team, we have had the opportunity to work with more chapters in both better understanding basic mediation principles, as articulated by the 2021 Res. 33 amendments, and for Ana to mediate conflicts for chapters when appropriate.

We have and will continue to work with chapters on conflict management strategies, including mediation where appropriate, and to support chapters who need a trained mediator and prefer to use DSA’s free resources rather than paying for a mediator in the local community.
Question 9: Of the non-Res.33 grievances handled by the chapter, how many resulted in chapter expulsion?

![Bar chart showing expulsions]

Commentary:

*Total number: 2 non-Resolution 33 cases resulted in chapter expulsion, compared to 9 in 2020-21*

It is very reassuring that expulsions have gone down so significantly, and have been reserved for the most serious harm, instead of weaponizing the expulsion process for minor transgressions. The National Code of Conduct and amendments to Resolution 33 passed in August 2021 appears to have significantly standardized the treatment of non-Res. 33 grievances among chapters and reinforce specific cultural norms throughout the organization nationwide, which was hard to do without a common non-Res.33 standard. Also shortly after the reporting period in July 2022, the NPC adopted an expulsion policy to govern how National expulsions are processed consistent with DSA's Constitution.

This remains one of the major challenges to be faced by DSA at the current time. The left is well aware of the dangers of expulsions without verification of the underlying conduct, and those who believe in restorative justice may believe that expulsion is a last resort before someone is cast out of the community. However, this is also coupled with the reality that the continued presence of a toxic individual or small group in a chapter can sometimes cripple the chapter’s operations, causing the chapter to either spend all of its time mired in conflict management and grievance processing, or individuals in the chapter using their organizing skills and available time to organize around individuals instead of issues and politicians.

This level of toxicity in an organizing committee or small chapter can prevent DSA from ever establishing a foothold and creating an active and functioning chapter in a particular community. There also are continuing concerns about infiltration from within, where an individual's access to organization resources can permit significant damage if there is not a quick way to separate someone from the organization for deliberately disruptive conduct contrary to DSA's values.
Question 10: Of the chapter expulsions, how many did you send notice of to the National office via contacting the NHGO or via other means?

![Bar chart showing 83 (97.6%) and 2 (2.4%) chapter expulsions sent to the National office, down from 14 in 20-21.]

**Commentary:**

*Total number: 2 chapter expulsions were sent to the National office, down from 14 in 20-21.*

The significant decrease in chapter expulsions is most likely attributable to amendments to Resolution 33, which defined expulsions as an indefinite membership removal, distinguishing them from a suspension, which was for a term of <3 years or with conditions to be satisfied. Previously chapters had also chosen to expel a member locally, but did not push for a National expulsion. In most cases, we now communicate with chapters more closely and work with them at an earlier stage, before the expulsion is actually voted on. That way we know what chapters are recommending when they expel a member locally, and chapters know when they expel someone, that there should also be a recommendation regarding National membership. While there was an amendment to Resolution 33 with language that made chapter expulsions non-reviewable, the NPC voted in December 2021 to continue its review to ensure that members did not replicate harm elsewhere in DSA, and that chapters were following principles of procedural fairness when expelling members.

The National office continues to maintain a list of members who have been expelled, whether under Res. 33 or the expulsion procedure, as well as those who resign without facing consequences, so that all concerned are in agreement as to an individual's membership status, especially if it is believed a particular member's continued participation presents the risk of harm to others within DSA. To alleviate concerns that people are getting back in and causing harm, we have a “do not fly” list, and continue our work to ensure that chapters and the National office have consistent membership rolls and a shared understanding regarding someone’s grievance status and any consequences attached to its resolution. We also have been training HGOs and chapter leaders about the new Resolution 33 amendments so that they better understand what procedures to follow when they expel a member.
Question 11: Of the non-Res.33 grievances that resulted in expulsion, how many were referred to National for a National Expulsion via contacting the NHGO or via other means?

**Commentary:**

*Total number: 1 non-Resolution 33 grievance was referred for national expulsion, down from 6 in 2020-21.*

We have consolidated Res.33 and non Res.33 grievances at the National level, following the same appeals process, so this question is no longer relevant.
Question 12: Of the inquiries or requests to file a grievance (whether Res. 33 or not) how many were resolved without the filing of a formal grievance?

Commentary:

Total number: 42 inquiries were resolved without a formal grievance, down from 63 the prior year.

It is positive to see so many situations resolved without a formal grievance, even with an increase in inquiries, which indicates more awareness of the grievance program overall. (Even though the numbers are lower, that correlates with a lower number of responses overall.) The goal is to create a climate where it is perceived as safe to report conduct issues, but also where HGOs work with members to resolve conflict without always going through the formal grievance process. These numbers are consistent with that goal.

The steps built within the grievance process to ensure a full HGO investigation and a fair, unbiased consideration of the party’s complaint can also be time-consuming and impact a chapter’s operations while they are pending, as well as prevent the parties from full participation in chapter activities while the determination is being made. This demonstrates to me that chapters are working in good faith to resolve relatively minor complaints without the formality of the process, and educating their members about when it is appropriate to use the grievance process vs. working out their conflict some other way.

Some chapters have also created ombuds or mediation teams to sort out conflicts which do not require a formal process. Sometimes, when particularly abrasive/adversarial individuals are asked to file a formal grievance and/or advised about DSA’s grievance process, they decide to move on of their own accord, which is also healthy for DSA’s culture.

Members should understand that in an ideal, healthy organizational culture, complaints of inappropriate behavior will be listened to, taken seriously, and thoroughly investigated, but there will also be a sorting process where the full machinery of the grievance process is reserved for the situations with the most egregious behavior and/or the greatest amount of conflict.
Question 13: As of June 30, 2021, how many Res. 33 grievances were pending/unresolved? (defined as not having had your leadership body vote yet)

Commentary:

*Total number: 9 grievances were unresolved, compared to 4 in 2020-2021.*

Given when the reporting period falls, there are usually unresolved grievances, but since that number has held steady over time, there is no sign of a significant backlog and/or an expected deluge in this reporting period.
Question 14: As of June 30, 2021, how many NON Res. 33 grievances (based only on code of conduct/chapter by-laws) were pending/unresolved? (defined as not having had your leadership body vote yet)

Commentary:

Total number: 6 non-Resolution 33 cases were unresolved, compared to 7 in 2020-21.

Similar to the prior question, given when the reporting period falls, there often remains unresolved grievances, but as that number has held relatively steady, there is no sign of a significant backlog and/or an expected deluge in this reporting period.
Optional Information About HGOs

How many HGOs does your chapter have?

![Chart showing distribution of HGO counts]

Other answers:
- we had two and now we have none
- No current HGOs, so EC members are temporarily serving in our "Comrades at Large" (HGO) roles.

Is the number of HGOs in your chapter:

![Chart showing distribution of HGO counts]

Commentary:

Based on chapters that filled out the form, half of the chapters with HGOs have at least the required minimum, two HGOs, with about 75% having at least one. Some even recognize that the workload necessitates more than the minimum. However, around 22% reporting do not have HGOs. Our continued focus will be on helping chapters without HGOs identify, select and train them, and in giving additional support to HGOs with time-consuming grievances or particularly difficult conflicts. The creation of the HGO database, and the work of Dana Martinez-Ocker (Chapter Pipeline Coordinator, National DSA Staff) has made it easier to identify which chapters lack HGOs, particularly those required to have them, enabling more outreach.
We still find that because grievances typically involve significant conflict, the HGOs’ work can be very stressful, and may become very politicized. Those who embrace HGO work need considerable support, especially in the initial phases of grievance program implementation where there are few “routine” grievances. **We continue to provide that extensive support on a customized basis through technical assistance calls and emails.**

### Are your HGOs Elected or Selected?

![Pie chart showing the distribution of responses](image)

#### Options provided were:

- They are part of our annual officer elections.
- They are selected by the chapter leadership (Steering/Executive/Coordinating Committee)
- I don't know/selected some other way

#### Other responses were:

- Appointed by steering committee but s...
- 2 elected, 3 appointed by steering co...
- Appointed by membership at general...
- asked for volunteers, then sc asks spe...
- HGOs are voluntary positions that can...
- Combination of nomination and vetting by the grievance committee first, then...
- previously elected when we had more...
- asked for volunteers and no takers
- usually elected but often end up appoi...
- NA
- nominated by general body and are a...
- Selected by steering and ratified by th...
Commentary:

Based upon my experience when first starting as NHGO, gathering information about this would inform whether I would recommend that a specific requirement be added to Resolution 33, which currently requires chapters to develop a process for having HGOs, but is agnostic as to whether they should be selected or elected. This result is still fairly evenly divided, with around 40% electing their HGOs and 60% selecting them or having them volunteer.

I am still not aware of any situation where an HGO has been voted out due to an unpopular recommendation, or voted in due to their loyalty to individuals which would compromise their integrity in dealing with grievances (although we are aware of situations where those outcomes have been threatened.) There have been a not insignificant number of situations where HGOs have resigned over the level of stress caused by handling a particular grievance and/or blowback over their role. Obviously all of these situations continue to present a possibility that HGO selection could become politicized according to prevailing chapter politics and/or factions.

As this number has remained steady over time, and the process of becoming an HGO has not become as politicized as I originally feared, I am not recommending any changes to the selection method at this time.
Commentary:

Resolution 33 requires chapters to develop terms of office for HGOs, but doesn’t dictate what they are. A majority have defaulted to the same term length as other officers, whether one year or otherwise. While it is important to develop term limits, it also takes some time for HGOs to be trained and get up to speed. If, for example, the term of office is a year, but there were no pending grievances, and they were not able to attend a training until their term was nearly complete, then the term limit would be counterproductive in that instance. Now having been in the NHGO position for nearly five years, I am now starting to see considerable turnover among people who were initially trained in 2019, but they have also been a valuable resource to new HGOs as they transition. If someone remains in the position for an extended period, it usually means they haven’t found serving in the position to be so onerous or stressful that they choose to leave, not that their extended service has been problematic in some way.

It helps to strike a balance between accountability to the membership and not having someone in office indefinitely, and the value of having someone in the role for long enough that they can be trained and develop experience from going through the process at least once. Over time, it is hoped that HGOs can be a stabilizing influence on chapter culture and help educate the entire active membership as to appropriate conduct within the organization.

Since this still does not rise to the level of something that requires national-level consistency, nor have there been serious problems with a particular approach, I am not making a specific recommendation at this time about the length of a chapter HGO term, and chose not to include this in my recommendations for the NPC-proposed amendments for 2021.
It appears that a clear and increasing majority of HGOs (77%, up from 72%) do not serve on the chapter's leadership body, and some of the comments received indicated that would not be appropriate. Based upon my experience with particular grievance situations, I have previously recommended that we specifically advise chapters to NOT have HGOs serve on the chapter leadership body.

However, it hasn’t continued to pose a significant problem in grievances. It may also pose a hardship for chapters of fewer than 100 members who are attempting to comply with Res. 33, even though not officially required to, since they may not have enough individuals willing to assume leadership roles.

I continue to see it as properly aspirational, something chapters should be working towards, rather than a strict requirement (and it seems like that is happening anyway). If required, there would need to be a phase-out period, so that additional HGO candidates can be identified, and elected in their next chapter elections.
How many HGOs in your chapter have gone through training provided by National, including the March 2021 HGO training, the precon trainings in the spring or at the August 2021 Convention? (You may also include training offered after the end date of this report, later in 2022.)

Total number: 64 HGOs have gone through training provided by National DSA, down slightly from 68 last year. Only 29.7% of responding chapters have no trained HGOs, compared to 61.2% the prior year. 23.5% have multiple trained HGOs, compared to 3% the prior year.

Based upon asking training participants to sign in, and doing a head count at each training, the actual number of HGOs who have been trained is around 325 total (although some may no longer be HGOs). This included not just chapter HGOs but also officers and other interested members, especially from chapters who had not yet gotten their grievance program off the ground. It also included some former HGOs who are now chapter leaders.

Having more frequent trainings in 2022 has had a significant impact, both in terms of numbers of trained HGOs, and in creating awareness and expectation that HGOs should be trained.

Previously, more training was done in odd years in conjunction with the Convention. However, following the 2021 Convention, we moved to a program of year-round training, which resulted in monthly training offerings starting in January 2022, alternating between conflict management and HGO trainings. The increased amount of one-on-one, chapter-specific technical assistance has also reinforced and strengthened what is learned in a more generic training, akin to having a personal tutor instead of learning from a teacher in a class with 20 or 30 people.

In working with Dana, DSA's staff Chapter Pipeline Coordinator, and in developing an HGO database, we have enhanced capacity to reach out to HGOs and chapter leaders and help ensure new HGOs have a seamless transition into their role by starting with our basic training. We want chapter leaders and HGOs to be proactive, so that training is not conducted simultaneously with a live grievance, but in advance so they know what to do when a conflict in the chapter arises and are prepared to quickly and appropriately respond.
If none of your HGOs have gone through training, why not? (Select the answer that best fits.)

- 23.7% No training has been offered since we...
- 13.2% We were unable to attend an in-person...
- 13.2% We have used the materials on the D…
- 10.5% We were trained by another organization…
- 10.5% We plan to be trained at the next oppo…
- 10.5% We haven’t had a grievance yet to han…
- 10.5% I have attended the training but I don’t…
- 10.5% Our HGO went but has since reigned

Other responses:
- Our HGO is a licensed attorney
- I believe the reason for the second H…
- I have been trained
- People are refusing training and accou…
- Other HGO was not available for the n…
- Currently, no one officially serving in t…
- No HGOs

The most common responses indicate that HGOs haven’t yet had the opportunity to attend the trainings that are offered, or that there hasn’t been one offered since they were elected. At this time we are offering virtual trainings monthly. Some of the feedback that has been incorporated into the trainings we offer include:

One, a significant expansion of the training period from an hour or 90 minutes to 150 minutes (2 ½ hours), which includes significant time for role plays and incorporating the lessons of the training. While this wasn’t possible in conjunction with the Pre-Con and Convention-associated trainings with fixed time slots, the stand-alone virtual trainings make this possible.

Two, increasing the training frequency to monthly offers more opportunities for HGOs and chapters leaders to be trained proactively, before a conflict arises, than only when there’s a grievance or significant conflict. It also makes it less likely an HGO will receive a grievance and potentially mishandle it due to insufficient training.

Three, including small group role plays give the HGOs to interact and get to know each other better, and the extended time slot allows for more time for questions and participation during the training, rather than needing to cover a wide range of material in a very limited time slot.
Four, the HGO trainings include a focus on investigation techniques, so that HGOs are prepared for and understand how to ensure a thorough and procedurally fair investigation. This aspect of training is based upon my and Ana’s experience and credentials as trained investigators: I have a credential from the Association of Workplace Investigators, while Ana has been trained by the Equal Employment Opportunity Commission.

Five, the role plays are based upon real chapter conflicts that reflect the kind of conflict and grievances HGOs and chapter leaders will be faced with. This makes the practice very valuable, and allows participants to ask questions of Ana and me that inform both how they process grievances and also to inform future trainings, including the advanced trainings planned for 2023.

Six, as maintaining confidentiality and minimizing retaliation throughout the grievance process is critical to ensuring that HGOs and chapter leaders do not exacerbate the conflict during the grievance process, that is a focus on the updated training after the 2021 Amendments. The chapters who are preserving confidentiality and being mindful of retaliation seem to have much better outcomes, handling grievances faster and with less disruptive drama.

Preserving confidentiality and relying on technical assistance from trained individuals are considered best practices in the field of survivor-centered and trauma-informed responses. It makes it less likely the survivor will be forced to relive the harm they suffered over and over in the chapter and local community. It also communicates to other survivors that if they choose to step forward to report misconduct that matters they wish to keep private will be handled sensitively and without retaliation. The NHGO team continues to promote that approach and advise chapter leaders accordingly.
Have any HGOs in your chapter gone through restorative justice training by an external service provider in your community?

- Yes: 67.1%
- No: 22.9%
- Not HGOs, but other chapter members/leaders have: 8.6%
- No, but we have used restorative justice service providers in our community for DSA conflicts: 0%

Have any HGOs in your chapter gone through mediation training by an external service provider in your community?

- Yes: 68.6%
- No: 22.9%
- Not HGOs, but other chapter members/leaders have: 8.6%
- No, but we have used mediation service providers in our community for DSA conflicts: 0%

These two questions were asked last year for the first time, given the interest in restorative justice and mediation being used either as a grievance outcome or in lieu of going through the formal grievance process. Res. 33 was amended in 2021 to officially recognize these potential resolutions to grievances and to allow chapters to utilize those approaches when appropriate. While the numbers are slightly higher in this reporting period, they have remained consistent.

The National Grievance Program offers restorative justice and mediation services as a cost free alternative to community services for which chapters must spend their own funds. These services, included in the current NHGO contract, are primarily provided by Ana Avendaño. With approximately one third of chapters reporting leaders with restorative justice and mediation training, this is a promising avenue for conflict resolution. However, with increased use of these approaches, we still must ensure that members aren’t discouraged from using the grievance process at all or feel coerced into using these approaches when they want an adjudication of their grievances: concerns reflected in the Res. 33 amendments. Now that the new provisions are part of Resolution 33, we will continue to monitor how these approaches were used to ensure that situations resolved without filing a formal grievance were appropriately handled.
Have any of your HGOs ever had a listening session/meeting with and/or requested assistance from Paula, the National Harassment Grievance Officer, or Ana, who works with Paula?

One best practice that has been a hallmark of the grievance program since the very beginning is the availability of Paula, and now Ana, for technical assistance Zoom/phone calls for HGOs and chapter leaders with a particular need for support in their chapter. These calls are typically initiated by HGOs and chapter leaders, or referred from the Field Organizers.

According to these numbers, around 40% of respondents have worked with Paula and Ana, while around 55% have not needed to consult with us. Only one response indicated that they didn’t know that they could reach out. I will have final numbers below, but estimate I have averaged at least three sessions weekly in 21-22. Some weeks I have as many as five, with several per day. I also estimate approximately 7-10 technical assistance email exchanges weekly, not counting appeals as part of my regular workload.

Often these calls and emails head off what could have been a major misstep jeopardizing the grievance outcome or even raising legal liability for the organization. Sometimes the HGOs/chapter leaders have figured out an approach, often but not always through reviewing the written guidance on the national DSA website or lessons learned through trainings, yet they seek validation that it is the correct one. Some cases required significant follow through including subsequent conversations; others were quickly resolved in a single call. What all have in common is that they are a way for HGOs and chapter leaders to get customized confidential advice tailored to their situation, and a survivor-focused, trauma-informed perspective on harassment and other conduct.

Ana and I will continue to encourage those with concerns about how grievances have been or should be handled to contact us for assistance. Many concerns about the grievance program’s effectiveness can also be quickly clarified and resolved once they are brought to our attention. Specific feedback on working with Ana and I will be provided confidentially to the NPC as part of their evaluation of the grievance program’s effectiveness.
(Optional) Information on Grievance/Conflict Resolution

Aside from HGOs (Harassment Grievance Officers), do you have any other position in the chapter who plays a specific role regarding conflict resolution (aside from leaders stepping in)? (like an Ombudsperson, Comrade-at-Large, Mediation Team, etc.)

Other Responses:
- We are starting this
- We have been developing this
- Yes, but I believe it is yet to be finalized.

Has conflict in your chapter increased in the 2021-2022 reporting period from the prior year?

When asked previously, these questions informed our work to develop a National Code of Conduct, which passed in September 2020, and the August 2021 Res. 33 amendments which require chapters to adopt a Code of Conduct. Chapters who have drafted their own codes of conduct, community agreements, and other chapter norms will be able to continue their use of those documents, and teams or leaders who focus on these processes to the extent they provide greater protections for members. However, chapters who are experiencing conflict over
conduct that doesn’t fit under Resolution 33 will have this as part of their toolbox to manage and adjudicate conflict and non-Resolution 33 grievances.

It is also noteworthy that so many chapters (70.5%) report either no significant change in the level of conflict or that there was less conflict in the reporting period. Some of the increased conflict which arose around the grievance program itself happened in August 2021, after the end of the last reporting period. While we anticipated that this might increase the numbers, the conflict surrounding the grievance program nationally does not seem to have spilled over into the chapters.
Has conflict in your chapter been affected by the pandemic?

Over the last couple of years, I had anecdotally observed a significant rise in conflict that appeared to be pandemic related, and thus wanted to ask chapters what their experience had been, since only the worst situations make their way to the NHGO. In the 19-20 reporting period after the pandemic started in March 2020, 39% said yes or maybe, while the rest, a majority, said either no or that there was less conflict. In 20-21 with the pandemic part of the entire reporting period, 48% said yes/maybe, with 52% reporting either less conflict/no change. For this reporting period, the answers were fairly evenly split, between 52% yes/maybe and 48% no/less.

The pandemic has impacted some members who personally experienced COVID-related stress, due to loss of employment, caregiving or remote schooling responsibilities, or themselves contracting the coronavirus. Most chapters moved to virtual meetings early on, but now many if not most have resumed regularly meeting in person. Some conflict could be attributable to the communications challenges of only communicating online and/or via Zoom, rather than in person.

While the pandemic has had an impact on chapter conflict, at this time it does not appear to have an outsized impact.
Has conflict in your chapter increased online, either in social media, or via chapter communication channels such as Slack?

This question was asked for the first time this year, due to significant rise in conflict that plays out either primarily or exclusively in electronic communication channels. Part of this was pandemic related, with one response to the previous question indicating the pandemic affected the way conflict emerged, with an increase over Discord (that chapter’s internal communications channel.) Other observations are that “online interaction tends to get nasty quicker,” and that “people…tend to escalate arguments/disagreements more than in person.” And more generally, one response indicated “people are abusing power over communication channels.”

In 2022, the NPC created a protocol for addressing potentially harmful social media posts, and created the Social Media Grievance Committee, who will determine whether electronic posts violate Res.33 or Codes of Conduct. This committee started meeting in April 2023. It will take some time to ascertain whether this will over time reduce the amount of harmful posts and moderate the vitriol that can be directed at other comrades online, internally or publicly.
Has any of the conflict in your chapter been focused on racial justice issues?

The 2020 protests in many communities throughout the United States in response to the murder of George Floyd and the Movement for Black Lives’ organizing efforts captured national attention. Given the demographics of DSA, and some individual grievances that we knew about, we wanted to survey HGOs to determine whether what was happening nationally had an impact in chapters. We added this question to the 2019-20 survey for the first time, and it remains in the survey two years later.

This year, approximately \( \frac{1}{4} \) (24.7\%) answered yes or maybe to the question whether there was conflict related to racial justice, while in 20-21, approximately one-third of those responding answered yes or maybe to the question. Three-quarters (75.3\%) this year said there was no change or less conflict, compared to last year, 67\% said there was no change. This matches the 19-20 results, right after the protests themselves started, when over one-quarter of those responding answered yes or maybe to the question about whether there was more conflict related to racial justice issues, while the rest, nearly 75\% said there was either no change or less conflict.

In 2021, a training on racial justice issues was developed and approved by the NPC, and later delivered to the Political Education Committee. This training by Ana Avendaño was delivered to a chapter upon request with particular conflict related to racial justice, and will continue to be used as a resource when needed. Ana and I have also worked with chapters where race issues were a component of the conflict, and have also addressed scenarios involving race in the conflict resolution training.
Have you had issues with keeping matters related to the grievance process confidential? (Check all that apply.)

Answer Choices (cut off above):

- Yes, one or both parties have violated confidentiality during the process.
- Yes, supporters of one or both parties have violated confidentiality during the process.
- Yes, HGOs have violated confidentiality during the process.
- Yes, chapter leadership has violated confidentiality during the process.
- Yes, the matter was not confidential outside DSA, which made managing it inside DSA more difficult.
- No, we have not had significant issues related to confidentiality.
- No, we did not have a grievance during this time period.
(The choices do not add up to 100%, with multiple responses allowed):

The NHGOs have been involved in a number of cases where the confidentiality of the Resolution 33 process was violated, with the breaching parties divided between parties, supporters, and outsiders (consistent with the NHGO’s experience). This informed confidentiality-related amendments to Res. 33 which passed at the 2021 Convention.

We are very pleased to see a significant drop in situations where confidentiality presented an issue. The number of incidents where one or multiple problems existed decreased from 19 to 12 this reporting period.

**We continue to work with HGOs and parties to ensure that they keep the grievance process confidential, and work to limit confrontation and escalation of conflict while the grievance is still pending.** It remains a struggle when conduct is brought to DSA from outside the organization, where either the individuals are not aware of or are not beholden to DSA’s process, and/or believe the best way to proceed is via a public confrontation or “call out,” or shaming via social media. DSA members often feel the need to “inform” the chapter publicly. Also, some members of DSA continue to use “trial by Twitter” to inflame the conflict either prior to or during the grievance process.

However, our experience over the last three years has only reinforced our view of best practices that handling these matters confidentially is less harmful to the reporting party/survivor, encourages future reporting, leads to a less adversarial response from the accused party, better facilitates restorative justice and mediation, and is less harmful and disruptive to the chapter’s operations. Now that approach is required under Resolution 33, and we will continue to work with chapters to reinforce those expectations through training and technical assistance.
Have you had issues with retaliation related to the grievance process? (Check all that apply.) (Retaliation is further defined in recent amendments to Resolution 33, linked above).

| Yes, one or both parties have engaged in retaliation during the process. | 4 (5.3%) |
| Yes, supporters of one or both parties have engaged in retaliation during the process. | 1 (1.3%) |
| Yes, HGOs have engaged in retaliation related to the grievance process. | 1 (1.3%) |
| Yes, chapter leadership has engaged in retaliation. | 2 (2.6%) |
| Yes, there was retaliation in the community outside DSA, which made managing it inside DSA more difficult. | 1 (1.3%) |
| No, we have not had significant issues related to retaliation. | 28 (36.8%) |
| No, we did not have a grievance during this time period. | 49 (64.5%) |

Answer Choices (cut off above):

Have you had issues with retaliation related to the grievance process? (Check all that apply.) (Retaliation is further defined in recent amendments to Resolution 33, linked above).

- [ ] Yes, one or both parties have engaged in retaliation during the process.
- [ ] Yes, supporters of one or both parties have engaged in retaliation during the process.
- [ ] Yes, HGOs have engaged in retaliation during the process.
- [ ] Yes, chapter leadership has engaged in retaliation.
- [ ] Yes, there was retaliation in the community outside DSA, which made managing it inside DSA more difficult.
- [ ] No, we have not had significant issues related to retaliation.
- [ ] No, we did not have a grievance during this time period.
This question was asked being asked for the first time in the last reporting period, to establish a baseline for future annual surveys. In 2021, amendments to Res. 33 clarified in more detail what constitutes retaliation, as we had observed instances where individuals did not know that the conduct in which they engaged was retaliatory. The original provision banning retaliation uses legalistic language pulled from workplace discrimination laws, while the amendments cover forms of retaliation which have I have identified as problematic in grievance matters based on several years and hundreds of cases.

Like the answer to the previous question, in absolute numbers we are pleased to see a significant drop in situations where retaliation presented an issue. The number of incidents where one or multiple problems existed decreased from 17 to 9 this reporting period.

We continue to work with HGOs and parties to ensure that they keep the grievance process free from additional retaliation, and work to limit confrontation and escalation of conflict while the grievance is still pending. Now that approach is required under Resolution 33, and we will continue to work with chapters to reinforce those expectations through training and technical assistance.
My chapter has a Code of Conduct that covers member conduct in addition to Resolution 33 anti-harassment provisions.

My chapter has an Online Code of Conduct that covers member conduct in online spaces such as the chapter Slack, posting on social media accounts, etc.

These questions were asked for the first time in the last reporting period to help us measure compliance with the new amendments to Resolution 33, which require chapters to have Codes of Conduct which cover both physical and online spaces. Chapters with codes uploaded that information so that the NHGOs and Dana, the chapter pipeline coordinator, can track whether chapters have codes or need more guidance in implementing them. With around 40% having a code of conduct, and nearly a third having an online code of conduct, we know what our starting
point is, and we will continue to work with established and new chapters to ensure these codes get added to chapter bylaws and implemented as new chapter norms.

We are very pleased to report a significant jump in the number of chapters who have codes of conduct, whether chapters adopted the National Code of Conduct or created their own. While last year, 61.4% said they had no codes of conduct at all (or didn't know whether they did), this year, only 34.1% responded that way. The number of chapters who adopted the National Code of Conduct for Members increased from 14.9% to 34.1%. In one reporting period, we have gone from a significant majority not having codes of conduct to a significant majoring having codes of conduct, which demonstrates a clear benefit of enacting this specific Res.33 amendment.

Anecdotally speaking, it has clarified things for chapter HGOs who weren’t sure if they could entertain grievances over harmful conduct that was not covered by Res.33, or what process they should use when there was a mixture of Res.33 and non-Res.33 conduct.

By increased adoption of the National Code of Conduct for Members, we have also increased the number of chapters with codes that apply to online conduct, to 42.5%, up from 31%. (I suspect the number may be greater, as some may not have realized the National Code’s coverage and may be included in the “I don’t know” category.)
My chapter has community or meeting guidelines that apply to general meetings/committee meetings/leadership meetings, such as progressive stack, pronoun usage, accessibility accommodations, etc.

For this reporting period, while we were discussing and analyzing codes of conduct, we also decided to include this question for the first time, as we observed many chapters had community agreements or other values statements to applied to meetings, even if they did not have codes of conduct already in their by-laws.

It appears that most chapters have these guidelines, with only 14.6% answering No or I don’t know. As more chapters incorporate codes of conduct, it will be interesting to observe whether chapters continue to use these separate agreements, or fold them into their codes of conduct. From the ones that we have observed, they tend to be focused on meetings, whether in person or online, and may go into more detail than a code which is incorporated into a formal policy or chapter bylaws. They may also be more informal and aspirational, to accompany the prohibitions which may be contained in the code.
Part II: Status Report on the NHGO’s Work:

Each annual report includes a status report by NHGO Paula Brantner that is submitted to the NPC as part of regular updates on the processes and operations of grievance matters and appeals. The NHGO continues to submit reports in conjunction with quarterly meetings or as otherwise requested to the NPC. While part of these reports are intended to be confidential, this portion of the report includes non-confidential portions that can be released to the membership.

My NPC reports are typically focused on the current state of grievance matters, but with nearly five years worth of progress, I continue to identify important “big picture” next steps so that we continually make process in changing DSA’s culture to comply with the intent and values expressed by Resolution 33 (Res 33) from the 2017 convention and recent 2021 amendments.

One of the most important (if not the most important) parts of my work is to build capacity at the chapter level by providing technical assistance to advise chapters so that they may learn by doing, in addition to the trainings I have conducted. The technical assistance is tailored to a specific chapter’s situation in a way the training can never be. The longer I have been in the organization, the more that this has become a significant part of my work, as I have built visibility, awareness, and trust through my work.

In my experience, this work still flies mostly under the radar. When done correctly my assistance to chapters helps them head off conflicts that will either not result in an appeal, or will make the appeal outcome significantly less complicated because the chapter complies with Res.33 and uses best practices in handling the matter. It is much harder to prove a negative, particularly when the resulting lack of conflict is invisible outside the chapter, or even to many individuals within the chapter.

But by handling matters confidentially between us and helping HGOs and chapter leaders navigate that at the chapter level, we have minimized harmful conflict and behavior which can not only harm the survivor but also other individuals who may be deterred from reporting other grievances and damage the chapter’s reputation and effectiveness. Visible, public conflict can also significantly harm DSA’s reputation in the community, and hurt the entire DSA organization, given that from the outside, people may not distinguish between a conflict or controversy in a particular chapter and that of the National organization.

As discussed in more detail below, setting aside the chapters with appeals and extraordinary circumstances, which typically involve multiple calls with HGOs and chapter leaders, I fielded 61 requests for technical assistance in the basic and intermediate grievance related categories, plus the chapter technical assistance category, which involves questions about the process itself not related to an individual grievance.

Another key part of my work is handling appeals of chapter level decisions under Res 33 and carrying out decisions of the NPC based on my recommendations. We set up the appeals
process in April 2019, and then have steadily moved through appeals cases each year. The 2019 - 2021 NPC heard several grievances in advance of the 2021 Convention, in order to “clear the deck” for the new NPC elected at the Convention. With no grievances carrying over to the new 2021-23 NPC, and due to the timing of an independent investigation of the grievance program, as discussed in more detail below, there were no appeals brought to the NPC in this reporting period, but resumed shortly thereafter in July 2022.

In Convention years, I am asked to assist the Elections and Credentials Subcommittee of the Convention Committee in facilitating credentials determinations based upon grievance matters. Following the August 2021 Convention, there was none of this work during this grievance period.

Starting in August 2019, Ana Avendaño has been part of the NHGO team, and has continued to be an essential partner in our work, handling a major chapter investigation and multiple grievance reports where the reporting party has reported sexual assault, sexual violence, and/or emotional abuse. She has also conducted mediations where appropriate, and facilitates our New Masculinities program.

When I was hired in June 2018, I was advised about the importance of closely following Res 33’s language in setting up the grievance program, and of course that is important so that everyone understands the policy and the consequences for violating it. I was not involved in the drafting of Res. 33. I thus inherited a harassment policy with clear intent about the values it sought to instill among DSA members, and considerable evidence of a need for the policy.

Yet there were critical gaps that needed to be filled before the grievance policy could even be considered operational, much less effective at curbing harassment. I frequently am called upon to use my best judgment, based upon 30 years of work in this field, as to what is workable, and to make recommendations to HGOs, chapter leaders and to the former NPC. Over time, we continue to build out the grievance program and establish precedents for handling particular issues that were incorporated into advising HGOs, added into trainings, coordinated with DSA National staff and guided consistent recommendations to the NPC for resolving complex grievance situations.

In 2021, there was the opportunity to amend Res. 33 substantially to address four previously identified concerns:

- Confidentiality breaches surrounding the grievance process
- Retaliation against individuals involved in the grievance process
- Distinguishing Res.33 (harassment) from non-Res.33 grievances, brought under chapter bylaws or codes of conduct
- Integrating National and Chapter Codes of Conduct with Resolution 33
Here are the most persistent issues the NPC will need to understand and address in 2023 and beyond, and steps that we are currently taking to address them:

**Social Media:**

In July 2022, which was following the compliance period, I submitted the following report to the NPC concerning an alarming rise of potential grievance matters which implicated social media posts in all or some of the harmful conduct reported. In [date], the measure was passed, and in [date] the committee was appointed. The committee first met in April 2023, due to scheduling conflicts prior to that time, and is now processing social media reports under this policy.

**Description of the Problem:**

During my tenure as the National Harassment Grievance Officer, I have observed a consistent rise in the number of social media posts that implicate Resolution 33 and other DSA policies designed to govern how DSA members treat each other. There are posts that are not governed by Resolution 33 because they do not appear to be on the basis of the individual characteristics/protected classes outlined in Resolution 33 (gender/race/sexual orientation/gender identity/disability etc.) but which reflect interpersonal disputes, political disputes, or abuses of power by leadership.

The national Code of Conduct for members was developed, in part, to address social media posts that don’t rise to the level of Resolution 33 violations, but that are nonetheless concerning, and which cause harm. Chapters and National by-laws have policies that prohibit “undemocratic, disruptive behavior,” or behavior that is “inconsistent with the values of DSA” or other similar language, but until recently, those provisions have not been used to determine consequences such as suspension or expulsion. The NPC has also developed [guidelines for social media use by committees and working groups](#), which were implicated in the recent conflict with the BDS working group and actions taken against working group leaders.

The policies already in existence and those which have been developed over the last several years correlate to a rising problem within DSA where members primarily or exclusively use social media to wage battles and escalate conflicts. This rise is attributable to several factors that I have observed during my tenure:

- An increase in online interaction due to the pandemic and more widespread adoption of social media in general
- The rise in “callout” culture, which can cause catastrophic harm if not part of a larger process to result in accountability, and is instead allowed to fester interminably
- With the inability to meet face to face, there is a significant reduction in in-person organizing work which builds personal relationships and community, and discourages open face-to-face hostility
- Mental health challenges which were exacerbated by the pandemic’s forced isolation,
with a resulting increase in anxiety and depression, and a stressful impact on
financial status, family and personal relationships
- The use of communication tools such as Slack and online forums which document
hostility and conflict, and may lead to its escalation if not consistently and fairly
moderated.
- Escalating conflicts from outside DSA which play out online to individually target
DSA members or chapters
- The significant growth in DSA which has resulted in a number of members who
may not have the same investment in building long-term stability within DSA
chapters, or the same familiarity with DSA's historic norms or generally agreed
upon political ideas
- Dating/romantic/sexual relationships with conflict or breakups that now play out
publicly instead of privately between the parties and involve friendship networks
- The presence of and an increase in hostilities between caucuses, and within caucuses
about values, strategies, and the best way to establish priorities and wield power within
DSA.

Simply put, extreme conflicts now play out online, publicly visible for those in DSA and those
observing the organization and its members worldwide to see. These conflicts cause harm in a
number of ways, including:

- Bullying and shaming, victim blaming efforts designed to wound and cause trauma
- Destroying personal relationships between partners, friends, and family members
- Destroying organizing relationships, personal and organizational
- A serious impact on morale and motivation which impacts other DSA organizing
- Resignations and their impact on recruiting new members, resulting in a financial and
resource loss for DSA
- Impacting the DSA chapter’s relationship in the local community and its ability to
grow and thrive, or causing all of the chapter’s time and energy to be spent
managing conflict
- Impairing DSA's reputation with other organizations, elected officials and candidates,
and others outside the organization considering whether to ally or partner with DSA

Specific Problems Identified by the Independent Investigation Report:

In the report by outside independent investigator Melissa Woods recently released to the NPC,
Ms. Woods identified the use of social media as contributing to and escalating conflict in
several harmful ways:

- First, the text of the communication may violate the grievance process by targeting an
individual based on a protected characteristic, “creating a hostile environment interfering
with an individual’s capacity to organize within DSA,” or retaliating against someone who
filed a complaint or participated in an investigation.

- Second, social media appears to exacerbate DSA members’ lack of discipline and
accountability. Many DSA members post messages on social media that violate Resolution 33 and/or the Code of Conduct because they are bullying, name calling based on protected characteristics, violent or simply disrespectful and irrelevant to DSA’s political work.

- Third, attacking a complainant on social media may send a threatening message dissuading individuals from using the grievance process. Interviewees shared their perception that bullies use public attacks to intimidate and exhaust complainants and delegitimize the grievance process when members “don’t get their way.” Interviewees shared this is especially problematic when the accused are influential leaders “directly responsible for the narcissistic culture and practices” that allow misconduct to exist without accountability.

- Fourth, social media communications may reveal confidential information.

Consistent with what has been described above, I have personally observed all four of these specific concerns during my tenure, and many of the proposed resolutions of grievance appeals that I make to the NPC highlight these actions on social media as violations which have caused harm.

These considerations were also used in shaping my draft recommendations which were presented to the NPC, and ultimately passed as Resolution 33 amendments at the 2021 National Convention, specifically addressing confidentiality, retaliation, and the adoption of codes of conduct to cover social media posts and online spaces.

**Challenges and Limitations:**

At this point, there are multiple underlying policies that would permit taking action against DSA members who engage in harmful conduct on social media, but the question remains about the most feasible way to do so.

As to Resolution 33 or Code of Conduct matters, chapters are expected to play a leading role in addressing the conflict through HGOs handling a grievance, or HGOs or chapter leaders employing other conflict management models. However, one identified and significant gap is that there is no obvious place to vest that responsibility when the posts involve individuals from different chapters, with conflict arising from existing interpersonal relationships, organizing within other DSA spaces such as caucuses, working groups or committees, or where the conflict arises solely from the members knowing each other and interacting only through social media.

Some platforms are within DSA space, such as the DSA member forums, and are therefore subject to the terms and conditions of use and post moderation which create accountability.

Moderators can delete posts and remove members temporarily or permanently (although this should warrant a process and be reserved for the most serious offenses and/or repeat
offenders). Chapters also moderate internal communication channels such as Slack, and have taken action within the chapter, either in the capacity of moderators, or in a grievance process that includes removing the member from social media access.

However, posts that are not within the control of DSA present more significant challenges. Rarely do posts rise to the level where the platform itself will take action, as can be seen by the ongoing battle between Twitter and the former president; however, catastrophic harm can result long before an external social media platform will itself take action to ban a member.

Even if a member is banned or called out, they can always create shadow accounts or operate within private groups or direct messages. Even when someone limits post access to their friends or followers, if that group all or mostly is comprised of DSA members and community members who are “DSA-adjacent,” those posts can do a significant amount of organization-wide damage, as we saw in the conflict between [two individuals] discussed in the report.

It is important to keep in mind, however, that in spaces not controlled by DSA, social media participation is completely voluntary. There are a significant number of DSA members who are able to actively and productively participate in the organization who do not use social media at all, or who participate only a minimal amount, if at all, in the most problematic and divisive discussions. Chapters and other DSA entities appoint social media coordinators where certain individuals can handle the bulk of responsibilities needed for successful organizing using official accounts, so that not everyone needs to be involved via social media for the work to be successfully accomplished.

At some level, the best solutions lie on a personal level, whether it is blocking certain individuals, not participating in certain threads, or not engaging certain members whose communications often escalate to unacceptable levels, whether due to interpersonal, political, or organizational conflict. A certain number of conflicts could either die out on their own accord or have their harm significantly limited if people who recognize a conflict is escalating to an unacceptable level simply refuse to engage or block those with whom they have a history of conflict or unproductive interactions.

That is particularly important among individuals who are in positions of leadership, who can model good behavior on social media as part of demonstrating sound, politically mature leadership appropriate for elected representatives of DSA. This also can prevent what may be an interpersonal or political dispute from escalating chapter-wide, and becoming a referendum on the chapter’s current leadership.

Ultimately, even if DSA were to fund one or more positions or recruit certain individuals solely devoted to addressing social media conflict (and as Ms. Woods astutely pointed out, “who would take that job?”), there is simply no way to stamp out all conflicts and posts which violate DSA policies on platforms not under DSA control. Any proposed solutions should take that into account.

However, that does not mean that we should not make an effort, nor that this is not one of the
most important challenges that DSA currently faces. We cannot just throw up our hands and consider its negative impact inevitable. Therefore, I make the following proposal, as requested by the NPC in conjunction with its adoption and dissemination of Ms. Wood’s investigation report.

Addressing Violations of DSA Policies via Social Media in the Grievance Process

*(NPC’s Final Recommendation to be communicated to the membership:)*

Social media posts may – in and of themselves, on their face – violate the following policies applicable to all or some DSA members:

- Resolution 33, which prohibits harassment on the basis of enumerated individual characteristics, such as race/gender/sexual orientation/gender identity/disability etc.
- The (National) DSA Code of Conduct for Members, and similar chapter codes of conduct/community agreements/online terms and conditions
- Moderation guidelines for DSA member forums and other online spaces, and similar chapter efforts to limit unacceptable behavior in chapter communication channels
- Language in chapter and National bylaws which prohibits “consistently engaging in undemocratic, disruptive behavior” or behavior “in substantial disagreement with the principles or policies of National DSA,” and other similar provisions,
- Codes of conduct adopted by caucuses and working groups
- The NPC’s Good Governance, Grievance Program Agreements and Accountability Principles
- Other policies and principles that attempt to moderate communication and limit unacceptable forms of expression, while encouraging robust and respectful debate

They may also violate these policies and norms as part of a larger grievance that involves other forms of interaction besides social media. However, any social media posts that cannot be evaluated upon their face alone should either be handled personally between the individuals involved, or addressed within the grievance process, so that there is a way to bring about a resolution to (or at least cessation of) active conflict without further and continual escalation.

A post *on its face* may violate one of the following principles:

Harassing or abusive behavior, such as unwelcome attention, inappropriate or offensive remarks, slurs, or jokes, verbal intimidation, online stalking, and other verbal conduct constituting harassment, which violates:

- Resolution 33, on the basis of harassment against one or more of the individual
Characteristics listed

- The National Code of Conduct or chapter/caucus/working group codes of conduct (which Resolution 33 requires chapters to adopt)
- The NPC’s Good Governance and Grievance Program Agreements and Accountability Principles

Demeaning, discriminatory, or harassing behavior and speech that is not demonstrably consistent with DSA’s values and standards under applicable codes of conduct/community agreements/moderation guidelines, including but not limited to:

- Violence, threats of violence or violent language directed against another person;
- Sexist, racist, homophobic, transphobic, ableist or otherwise discriminatory jokes and language;
- Posting or displaying sexually explicit or violent material;
- Posting or threatening to post other people’s personally identifying information (“doxing”);
- Personal insults, particularly those related to gender, sexual orientation, race, religion, or disability;
- Inappropriate photography or recording. You should have someone’s consent before taking and sharing their photograph and/or recording their voice;
- Unwelcome sexual attention. This includes: sexualized comments or jokes; and unwelcome sexual advances;
- Deliberate intimidation, stalking or following online;
- Advocating for, or encouraging, any of the above behavior;
- Disruption of online chapter community events, including meetings, talks and presentations,

Threats concerning DSA’s grievance process, and/or anyone included in the adjudication or resolution of a grievance matter, including the parties HGOs, chapter leaders, the NHGO and their team, members of the NPC, and community members or outside consultants hired to assist with DSA-centered conflicts, to include:

- Directly and/or indirectly targeting participants with profanity, slurs, or other demeaning, discriminatory or harassing language
- Threats designed to discourage parties from using the grievance process to resolve conflicts, or to encourage parties filing grievances in bad faith with no merit against individuals they want to be suspended or expelled, for political or personal reasons;
- Insinuating that an HGO cannot perform their role due to their pre-existing relationships within the chapter or other biases, before a grievance has started or while a grievance is pending, as the decision whether to recuse from a particular grievance or conflict belongs solely to the HGO;
- Attempting to create conflicts of interest or recusal by attacking the integrity
or competency of the individual for actions in the capacity of and consistent with their role as HGOs or chapter leaders;

- Attacks designed to intimidate and exhaust complainants and delegitimize the grievance process when members “don’t get their way”
- Attempts to publicly relitigate grievances after there has been a ruling by the chapter, while the appeal is still pending, or after there has been a final decision by the NPC
- Other forms of retaliation delineated in Resolution 33, Section 3(f). If a grievance is still pending, these retaliatory actions may be considered as part of the larger grievance, or may be considered separately as further discussed below when the individuals are not currently part of the grievance, or the grievance and appeal are not still pending.

Confidentiality violations as delineated by Resolution 33, Section 2(3), and including the following:

- The release of information about an accused party to a grievance, which may include highly personal and private details, that is not from the survivor/reporting party or authorized by them;
- The release of information designed to escalate conflict or interfere with the integrity of the grievance process while the grievance is pending;
- The release of information by HGOs and chapter leaders of information learned or received in the course of a grievance investigation that violates the Chapter Impartiality Agreements;
- The release of information by chapter leaders while a member’s appeal is pending, without consultation with and approval by the NHGO; or which is designed to harm the member’s reputation or limit their involvement in other chapters, National working groups or committees within DSA before the member’s National membership status has been determined by the NPC on appeal;
- The release of information by NPC members or those members given information by an NPC member revealed in executive session, in confidential documents, or the release of which is a violation of the NPC’s Good Governance and Grievance Program Agreements and Accountability Principles
- The release of information designed to influence or lobby, positively or negatively, decision-makers such as chapter leaders, the NHGO, or the NPC
- The release of information after the final resolution of a grievance that has not been authorized by the NPC, which could harm the survivor or other members, or is unnecessary to protect member safety
- The release of information about a member’s status that has not been publicly released, and is part of the confidential membership roster maintained by the NHGO and National membership staff
- The release of information by proxies or individuals who learned information from individuals entrusted with confidential information may constitute multiple violations: one by the member who shared confidential information and also by
any member(s) who publicly disseminate information that was disclosed in confidence or known to be confidential

When a post on its face violates one of the above principles, it should be submitted to the NHGO with the following information:

- The identity of the member who authored the post, if not otherwise known from their screen name
- The identity of the member(s) who were the target of the communication (if any), if not otherwise known from their screen name
- The chapter and any other affiliations (such as caucus, committee or working group) the member authoring the post is known to have, especially where those affiliations may provide the motivation for the post
- The principle(s) the post appears to violate
- Any individuals who have already been contacted about the post, such as HGOs, chapter leaders, or caucus/committee/working group leaders

Any post which is known to be part of a larger grievance process or conflict within the chapter/caucus/committee or working group, or the adjudication or which would require historical context beyond the face of the post should first be discussed and submitted within that entity before contacting the NHGO or NPC. Posts which in the discretion of the NHGO need to be part of a larger grievance process will be referred back to the appropriate body for further consideration.

A post that can be adjudicated on its face without further context to determine whether it violates one of the guiding principles discussed above will be sent to a five-member panel voted on by the NPC, which should be cross tendency and cross perceived political alliances, who are not members of the Steering Committee (because in some cases the online behavior may be part of a larger grievance and grievances are appealed to the SC, which would lead to SC members having to recuse themselves):

These five members (the “NPC panel”) will meet in executive session on a regular, as needed basis to discuss and vote on posts submitted by the NHGO to the panel. Following the executive session, the NPC panel will vote in a 24-hr Loomio vote whether the posts under consideration have violated DSA policies.

Panel members will agree that intent does not outweigh impact, and look at the face of the post, and only the post itself, to determine whether the post itself violated DSA policies. If a violation cannot be determined by the content of the post itself, and appears to be part of a larger conflict or grievance matter, the matter should be referred back to the NHGO to have the post addressed by the HGO and chapter leaders.

Members of the panel are expected to recuse themselves in any matter in which they have:

- participated via social media through engagement with the posting member, by “liking”
or otherwise demonstrating approval of the post; re-tweeting or sharing the post to give it a larger audience; or communicated with the posting member via DMs or other private communications or underlying conflict;

- have extraneous knowledge about the post’s history or context, or formed a pre-existing opinion about the validity of the member’s post, the conflict it represents, or the member themselves that would impair the panel member’s ability to judge the post on its face;
- where membership in the posting member’s caucus/committee/working group/chapter would impair the panel member’s ability to give the matter a fair and unbiased adjudication.

If there are fewer than three members of the panel due to recusals, the panel shall request that the NPC fill the panel with other NPC members for purposes of considering this particular post.

The NPC panel should give consideration to the following factors (if known to the panel and/or apparent from the post, without further investigation required) and determine consequences that are proportionate to the harm caused:

- Whether multiple people have submitted the same post for NPC consideration, indicating widespread dissemination and/or condemnation of the post within DSA
- Whether there was specific harm to the grievance process itself, in addition to harm suffered by the targets/parties to the conflict
- Whether the post was retaliatory in nature, in addition to being a violation of underlying policies (Res.33/codes of conduct/by-laws provisions)
- Whether the member is a leader or posting in a leadership capacity
- Whether the post was disseminated and posted outside DSA as part of an effort to disparage and discredit an individual, DSA entities, or the organization as a whole
- Ability or inability to carry out threats made will not be a consideration A post which has been found by the NPC panel to violate DSA policies will be subject to the following appeal process:

The NPC panel will send written notice of charges and notice of suspension:

- Suspension is effective the date the email is sent
- Members will have 7 calendar days to appeal the decision via a simple form. This will consist of the member submitting the rationale for the appeal, as well as any evidence that would be relevant to the cause(s) for suspension.

The NPC panel will review the written information presented in the appeal of the party facing suspension, and make a recommendation to the Steering Committee about the recommended outcome. If the NPC panel recommends an expulsion, then the full NPC will consider the panel’s recommendation, with a ⅔ majority vote by the NPC required under the DSA Constitution and Bylaws [link] to expel a member.

Once there has been a final decision on the appeal, or the member does not appeal the matter
within 7 days, the suspension shall run from the date the matter was referred to the NPC panel for the designated time period. Suspensions are National, not limited to the member’s home chapter, and include working groups, committees, other chapters, and at-large involvement, and any meetings or events that are reserved for DSA members in good standing.

Once the suspension has been served, the member may return to active DSA involvement as a member in good standing, with no further conditions required, and without notice from National. However, any effort by the member to be actively involved in DSA spaces that would violate the terms of the suspension, to engage in activities limited to members in good standing, or to act in further violation of these policies, may result in a more lengthy suspension or expulsion, if brought to the attention of the NHGO and NPC.

If an expulsion is recommended, the member will be notified, and the matter will be referred under the applicable procedures in effect for NPC appeals of expulsions, and will not be further handled by the panel.

The NHGO and National membership staff will maintain the list of members suspended or expelled for violations of DSA’s social media policies. A chapter may inquire if someone has been expelled and is ineligible for membership, or still under suspension, and the NHGO or National staff will ONLY confirm or deny their presence on the list. Chapters will not be provided access to the entire list unless the NHGO determines that a particular chapter request merits an exception.
Potential Conflict between Chapter and National suspension and expulsion determinations

There existed a internal conflict between the different provisions of Amendment 1 passed at the 2021 Convention:

The entire amendment, with red as the deleted language and green as the new substituted language.

Expulsions and Suspensions: Chapter only expulsions, where the member is expelled from the chapter but permitted to become an at-large member of DSA, are not appealable. All expulsions, whether from the chapter or decided by the NPC, shall be \textit{indefinite set for a duration not to exceed three years}, with \textit{indefinite expulsions not permitted}. When expelling suspending a member, chapters and/or the NPC may \textit{set a suspension period not to exceed three years and/or establish conditions for re-integration at the end of the expulsion period}.

\[1\] Any conflict over whether the conditions \textit{or duration of a suspension} are reasonable or have been satisfactorily met can be appealed to the DSA National Political Committee by contacting the DSA National Harassment and Grievance Officer.

\[2\] Any removal from chapter membership \textit{which lasts} for a period of \textit{three years or less than one year}, and/or which does not have a time limit but comes with conditions for return not impacting membership status, is considered a suspension, not an expulsion, and as such, is not appealable to the DSA National Political Committee.

(I’ve added the numbers here for ease of consideration. 1 and 2 are in direct conflict with each other: one says the conditions or duration of a suspension can be appealed to the NPC; two says the conditions or duration of a suspension cannot be appealed.)

There is also the question of what to do when the evidence surrounding the grievance determination demonstrates that the chapter leadership and/or HGO has been biased in its adjudication of the matter. If the chapter engages in misconduct, yet creates a grievance outcome that cannot be appealed, that \textit{*compounds*} the misconduct and invites outcome-oriented determinations not grounded in evidence. If a chapter chose to disregard the evidence entirely and make a determination that was completely unfounded and unsupported, and then all they had to do to insulate themselves from review was to

- make it a “chapter-only” removal and/or
- a two year and 364 day removal and/or
- devise conditions that in essence created an indefinite/permanent suspension by making them impossible for the appealing member to satisfy and/or
- devise conditions that in essence created an indefinite/permanent suspension by making
readmission completely at the chapter’s discretion

This has the effect of gutting two of the three appeal grounds of Resolution 33, and therefore the amendment is therefore in conflict with the pre-existing provisions from 2017.

In December 2021, the NPC passed the following provision to address this confusion:

Since chapter only expulsions are permitted under Resolution 33, a party may appeal to obtain the NPC’s determination as to whether the chapter’s decision is in conflict with Resolution 33’s provisions and/or where there is evidence that “Procedural errors, misconduct, or conflicts of interest [that] affected the fairness of the outcome.” Appeals will be assessed on a case by case basis to determine whether there is a violation of Resolution 33, and whether in a particular case, whether a suspension or expulsion is the appropriate resolution.
Independent Investigation Aftermath

Any report concerning the time period of July 2021 and June 2022 would be remiss if it did not include the significant impact on the grievance program of an independent investigation, commissioned by the NPC during the August 2021 Convention.

Although the matter that was ostensibly the subject of the investigation was a series of conflicts within CPN, and actions taken by the 2019-2021 NPC to address those conflicts, which included removing three NPC candidates from consideration, the grievance program was inexplicably pulled into this conflict, and was part of the subject of the investigation.

From the moment during the Convention that the NPC decision was announced, various aspects of grievance program work was placed on hold. (Not that it went away or wouldn’t eventually be necessary, but was temporarily on hold.) The NPC did not determine the scope of the investigation until November, 2021, and while the results were expected by the end of January, 2022, the report was not delivered to the NPC until June 2022.

The NHGO team, Paula and Ana, collectively spent at least 100 hours responding to the investigator’s queries, locating requested documents, and being interviewed. Incorrect information, rumors, and speculation circulated throughout the organization and social media concerning the grievance program and Paula and Ana’s actions. While the investigation was pending, there was a distinct lack of cooperation with NHGO requests and processes, believing the failure to do so was justified by the NHGO known to be under investigation.

The pending investigation created conflicts of interest, where an attack on either Paula and Ana meant that they would not perceived as neutral and impartial parties, in, for example, making recommendations to a divided NPC. This put a temporary hold on all appeals which could not be lifted until July 2022. It also led to the report and recommendation for a major chapter grievance appeal (the largest that had been considered to date) to be handled, not by the NHGO who had been the subject of repeated public attacks by some of the involved parties, but by an outside individual, who due to personal circumstances and being a volunteer, took eight months to deliver the report to the NPC for a final determination.

Because the scope of the investigator’s mandate included recommendations to change the grievance program, any identified proposals for program improvements were on hold until the investigator could first recommend whether or not particular changes were desirable. (Many of the proposed changes listed in this section of the report were a direct result of the investigator’s recommendations. Or they were policy changes that the NHGO had identified were important for the organization to address, but had not yet been prioritized until the 2021 Convention amendments were first considered.)

The report verified the conditions under which the grievance program, and particularly the NHGO, was operating, as follows (citations from the original report omitted):
Another tool frequently used to exert influence over the grievance process is to accuse the NHGO, Paula B., of misconduct, alleging that a process under her guidance could never be successful. Given the nature of DSA's political work, and NPC members deep ties to the work, the only truly objective participants in the grievance process are the NHGO and her staff. They administer and supervise the grievance process, create trainings and additional tools for resolving conflicts and, according to the annual surveys of chapter HGOs, appear to have developed good working relationships with Chapter HGO’s, without being influenced by any political factions of the organization. For those reasons, we find the voluminous and vitriolic accounts of the NHGO, Paula B.’s, shortcomings lacking a factual basis and maliciously aimed at undermining her credibility.

There is a significant lack of trust between the NHGO, Paula B., and some very vocal DSA members. The NHGO, Paula B., has been accused of trying to “cripple chapters,” hiding information from, and lying to, the NPC to evade criticism, failing to apply Resolution 33 properly and failing to respond to inquiries from membership. As a result of these concerns, some NPC members have advocated for the release of additional information related to individual grievances. NPC members have even called for the NHGO, Paula B., to be removed from her job. This Investigation did not substantiate these allegations or find cause for this level of criticism. Instead, the Investigation revealed a pattern of those unhappy with the NHGO, Paula B.’s, insistence on evidence based decision-making and confidentiality, responding with organizing campaigns, crediting members’ complaints and calling for her removal.
Conflict in Working Groups, Committees and other DSA bodies

Resolution 33 and the grievance program were originally conceived as being grounded within chapters: that the chapters would be where harmful conduct originated, and HGOs would then address that conflict through a grievance that would be adjudicated at the chapter level. It quickly became clear that conflict within DSA was not confined to chapter settings. It also became clear that a significant amount of conflict within DSA did not fall under Res.33, but was significantly impacting chapter and organization operations, and not the kind of conduct that members wished for or expected to encounter within the organization. This led to the adoption of the National Code of Conduct, with chapters adopting codes of conduct as well. Some working groups and committees also developed codes of conduct, but there was not a standard template, so those codes varied as to their coverage and implementation.

The independent investigation report also identified that there was confusion about how to handle either conduct covered by Res.33 which happened outside a chapter or between members of a particular body, such as the CPN caucus. As part of the adoption of the report, the NPC provided the NHGO with a number of next steps, which included a clarification of the applicability of Res.33 and the National Code of Conduct to working groups and other DSA entities. This provision was developed in summer 2022, and is still pending for consideration before the NPC at the May 20, 2023 grievance program meeting. If adopted, it will be a further implementation of member developed codes that will govern member conduct, regardless of the setting within DSA.
Infiltration and Disruption

While for obvious security reasons, a full description of the problems encountered within the organization are not a part of this report, there have been a number of incidents which require DSA to take seriously potential infiltration by those opposed to DSA and disruption with the intent to or effect of undermining chapter operations.

The NPC has received a report and proposed policy, vetted by DSA's counsel, to address incidents of potential infiltration and disruption. This policy will be considered by the NPC at the quarterly grievance meeting scheduled for May 20, 2023. Any policy that is binding upon the membership will be shared after its adoption.
Part 3: Enforcement Considerations and Analysis:

There are a number of categories of grievances that do not fit neatly into the parameters of Resolution 33, or were difficult to assess in the HGO’s Annual Report, so I will give them supplemental consideration here. Please note that these categories are not 100% precise and that the numbers supplied are estimates, since we are establishing and describing these categories essentially for the first time.

**Administrative Expulsion:** (Total: 0 in 2021-22; 12 chapters, involving 17 individuals, in 20-21)

This is when a member who is either facing a grievance or who lost a grievance decided to resign rather than face consequences from the grievance process, or to appeal the chapter expulsion. They have been noted in the membership database and will not be allowed to return without permission from the chapter/notification that they have gone through a grievance or accountability process:

While there was not a deliberate effort to change the category parameters for grievances that would qualify in this category (and there are some in 2022-23), I do not show any in this category in 2021-22. We no longer seem to have as many mass resignations from DSA while grievances are pending, or at least I have not been notified if there are members fitting in this category.
Active Appeals: (Total: 3)

As of July 2022, there were three cases that were heard shortly after both the end of the reporting period and the release of the independent investigator’s report. Starting in July 2022, the NPC resumed hearing appeals at Steering Committee meetings and quarterly grievance meetings.
Closed Resolution 33 Appeals: (Total: 0, down from 6, involving 10 individuals;)
Closed Non-Resolution 33 Appeals: (Total 0, down from 2)

No appeals were heard by the NPC in the reporting period, due to the timing of the independent investigation report.
Convention Related: (Total: 1 in 2021-22)

The NHGO is asked to assist with Convention credentials challenges that are based upon the member’s involvement in a grievance process. The types of challenges addressed before the 2021 Convention were as follows:

Referred to the Elections & Credentials Subcommittee: (Total: 4)

Grievance Related Credentials Challenges: (Total: 8)

Grievance Related - NPC Candidacy: (Total: 2)

Since the Convention does not take place in 2022, and all but one Convention-related grievance matter was heard prior to the reporting period so they could be resolved by the 2021 Convention, there is only one case in this category in 2021-22, which came to our attention in late July 2021. The NHGO, as of the date of this report, has begun to work with NPC members to anticipate credentials challenges for the 2023 Convention.
Extraordinary Circumstances: (Total 2: down from 11)

- With the expansion of the NHGO’s annual contract in 2020, Paula and Ana took on a significantly deeper level of involvement with four times the number of chapters as happened previously in 2020-21. This deeper level of involvement continues, where warranted.
- We reserve the term “extraordinary circumstances” where there is a significantly elevated level of conflict with these chapters, and keep them in this category until the high level of ongoing conflict is resolved or calmed and the chapter’s operations are not severely impacted by the pending grievances and/or conflict.
- These chapters had levels of conflict and multiple grievances with multiple parties that required far more of our time and involvement than the rest. Some of the reasons why these are considered extraordinary include:
  - more than 25 hours worth of work by Paula and Ana;
  - the need for an extensive investigation conducted in full or in part by Ana;
  - mediation, restorative justice, or more extensive conflict resolution work;
  - a public disclosure and/or confidentiality breach that has impacted DSA’s reputation in the community and/or invited involvement by individuals outside DSA;
  - incidents of sexual violence or emotional abuse that require additional survivor support by those trained in trauma-informed best practices;
  - multiple grievances/counter grievances that arise out of the same incident or pattern or which involve common parties;
  - A chapter or organizing committee where virtually all of the local DSA members are part of leadership and/or involved in the conflict.
- As of June 30, 2021, 7 of the 11 had resolved or dormant conflict, while 4 were still pending as of the deadline and continue to be in this category.
- Of those 4 that were pending:
  - One was the conflict that was the subject of the independent investigation
  - One chapter dissolved during the reporting period
  - One chapter’s conflict has subsided somewhat now in 2022-23, but was still in that category during the reporting period.
  - One has subsided due to the final resolution of a member expulsion in 2022 after the end of the reporting period.
- One has carried over since the conflict still remains and Ana is still working with the chapter; and one new one was part of that category in 2021-2022.
Inactive Grievances: (Total: 0; 3 in 20-21)

This is a category of items that are currently on hold, either because they have seemed to resolve themselves, the reporting party is not choosing to move forward at this time, or there are other factually-specific reasons why the grievance/appeal does not require the resources of the organization right now.

Please note that Res. 33 doesn’t require a deadline for filing or moving forward, so if the parties want to move forward in the future, I have retained the information that would permit them to do so.

- Minor queries where the person didn’t get back to me about proceeding or declared that they didn’t want further processing at this time are now part of the Technical Assistance-Basic category, which also explains the reduction of those in this category.
Non-Resolution 33 Expulsion Cases: (Total:0; 6 in 2020-21)

Following the amendments to Res 33, the NPC now hears expulsion appeals following the same appeals process used under Resolution 33. To comply with the National Constitution and By-Laws, the NPC developed a new expulsion procedure, which requires a ⅔ vote of the full NPC, after a recommendation by the Steering Committee, to enact an expulsion.

This category is now exclusively reserved for grievances that fit in this category, and there were none in the reporting period.
Chapter Technical Assistance: (total: 24, 16 in 2020-21)

These are requests for assistance not related to a potential grievance. This number went up, after going down the prior year, which I will attribute to increased grievance program visibility.

Here are examples of the types of technical assistance I provided in response to chapters reaching out during the time period covered by the Annual Report, most focused on ensuring the chapter was compliant with Resolution 33:

- requesting assistance with enacting their harassment policy/by-laws changes;
- requesting training/templates/forms or following up from trainings;
- questions about how the new Resolution 33 amendments work
- questions about the interplay between restorative justice and the grievance process.

Whether it relates to general implementation matters or matters that are more specific to grievances, I highly encourage chapters to use me as a resource for technical assistance.
Grievance Technical Assistance--Basic: (Total: 43, up from 32 for basic TA in 2020-21)

In the last reporting period, for the first time, I created two new categories under technical assistance, in an attempt to further refine my descriptions of my work, dividing the requests into “basic” and “intermediate.” The basic category will refer to one-time involvement in a grievance by a chapter that is five hours or less of work, including one or two phone calls or an ongoing email exchange. It’s a quick check in about how the HGO is handling the situation, usually involving the following:

- whether particular conduct is grievable under Resolution 33, and if so, how to proceed
- whether a particular individual was eligible to file a grievance
- input regarding documents the chapter developed for use in a particular grievance
- conflicts of interest in the grievance process
- how confidentiality applies in the grievance process
- some other question that can be quickly resolved

Eight of these were specifically from YDSA chapters, who continue to rely on the NHGO for guidance given the current lack of a specific grievance procedure for YDSA (which is now an internal project of the NCC.)

As the grievance program expands, and new HGOs come on board, this number will increase. Over time, as HGOs become more proficient at handling grievances, hopefully more grievances will stay in the “basic” category as opposed to the “intermediate” category.
Grievance Technical Assistance--Intermediate: *(Total: 18; 13 in 2020-21)*

The second category is “intermediate.” It will refer to more extensive involvement in a grievance by a chapter that is five to fifteen hours of work, including several phone calls, meeting with parties or assisting with an investigation, or an ongoing email exchange over many months. handful involved concerns about legal liability or what they saw as legal questions, which may have required a consultation with DSA's attorney. It generally involves ongoing monitoring of how the HGO is handling the situation, usually involving the following:

- whether particular conduct is grievable under Resolution 33, and if so, how to proceed
- whether a particular individual was eligible to file a grievance
- input regarding documents the chapter developed for use in a particular grievance
- conflicts of interest in the grievance process
- how confidentiality applies in the grievance process
- some other question that can be quickly resolved

As the grievance program expands, and new HGOs seeking the NHGO's assistance or who participate in training come on board, we anticipated that this number will increase, and it did. Over time, as HGOs become more proficient at handling grievances, hopefully, more grievances will stay in the “basic” category as opposed to the “intermediate” category, and we can prevent escalation into the “extraordinary circumstances” category (which we did in this reporting period). Sometimes these will become appeals, but the goal if at all possible is to reach a resolution within the chapter that doesn't require an appeal because the chapter has learned the skills to handle it appropriately locally.
Trainings:

We significantly ramped up grievance program trainings in even years during this reporting period. Previously, we conducted trainings only in odd years, as part of the pre-Convention activities, and then at the Convention. While the pre-Con trainings were before the reporting period, both Ana and Paula each presented, on conflict management and HGO grievance program training, at five pre-Con events in the spring of 2021.

As part of the 2021 Convention in August 2021, Paula conducted two trainings on the grievance program for HGOs and chapter leaders. Due to a family emergency, Ana was unable to present on conflict management.

Following the Convention, we waited to find out when the independent investigation would take place so that we were not training on policies and practices that would potentially be superceded, but when it was clear that it would take longer to do the training, we started conducting trainings in March 2022, beginning with the Conflict Management trainings led by Ana. HGO trainings resumed in July 2022, after the end of the reporting period, and have continued on an average of a monthly basis.
Ana Avendaño’s Work:
(No specific numbers provided because they are addressed in other categories as appropriate.)

Ana is a colleague of Paula’s who joined the NHGO team in mid-2019 to assist with particular types of grievance work that Ana’s skill set uniquely qualified her to address.

- Based upon her experience drafting and working with codes of conduct and civility norms, she began working with the code of conduct drafting and was involved in drafting the Meeting Code of Conduct, passed in April 2020, and the National Code of Conduct, passed in September 2020. The National Code of Conduct was incorporated into Resolution 33 in 2021’s amendments.
- Based upon her considerable experience as a trainer and law professor, she now conducts the monthly grievance program trainings for HGOs and conflict management for HGOs and chapter leaders. During the reporting period, she delivered seven conflict management trainings.
- She has developed a curriculum and began working with participants in the New Masculinities program, a one-on-one guided series of conversations for the purpose of changing behavior and involving restorative practices to minimize harm. During the reporting period, she was asked to assess three individuals. One participant continued with the program through completion, and Ana worked with the chapter HGO to reintegrate them with the chapter (after the end of the reporting period.) One participant was part of a community based accountability process at present, but before returning to DSA, will check in with Ana to manage their return should they choose. The final participant did not make themselves available for evaluation and did not participate in the program, so we notified the chapter of that person’s status.
- Based upon her experience in conflict resolution and mediation, and as a trained restorative justice practitioner, she has been involved in several of the “extraordinary circumstances” and “technical assistance - intermediate” conflicts, where she has performed investigations, made recommendations about conflict resolution and restorative justice, and conducted mediations/healing circles.
- Based upon her experience with survivor-focused, trauma informed work, she has taken the lead in conversations and investigations where the grievance allegations involve sexual violence, harassment or assault, and/or emotional abuse within relationships. This requires specialized training and sensitivity that goes far beyond what HGOs can learn in training, so enables us to quickly respond when survivors need support beyond what those involved in the chapter-level investigation can provide, particularly in YDSA chapters which often need additional support and guidance.
I greatly appreciate all that HGOs, chapter leaders, National staff, and the current and former NPC have done to establish DSA’s grievance program and to bring the aspirations of Resolution 33 to life. HGOs in particular have a very difficult job and have generally performed in an exemplary fashion to address significant amounts of tension and conflict in their chapter. Without their work, many chapters would risk becoming dormant or defunct, in addition to losing their status in communities when outside organizations and individuals are aware of the conflict.

Unfortunately, the work of HGOs, which with additional experience and training, has in many chapters has grown to be considerably more complicated and difficult. HGOs require more support than ever, particularly given some of the high levels of conflict within certain chapters and some of the hostility directed at HGOs for doing their work.

While the 2021-22 reporting period was our most challenging to date, the NHGO team’s efforts to create safe organizing spaces throughout DSA were not deterred. HGOs and chapter leaders still constantly contact the NHGO for assistance with conflicts, and we respond to those inquiries with our collective 60+ years of professional experience, and the best practices that we are continually participating in trainings and professional circles to learn and share.

There remains a considerable opportunity to continue building and modifying the grievance program in a manner that effectively exemplifies and advances the organization’s values through Resolution 33 and beyond. While at this time it is unclear whether that will be a priority of the organization, the NHGO team will continue its work as needed and requested.

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