

# **EXHIBIT 10**

Message

**From:** Katherine McNamara [kmcnamara@breakingcodesilence.org]  
**on behalf of** Katherine McNamara <kmcnamara@breakingcodesilence.org> [kmcnamara@breakingcodesilence.org]  
**Sent:** 11/26/2021 8:26:40 PM  
**To:** Katherine McNamara [kmcnamara013@gmail.com]  
**Subject:** Fwd: Breaking Code Silence - Internal Complaint Form

Thank you,

Katherine McNamara



1005 E. Las Tunas Dr. Suite 104  
San Gabriel, CA 91776  
Tel: +1-800-560-7850  
Sign up for our free newsletter [here](#)

----- Forwarded message -----

**From:** Google Forms <forms-receipts-noreply@google.com>  
**Date:** Fri, Nov 26, 2021 at 8:26 PM  
**Subject:** Breaking Code Silence - Internal Complaint Form  
**To:** <kmcnamara@breakingcodesilence.org>



Thanks for filling out [Breaking Code Silence - Internal Complaint Form](#)

Here's what was received.

[Edit response](#)

# Breaking Code Silence - Internal Complaint Form

\*\*\*Please read the Reported Event Complaint Process overview document found at the bottom of this page) before completing this form. Please complete each section of this form with all relevant information. Thank you for your

time in seeking to resolve conflict and ensure a safe and supportive environment as we continue this important work toward our mission.

Top of Form

Email \*

[kmcnamara@breakingcodesilence.org](mailto:kmcnamara@breakingcodesilence.org)

Name \*

Katherine McNamara

Phone Number

6263190975

Main Volunteer Division \*

Note - Research includes Program Investigation, Academic Research, and Information Storage/Database.

Awareness

Research

Advisory Board

Advocacy

Legislation

Admin/Strategic Planning

Board of Directors

On a scale of 1-10, how would you rate the INTENTION of the person(s) involved in this event? \*

0 1 2 3 4 5 6 7 8 9 10

no intention  
of  
harm/malice

blatant  
intention of  
egregious  
harm/malice

On a scale of 1-10, how would you rate the IMPACT of the actions of the person(s) involved in this event? \*

1 2 3 4 5 6 7 8 9 10

little to  
no  
negative  
impact

extremely  
damaging  
impact

Describe the situation as objectively as possible. \*

Please be specific - include who/what/where/when/how/etc.

I am writing this at the request of Vanessa on a call tonight. It will probably be too much for this form and given that the person(s) that are involved are receiving this form, it would probably be better to have the cliffnotes: I have serious concerns about discriminatory behavior regarding survivors' mental health, sexual orientation, etc and retaliatory behavior that is meant to create a hostile work environment and with what I feel is the intention to trigger people into spiraling where it's later used to rationalize the prior behavior that led to that outcome. Some clear examples of this was watching Vanessa continue to engage with Jeremy, Amanda Simmons, Josh Scarapuzzi after the rest of the board asked her to stop which caused the situations to continue to spiral in ways that hurt BCS. Making comments about gay survivors in leadership that could be seen as clearly discriminatory - witnessed by many and followed by the behavior of trying to remove them from the organization. A clear pattern of trying to harass, retaliate, and force out gay leadership in this organization. Retaliation for asking for space from Vanessa or Jenny. I can and will show evidence of this to the board if requested. Comments about the survivor community such as "most of them have borderline personality disorder and are low functioning." This is the constant excuse for why we cannot do surveys or ask for a review of the job we are doing from our community or volunteer pool. We are 9 months running without a mandate and we continue to discriminate against our members based on blanket assumptions about their mental health. Several instances where the board or volunteers were lied to by Vanessa and/or Jenny that could have gotten us in severe legal trouble. A continuing pattern of dishonesty - several examples I would be happy to prove with evidence. I've heard several comments about other people ("Are all gay men drama queens?" "Jeremy has such female energy," etc) and I've heard from several others what Vanessa has

said to them about me, my mental health, my sexuality, etc. Those people are willing to come forward and make a statement to the rest of the board. A lack of oversight and an indifference to getting oversight from those who stand to benefit the most from it.

Express your feelings and opinions about the situation. \*

This is a complaint of a professional nature so I don't think my feelings about this should be the topic. However, my feelings at that we need to seriously review the behavior, about a dozen or so witnesses to said behavior, and written evidence of said behavior.

What do you see as an ideal solution to this problem? \*

At the very least, the board should be structured in a way where there is a separation from the operational executive day-to-day management so there can be broad oversight to prevent this behavior. I can expound further if the board (sans the executive team) would like to speak about it.

What next steps are you open to engaging in? \*

Confidential interview with BCS  
leadership team member

Confidential interview with external reconciliation panel member

Mediation

Not comfortable with any of these at this time

Other: Not a meeting with Vanessa or Jenny. Happy to meet the board

Is there anything else you'd like to add and/or that you think would be helpful to know as we look into this situation?

I would say that there was a LOT that went on over the last 9 months and there certainly were blurred lines between friendship and professional that led us all to overlook or even defend behaviors we might have known were wrong if we were being more objectively. I know we dealt with crisis after crisis and it definitely led to bonding in our foxholes.

However, after seeing this pattern repeat throughout the last few months and being targeted by the same persons that I've seen target others, we need to break that cycle because it is VERY clear that some senior leadership are making judgements and targeting people based on protected characteristics and classes.

### Policy: Reported Event Complaint Process

It is the intention of Breaking Code Silence (BCS) to foster and maintain a workforce (i.e., employees and volunteers) with lived experience. In so doing, BCS recognizes traditional models of conflict resolution are inadequate for addressing challenges that arise with and between the amazing people who join our mission. BCS also acknowledges that when people come together to engage in meaningful efforts to change corrupt systems, there are always forces working against change that create distractions to divert focus away from the mission. Accordingly, the purpose of this policy is to explain the BCS approach to resolving internal conflict and potentially harmful events. These events are complex situations that arise between two or more employees and/or volunteers that absorb attention, energy, and/or resources from the mission, which is to prevent institutional child abuse in residential facilities and to empower adult survivors to engage in positive self-advocacy. Reported events and actions may be: physical (e.g., proximity, personal space, contact), emotional (e.g., anger, sadness, fear), mental (e.g., perceptions, misunderstandings, cognitive distortions), and/or verbal (e.g., diction, tone, communication style). It must be noted that events and resulting impacts may or may not be related to previous traumatic experiences, which demands additional grace and consideration. This is critical because it calls to play trauma-informed measures and requires all parties to avoid overly clinical approaches that may be connected to a person's previous traumatic experiences. All BCS employees and volunteers are responsible to participate in this process by reporting events involving words and/or actions that are harmful and/or otherwise in violation of the BCS Code of Conduct. Everyone is also charged to, on a regular basis unrelated to a specific reported harmful event: conduct self-check ins, separate actions from the person(s) involved, and avoid making assumptions. Procedure: Due to the dynamic experiences, relationships, and recoveries of Breaking Code Silence (BCS) employees and volunteers, there is no one (1), permanent approach that will adequately and appropriately address every situation. Thus, BCS extends the first grace in dealing with complex situations by creating a procedure that is dynamic, flexible, objective, and dependent on resiliency. To address complex situations between employees and/or volunteers, BCS adheres to the following steps to addressing reported events: Each situation is individually appraised, considering to the best of one's ability the experiences and perspectives of all involved in the situation. This is a qualitative measure of the matter. Each situation is individually and independently reviewed by leadership to determine an intention + impact rating (i.e., how harmful the reported event was and/or how likely that the situation will distract from the mission). This is a quantitative measure of the matter. a. The process for rating events is below. If a situation reaches a determined level of complexity, BCS leadership will consult with a Reconciliation Team to strategize effective handling of the event and the person(s) involved. a. The Reconciliation Team consists of unaffiliated individuals specifically chosen to contribute varied expertise, including but not limited to: i. Survival of institutional child abuse ii. Advocacy for survivors and reform of residential facilities iii. Evidence-based and evidence-informed responses to trauma iv. Human resources and employee/volunteer empowerment v. Transformational leadership and organizational management Rating Events Intention and impact are rated. Intention is determined by observable behaviors, comments made directly by the person, and/or comments made by those in whom the person has confided. Impact is the effect or influence the situation has on individual person(s) and/or on the BCS mission. Events are rated using the following system: Intention: Intention is rated using a Likert scale where 0 is a person has clearly good intentions regarding the welfare of another person and/or the mission, 2 is a person's intentions are unclear, 4 is a person's intentions may be harmful to the welfare of another person and/or the mission, 6 is a person's intentions are somewhat or likely harmful as welfare of another person and/or the mission may be compromised to achieve an ulterior objective, 8 is a person's intentions are highly harmful as welfare of another person and/or the mission is secondary to personal gain, and 10 is a person's intentions have been stated and understood to disregard the welfare of another person and/or the mission. Impact: Impact is rated using a Likert scale where 0 is event has no influence on the welfare of another person and/or the mission, 2 is event has nominal influence, 4 is event has moderate influence, 6 is event has notable influence, 8 is event has significant influence, and 10 is event has severely harmed the welfare of another person and/or the mission. Interpreting Scores Reported events will have a rating that ranges from 0 to 20. Ratings equal and closer to 0 are events that require preventive measures to evade escalation and avoid harm. Event ratings equal or closer to 20 require intense, quick responses to address and repair significant harm. A low or high score is not the sole deciding factor to engage, delay, or dismiss consulting with the Reconciliation Team.

Bottom of Form

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