E-Hostility:
Best Practices for Preventing & Reconciling Online Uncivil Behavior

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Peak Democracy Inc
ICMA Conference Presenter

ICMA 100th ANNUAL CONFERENCE
Charlotte Mecklenburg County
SEPTEMBER • 14-17 • 2014

PEAK DEMOCRACY

has been designated by ICMA as a

LEADING PRACTICE SERVICE PROVIDER

AGENDA:

1. Intro to Company
2. Best Practices to Prevent & Reconcile E-hostility
3. Examples / Case Studies
4. Q & A
5. Best Operating Practices of Online Civic Engagement

INTRO: *COMPANY MISSION*

Online civic engagement that increases public trust in government

Contrasted with

crowd-sourcing & "*click-tivism*"

that are optimized for activists

in ways that erode

public trust in government

PEAK DEMOCRACY

INTRO: *COMPANY STATUS**

- ❑ Founded in 2007
- ❑ Employees across the US
- ❑ Over 1,600 online forum topics
- ❑ Over 210,000 online attendees
- ❑ Over 100 client government agencies
- ❑ 90% renewal rate
- ❑ 95% satisfaction rating from about 8,000 user surveys (available on request)
- ❑ Partnerships:
  - **ICMA** *primary provider*
  - **Alliance for Innovation** *partner*
  - Center for Priority Based Budgeting
  - National Research Center

* For the latest stats on the Peak Democracy Network, go to http://www.PeakDemocracy.com

Sample of Clients

- Berkeley CA
- Bay Area MTC CA
- Contra Costa County CA
- Danville CA
- El Cerrito CA
- Encinitas CA
- Fremont CA
- Humboldt County CA
- Indian Wells CA
- Irvine CA
- Long Beach CA
- Marin County CA
- Menlo Park CA
- Moraga CA
- Morgan Hill CA
- Mountain House CA
- Mountain View CA
- Novato CA
- Pacifica CA
- Palo Alto CA
- Rancho Cordova CA
- Salinas CA
- San Bernardino County CA
- San Carlos CA
- San Leandro CA
- San Ramon CA
- Santa Clara CA
- Santa Cruz County CA
- Sausalito CA
- Vacaville CA
- Vallejo CA
- Walnut Creek CA
- Yucca Valley CA
- Salt Lake City UT
- South Salt Lake UT
- Salt Lake County UT
- Utah Transit Authority UT
- Alexandria VA
- Arlington County VA
- Chesterfield County VA
- Norfolk VA
- Virginia Beach VA
- Ashland OR
- Klamath Falls OR
- Hillsboro OR
- Lake Oswego OR
- Portland Dev Comm OR
- Decatur GA
- Dunwoody GA
- Alpharetta GA
- Baltimore MD
- Prince George County MD
- Delray Beach FL
- Gainesville FL
- Ocala FL
- Tamarac FL
- Wellington FL*
- West Palm Beach FL
- Marana AZ
- Tempe AZ
- Depart of Transportation AZ
- Aspen CO
- Boulder County CO
- Broomfield CO
- Durango CO
- Littleton CO
- Loveland CO
- Pikes Peak Council of Gov CO
- Pitkin County CO
- Douglas County NV
- Washoe County NV
- Saint Paul MN
- Scott County MN
- Ann Arbor MI
- Sugar Land TX
- Tyler TX
- Eau Claire WI
- Pleasant Prairie WI
- New Hanover County NC
- Cape Fear NC
- Durham NC
- Tulsa OK
- Olathe KS
- Bozeman MT
- Walla Walla WA
- Sandusky OH
- Middletown RI
- State College PA
- Germantown TN
- Los Alamos County NM
- Rock Hill SC
- West Vancouver BC
- Edmonton AB

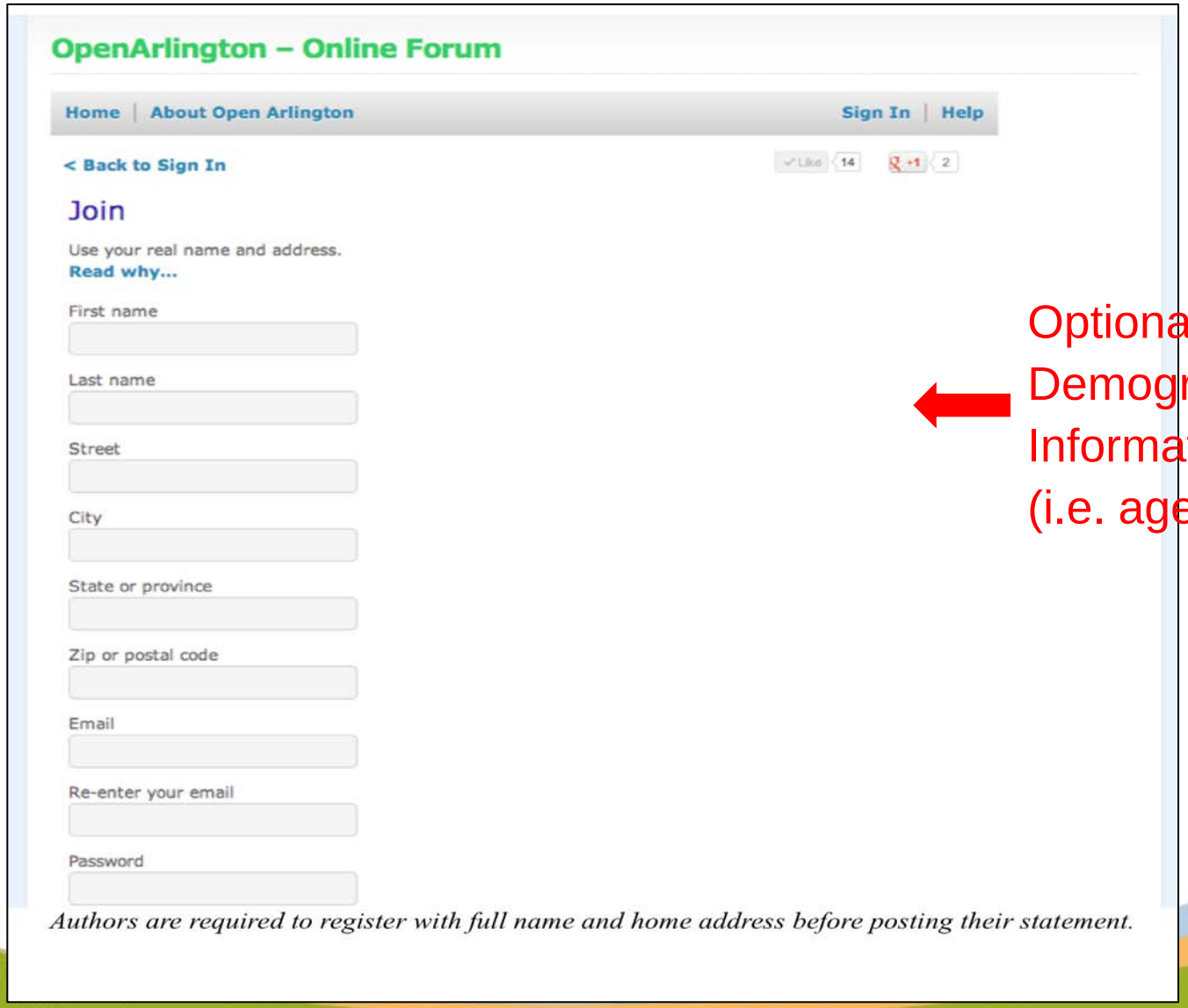
* Client established but forums not publicly launched yet

5

BEST PRACTICE 1: *REQUIRE REGISTRATION*

- Require registration to post an idea or comment “on-forum”
- Minimum registration to post an idea or comment on-forum:
  - Real name (so person can be identified, if necessary)
  - Street address (not just zip code, so know jurisdiction)
  - Email address (so can be contacted, if necessary)
  - Optional demographic information
- Provide an alternative “off-forum” for people who won’t register:
  - Not everyone wants to give personal information to gov
  - Ultimately, all information is subject to a public records
  - Alternative: download PDF and email or fax to gov

BEST PRACTICE 1: *REQUIRE REGISTRATION*

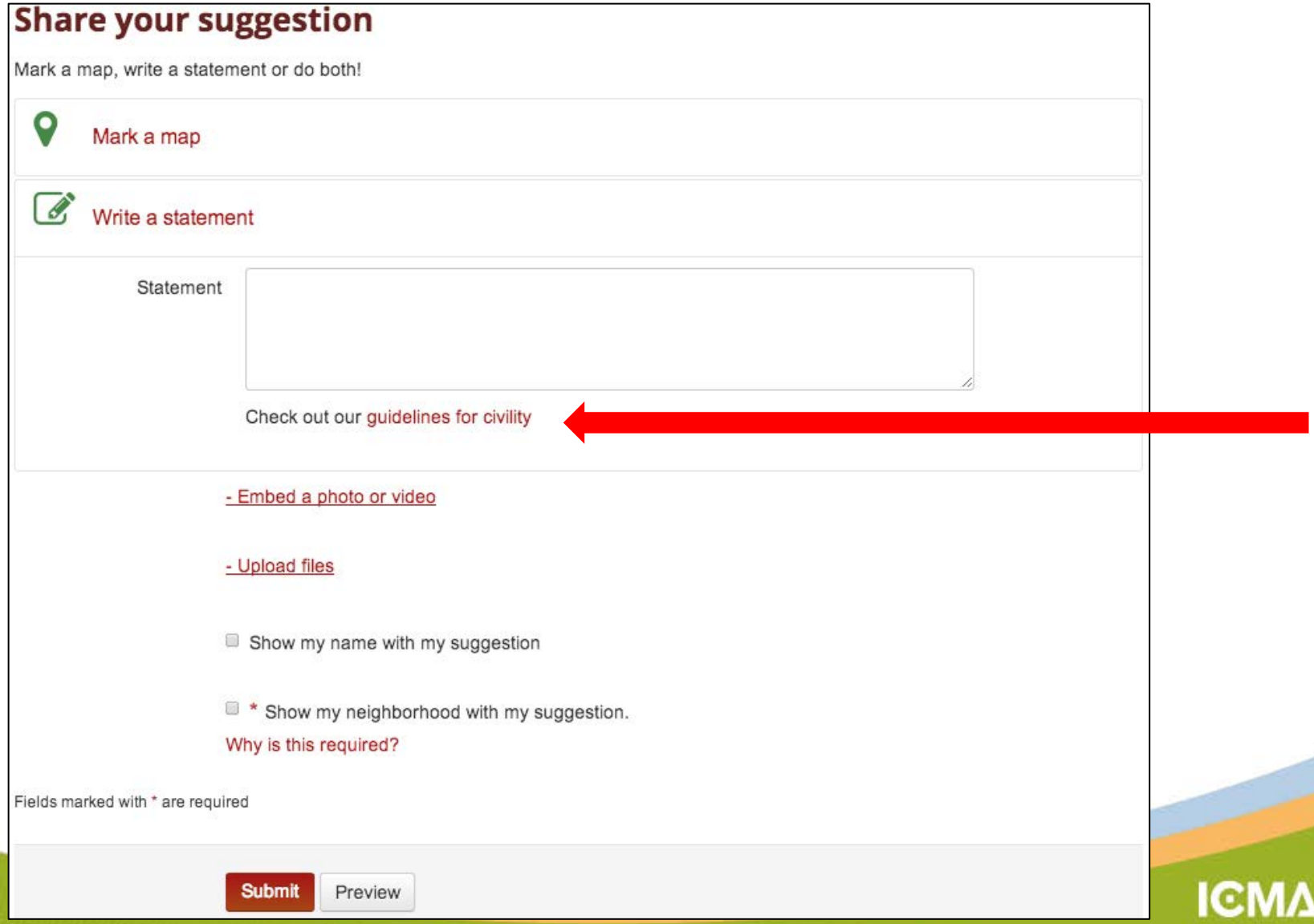


Optional Demographic Information (i.e. age, gender)

BEST PRACTICE 2: *POST CIVILITY GUIDELINES*

- ❑ Civility guidelines educate users & set expectations
- ❑ We provide a commonly used template
- ❑ Jurisdictions can readily customize the template

BEST PRACTICE 2: *POST CIVILITY GUIDELINES*



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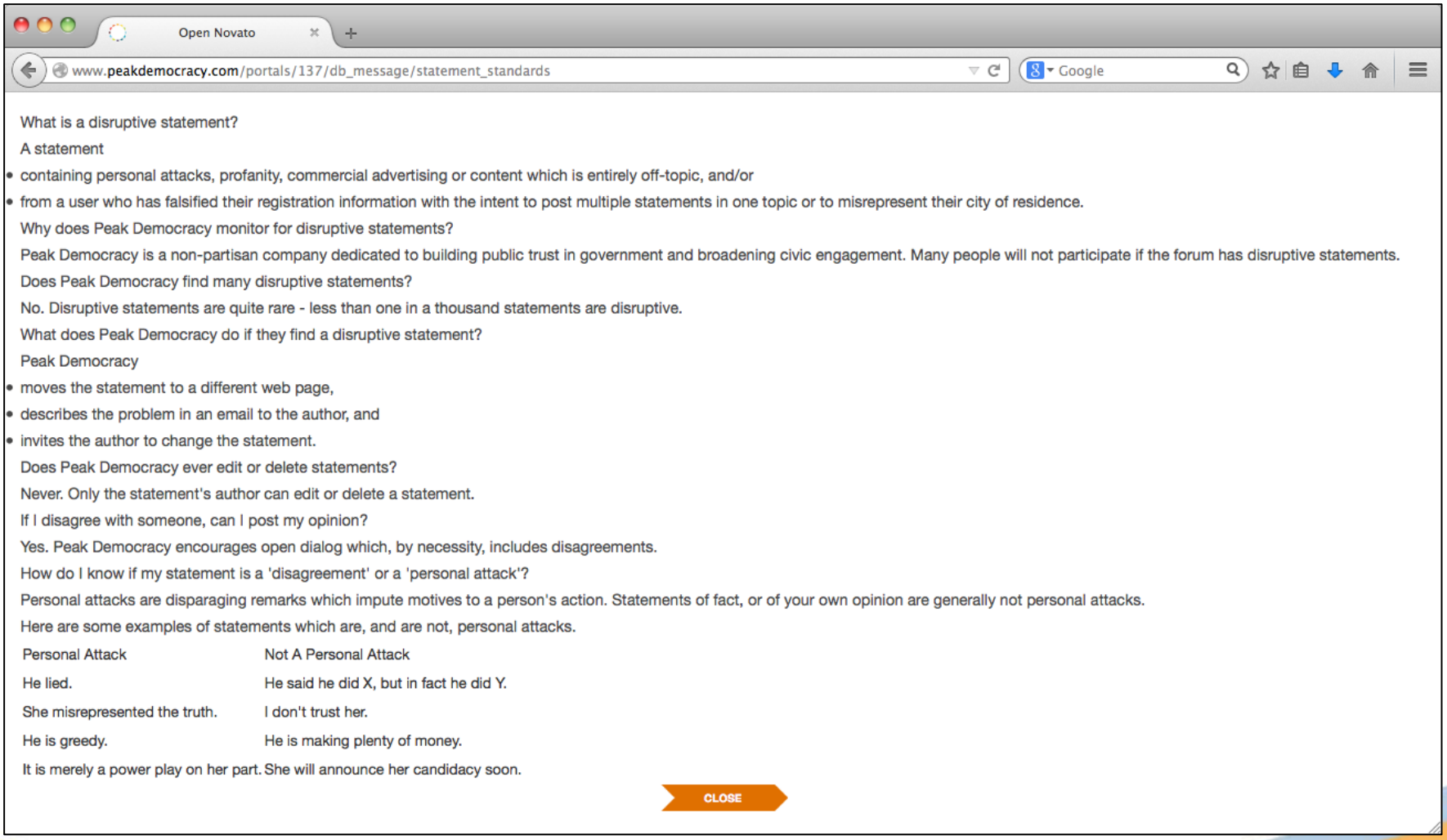
BEST PRACTICE 2: *POST CIVILITY GUIDELINES*



What is a disruptive statement?

A statement

- containing personal attacks, profanity, commercial advertising or content which is entirely off-topic, and/or
- from a user who has falsified their registration information with the intent to post multiple statements in one topic or to misrepresent their city of residence.

Why does Peak Democracy monitor for disruptive statements?

Peak Democracy is a non-partisan company dedicated to building public trust in government and broadening civic engagement. Many people will not participate if the forum has disruptive statements.

Does Peak Democracy find many disruptive statements?

No. Disruptive statements are quite rare - less than one in a thousand statements are disruptive.

What does Peak Democracy do if they find a disruptive statement?

Peak Democracy

- moves the statement to a different web page,
- describes the problem in an email to the author, and
- invites the author to change the statement.

Does Peak Democracy ever edit or delete statements?

Never. Only the statement's author can edit or delete a statement.

If I disagree with someone, can I post my opinion?

Yes. Peak Democracy encourages open dialog which, by necessity, includes disagreements.

How do I know if my statement is a 'disagreement' or a 'personal attack'?

Personal attacks are disparaging remarks which impute motives to a person's action. Statements of fact, or of your own opinion are generally not personal attacks.

Here are some examples of statements which are, and are not, personal attacks.

Personal Attack	Not A Personal Attack
He lied.	He said he did X, but in fact he did Y.
She misrepresented the truth.	I don't trust her.
He is greedy.	He is making plenty of money.
It is merely a power play on her part.	She will announce her candidacy soon.

CLOSE

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BEST PRACTICE 3: *EMULATE PUBLIC MTG PROTOCOLS*

- Configure topic so that it emulates public hearing protocols:
  - Each person posts 1 response per topic
  - Responses are directed to gov staff & public officials
  - Don't enable people to reply to other comments (no attacks)
- Ideation topics don't need to emulate public meeting protocols
- Monitor IP address & browser cookie to prevent systematic fraud

BEST PRACTICE 4: *MONITOR REGISTRANTS & POSTS*

- Software monitors instantaneously, then humans check:
  - 3 P's: Profanity, Personal Attacks, imPertinent Comments
  - Compare to client's guidelines
  - Multiple posting from same person
- Authenticate users in 4 ways:
  - Confirm email address is valid
  - Geo-code street address
  - Monitor IP address & browser cookies

BEST PRACTICE 4: *RECONCILING UNCIVIL BEHAVIOR*

- Use a third party to reconcile uncivil behavior so the process is:
  - Diplomatic, not confrontational (some people don't like gov)
  - Doesn't take government staff time
- Third party's reconciliation process for uncivil behavior:
  1. Always confer with gov contact before & during process
  2. Move comment to separate web page (can be public or private)
  3. Never delete or edit a comment without author's permission
  4. Contact author in diplomatic & non-threatening manner
  5. Request change to uncivil content:
     - Unprotected speech
     - Protected speech (very rare)

BEST PRACTICE 4: *LIMITED PUBLIC FORUM*

Public forum

A ***public forum***, also called an ***open forum***, is open to all expression that is protected under the First Amendment. Streets, parks, and sidewalks are considered open to public discourse by tradition and are designated as ***traditional public forums***. The government creates a designated public forum when it intentionally opens a nontraditional forum for public discourse. ***Limited public forums***, such as municipal meeting rooms, are nonpublic forums that have been specifically designated by the government as **open to certain groups or topics**. Traditional public forums cannot be changed to nonpublic forums by governments.

The use of public forums generally cannot be restricted based on the content of the speech expressed by the user. Use can be restricted based on content, however, if the restriction passes a strict scrutiny test for a traditional and designated forum or the reasonableness test for a limited forum. **Also, public forums can be restricted as to the time, place and manner of speech**. In the 1972 case Grayned v. Rockford, the Supreme Court found that "The nature of a place, 'the pattern of its normal activities, dictate the kinds of regulations of time, place, and manner that are reasonable.'" In determining what is reasonable, the Court stated that "[the] crucial question is whether the manner of expression is basically incompatible with the normal activity of a particular place at a particular time." Thus, protesters have the right to march in support of a cause, but not on a public beach during the middle of the day with bullhorns.

Nonpublic forums

A nonpublic forum is not specially designated as open to public expression. For example, jails, public schools, and military bases are nonpublic forums (unless declared otherwise by the government). Such forums can be restricted based on the content (i.e., subject matter) of the speech, but not based on viewpoint. Thus, while the government could prohibit speeches related to abortion on a military base, it could not permit a pro-life speaker while denying a pro-choice speaker (or vice versa).

Regardless of the type of forum, any exclusion must be done on a viewpoint neutral basis. Exclusion based on the speaker's viewpoint is unconstitutional.

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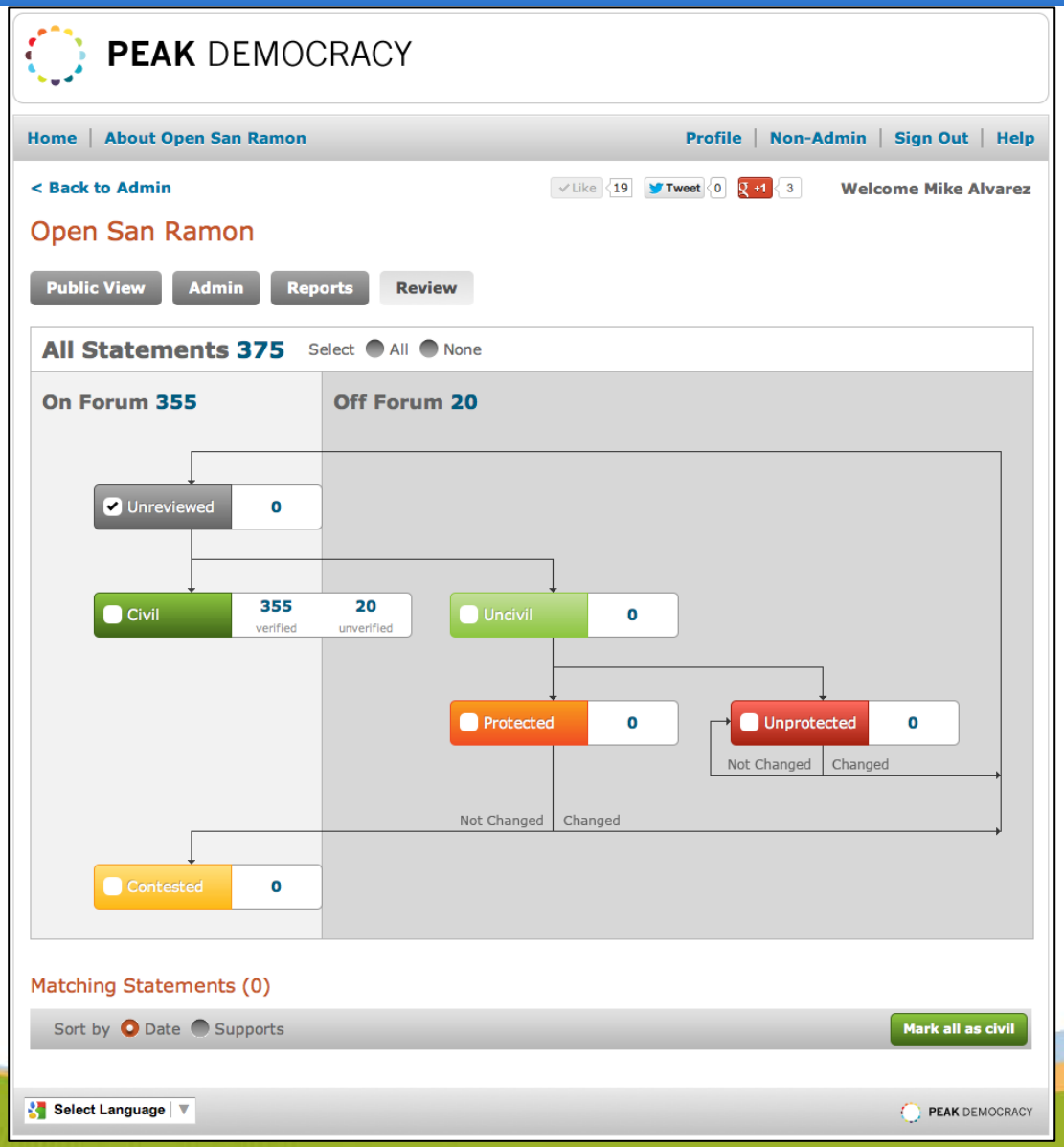
BEST PRACTICE 4: *MONITOR REGISTRANTS & POSTS*



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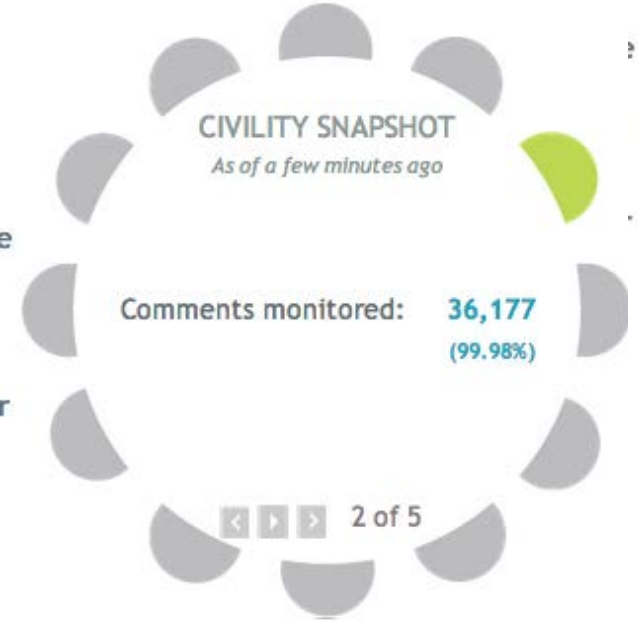
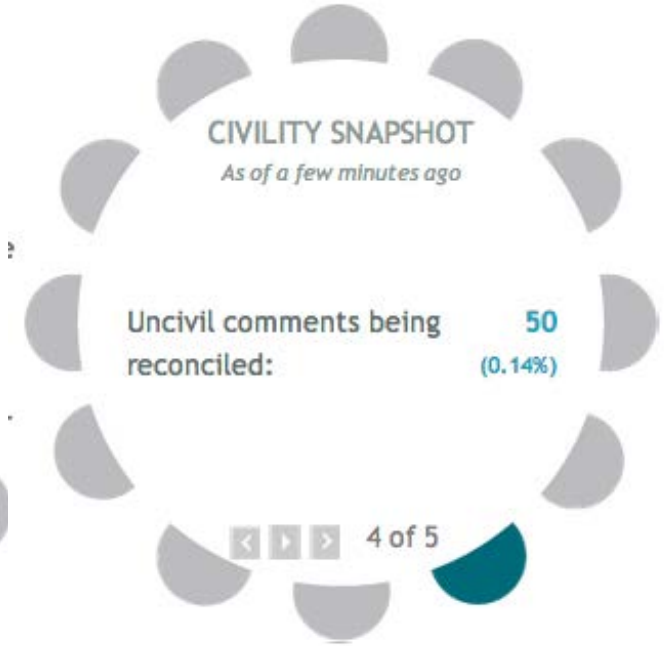
RESULTS: *PEAK DEMOCRACY NETWORK*





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EXAMPLES:

- San Francisco Bay Area: Metropolitan Transit Commission
- Encinitas California
- Berkeley California

EXAMPLES: SAN FRANCISCO BAY AREA

NEWS

Updated: Tue, Jan 17, 2012, 6:32 am
Uploaded: Thu, Jan 12, 2012, 10:25 pm

Tea party members disrupt meeting to Plan Bay Area

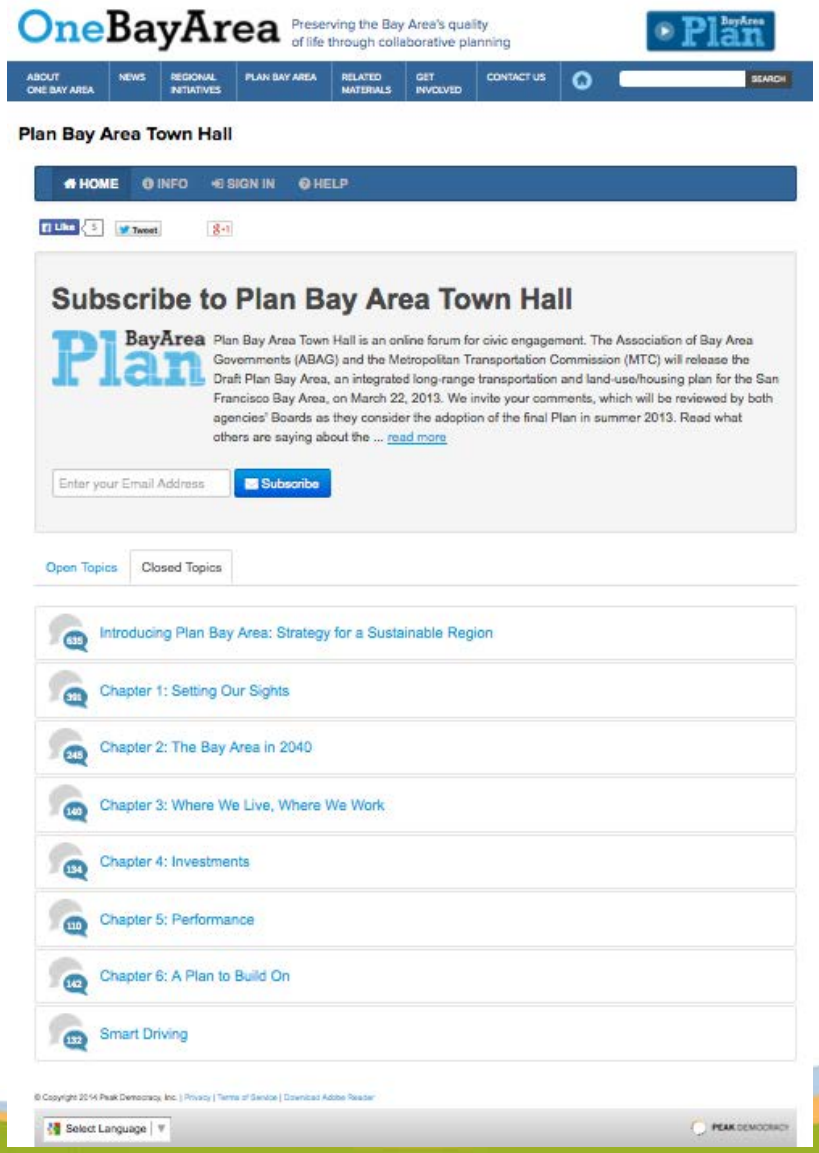
Officials keep their cool while protesters shout over speakers

by Dolores Fox Ciardelli / Pleasanton Weekly

Getting input on how best to plan transportation and housing in the Bay Area for the next 25 years proved difficult Wednesday night as about 20 vocal protesters shouted out slogans and objections to the process even before it began, shortly after 6 p.m.

"We don't believe this can be done in a vacuum," Alameda County Supervisor Scott Haggerty said to the standing room only crowd in the Dublin City Council Chamber. He

EXAMPLES: SAN FRANCISCO BAY AREA



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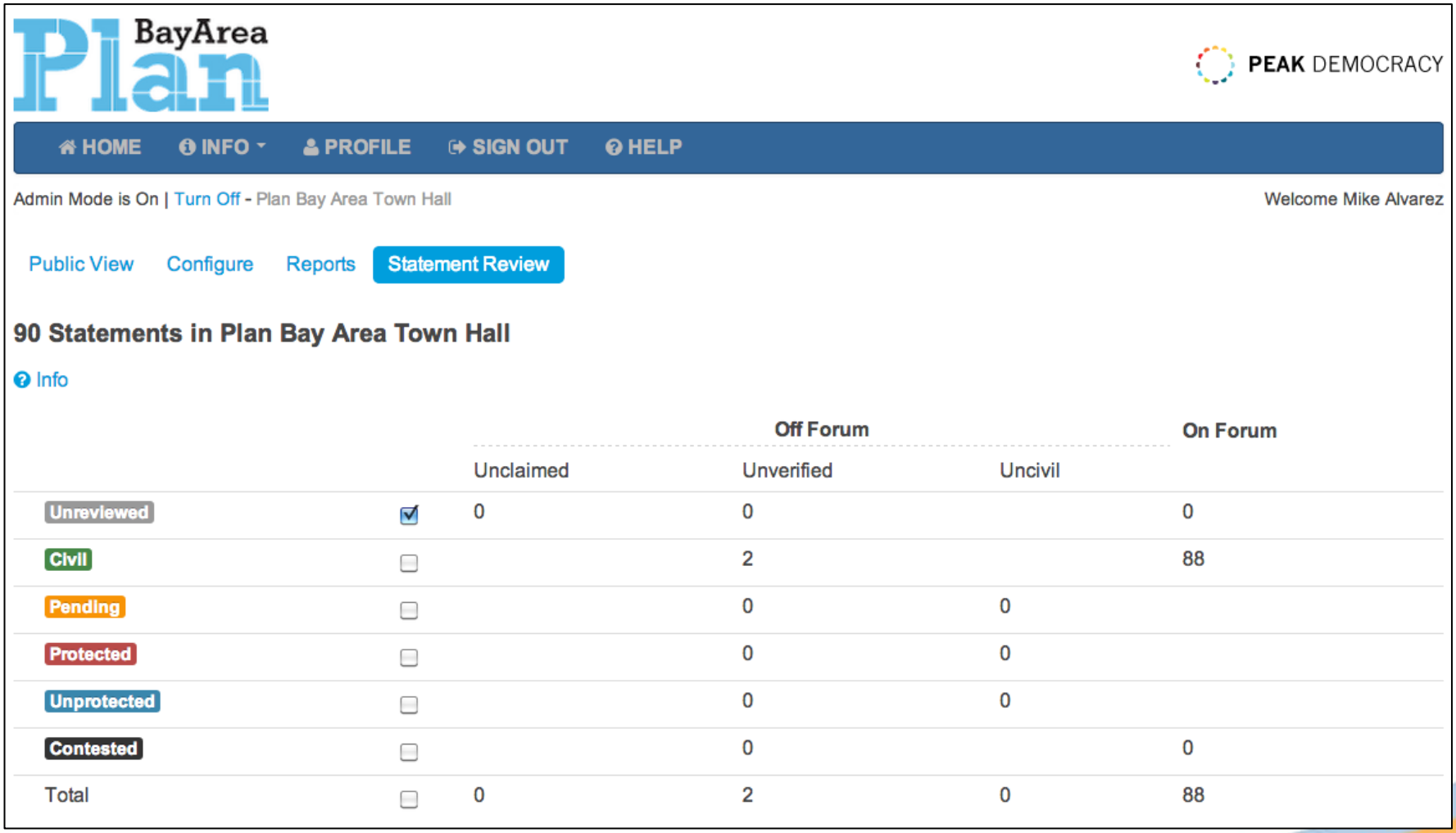

EXAMPLES: *ENCINITAS CA*

THE COAST NEWS

Sea

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Protect Encinitas dog parks

By Julie Graboi

Jul 03, 2014 • 3,573 views • 20 comments

The city of Encinitas has recently released the highly anticipated Peak Democracy tool to capture citizen participation online. A question on the discussion board has already unsettled local residents only two weeks after the unanimous council vote to name the new dog park at Encinitas Community Park after former Mayor Maggie Houlihan, who died of cancer in September 2011. The following question has raised a lot of concern among dog owners and dog lovers.

"How important is it for off-leash dog hours to remain at Encinitas Viewpoint, Orpheus and Sun Vista parks once the new dedicated 2-acre off-leash dog park is open at Encinitas Community Park?"

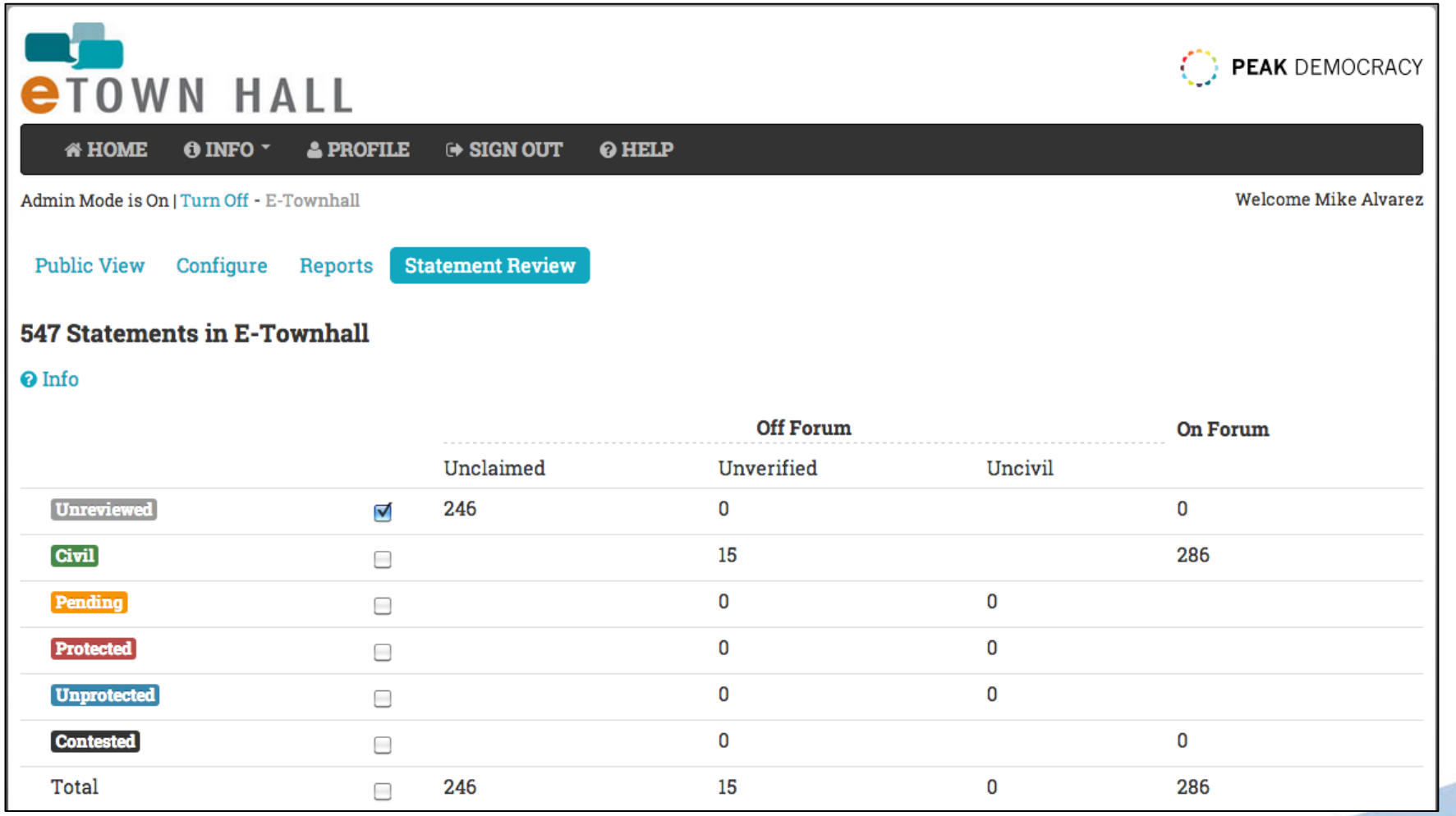
For pet owners and others aware of the important role that dog parks play in the health and well-being of dog owners, this question seems to point to a city that is out of touch with issues that are important to its citizens. It also hints at a darker purpose to possibly close down neighborhood dog parks and direct all dog owners to use the future dog park at Encinitas Community Park instead of neighborhood parks.

Besides the leading nature of this question on dog parks and other issues of bias, there are reports of other technical problems in using this platform. According to Marlena Medford, communications officer in a June 30 email comment:

"Peak Democracy does not have measurement expertise, and e-Town Hall is not intended to be a scientifically valid statistical survey— but rather, an informal process to deliver input from a self-selected group of participants to decision-makers. The objective is to treat input from e-Town Hall the same as input from all other non-scientific channels for public input, such as council meetings, emails, letters published in local newspapers and chance encounters on the street with constituents."

As a concerned citizen, I have spoken at length about the weaknesses of the Peak Democracy platform and other invalid programs that the city has used to measure public opinion for the past four years. This is simply the newest iteration in a group of expensive and invalid programs that have cost us millions of

EXAMPLES: *ENCINITAS CA*



eTOWN HALL

PEAK DEMOCRACY

HOME | INFO | PROFILE | SIGN OUT | HELP

Admin Mode is On | Turn Off - E-Townhall

Welcome Mike Alvarez

Public View | Configure | Reports | Statement Review

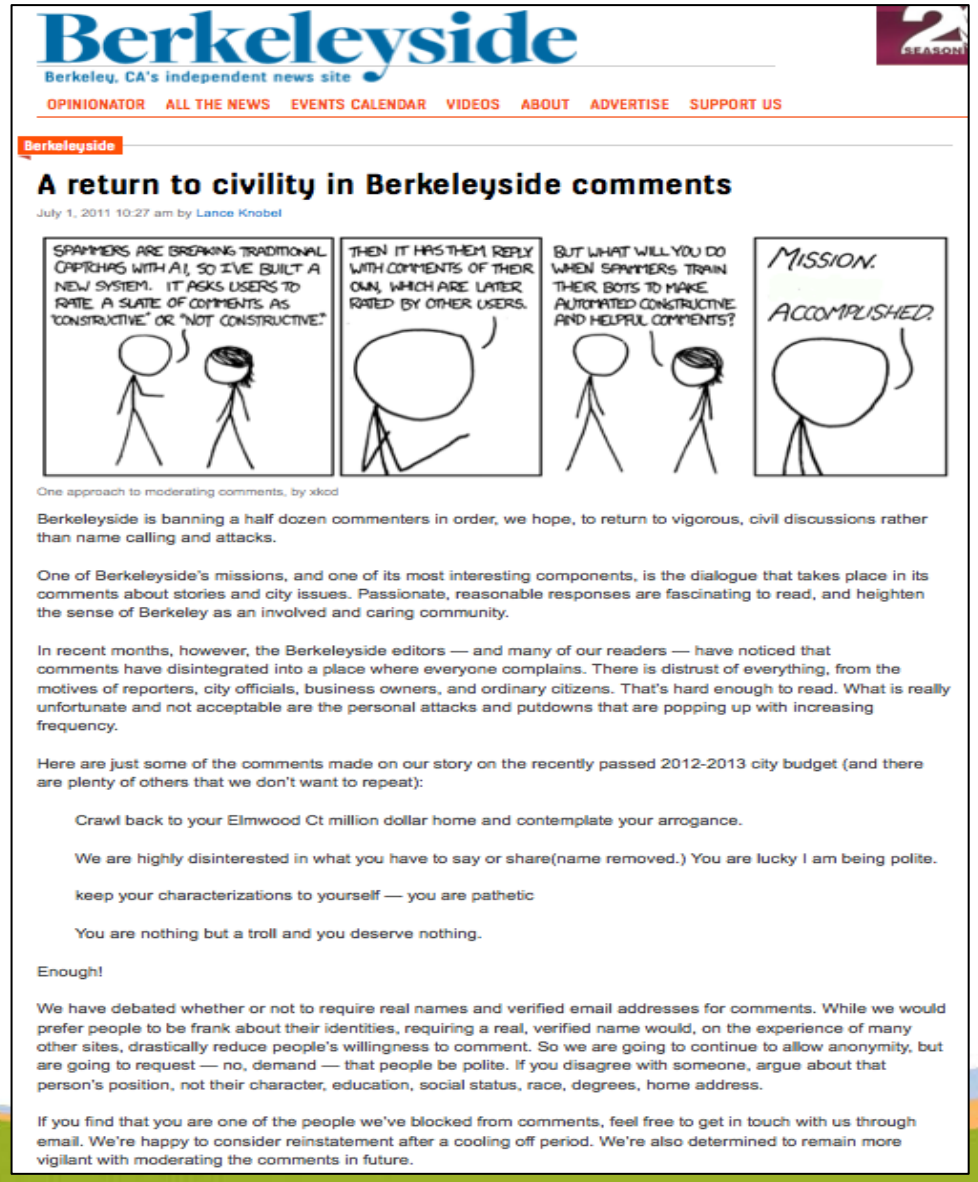
547 Statements in E-Townhall

Info

		Off Forum			On Forum
		Unclaimed	Unverified	Uncivil	
Unreviewed	☑	246	0		0
Civil	☐		15		286
Pending	☐		0	0	
Protected	☐		0	0	
Unprotected	☐		0	0	
Contested	☐		0		0
Total	☐	246	15	0	286

EXAMPLES: *BERKELEY CA*

Banning half dozen commenters to have a civil discussion



Berkeleyside

Berkeley, CA's independent news site

OPINIONATOR ALL THE NEWS EVENTS CALENDAR VIDEOS ABOUT ADVERTISE SUPPORT US

Berkeleyside

A return to civility in Berkeleyside comments

July 1, 2011 10:27 am by Lance Knobel

One approach to moderating comments, by xkcd

Berkeleyside is banning a half dozen commenters in order, we hope, to return to vigorous, civil discussions rather than name calling and attacks.

One of Berkeleyside's missions, and one of its most interesting components, is the dialogue that takes place in its comments about stories and city issues. Passionate, reasonable responses are fascinating to read, and heighten the sense of Berkeley as an involved and caring community.

In recent months, however, the Berkeleyside editors — and many of our readers — have noticed that comments have disintegrated into a place where everyone complains. There is distrust of everything, from the motives of reporters, city officials, business owners, and ordinary citizens. That's hard enough to read. What is really unfortunate and not acceptable are the personal attacks and putdowns that are popping up with increasing frequency.

Here are just some of the comments made on our story on the recently passed 2012-2013 city budget (and there are plenty of others that we don't want to repeat):

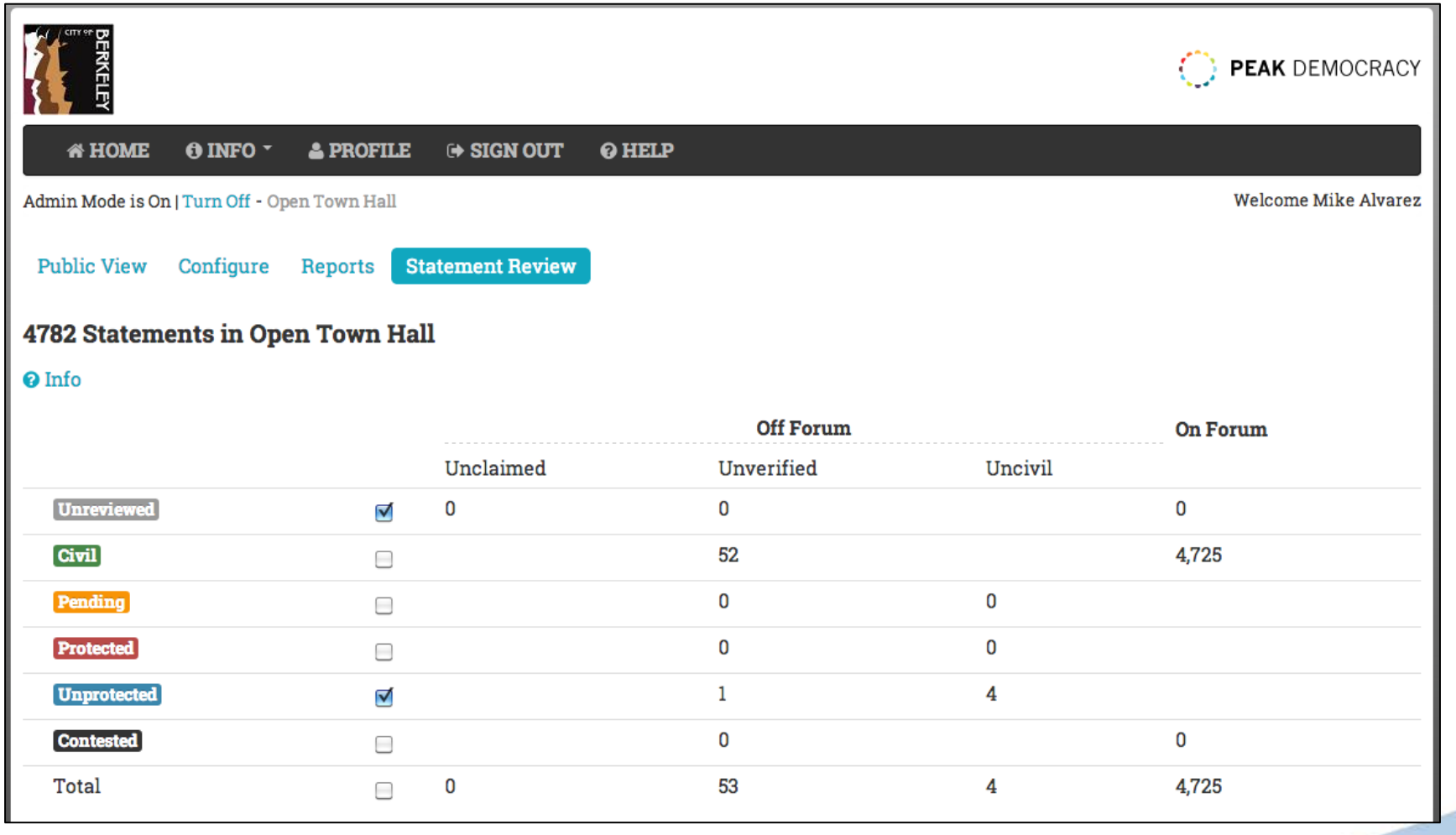
> Crawl back to your Elmwood Ct million dollar home and contemplate your arrogance.
>
> We are highly disinterested in what you have to say or share(name removed.) You are lucky I am being polite.
>
> keep your characterizations to yourself — you are pathetic
>
> You are nothing but a troll and you deserve nothing.

Enough!

We have debated whether or not to require real names and verified email addresses for comments. While we would prefer people to be frank about their identities, requiring a real, verified name would, on the experience of many other sites, drastically reduce people's willingness to comment. So we are going to continue to allow anonymity, but are going to request — no, demand — that people be polite. If you disagree with someone, argue about that person's position, not their character, education, social status, race, degrees, home address.

If you find that you are one of the people we've blocked from comments, feel free to get in touch with us through email. We're happy to consider reinstatement after a cooling off period. We're also determined to remain more vigilant with moderating the comments in future.

EXAMPLES: *BERKELEY CA*



CITY OF BERKELEY

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Admin Mode is On | Turn Off - Open Town Hall

Welcome Mike Alvarez

Public View | Configure | Reports | Statement Review

4782 Statements in Open Town Hall

Info

		Off Forum			On Forum
		Unclaimed	Unverified	Uncivil	
Unreviewed	☑	0	0		0
Civil	☐		52		4,725
Pending	☐		0	0	
Protected	☐		0	0	
Unprotected	☑		1	4	
Contested	☐		0		0
Total	☐	0	53	4	4,725

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