



# Doxing Toolkit

1

### **SAFETY PLANNING**

Immediate Considerations - Safety over everything!

FOR
FOR
EXPRESSING
SUPPORT FOR
PALESTINE NOW WHAT?

2

### **CRIMINAL CHARGES**

Against the doxer, callers/emailers, employer, or school depending on their actions

3

CIVIL LAWSUITS OR PROTECTIVE ORDERS

4

### **EMPLOYMENT**

How to deal with investigations, wrongful termination, or workplace harassment

5

### **SCHOOL**

How to deal with an investigation, suspension, and how to file a Title VI complaint against a school

## SAFETY PLANNING & IMMEDIATE CONSIDERATIONS

## IN THE MOMENT

### DO NOT COMMUNICATE WITH THE HARASSERS

Their goal is to provoke you and "catch you" - there is power in silence and in keeping your cool.

You can record them with your phone, depending on the place & manner & their rules

#### **RECORD EVERYTHING**

Write down all the information you have, including names, license plate numbers, location, witness names & numbers, police report incident numbers, reporting officer badge numbers

### POLICE INVOLVEMENT

Call the police if necessary, and you can make a report at the time of the incident or afterwards. Be cautious & share limited info with police.

You can ask the police to park around your home for the first 1-2 days if you feel safer

### **ELECTRONIC**

#### **SOCIAL MEDIA**

Consider deactivating social media for a while until it blows over

#### **DATA PRIVACY**

Change passwords, be aware of any logins from different locations, enable two-factor authentication.
Consider signing up for a service to remove your online info, such as deleteme.com or a similar service.

#### **IDENTITY THEFT**

consider getting your credit locked for a period of time; look into Experian/Equifax & other credit Agencies

### **LEGAL**

#### STALKING NO CONTACT ORDER (SNCO)

If someone is continuously harassing you, consider obtaining an Emergency SNCO from your local court

#### **RESOURCES**

Make a list of resources you plan to call, & these may include: CAIR, Palestine Legal, Muslim Legal

#### **GATHER INFORMATION**

Before taking actions including pressing criminal charges or filing a civil lawsuit, gather information so that you can make an informed decision about the best next steps

## SHOULD I PRESS CRIMINAL CHARGES?

## against doxer

If there was intentional physical contact, you may be able to press charges for battery. If they caused you to fear imminent harm, that may be enough to press charges for assault

The police and State's Attorney's
Office works together to make a final
decision about pressing charges - you
(victim) are the key witness but not the
decision maker

Consider whether it's worth it to request pressing charges, or if it might be safer or in your best interest to let it de-escalate with time.

## against other harassers

It is necessary to know their identity or identifying information in order to press charges

In order to press charges for harassment via electronic means, there must be 2 or more incidents to constitute harassment

Each case will only have one named defendant on it, so you won't be able to prevent many people from harassing you at once by pressing charges in 1 case

### protective order

These can be civil or criminal, and a civil Stalking No Contact Order (SNCO) is easier to obtain than a criminal

You will need to prove that you were stalked/harassed, which means a pattern of multiple incidents ("repeat harassers")

The Respondent (harasser) will get notice of you filing this SNCO, so consider possible retaliatory actions before pursuing this

\*Do not escalate the situation by doxing back or seeking revenge \* This may be different outside of IL.

## SHOULD I FILE A CIVIL LAWSUIT?

## against doxer/ harassers

You may have a defamation claim or can bring a claim under Illinois Civil Liability for Doxing Act.

Consider the time and involvement it would take when you're deciding whether to pursue a civil case - including subpoenas of phone records/emails, testifying in depositions, attorneys costs which may not be recovered, etc.

The Statute of Limitations is 2 years, which means you have 2 years since the time of incident to bring this lawsuit.

### against employer

The first step is to look at your employee handbook & workplace policies. Your rights/benefits will vary depending on whether you're full time, part time, independent contractor, etc.

Title VII of the Civil Rights Act prohibits employment discrimination or harassment based on race, religion, sex, national origin, or retaliation for engaging in "protected activity" (exercising rights)

States have their own versions of this federal law & it may protect additional categories/behaviors, like political affiliation or speech. Compare both laws & consider dual filing

### against school

There are limits to free speech rights in school, and handbooks (considered to be contracts) can help you understand your free speech rights

Anyone who is aware of direct discrimination (not necessarily the victim) has 180 days after the discrimination incident to file a civil lawsuit against the school, under **Title VI** 

In case of investigation, consider having an attorney present during meetings in the course of the investigation.

\* Laws may be different outside of IL.

# How to deal with doxing in the workplace

IF THEY'RE
COOPERATIVE &
CONCERNED RE
A DOXING
OUTSIDE THE
WORKPLACE

- Contact your manager & HR immediately, and have followup verbal conversations with emails to document your concern/complaint & action taken by your employer
- Consider asking your workplace to turn off comments on their social media, or possibly taking off your information from their website temporarily.
- If they are issuing a statement or response, ask to be involved
- Keep track of the harassment and ask them to possibly keep a harassment log for documentation.

IF YOU'RE BEING INVESTIGATED

- Participation in investigations relating to employee complaints may be required by the employee handbook or other personnel policies, & refusal to participate may have employment consequences.
- Cooperate with the investigation but ask to have an attorney present at the meeting (your employer may or may not permit this)
- Your employee handbook may have a section about political engagement review this so that you know your rights and the parameters

IF YOU'RE BEING
TERMINATED OR
EXPERIENCING
OTHER ADVERSE
EMPLOYMENT
ACTION

- To pursue litigation under Title VII of the Civil Rights Act, file a Charge of Discrimination within 180 days after the discrimination occurs, then must obtain a Notice of Right to Sue from EEOC before filing a lawsuit in Federal Court
- You may be protected under a union contract or as a government employee, and being a government employee or union member can give you different protections
- Call an employment attorney

IF YOU ARE BEING HARASSED

- 1st: give the employer written notice of the harassment and an opportunity to fix it,
- Taking Legal Action: You must prove (1) the harassment is based on race/national origin/protected category, (2) it was unwelcome, (3) it was so severe and pervasive that it unreasonably interfered with the your work performance and created a hostile or offensive work environment; (4) employer is responsible
- If the harassment is so bad that it causes you to quit, this may qualify as "constructive discharge"

# How to deal with doxing at school

### IN CASE OF INVESTIGATION

- There are usually policies regarding due process, such as giving notice to students if they're being investigated, etc. but they are limited. Look at these policies and ensure the school is following these throughout their investigation process.
- An offer to have an attorney present at a meeting can cause an administration to back off
- Document everything, record meetings if permitted to (some states require you to announce that you're recording)
- Submit written complaints to school, to build a record.

### MAKING A TITLE VI CLAIM

- Show direct discrimination or deliberate indifference to a hostile environment
- Harassment must be "severe, pervasive, and objectively offensive" and discriminatory
- School must have knowledge
- School's actions or inaction must show deliberate indifference
- Failure to respond, a response "only follows after a lengthy and unjustified delay" or response that is "clearly unreasonable in light of known circumstances."
- Must be sufficiently serious to deny or limit a student's ability to participate in or benefit from the recipient's education programs and activities

### ADMINISTRATIVE ENFORCEMENT OF A TITLE VI CLAIM

- Claims must be brought within 180 days of the act of discrimination unless good cause
- Complaint are letters You can email the OCR regional office
- Voluntary Resolution/Mediation
- If parties not interested in mediation:
  - OCR investigates and issues a letter of findings
  - If violation, school must enter into a resolution or lose all federal funding

### OTHER CONSIDERATIONS FOR STUDENTS

- Student-University relationship is considered contractual (to both private and public)
- If there's a handbook and it's posted publicly, it's considered to be a contract
- There are limits to speech rights in school - handbooks will help you understand your free speech rights
- Resist invitations from universities to dialogue with Zionist students, especially as a "disciplinary consequence" or appease the feelings of Zionist students (this is a distraction and irrelevant)

### Illinois Civil Liability for Doxing Act Public Act 103-0439 (Effective Jan 1, 2024)

### Section 10. Doxing:

- (a) An individual engages in the act of doxing when that individual intentionally publishes another person's personally identifiable information without the consent of the person whose information is published and:
  - (1) the information is published with the intent that it be used to harm or harass the person whose information is published and with knowledge or reckless disregard that the person whose information is published would be reasonably likely to suffer death, bodily injury, or stalking; and
  - (2) the publishing of the information:
    - (i) causes the person whose information is published to suffer significant economic injury or emotional distress or to fear serious bodily injury or death of the person or a family or household member of the person; or
    - o (ii) causes the person whose information is published to suffer a substantial life disruption; and
  - (3) the person whose information is published is identifiable from the published personally identifiable information

A person who is aggrieved by a violation of this Act may bring a civil action against (i) the individual who committed the offense of doxing or (ii) any individual or entity that directs one or more persons to violate this Act and that knowingly benefits, financially or by receiving anything of value, from participation in a venture that the individual or entity knew involved a violation of this Act.

A court in which a suit is brought under this Act, on the motion of a party, may issue a temporary restraining order, emergency order of protection, or preliminary or permanent injunction to restrain and prevent the disclosure or continued disclosure of a person's personally identifiable information or sensitive personal information

## Resources

- OnlineHarassmentFieldManual.Pen.Org
- Anti-Doxing Guide for Activists by Equality Labs
- Digital Defense Guide for the doxed: https://digitaldefense.noblogs.org/getting-doxed/
- Palestine Legal
- Muslim Legal

### Contributors:

- Kinza Khan, CAIR-Chicago Volunteer Attorney (IL)
- Muslim Bar Association of Chicago
- Iman Ali, Attorney (TX)