

# **Paganicon & Twin Cities Pagan Pride Safety Policy 2015**

Full version

We affirm Twin Cities Pagan Pride's (TCPP's) commitment to ensuring the safety of our participants. We will take complaints seriously and deal with them in a timely manner. The policy as outlined here has as its goal a structure for preventing, reporting, and responding to threats such as sexual misbehavior (including harassment, sexual abuse, sexual assault), physical, mental and emotional abuse (including assault, bullying, harassment, exclusion and inclusion issues, and hate speech), physical safety issues (including privacy, accessibility, infrastructure, substance abuse).

As Pagans, we are very tolerant of other people's viewpoints and different codes of ethics. We are witches, Wiccans, Druids, magicians, Asatruars, Heathens, reconstructionists, eclectic Pagans, and more. We do not all have one holy book that can guide us together in making decisions and creating boundaries. While some of our participants may have practices, beliefs, or behaviors that we do not necessarily agree with, we respect their sovereignty – when on their own time, in their own homes or groups. But in order to facilitate a large group event composed of people with many different views, we find it necessary to provide strong guidelines that all participants must follow in order to ensure the wellbeing of all our participants.

As a non-profit organization dealing with the legal issues of money and liability, as well as representing our faiths in the public spotlight, and so on, the first priority is to follow all Minnesota laws. If it's illegal in Minnesota, it is against TCPP's safety policy. But second, we feel that Pagans, especially community leaders, teachers, and organizers, must be held to a higher standard, and therefore this policy includes some items that are not illegal but are unethical and antithetical to the Pagan understanding of bodily autonomy, equal rights and equal access, and respect for each other's beliefs and boundaries. While some behaviors listed in this document will not necessarily be grounds for getting someone arrested, some may lead to asking a person to leave Paganicon or Pagan Pride Day whether as a participant or as a leader, and/or to being barred from future participation at our events.

All staff and volunteers must read and adhere to this policy; also, the main points of the policy will be made known to all Paganicon participants, and its full text made available freely online and in print version in our Con Ops room at Paganicon and our TCPP tent at Twin Cities Pagan Pride Fall Festival. All Paganicon participants are expected to adhere to this policy as it is a voluntary participation event; if they disagree with our policies they are free to go elsewhere. Since Pagan Pride Day is a public event, we cannot assume the public to know even the main points of our policy; therefore, if any staff or volunteer witnesses a member of the public breaking a policy, they should politely inform the guest of our policy before taking any other action. The person would then have the option of leaving the public area of interaction with our event; if they are breaking the law, causing

harm or damage to persons or property, or acting violently, and refuse to leave the public area, the staff or volunteer will call the police, park security, or other law enforcement.

In this document we will define behaviors that are not welcome at our events; describe our complaint system; define consequences of unwelcome behavior; address the involvement of minors (teens) at our events; state our ongoing goals; and describe our process for keeping this policy updated in the future.

## Definitions of unwelcome behavior

### **Sexual misbehavior**

TCPP defines as sexual misbehavior any sexual form of harassment, including certain types of behavior that do not constitute a crime. Criminal behavior includes sexual assault and rape, statutory rape, stalking, violating restraining orders, and drugging victims in order to take advantage of their incapacitation. Non-criminal behavior includes **unwelcome or unwanted:** harassment, lewd comments, sharing or taking of photographs of a sexual or private nature (including “up the skirt” cell phone photos), physical contact or groping of private parts (genitals, groin area, inner thigh, buttocks, and breasts), and any ongoing sexual pursuit, cajoling, invasion of personal space, flirting to the point of harassment, and so on. If it makes a person uncomfortable and the person has been asked to stop already, it is an infringement regardless of actual physical harm.

In addition, TCPP defines as sexual misbehavior a consensual sexual relationship or contact between a minor and an adult as per Minnesota statutory rape laws. People who engage in sexual activity with children under the age of consent (16) can be convicted of criminal sexual conduct. Minnesota’s laws also prohibit sexual activity between children under the age of 18 and adults in positions of authority over them. In Minnesota, it is also a crime, called child enticement, for a person over the age of 18 to invite or try to persuade a child under the age of 16 to engage in sexual conduct. For example, engaging in explicit sexual talk with a child can result in child enticement charges, even if no sexual activity ever occurs.

It’s important to remember that, though teenagers can engage in consensual sex with other teens, they still lack the knowledge and resources of adults, and there is always a power imbalance between an adult and a child. Perpetrators take advantage of that power imbalance to manipulate victims of any age.

**TCPP does not tolerate any form of sexual misbehavior and will take action to either educate or bar violators from its events.** TCPP strongly believes in the principles of enthusiastic consent between legal adults. “No” means no, “ummmm...” means no, “whatever” means no, “not right now” means no, “I’m not OK with this” means no... but “YES!!” and “omigods yes!” means yes.

As Shauna Aura Knight wrote on her blog, “There is a gulf of difference between being at a gathering where I respect someone’s sexual openness and where they can hit on me

and I can offer a polite no and that's respected. . . .and a gathering where people are given a free pass to flirt with people to the point of harassment, or touch them without their permission." We hope that Paganicon and Twin Cities Pagan Pride can both be home to the former dynamic, not the latter.

Our goal is for everyone to enjoy themselves and their sexuality but when told no or "not interested," to be respectful of that person's boundaries and wishes.

### **Physical, mental and emotional abuse**

TCPP defines as physical abuse assault, threats of bodily injury, nonconsensual rough play, forcing a person into any physical situation against their will through use of force or threats. TCPP defines as mental and emotional abuse the infliction of intimidation, harassment, bullying, personal insulting that is specifically done to make the target feel ill at ease, angry, or sad, as well as the express exclusion of certain classes of people based on gender or sex, sexual orientation, race, belief system, level of ability, age (except in the case of minors when such activity would be prohibited by law to them), or political affiliation from participating in Paganicon programming, party suites, art show, or vendor room (our official spaces).

Our aim is not to shut down dialogue altogether. Constructive discussions on thorny topics are welcome, but only so far as they are clearly labeled as such in the program, giving an accurate description of what will be discussed so participants can decide for themselves whether such issues would be triggering for them or not. All such discussions/panels are expected to be conducted with respect for all parties involved.

Our goal is to create a welcoming atmosphere where no one has to fear for their immediate safety, be insulted for their skin color, their body, or their choices, be barred from attending certain events or rituals that are ultimately hosted by TCPP, regardless of the facilitator, or encounter intimidation or discrimination for who they are.

### **Physical safety issues**

TCPP defines the right to physical safety as the right to privacy of name and image, the right to accessibility to locations of our classes and/or rituals, the right to access bathroom facilities within a reasonable distance, the right to feel safe from bodily harm and unwanted substances, and the right to personal property. In addition, we include in this section the legal safety of the organization. TCPP will not tolerate illegal behavior on the public premises of our gatherings, including but not limited to: use of illegal drugs or substances, theft, fraud, domestic abuse, violating restraining orders, etc. People breaking laws will be asked to leave; if they do not leave on their own accord, law enforcement or hotel security will be called.

## Guidelines on Gathering Complaints

TCPP is committed to ensuring the safety and wellbeing of all participants and will respond effectively and proactively to complaints. If someone is putting their hands on you or speaking to you in a way that is inappropriate or uncomfortable or threatening, we need to know, so that we can take it seriously and take some course of action, even if that's just listening.

All participants should feel welcome and uninhibited in bringing their concerns to a board member at all times. They may be simply seeking advice or sympathy, but if either the board member or the participant feels the behavior was problematic enough, the board member will record a formal complaint by asking all pertinent questions and writing them down. This will take place in Con Ops room or a private room if more privacy is desired. Details will include full name or badge name of the person whose behavior was inappropriate; their physical description (to avoid mistaken identity, badge swap, etc.); their behavior in full context; location, date and time of behavior; names of any other witnesses of the behavior; and any physical evidence on the person of the complainant.

Board member and complainant both understand that the board member must ask whether the aggressor was asked to stop the behavior (if it was not criminal behavior). We want to stress that this does not reflect on the credibility of the complainant—we do not wish to engage in victim blaming—but rather to discern whether the fact that the behavior was **unwanted and unwelcome** was understood by the aggressor in the first place so that we know whether further education is required.

Since certain people may be unaware of social cues (either because of maladjustment, failure of socialization, or a neurological disorder), or mistakenly believe that “anything goes” at a Pagan conference, we must stress that when a behavior is **unwelcome or unwanted**, the target of the behavior must clearly communicate that the person is crossing the target's boundaries and ask them to stop. Some close and long-time friends may display behavior that is perfectly acceptable to them, but an outsider wishing to join in may be rebuked if they not as close a friend (examples: cuddling, kissing on the mouth, sharing sexual materials, artwork, or jokes, etc.). Some people may be used to different expectations at different Pagan festivals they have been to, and may not be aware they are crossing a line. People making honest mistakes should be educated, not castigated. Simply reporting “creepy” behavior leaves open the unfortunate possibility that we may be dealing with someone with lacking social skills but who is not necessarily an abuser.

Therefore we must provide education and encouragement to all participants about drawing their own boundaries and communicating them firmly and effectively, no matter the time, person and circumstance. For instance, just because they're drinking alcohol in a party room does not mean they are not able to withdraw or say no; just because the aggressor is a teacher, public figure, or in some position of authority does not mean the victim must remain silent; just because others at the ball are acting in a particular way does not mean a person should feel pressured into going along with something that crosses their own personal boundaries for fear of spoiling the fun or being labeled a

prude. Everyone has a different comfort zone and the best thing we can all do is to be completely clear and cognizant of our own. If a person is shy, introverted, or uncomfortable about saying no, he or she may ask for help from a friend, volunteer, or board member, either in communicating their boundaries to the offensive person or in building their own assertiveness.

If a person had knowledge or was told that his or her behavior was **unwanted and unwelcome** and continued the behavior, that is sexual misbehavior as defined above and should be filed in a formal complaint. While it is human nature to make one's sexual interest known (and it's led to many love stories), all reasonable adults must realize that that does not give them the right to relentlessly pressure the object of their affection, and if rejected, should have the emotional maturity to be OK with getting a no.

After taking down the complaint, the board member must read back everything written to the complainant to ensure there have been no misunderstandings. Both complainant and board member will sign the complaint.

The person against whom the complaint was lodged has the right to know what is contained in the complaint, but the complainant may request anonymity, and his or her name will not be given to the person.

## Who May Record Complaints

Like all large Pagan events, TCPP must have clearly identified contact people who make it their job to be welcoming and accessible, and to serve as the first contacts for incidents or individuals that cause concern in matters of sexual misconduct, physical, mental or emotional abuse, or unsafe behavior.

TCPP will train all board members and any trusted volunteers in the intake of complaints and allegations. Ideally, we will present to the public the people on our staff who are best suited to dealing with these issues. As Cat Chapin-Bishop wrote in a guest post on the Wild Hunt blog, "These people should have additional training, probably including in some form of counseling. They will need to be calm, grounded, and very familiar with the resources of the area where any events are being held, and they will need to have the ear of the gathering's coordinators and the community's leaders. Finally, and most importantly, their job will not be to act as finders of fact—no individual is in any position to do that. Instead, their job is to make sure that problems get noticed, victims get supported, reports get made, and records are kept—confidentially between the gathering's leaders and any official investigators."

TCPP will begin an internal deliberation on whom to appoint as complaint intake specialists and recorders so that we can announce names at Paganicon, both in our programming book, on our website, and at the opening ceremony.

## Consequences of Formal Complaints

First and foremost, TCPP will maintain records of all complaints in order to be able to:

- Track recurrent problematic behaviors that require more community education
- Track problematic individuals and see if there are patterns
- Track complainants and see if there are patterns
- Have written records of complaints if ever requested by law enforcement
- Have written records of complaints if ever requested by leaders or organizers of other events and are asking for references or previous history of bad behavior of specific people
- Have written records available to any future board members or leader of our group in case of change of leadership; to ensure a longer institutional memory
- Indicate to our participants that we take their complaints seriously, even if the incident or infraction is too minor to take any immediate action
- Root out idle gossip in favor of formal, documented complaints. As a board, we will not take any action based on rumors but only on actual reports of victims and witnesses.
- However, TCPP shall not publicly print or otherwise distribute its gathered complaints. If we have no proof that any law has been broken, we will follow our policies to keep our participants safe, but as a non-profit organization we must be careful to avoid defamation.

In case of formal complaints of criminal behavior, TCPP will work with the complainant in contacting law enforcement. TCPP is not and should not be a substitute for the legal process when it comes to illegal behavior. We are not able to conduct thorough investigations and we don't want to tamper with evidence that might make a difference in a court of law. Therefore, our own internal process of discernment as described below should not be understood to mean that we take it upon ourselves to determine the veracity of claims of criminal sexual abuse, domestic abuse, violence, theft, etc. or the guilt or innocence of our participants. However, we will retain records of the facts as reported to us that can be provided to law enforcement if requested, if criminal activity is alleged. Persons accused of criminal behavior will be asked to leave, but may be eligible to attend future events if there have been no other similar complaints against them in the past and they are exonerated of the alleged crime via the legal system.

Our main goal in taking complaints is to endow our organization with the ability to remove persons of concern from positions of trust in our community, even if they have not formally been convicted of a crime, when there have been multiple credible, documented allegations of misconduct made. If someone has been accused of a crime, it is not our place to declare them guilty or innocent; but whether we continue to trust a person after reported instances of misbehavior and allow them access to our events, putting our participants' safety in question, is a different matter. It bears repeating that TCPP will not take any action based on rumors or guilt by association, but only on actual reports of victims and witnesses who were directly involved.

Here are our formal process steps, starting from intake of complaint:

- Determine immediately from complainant whether the situation is ongoing and anyone is in immediate danger. If so, call 911. If not, continue checklist.
- Make sure the complainant feels safe in going back to the event, their room, their car, or whatever their original plans were. If not, ask what would make them feel safe and see if Paganicon is able to provide that, given our limited resources. (For example, we may not have a security detail, but the complainant may feel safer with their big, burly friend around, or a buddy system, etc. Help to locate that friend and hand them off, as long as you're sure the complainant is not in imminent physical danger.)
- As soon as possible after gathering information from the complainant, the person taking the complaint should locate other board members to share the information. They should determine whether this is the first complaint against the individual, or if there have been previous related complaints.
- If the complaint is serious, the board members will attempt to locate witnesses identified by the complainant as quickly as possible and get their takes on the incident as well; whether they viewed it as severe or not; whether they question the credibility of the complainant at all; whether they think it is serious indeed and fear for the safety of others, and so forth. The level of risk is important to ascertain because it can lead to the ejection or barring of the individual from future events.
- If the complaint is an isolated one and not strong enough to show irrefutable breaking of our policy, or minor enough not to cause serious harm (i.e. general lecherous behavior based on one complaint), the board will attempt to locate the offensive person and have a talk with him or her. This should not be the full board, just two or three members; it should include the person who took the complaint; and it should occur behind shut doors in complete confidentiality. It should strive to be a casual encounter and not give the impression of a tribunal. The board members will interview the person to ascertain what happened, if they are aware their behavior was deemed inappropriate or unwelcome, and assess whether the person can learn from this situation (i.e. social cues, etc.) They may be asked to read the definitions of unwelcome behavior as detailed above in our policy. The board members will inform the offensive person that their behavior going forward will be monitored and further complaints may lead to ejection from the event.
- If the complaint represents a clear violation of our policies AND either recurred in several independent similar complaints (all showing a particular pattern of behavior, whether sexual harassment, bullying, physical assault, and so on), has been corroborated by witnesses, is physically provable (i.e. video or audio recording of incident) OR is admitted to by the perpetrator; then Paganicon will

immediately ask the individual to leave and make note of this decision in our records. No money will be refunded, including hotel room, registration fee, etc. Depending on severity, the individual may not be welcome at future events; the board will discuss it in a meeting after the event is over.

## TCPP's Policy on Minors

### **At Paganicon**

At this time, young children are not allowed at Paganicon without express permission from the board; however the legal definition of child generally means a person who is younger than age 18 or who is not an emancipated minor. So this section of our Safety Policy refers strictly to teens in attendance or volunteering at Paganicon.

Individuals under the age of 18 must have the permission of a parent or guardian to attend (a PDF will be made available for this purpose), and individuals under the age of 16 must be accompanied by their parent or guardian. While the parent may not necessarily accompany them every minute of the day, the parent accepts full responsibility for their child 100% of the time, as Paganicon does not offer any child care. If not in attendance, teen's parent must provide contact information for the duration of the conference in case of emergency.

Individuals under the age of 18 will absolutely not be allowed to stay in hotel rooms without adult supervision. Only a parent or legal guardian is allowed to administer medications to the child.

Teen volunteers must be supervised by an adult volunteer at all times during their shifts, although again it must be stressed that this does not constitute "child care" but only applies to those mature enough to volunteer in a productive manner under supervision. TCPP strives to ensure that teenaged volunteers will never be left alone with one unrelated adult in a private location.

Teens are barred from certain programming (those of an explicit sexual nature because of MN state laws) and parties or private rooms serving alcohol unless accompanied by a parent or legal guardian. Paganicon will communicate with presenters and party hosts to ensure they understand their responsibilities around minors and make any program notifications (i.e. 18+ or 21+ designations) in the programming book and online schedule.

### **Child abuse at TCPP or Paganicon**

The Twin Cities Pagan Pride event occurs at a public park and therefore TCPP has no control or say over minors who choose to attend with or without parental permission or supervision; yet since many children do attend, we feel some responsibility as a community to watch out for their well-being.

Child abuse can happen to teens as well as small children. Child abuse generally covers physical and/or emotional harm, sexual abuse, neglect, negligence, and exploitation. If a child is in immediate danger, call 911. When a complaint of abuse or neglect of a legal minor is disclosed per our complaint system detailed above, or where there is reasonable cause to suspect such abuse or neglect, or a person has knowledge of, or observes a child being subjected to, conditions that would reasonably result in harm to the child, the person to whom the disclosure is made or who suspects such abuse shall immediately report the suspicion and the information on which it is based. Members of clergy are mandated reporters; we hope that everyone participating in our events will act as voluntary reporters of child abuse.

Depending on the situation or suspicion, the mandated reporter (a member of clergy) or the voluntary reporter (anyone else, including Paganicon board members but especially first-hand witnesses or confidants of the event) must determine where to report:

- Report to Hennepin County Child Protective Services if the alleged perpetrator is a parent, guardian, family child care provider, family foster care provider, an unlicensed personal care provider or organization, or juvenile correctional facility staff person. They will ask questions and determine whether the report should, in fact, be made to another agency (such as the CPS office of the child's home county). Contact info: 612-348-3552 (Press 1) 24 hours a day, 7 days a week.
- Report to law enforcement agency (we believe the St. Louis Park police but maybe Hennepin County Sheriff) if the alleged perpetrator is someone outside the family and not a staff person at a regulated facility (such as a school, hospital, licensed day care, etc.). Examples of non-family, non-facility caretakers include athletic club staff and babysitters. This would include all Paganicon attendees, board members, volunteers, etc. who are not the legal guardians of the child. Contact info: St. Louis Park police non-emergency line is (952) 924-2618; Hennepin County Sheriff is (612) 348-3744.

When you contact law enforcement or child protection, the agency worker will need the following information:

- Your name and phone number, and your relationship to the family or child
- Where the child is now and whether s/he is in immediate danger
- A description of when and where the incident occurred and what happened to the child
- A description of any injuries and the present condition of the child
- The names and addresses of the child, parents or caregivers
- A report of any witnesses to the incident and their names
- Any additional information you have about the child, family or caregivers that may be helpful

Any incidents should be reported orally within 24 hours, in written form within 72 hours. The written report should contain information that: (1) identifies the child; (2) identifies

any person believed to be responsible for the abuse or neglect; (3) states the nature and extent of the abuse.

The person reporting is encouraged to record the details of the disclosure or the reasonable cause for suspicion, including dates and times of the alleged incident and name and address of the alleged perpetrator if known. The person reporting is to keep the information confidential, except as required by law and this policy.

Members of clergy are mandated reporters in Minnesota. We ask that any of our participants who are clergy and are required to report evidence to notify the TCPP board if they haven't already (i.e. if the report is not being made by a TCPP board member). Full disclosure of details is not required, but helpful in meeting our goals of becoming a safer organization, and will be treated with complete confidentiality (only disclosed to board members and kept on hand in our files).

## Paganicon's Ongoing Goals

- To provide more education and information to participants at our events about consent culture
- To guide the socially awkward among us into appropriate behavior, as a group
- To treat all complaints with respect
- To open and engage in further dialog around any issues that arise to cause friction in our events, whether as part of these guidelines or something else
- To create a space that feels safe and welcoming to all people, of all ages, races, genders, sexual orientations
- To ensure ongoing transparency around these guidelines and issues

## Future Updates

These guidelines shall be reviewed every year at our Annual Meeting and updated as needed. These guidelines shall also be updated at any time in the future if Paganicon or TCPP ever creates or employs its own security team, in order to reflect their priorities, responses, responsibilities, and limitations.

Also, these guidelines shall be updated at any time in the future if we decide to include children, offer child supervision at our events, children's programming, mentoring or coaching of minors, etc. At that time:

1. We will structure programs for children and teens to minimize the risk of abuse at gatherings.
2. We will institute mandated reporter training for all gathering staff, along with education on perpetrator behavior and warning signs.
3. We will craft a policy of criminal background checks, reference checks, interviews, and observations of any and all volunteer or staff who deal directly with children in our organization.

4. We will provide training to all staff and volunteers who deal with children on how to recognize, respond to and report suspicions of child sexual abuse.
5. We will engage the community in awareness and education to cultivate an environment where the topic of child protection and adult responsibility is openly discussed and encouraged.