

Shrine Investigation Policy and Procedure

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Introduction

Shrine takes all reports and investigations seriously. We greatly appreciate the courage and effort that it takes each individual to make a statement and respond to statements.

This document establishes how Shrine will handle character complaints, investigations, reporting, said character complaints, and the confidentiality surrounding these reports and processes. It is the responsibility of all Directors and Producers to be knowledgeable of this document, and as needed, amend this document.

Shrine asserts and maintains that Shrine is not an authority on law. Shrine will only investigate matters in the scope of consent, safety, or outing. Shrine further asserts and maintains that if you believe that your incident broke the law or requires legal pursuance, that we highly encourage you to seek out legal representation.

Confidentiality

The goal of Shrine's Confidentiality Policy is to create a way to review reports made by individuals which offers a reasonable amount of privacy to those involved, while still being able to internally track individuals for reasons that include but are not limited to follow up questions, additional information, and/or advising of determinations.

1. When making any report to an Acting Agent of Shrine, you may be asked for your legal name and way to contact you. This information will be kept to the extent of any investigation and/or process during which a situation is resolved.
2. Shrine will attempt, to the best of its ability, not to release your name, character, or personal descriptions to the extent that we are able when talking to other individuals about an incident.
3. Shrine will not use full names for the purposes of reports, investigations, or resolutions, but may keep and/or store the preferred name, contact, First Legal Name and First Initial, Fetlife Profile #, additional social media profile information, and nature of the report of all persons involved.
4. Shrine will release the determination of the investigations to the Petitioner and Respondent.
 - a. If an Affiliate or our Venue requests information of an investigation Shrine will discuss the matter only within the scope of their request.
5. Shrine may release if an individual is banned upon request but will not disclose any information in regards to the report, investigation, resolution, or persons involved to any individual except those involved in the incident, our organization, our Venue, and our Affiliates to the extend described in #4.
 - a. As to prevent outing an individual, Shrine will use information provided to identify individuals. In general this will be the individual's preferred name. If Shrine does not have a preferred name, their legal first name and first initial of last will be used to identify them.
 - b. For the purposes of identifying an individual to our Affiliates or Venue, Shrine will confirm or deny correlations between names of individuals and alternate names they may use. Shrine will not give any further information except as laid out in #4.
6. Shrine will not publicly disclose its process of each report and/or investigation.
7. If an individual publicly releases information, Shrine may choose to not comment in order to best adhere to this Policy and not disclose information in relation to the individuals, the incident, and/or the process to investigate.
 - a. Shrine reserves the right to utilize any publically released information in our investigation.
8. Shrine is required to abide by all legal requirements as presented by Law Enforcement and Department of Justice.
9. Disclaimer: Shrine Leadership reserves the right to alert leadership of another group, or our Venue, of receipt of a request to investigate submitted to Shrine.
10. Disclaimer: Shrine will, within reason and to the best of its ability, enforce this policy. Shrine may have limitations to its ability to enforce this policy. Each situation is on a case-by-case basis and descriptors of events and actions may unintentionally result in an individual being able to identify individuals making reports.

Definitions

Shrine uses a variety of definitions in our work. Shrine has created this section to help in providing definitions for some aspects of this document.

Character Complaint

Shrine defines a Character Complaint as any statement made to an Acting Agent of Shrine for the purposes of alerting them to an individual who may be breaking Shrine's Consent Policy, practicing unsafe activities, and/or otherwise causing unease and discomfort. This type of complaint is a statement and is not asking Shrine to respond based on the statement. Shrine will hold the complaint in a secured file for the purposes of identifying repeat or habitual patterns of negative behavior. Shrine identifies that any statement made to Shrine with or without a Call to Action that is over a year old is automatically considered a Character Complaint. Shrine may, depending on the severity of the statement, choose to open following Shrine's Investigation Process.

Investigation

Shrine defines an Investigation as any statement made to an Acting Agent of Shrine for the purposes of alerting them to an individual who has broken Shrine's Consent Policy, practiced unsafe activities, or otherwise caused unease and discomfort, and desires Shrine to escalate the incident and act on their statement. Shrine will only consider a statement made to be an *Investigation* when there is a Call to Action.

Call to Action

Shrine defines *Call to Action* as any statement to Shrine wherein there is a request made for Shrine to intervene in some way. These interventions may include but are not limited to punitive requests, remedial requests, meditation requests, or otherwise.

Petitioner

Shrine defines *Petitioner* as the individual who is making the statement to Shrine. The Petitioner is further defined as the individual who experienced their consent to be violated, their safety infringed, or their legal identity outed. Shrine requires that the Petitioner is the person who was involved, in other words, Shrine will not take third party Call to Action reports.

If the individual is making a Character Complaint, they are allowed to be a third party.

Respondent

Shrine defines *Respondent* as the individual who is responding to the statement being made about their person. The Respondent must be named as such by the Petitioner.

Witness

Shrine defines *Witness* as any individual who is not the Petitioner or Respondent that is identified as having observed some aspect of the incident being reported to Shrine. A Witness must have first hand knowledge of the situation and may not have received the information of which they share with Shrine by any other means.

Acting Agent of Shrine

Shrine defines *Acting Agent of Shrine* as any Shrine volunteer, Director, Producer, or otherwise, who is acting within the scope of duty for Shrine. This person should be able to identify their role within Shrine and identify their person at any and all times.

Arbiter

Shrine defines Arbiter as the title given to an Acting Agent of Shrine who ensures that the Shrine Investigation Policy and Procedure is followed correctly to the best ability of Shrine. The Arbiter for the city in which the report was received, will be a sitting member of the three personal panel as defined in Shrine's Investigation Process, unless otherwise unable.

Affiliate

Shrine defines Affiliate as any organization that is a named Affiliate of Shrine. These may be found listed on our website shrineparties.com/shrine-affiliates/

Venue

Shrine defines Venue as the location management wherein Shrine Events are hosted.

Rights of Each Individual

Shrine asserts and maintains that each individual regarding any incident, including Shrine, has certain rights for each investigation.

Shrine asserts and maintains all individuals have the right to have their confidentiality maintained as addressed in the Confidentiality Policy of this document.

Shrine asserts and maintains that all individuals have the right to have their side heard regarding any incident and Shrine will, to the best of our ability, attempt to hear all individuals.

Shrine asserts and maintains all individuals have the right to not respond to a Shrine inquiry at any point for any or no reason.

Shrine asserts and maintains all individuals have the right to pursue legal action against the Respondent or Petitioner at any time.

Shrine asserts and maintains that Shrine reserves the right to cease any activity surrounding an investigation if and when it is notified that there is a legal action taken.

Shrine asserts and maintains that Shrine reserves the right to refuse service temporarily to any individual listed in any Investigation while the Investigation Process is ongoing.

Shrine asserts and maintains that Shrine reserves the right to open any Investigation, with Shrine as the Petitioner, based on a Character Complaint at any time after a Character Complaint is received.

Shrine asserts and maintains that Shrine reserves the right to open any Investigation, with Shrine as the Petitioner, including but not limited to, observed habitual behavior, numerous Character Complaints regarding a person(s), or other situations not listed herein.

Shrine asserts and maintains that Shrine reserves the right to open additional Investigations in the event that, during the course of a separate Investigation there is found to be a reasonable cause to open an Investigation with Shrine as the Petitioner.

Shrine asserts and maintains that Shrine reserves the right to supersede any and all requests for determination in lieu of greater or lesser response by Shrine.

Reporting Process

Shrine takes all incidents reported seriously. We understand that these types of incidents range in all sizes and consequently our response may also vary proportionally on a case-by-case basis. In an effort to be as transparent, understanding, and effective as possible, Shrine offers a means for individuals to easily report incidents of any capacity to Shrine.

Shrine asserts and maintains that any individual may approach any Acting Agent of Shrine; there is no limitation on whom an individual may approach. Shrine strongly encourages, however, that any individual approaches a Shrine Director, Arbiter, or Producer.

Character Complaint

Shrine defines a Character Complaint as any statement made to an Acting Agent of Shrine for the purposes of altering them to an individual who may be breaking Shrine's Consent Policy, practicing unsafe activities, or otherwise causing unease and discomfort. This type of complaint is a statement and is not asking Shrine to respond based on the statement and is further defined in the Definitions portion of this document.

Shrine will first ask the Petitioner to give a verbal statement to confirm that there is no call to action. Shrine will follow up with the Petitioner within 5 days to request the written statement.

Shrine will ask information relating to the following:

- The Legal First Name and Initial of Legal Last Name of the Petitioner
- The contact information of the Petitioner
- Fetlife ID# of Petitioner
- The Legal First Name and Initial of Legal Last Name of the individual the Character Complaint is about, Fetlife ID# of Character Complaint
- Dates, times, locations of the incident
- A description of the incident in their own words.

Shrine will hold the complaint in a file for the purposes of identifying repeat and/or habitual patterns of behavior. Shrine may, depending on the severity of the statement, choose to open an investigation with Shrine as the Petitioner.

Investigation

Shrine defines an Investigation as any statement made to an Acting Agent of Shrine for the purposes of alerting them to an individual who has broken Shrine's Consent Policy, practiced unsafe activities, or otherwise caused unease and discomfort, and desires Shrine to escalate the incident and act on their statement. Shrine will only consider a statement made to be an Investigation when there is a Call to Action or Shrine feels the severity of a Character Complaint and/or habitual offenses warrants an investigation. A Call to Action as any statement to Shrine wherein there is a request made for Shrine to intervene in some way.

Shrine will first ask the Petitioner to give a verbal statement to confirm that there is no call to action. Shrine will follow up with the Petitioner within 5 days to request the written statement.

Shrine will ask for information relating to the following:

- The Legal First Name and Initial of Legal Last Name of the Petitioner
- Fetlife ID# of the Petitioner
- The contact information of the Petitioner
- The Legal First Name and Initial of Legal Last Name, Fetlife ID# of the individual the Character Complaint is about
- Dates, times, locations of the incident
- A description of the incident in their own words.

Investigation Policy

Shrine will only hear matters in regards to Consent/Safety/Outings. Shrine is not an authority of law. Shrine does not practice law. The scope of Shrine's investigation is within the scope of consent, safety, and outings. If an individual has a legal concern, Shrine will not view this on the grounds of a legal matter, Shrine will not dictate that we feel or believe an individual has or has not broken the law. If an individual feels there is a legal incident, Shrine suggests that the individual consult legal authorities. Shrine is happy to help identify various support methods in order to find the necessary resources for an individual to pursue a legal course of action.

Shrine takes all investigations and requests to investigate seriously. Shrine will only instigate an investigation when Shrine receives a Call to Action or Shrine feels the severity of a Character Complaint and/or habitual offenses warrants an investigation. Additionally, Shrine maintains that if during the investigation process Shrine finds reason to warrant additional investigations we may do so on Shrine's behalf. Shrine reserves this right to best protect our members, venue, and event.

Shrine will review all statements based on the Reporting Process. When Shrine opens an investigation, the individuals will be named and identified as the Petitioner, Respondent, and/or Witnesses as defined in the Definitions portion of this document. If Shrine is the party acting to open an investigation on their own, Shrine will be named as the Petitioner.

When Shrine reviews a statement and issues an investigation, Shrine will contact all individuals involved in the statement. Shrine will ask all individuals to deliver their own version of the incident using their own words. Shrine cannot force an individual to make statements or cooperate with our investigations. Shrine can only ask individuals to submit their own statements. Shrine will additionally ask if there are any witnesses and/or information including but not limited to text messages, emails, pms, etc, that can be used to further the investigation.

Shrine maintains that any additional information can only be submitted if they can present the information without modification and they have the consent from all parties aside from the Petitioner and/or Respondent.

Shrine will follow their procedures for the investigation and upon completion will follow the Determination Process in order to conclude the investigation.

Shrine will not release the details of the investigation to any person other than the Petitioner and the Respondent. Shrine requests that individuals not disclose the information that we review publicly as that may violate the consent and/or privacy of other individuals. Additionally, Shrine will not answer public questions in regards to the investigation per our Confidentiality Policy and Procedure.

Shrine asserts that each individual has the right to pursue legal action at any point during a Shrine Investigation. Should any individual have pursued, currently pursuing, or elect to pursue legal action during the course of a Shrine investigation, Shrine must cease all actions of an Investigation until the legal case is resolved.

Any individual that is pursuing legal action, must inform Shrine within 5 days of taking legal action so that Shrine does not interfere with any investigation by Law Enforcement or Department of Justice. If possible, Shrine requests notification on intent of pursuing legal action so that Shrine will cease activity.

Should any individual pursue legal action, all named individuals will be barred entry to Shrine until the legal and/or judicial action is resolved and closed.

Shrine asserts and maintains that Shrine is required to abide by all legal requirements as presented by Law Enforcement and Department of Justice.

Investigation Process

When Shrine receives a Call to Action statement regarding an incident, Shrine will determine the severity of the Call to Action. If the individual who makes the call to action only wishes Shrine to speak with an individual(s) and alert them that their actions were not in alignment with the Consent Policy, general safety, etc, then Shrine will identify the statement as a Character Complaint. Additionally, if there is a Call to Action made, but the statement is over a year old, Shrine will identify the statement as a Character complaint. In either case Shrine reserves the right to open an investigation if Shrine decides to be the Petitioner.

When Shrine receives a Call to Action statement regarding an incident, and the severity of the Call to Action merits further investigation, Shrine will begin the process of an investigation.

Shrine's Arbiter will contact the Petitioner within 5 days after the decision to investigate the incident and ask for a written version of their statement. Shrine will ask for the following information as found in the Reporting Process.

Shrine will not move forward, unless it is acting in its own capacity, with an investigation unless we also receive a written statement by the Petitioner. If we do not receive a written statement from the Petitioner within 2 weeks, Shrine will consider the statement made previously as a Character Complaint and file the statement as such.

Once Shrine has received a written statement from the Petitioner, Shrine will contact all individuals named as a Respondent(s) and/or Witness(es) within 5 days after receiving the Petitioner's statement. Shrine will request the similar information from these individuals including but not limited to preferred name, Legal First Name and Initial of Legal Last, Fetlife Profile ID#, description of the events/times/places. Shrine will request all information to be remitted within 2 weeks from the date that Shrine's request is made. Additional time may be allocated on a case-by-case basis.

Unless otherwise unable, the Arbiter will handle all portions of communications between the named individuals and Shrine. Unless otherwise removed from the process of the investigation, the Arbiter, even if recused, will ensure that the necessary steps are followed by the 3 member panel but will have no access to the information provided by any named individual.

Shrine will convene a 3 member panel made up of the Arbiter for the city where the complaint was made - unless otherwise unable, and two Directors, Producers, or Arbiters from Shrine to review the case and determine the outcome for all parties involved.

If the initial Acting Agent of Shrine who heard the verbal statement is a Director or Producer and was not the Arbiter, they will be included in the 3 member panel unless a conflict of interest is determined.

The 3 member panel may elect to ask for additional information from any named individual during the course of their review. If the 3 member panel elects to ask for additional information, the intended recipient of the request is given 2 weeks to remit the information from the date of request.

Once the 3 member panel has determined that no additional information is needed, or has received/not received the requested additional information, the panel will then make a determination.

Disclaimer: Shrine may ask one or more named parties involved in the incident to not attend Shrine during the course of the investigation. This is done on a case-by-case basis.

Determination Policy

Shrine's determination will be made by the 3 member panel as outlined in the Shrine Investigation Process. All determinations on corrective actions are done on a case-by-case basis.

Shrine recognizes and understands the need for our determinations to provide as much reconciliation and resolution as possible for all parties involved. Additionally, we understand that not all individuals and incidents can achieve such reconciliation or resolution and that some individuals are simply too much of a disruption to Shrine and/or the Community as a whole. As such, our Determinations are geared to reflect a wide range of options so that all parties involved can find resolution in the incident in the best manner possible. Shrine also reserves that not all investigations will merit any action by Shrine despite a Call to Action based on the information provided.

Shrine will continue to attempt to find resolutions for all parties involved. Shrine recognizes that some incidents are caused by a lack of understanding rather than true malice and our goal will be to attempt to resolve the instance in both accounts. As such, Shrine's rulings may involve but are not limited to the following:

In general it is the view of Shrine that all forms of determinations should have aspects of ownership, reconciliation/mediation/education, and monitored re-entry into the event.

Mediation

Shrine may determine that mediation is required between the parties involved in the incident. Shrine does not have trained mediators but will do its best to assist in mediation or assist in finding a mediator that all parties can agree to.

Probation

Shrine defines probation as a period where an individual is allowed to attend Shrine Events under more scrutinized monitoring by Shrine Production Team and if Shrine Production Team receives a valid complaint against their person, the individual may be removed/banned from Shrine with no questions.

Probation periods will be conditional upon review of the determination or appeal of the determination.

Suspension

Shrine defines a Suspension as a set period of time where an individual has been removed from Shrine by Shrine Production Team. This time frame will be conditional based on other determinations presented.

Suspension may include re-entry requirements that must be fulfilled during the suspension period. Determinations may be re-reviewed for merit.

Ban

Shrine defines a ban as a statement by the Shrine Production Team that a person is no longer able to attend Shrine events.

Bans may be reopened if unique information is provided.

Determination Process

All determinations are done on a case-by-case basis by the 3 member panel as outlined in the Investigation Process.

All Probations, Suspensions, and Additional Re-Entry Requirements must have clear and set time frames and/or benchmarks wherein the determination will be reviewed for completion.

Once the benchmarks or time frames have been completed, the 3 member panel will confirm that the individual has completed their period and advise all members of the Shrine Production Team that the individual may re-enter Shrine.

Case Re-Review Policy

Shrine recognizes that all individuals have the right to have their case re-reviewed by Shrine. Probation, Suspension, and Bans can all have their cases re-reviewed by Shrine.

Shrine believes that any re-review must show either that the individual has taken ownership, made efforts of reconciliation/mediation/education, is ready for their re-entry, or that the information presented in the investigation was falsified or otherwise untruthful.

No case re-review can be requested sooner than half the time frame of the determination time period.

Example: A person who is on probation for 8 months cannot request a re-review of the determination prior to the four month mark.

Additional Re-Entry Requirements may be requested to re-review more quickly.

There is no time limit on re-review on the grounds of falsified information. Additionally, falsified information does NOT require sponsorship for re-review.

All re-reviews are heard on a case-by-case basis.

Case Re-Review Process

During any Case Re-Review all Shrine Directors, Producers, and Arbiters will convene to re-review the information. Two votes must be taken. The first is to determine if Shrine will Re-Review the case.

If the vote passes with a simple majority, the case will be opened to re-review. When the individual who requests the re-review appeals the information they must have the following information to present:

1. A Leader of an Affiliate Group must sponsor their Case Re-Review. The sponsor must be prepared to affirm and confirm the conditionals set in 2 & 3.
2. The individual must show that they have taken ownership of their action(s).
3. The individual must provide a clear and objective measurement of how they have improved their character and reconciled their issue, examples, including but not limited to made amends with individuals, gone to educational courses, volunteered within the Community, sought out therapy, took counseling for issues, etc.
4. In regards to Bans, an affiliate leader will need to sponsor the individual making the request.
5. A re-review can only be requested once in a two-year period unless unique information is provided.

After the information is received Shrine Directors, Producers, and Arbiters will discuss the information provided and must, through a simple majority vote to either a) make a new determination as defined in the Determination Process or b) maintain the current decision by the 3 member panel who originally reviewed the Investigation.

Conflicts of Interest Policy

Shrine recognizes that there may be situations wherein an individual named in an Investigation presents a conflict of interest to a Director, Producer, or Arbiter.

Shrine defines a conflict of interest as a set of biases held or perceived that may otherwise sway the Director, Producer, or Arbiter, to more heavily side with one individual over another.

Shrine Directors, Producers, or Arbiters are required to recuse themselves should they feel that they are unable to perform their duties in these functions based on this definition.

Shrine also maintains that a bias is automatically held if an established partner is named as Petitioner or Respondent in an Investigation. It is highly suggested to all Directors, Producers, and Arbiters, but not required, that if a partner's partner not is implicated they recuse as well.

As Shrine requires a 3 member panel, if there is a case wherein all Directors, Producers, and Arbiters are required to recuse themselves Shrine will request Leaders from Affiliate groups to review the case. Shrine reserves the right to appoint temporary panel members if extenuating circumstances exist.

In the situation wherein an Arbiter is unable to perform their duties for a case in their city, as defined in the Investigation Policy and Investigation Process, the Arbiter from a separate city will take over. In the situation that both Arbiters are unable to perform their duty they will not have access to any information but will manage the process ensuring that all necessary steps of the Investigation Process are followed. To that extent, all emails will be sent by the Director or Affiliate Leader who will be handling the investigation.

Judicial Trial Decisions and Registered Offenders

As Shrine asserts and maintains that we are not authorities of law, Shrine defers to Department of Justice determinations should a case be executed judicially. Shrine will then take the judicial decision as a factor in any Investigation when making a determination.

In conjunction with Shrine Rules if an individual has been convicted in a court of law and found to be put onto a Registered Offenders list, Shrine will consider that they are unable to attend based on the judicial ruling.