



# The Mountaineers Sexual Harassment & Sexual Assault Prevention Committee

## Final Report

### Overview & Purpose

This document is a summary report of the work done over the past 9 months by the Sexual Harassment & Sexual Assault Prevention Advisory (SHSAP) Committee. It is meant to serve as a report of findings, a reflection of our organizational commitment to our members, and a recommended course of action towards an organization that better supports an outdoor environment that is safe, welcoming, and inclusive.

### Background

Risk management has always been a core area of focus for The Mountaineers, and in recent years we've paid special attention to the direct link between physical and emotional safety. We've also paid special attention to the impact of interpersonal behavior on both physical and emotional safety. We also understand that emotional safety and community behavior are often rooted in organizational culture, and we recognize that cultural change takes time, intention, and collaboration across all levels of the organization. In pursuit of a welcoming and inclusive culture, emotional safety and community conduct must be given attention at an organizational level and at a committee level. Behavior that is harmful, erodes trust, and/or discourages participation must be addressed directly at all levels. In 2023, the Board of Directors assembled an advisory committee to identify the organizational changes needed to address the risks of SHSA at all levels.

An inquiry of our peer organizations revealed that the need for this work extended beyond The Mountaineers and that many would be looking to our organization for industry leadership. Over 9 months, this committee engaged in deep discussions that incorporated community feedback and expertise, resulting in the recommendations outlined in this document. Many branches have initiated a branch committee to address the same at a branch and program level. Working in tandem, an organization-level committee and branch-level committees are taking steps towards structural, cultural, and policy changes that better support physical and emotional safety in The Mountaineers.

### SHSA Prevention Board Advisory Committee

In a continued pursuit of a safe, welcoming, and inclusive culture, the Board of Directors launched a new Sexual Harassment and Sexual Assault (SHSA) Prevention Advisory Committee in December 2023. This is an ad hoc advisory committee chartered to develop recommended near-term and long-term improvements to our bylaws, behavior policies, and operational procedures to address the risk of sexual harassment and/or sexual assault of our members. The committee was charged with defining and understanding the risks of sexual

harassment & sexual assault within The Mountaineers, identifying ways to prevent these behaviors, and identifying ways to respond to these behaviors.

## Internal Safety-Focused Committees

### *Safety Committee, Risk Management Committee, Equity & Inclusion Committee, and Branch Community/Interpersonal Safety Committees*

This section outlines work that is currently being done that complements the work and recommendations of the organization's SHSAP Committee. Each of the committees listed in this section drives, and has historically driven, key cultural changes to improve the organization. The committee envisions a future where these committees combine their expertise to improve our policies, programs, and communications in a way that holistically denies sexual harassment and sexual assault a place in our community.

#### Safety Committee

Each branch has, for years, hosted a Safety Committee. These Safety Committees have historically centered their work around risks and incidents related to skill and terrain. These Safety Committees collaborate as a single Mountaineers Safety Committee. Annually, the Safety Committee publishes a report that informs changes in practices to improve risk management in our activities. The SHSAP Committee recommends that the Safety Committee expand the scope of its definition of "Safety" to include the definition listed below in this report.

#### Risk Management Committee

The Board of Directors charters a Risk Management Committee, which is primarily tasked with identifying organizational risk and ensuring that risk is sufficiently managed. While the scope of the Risk Management Committee includes risk management in our activities, and works closely with the Safety Committee accordingly, extends to legal risks, financial risks, reputational risks, and any risks that may compromise the viability of the organization. The SHSAP Committee recommends that the Risk Management Committee continue to monitor organizational progress on the recommendations of this report.

#### Equity and Inclusion Committee

The Board of Directors also charters an Equity and Inclusion Committee (E&I Committee). This committee is tasked with identifying organizational practices that require changes to support a more equitable and inclusive Mountaineers, where everyone can feel a sense of belonging. The E&I Committee also provides tools and resources for leaders and committees to educate themselves and their members, and to improve their programs to create a safe environment for all participants. The SHSAP Committee supports the E&I Committee's expressed desire to have more active leadership from the branches focused on E&I work, and recommends that the E&I Committee work to ensure changes that address Sexual Harassment & Sexual Assault *also* address safety risks associated with all forms of harassment and oppression within The Mountaineers.

## Branch Community & Interpersonal Safety Committees

In 2024, several branches created ad hoc or formalized committees to address risks and safety issues within their programs related to participant behavior. The Bellingham Branch, for example, formalized a Code of Conduct Committee, which drafted a [“Member Bill of Rights”](#) that outlines the respectful behavior every member can expect to be treated with, and a commitment by the Branch to support that promise. The Seattle Branch started an Emotional Safety Work Group that hosted an Emotional Safety Workshop in June 2024. The SHSAP Committee believes that the vision outlined in this document cannot be achieved without grassroots, branch- and committee-level work, that is supported by organizational policies and practices. The SHSAP Committee recommends that each branch engage in this work, whether through a designated Branch Community & Interpersonal Safety Committee or by expanding the scope of their existing Safety Committee.

## Definitions

### Safety

Merriam-Webster defines “safe” as “secure from threat of danger, harm, or loss.” While we can never eliminate all threats, it is important for The Mountaineers to strive to reduce and manage risks in pursuit of safety, within the context of a given objective.

Safety is both physical and psychological, and the two cannot be divorced from one another. As a simple example, a person who is fearful often moves with less confidence and is more likely to fall. Likewise, a person who is continually dismissed by a leader is less likely to trust their own judgment and may make decisions that compromise physical safety.

Threats to safety can be objective (rockfall, moving traffic, lightning), behavioral (recklessness, harassment, bullying), or subjective/perceived (fear of heights, distrust in a teammate, lack of tools to protect oneself). We must think about risk and safety from all of these interconnected aspects: physical, psychological, objective, behavioral, and perceived.

## Sexual Harassment & Sexual Assault

<p><b>Sexual Harassment</b></p> <p>Sexual harassment is a behavior characterized by the making of unwelcome or inappropriate sexual remarks or physical advances.</p> <p>Examples include:</p> <ul style="list-style-type: none"> <li>• Comments or jokes about sex, intimate acts,</li> </ul>	<p><b>Sexual Assault</b></p> <p>Sexual assault is an act in which one intentionally sexually touches another person without that person's consent, or coerces or physically forces a person to engage in a sexual act against their will.</p> <p>Examples include:</p>
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- or private body parts.
- Sex or gender-related name calling. Catcalling.
- Sharing letters, notes, emails, texts, IMs, or online postings that talk about sex or private body parts.
- Touching their own body parts in a sexual way.
- Commenting or teasing anyone about their sexuality, sexual development, or gender identity.
- Harassing anyone for not fitting their idea of social gender norms.
- Sharing pictures or videos of private body parts, sexual activity, or sexually-suggestive acts, such as on their cell phone, in a magazine, on a computer, or in an email.
- Intentionally exposing their private body parts.
- Pulling at clothing (pulls down your pants, flips your skirt, lifts your shirt, etc.) or grabs at you, or tries to, so they can see or touch any part of your body. Could also include forced physical closeness (e.g. tugging at sleeping bags, proposals to share body warmth in a cold tent or hut)
- Blocking someone's path so they can't get away from the sexual harassment.
- Unwanted flirtations or showing sexual or physical interest in someone when the person has made clear that the interest is not wanted.
- Asking or requiring a student or activity participant to submit to any form of sexual harassment in exchange for allowing that student/participant to participate in any Mountaineers activity.
- Threats of sexual assault.

*Harassment can occur between members of the same sex. Does not need to be directed at a specific person for a behavior to be harassment. The standard for unwelcome/inappropriate is based on the person who is perceiving the remarks/advance.*

- Fondling breasts or genitals
- Touching anyone else's private body parts in a sexual way
- Smacking someone on the butt
- Groping
- Coercing someone to perform sexual acts
- Rape

*Sexual assault does not include incidental/accidental contact that is a natural part of participating in an activity (e.g. accidentally touching someone while checking a climbing knot). Need to normalize asking for permission re. touching.*

## Foundational Beliefs

Membership-based communities are complex and nuanced, and often hold truths and objectives that conflict with one another. In The Mountaineers, a simple example is the paradoxical objectives of keeping folks safe, while also giving students increasing autonomy in complex terrain full of objective risk. Ideas, feelings, and solutions in pursuit of a safe and welcoming community are full of paradoxes. The following foundational beliefs reflect the challenge of achieving one goal while minimizing the sacrifice of another goal. They serve as the north star that grounds the objectives and recommendations in this report.

- Sexual harassment and sexual assault are never acceptable behaviors in The Mountaineers under any circumstances.
- We assume people who report sexual harassment or sexual assault are telling the truth and must be supported throughout the investigation process.
- We strive to be welcoming and inclusive and believe in the healing power of an outdoor community.
- We believe people can learn from their mistakes, and as a learning organization, we should strive to give people that opportunity when it does not compromise the safety of other individuals in the organization.
- The community of The Mountaineers is expansive and has undefined boundaries. While we have limited influence on our members' behavior outside of Mountaineers programs, we expect our leaders to treat others in the community with respect at all times.
- Roles in The Mountaineers that carry more power should be held to a higher behavior standard.
- We cannot eliminate all risk from our community or programs, and we have an obligation to clearly inform our members how the organization is mitigating risk, and what their role is in managing risks for themselves and their community.

## Vision

Based on our foundational beliefs, the committee (with extensive feedback from our community) identified key elements necessary to minimize the risk of sexual harassment and sexual assault (SHSA), address SHSA complaints, and build a safer environment for everyone. To move toward our desired future state, we need to improve policy, leader training, member training, the reporting process, the implementation process, our communications, and structures that support the health of the organization. (See Recommendations below for more detail on each of these elements.)

### **Definitive Standards and Transparency**

SHSA policies, including the investigation process, are clearly defined, communicated to, and understood by all members.

Behaviors and repeated behaviors that will lead to certain expulsion are clearly defined.

Personal histories that make an individual ineligible for membership or leadership due to the risk they pose to other members are clearly defined.

Remedial expectations when resolving SHSA complaints short of expulsion are defined.

### **Effective Reporting and Investigation Procedures**

All members are empowered to report SHSA behavior through clear and trusted reporting processes.

SHSA reports are responded to quickly, the timeline for investigation is communicated to the person(s) bringing the report, and the report resolved in a timely manner.

Behaviors of individuals who have caused harm to other members in the past are tracked.

The reporting system is clear, simple, and accessible.

Committees enact a fair process that considers suspension of leadership roles if a leader violates our policies.

### **Comprehensive Education and Training**

All members of our community promote and support a healthy and inclusive environment where SHSA is unacceptable.

Leaders receive SHSA prevention and basic bystander training.

Members and leaders receive training about our policies and expectations for behavior, our reporting system, what tools and resources are available to our members, their role in a safe and welcoming community, and how they can keep themselves and others safe in The Mountaineers.

## **Recommendations**

Below is a recommended 3-phase action plan that moves The Mountaineers towards the vision outlined above. The committee acknowledges that we are a learning organization and this will be an iterative process, therefore the plan and phasing may evolve as we learn. The committee recommends an annual review of the plan and that revisions be communicated to the membership.

### **Phase 1a - Near Term Actions**

- Develop a cross-functional team to drive the implementation of the recommendations. This team must include stakeholders from each branch, staff members, and key board committees.
- Review & Improve Policies & Procedures

- Conduct an extensive review of all relevant policies relating to sexual harassment and sexual assault, specifically the Member Code of Ethics, Prohibited Behavior Policy, and Prohibited Behavior Complaint Investigation Policy.
- Update policies as needed to ensure they are clear, detailed, reflect best practices, and are tailored to the unique needs of our organization. The policies should include explicit definitions of prohibited behaviors, reporting mechanisms, investigation processes, boundaries of programs covered by our policies, and consequences for violations.
- Consider policies that define protocols for programs that have increased risk of behavioral harm through especially vulnerable situations, including overnight trips, trips with 3 or fewer people, activities that require close physical interaction, and activities that inherently have a large skill & power differential between participants & leaders
- Align policies with the [#SafeOutside](#) campaign, clearly outlining repercussions for violations.
- Ensure Policies include language that supports Equity & inclusion.
- Enhance Visibility & Accessibility of Policies & Procedures
  - Develop a dedicated section on the website for safety-related policies & reporting, that is easily navigable and searchable.
- Communication
  - Educate all branches and committees on the findings of the SHSAP Committee and the recommendations outlined in this report. Solicit feedback and enlist members/leaders to help implement the recommendations.
  - Ensure Branch Leadership Committee is fully informed of the plan, and commits to helping communicate within the branches.

## Phase 1b - Near-Term Actions that Depend on Phase 1a Actions

- Implement Education and Training Programs
  - Develop and implement training programs for members and leaders, focusing on the updated policies, reporting mechanisms, the importance of adherence, and the specific consequences of violations.
  - Develop and implement scenario-based training to help members and leaders understand real-world applications and consequences.
- Improve Investigation Process
  - Create an investigation workflow based on the type of complaint.
  - Create a dedicated response team for behavior complaints. Ensure the response team operates with the utmost confidentiality and sensitivity.
  - Hire an independent, third-party professional trained in handling sexual harassment and assault cases to address and investigate reports of severe sexual harassment and sexual assault promptly and sensitively.
  - Develop a resource library to provide support for survivors of SHSA.
- Improve Reporting Process
  - Require leaders to address complaints regarding sexual harassment/assault when it is reported to them.(Specific requirements should be determined as part of our updated policies/procedures.)
  - Improve Behavior Complaint forms to make them easier and more inviting to use

- For folks uncomfortable with using a form, create an email address that complaints can go to, with prompts for what information to include in the email.
- Consider an anonymous reporting option.
- Foster a Safe and Supportive Environment
  - Develop and promote activities and programs, especially affinity spaces, that foster a culture of respect, inclusivity, and emotional safety.
  - Establish regular forums and feedback mechanisms to allow members to voice concerns and suggest improvements.

## Phase 1 - Recommendations for Branches & Committees

- Incorporate policies and procedures into course materials and leader training to improve visibility and accountability.
- Implement training & education in policies, procedures, and safety.
- Foster a safe and supportive environment - develop and promote activities and programs that foster a culture of respect, inclusivity, and emotional safety.
- Share feedback/ideas - encourage committees and branches to propose additional measures to enhance member safety and share these ideas with SHSA via platforms like Basecamp.

## Phase 2 - Actions that depend on Phase 1 actions and other high-priority actions

- Enhance Visibility & Accessibility of Policies & Procedures
  - Ensure policies are highly visible and accessible through multiple channels, including the Mountaineers' website, new member orientation materials, newsletters, and training/course documentation materials.
- Improve Policies & Procedures
  - Ensure all committees have charters that specifically outline leader requirements and the process for leader suspension.
  - Develop a policy that identifies personal histories that make an individual ineligible for membership or leadership. (See Appendix: Background Checks)
- Implement Education and Training Programs
  - Solicit and respond to feedback from leaders & committees on training requirements.
- Measure progress toward community safety
  - Define measurable outcomes and establish a baseline.

## Phase 2 - Recommendations for Branches & Committees

- Provide feedback on leader training.
- Merge or integrate Community Interpersonal Safety Committees with Branch Safety Committees, creating a Comprehensive Safety Committee.
- Establish Equity & inclusion Committees, with at least one representative on the Safety Committee.
- Update (or draft) charters that specifically outline leader requirements and processes for leader suspension and reinstatement.



- Review leader lists and ensure all existing leaders receive newly required training within 12 months from the date the training is available.

### Phase 3 - Important Actions with a Longer Development Cycle

- Enforcement via Website
  - Tighten up the registration process for members and guests whose participation is suspended or who were expelled.
  - Improve leader badging functionality to reflect required component training completion.
- Tracking
  - Develop mechanisms to
    - Track complaints and member behavior over time.
    - Provide visibility to leaders on the behavioral history of their registered participants.
  - Create tracking mechanisms to verify adherence to behavioral improvement plans for those whose participation is suspended.

# Appendix: Background Checks

## Overview

The question of background checks comes up often within The Mountaineers, as well as the broader outdoor community. There are many varied opinions, but in simple terms, those who support the idea of background checks do so with the primary objective of member safety, and those who oppose the idea do so with the primary objective of inclusion. The SHSAP Committee recognizes and believes that most of our members, regardless of their position on background checks, care deeply about *both* safety *and* inclusion.

## Adding Precision

When considering the question of whether background checks increase safety enough to outweigh the risks of reduced inclusivity, the SHSAP Committee identified three separate questions:

1. Are there events in a person's past that make them too great a behavioral risk to allow them to engage in certain roles in The Mountaineers community? And if so, how would you define this?
2. What level of confidence can we have that research into someone's personal history will uncover concerning behavior(s) in a person's past?
3. What are the logistical practicalities inherent in implementing a review of individuals' histories?

## Question #1: What History Should Prevent Participation?

In considering whether there are aspects of a person's history that make them too great a behavioral risk to engage in certain roles in The Mountaineers community, we considered the following:

- To what extent does the past predict the future?
- Our SHSAP strategy focuses on improving prevention training and tightening risk management protocols to reduce individual vulnerability. However, are there aspects of The Mountaineers where we are unable to sufficiently reduce individual vulnerability, such that evaluating a person's history becomes a critical tool to reduce risk?
- How do we know what the right combination of the type of behavior, the severity of behavior, repeated nature of behavior, and recency is?

## To what extent does the past predict the future?

The SHSAP committee concluded that past behavior, on its own, is generally not a reliable predictor of future behavior. A person who has never done anything harmful to others may do so in the future. A person who has harmed others in the past may be deeply remorseful and very unlikely to do so in the future. While this doesn't render a person's history irrelevant, it suggests the importance of using caution when relying on this information.

## In what cases are individuals most vulnerable in The Mountaineers?

The vast majority of Mountaineers programs occur in group settings, often in a public venue, and many have redundancy in leadership. In most cases, we can structure our programming in a way that protects individuals from the harmful behaviors of another. Some areas that need a deeper study, and *may* call for additional measures, such as a review of individuals' histories include:

- Overnight backcountry programs
- Programs with 3 or fewer individuals
- Programs without redundancy in leadership or where there is a large power differential between leaders and participants (Basic trips in any activity, GoHike)
- Situations where an individual is reliant on a single volunteer with a specialized skill (eg. the participant's first language)
- Activities where physical proximity is necessary

In each of these cases, the primary approach to risk management should be in programming protocols and leader and participant training. In cases where these protocols are insufficient at reducing risk, there *may* be a case for vetting certain roles to include a review of individuals' behavioral history. To this point, there may be a case for identifying personal behavioral histories that make a person ineligible to become a leader or an instructor if we cannot sufficiently mitigate the power given to these individuals through programming protocols.

## How do we determine what behavioral history to exclude?

The SHSAP Committee concluded that there is no absolute answer to this question, but that more research and expertise are needed for The Mountaineers to make informed decisions.

For example, recency could play a role in predictability.

Repeated offenses, especially those that are repeated *after* a period of consequence and rehabilitation, indicate a pattern of behavior. Behavioral patterns could play a role in predictability.

We know that every category of offense is nuanced and has blurry edges. We know that our definitions for what behavioral history is forbidden will need to be precise and also written in a way that provides guidelines for addressing the blurry edges.

We believe that there are greater experts than The Mountaineers at addressing these challenging questions like social service agencies, justice projects, and criminal psychologists who we will need to lean on to develop this policy.

## Question #2: How Will We Discover Someone's History?

### A High-Confidence, Respectful Approach

When evaluating the suggestion that we background check all members or certain groups of people within The Mountaineers, the SHSAP Committee recognized the potential value of discovering relevant information on a

person's background, but only if it could be done respectfully and if we had a high-confidence in the information our organization obtains.

The committee made the following conclusion:

- It is impossible to know with complete certainty the events of a person's past using background checks.
- Uncovering information about a person's past is invasive and alienating for many people. We must feel confident enough in the outcome to justify the impact.
- As this is an objective process, the outcome must be as fair and equitable as possible. We do not want to engage in a methodology that favors certain groups of people.
- When a community knows that we verify backgrounds, there is an assumption and a trust that all (or nearly all) those who are *not* omitted due to their background are free of a history of harmful behavior. There is a risk of a false sense of security and complacency with this assumption, and a high-confidence methodology will help to close that gap.

## Background Checks or Attestations

The SHSAP Committee's discussions included consideration of alternatives to background checks, such as personal attestations. While the Committee does not make a recommendation for one or the other at this point, the following table captures the conversations and conclusions of the committee when comparing background checks to attestations.

Background Checks	Attestations
<ul style="list-style-type: none"> <li>● Background checks acknowledge that we (The Mountaineers) are not the experts on behavior, and rely on our legal system to provide the information</li> <li>● Background checks are commonplace in programs that work with vulnerable populations</li> <li>● Background checks provide clear, time-stamped data</li> <li>● Background checks rely on a deeply fractured legal system, in which many jurisdictions don't report or are years behind in reporting</li> <li>● Background checks only include convictions</li> </ul>	<ul style="list-style-type: none"> <li>● Attestations rely on self-disclosure</li> <li>● Attestations can be emotionally burdensome</li> <li>● Attestations do not rely on a fractured system with unreliable reporting</li> <li>● Attestations may include history and actions that did not lead to a conviction</li> </ul>

<ul style="list-style-type: none"> <li>• Background checks rely on a legal system rooted in white supremacy</li> <li>• Background checks reveal all of a person's legal history, including things that are not relevant to the objectives. This can lead to individuals opting out of a background check and forfeiting their eligibility out of fear of humiliation <i>even if</i> they do not have a history that would exclude them from participation</li> </ul>	<ul style="list-style-type: none"> <li>• Attestations do not rely on a legal system that's rooted in white supremacy</li> <li>• Attestations focus <i>only</i> on history that would exclude an individual from participation</li> </ul>
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### Question #3: What Are The Logistical Practicalities?

There are many practical logistics to consider when choosing to review a person's history as part of the vetting process for a particular role.

- Ensuring the role, itself, is tracked. For example, currently, there is a vetting process for leaders, and leaders are tracked on our website with a leader badge and on committee rosters. A background check could be implemented as part of this vetting process. There is minimal to no vetting process for instructors or assistant instructors, and they are not tracked on our website. Implementing background checks for this group would be logistically impossible at this point.
- Committees within The Mountaineers have disparate leader vetting processes. If The Mountaineers chose to implement background checks, work would need to be done to automate this as part of the vetting process across the organization.
- Background checks have a shelf-life. One of the considerations, if The Mountaineers chose to implement them is the frequency of background review, and automating that frequency to ensure an equitable system.
- To use background checks to disqualify people from leadership and/or membership in The Mountaineers would require a clear list of crimes or behaviors that would render someone ineligible for participation in our programs. If The Mountaineers wanted to implement background checks, this would need to be clearly defined.
- If The Mountaineers were to implement background checks more widely, this would require staff resources to review reports and make judgment calls on people with backgrounds that fall into "gray areas."

### Summary

The SHASP Committee recommends a strategic investigation and deeper inquiry into the many considerations in this document. We believe this process will be most informed and most effective during Phase 2 of the SHSAP Action Steps. We do not recommend implementing background inquiry until then.