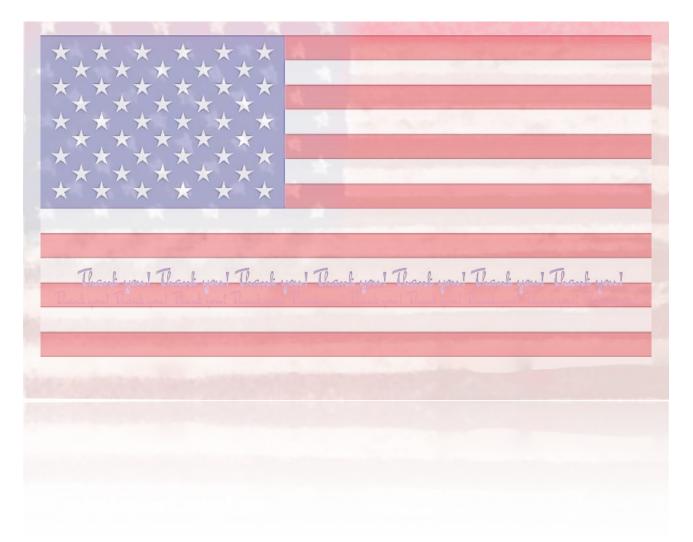
OFA Pi Report 2022 Martha C. Chemas, Esquire

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# **OFA PI Report 2022**



The following is a report of the OFA PI project.

"OFA Pi" *Triage For Democracy* was devised and executed by myself, as well as with meaningful assistance from several helpful collaborators. The project was propelled by the grassroots political training with which I was supplied, appurtenant to my volunteer stint as "Digital Coordinator, Organizing For Action, Long Island City" in 2012. My then-existing and developing legal and logistical skillsets advanced the project's agenda. My sincerest thanks are extended to all of the project's collaborators.

Although the OFA PI project has long since concluded, this project report is being produced in order to: 1. Summarize the activity of the project, 2. Identify the more potentially enduring, relevant and useful facts and findings of the project, 3. Acknowledge the work product of the project, and 4. Potentially serve as a blueprint for anyone interested in conducting a similar project.

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"The first step in executing this project was concluding that a fresh approach to identifying important issues of civic relevance could be attained by approaching the subject empirically." - i. Introduction

# i. Introduction:

Commencing with this introduction, the following is a description, overview and summary of the OFA Pi Project; *Triage For Democracy*, initiated in 2012.

The first step in executing this project was concluding that a fresh approach to identifying important issues of civic relevance could be attained by approaching the subject empirically.

An electronic mail survey was deployed to the community to identify issues that, at the time, were of concern to the community.

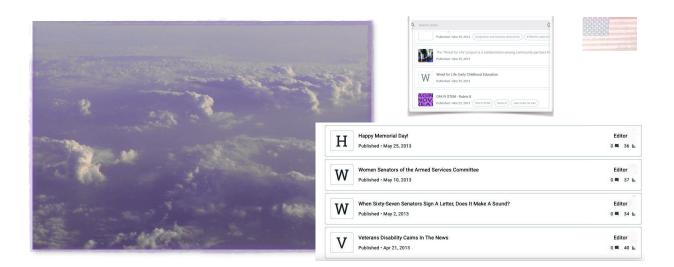
Please note, neither the raw statistical data of the survey, nor the construction of the semantics of the actual survey is addressed in this report.

At that time, early 2013, the results and ensuing analysis identified ten (10) issues that were of concern to the survey respondents. The issues were not ranked in order of priority at that time. They were enumerated as ten priorities/rubrics for further consideration, as follows:

# ii. Ten Rubrics Description, Overview & Summary

The ten issues of concern, identified, but not ranked by priority, described hereafter as ten rubrics, were identified as follows:

- 1. Disability claims of Veterans & Transparency in Military Tribunals
- 2. Climate Change Policy Reform
- 3. DOMA & Equal Protection
- 4. Congressional Accountability Including Gerrymandering
- 5. Minimum Wage Reform & Wage Inequality; Economic Stimulus & Jobs
- 6. Universal Healthcare
- 7. Gun Reform
- 8. Educational Justice Including STEM Access for Young Children
- 9. Prisons Inquiry
- 10. Corporate Responsibility.



# iii. Individual Rubrics Explored

Volunteers were recruited after identifying the rubrics. Capable volunteers, whose competence was partially assessed on the basis of their education were identified after conducting 1. A pop-up event in Long Island City, New York, 2. Email outreach 3. Other outreach, including ad hoc outreach. All of the selected volunteers displayed at least a reasonable tolerance for ambiguity. The selected volunteers, operating within the construct of an ambiguous recruitment event, displayed leadership qualities. Potential volunteers who seemed to perceive the ambiguousness of the event(s) with hostility were screened out, and, in at least one case, self selected out of the project. It was crucial that the volunteers possess tolerance due to the experimental nature of the project.

In order to achieve the aim of further consideration of the identified rubrics, a blog template was devised, using Google Blogger (for more on the use of technology associated with this project, please see section <u>iv</u>. Observations Regarding Capacity Building With Technology). Thus, an able cohort of lay volunteer collaborators was assembled and invited to participate to address the ten enumerated rubrics, primarily by blogging about them. Generally, there was no "ask" conveyed to the blog audience. Aside from educating the audience and raising awareness of the identified issues, there was no particular expectation or set of expectations with respect to the blog audience.

#### 1. Disability claims of Veterans & Transparency in Military Tribunals

This rubric was "intended to examine and advocate for progress in veterans' disability claims and transparency in military tribunals."

Pursuing this issue resulted in nine (9) blog posts produced in 2013. Eight (8) were published.

The blog post with the most views (43) was a brief description of the Veterans Benefits Administration. It was published March 2013, and included a hyperlink to the Wikipedia entry for The Veterans Benefits Administration.

The second most popular post (42 views, published April 2013) was a description of and hyperlink to "Information For Veterans With Disabilities" from the Internal Revenue Service.

Also notably addressed were: backlogs of veteran disability claims at the United States Department of Veteran's Affairs ("The Problem: Backlog of Veteran Disability Claims at the Veterans Administration" 41 views, April 2013), "Veteran Disability Claims in the News" (40 views, April 2013), and "Women Senators of the Armed Services Committee" (37 views, May 2013).

#### 2. Climate Change Policy Reform

This rubric was "intended to examine and advocate issues on climate change policy."

Further considering this issue resulted in four (4) blog posts produced, and four (4) published between March and May of 2013.

The post with the most views, eighteen (18), was entitled: "An Open Letter To Our Friends in Office" (published May 2013) which examined "the question of whether support for the Keystone and Spectra Pipelines exists."

Other notable posts included a technically oriented position piece entitled "The Keystone XL Pipeline: Just Say No!" (17 views, published May 2013), and an Infographic on saving energy "Save The World By Saving Energy Infographic" (7 views, March 2013).

#### 3. DOMA & Equal Protection

The survey identified "DOMA & Equal Protection" as an issue for further consideration.

The Defense of Marriage Act (DOMA) was a 1996 law concerning same sex marriage. It was challenged by *United States v. Windsor*, *570 US 744*, decided June 2013 as well as by **Obergefell v. Hodges**, *576 US 644*, decided June 2015.

The author of this report supports equal protection under the law, however, throughout the relevant time period (2013), was unable to identify and recruit an able volunteer collaborator to

address this rubric. Further considering this issue resulted in 0 blog posts produced and 0 published.

#### 4. Congressional Accountability Including Gerrymandering

This rubric was "intended to examine and advocate for progress with regard to congressional accountability, including the issue of gerrymandering."

Further consideration of this rubric yielded one (1) blog post (6 views, produced and published in April 2013). It was a description of the issue: "On this website we will compile current news stories including summaries of these items, we will examine statements by government officials and other public servants on this issue and we will supply open source information related to this issue. Stay tuned!"

#### 5. Minimum Wage Reform & Wage Inequality; Economic Stimulus & Jobs

This rubric was "intended to examine and advocate for progress in the interrelated areas of: Economic Stimulus, Jobs, Minimum Wage Reform & Wage Inequality."

Further consideration of this rubric produced and published four (4) blog posts between March and April 2013.

The most viewed post "Get the Facts- Unemployment Rate By State in June 2011 Infographic" had 83 views (published March 2013).

The second most viewed post "Richard Wilkinson: How economic inequality harms societies" an embedded Ted Talk (for more on the use of technology associated with this project, please see section <u>iv. Observations Regarding Capacity Building With Technology</u>), had 74 views. Another highly viewed (relative to this project) post "Recent News" (69 views, April 2013), referenced a *Wall Street Journal* Article Tweet on persons with advanced degrees working minimum wage jobs.

#### 6. Universal Healthcare

This rubric was "intended to examine and advocate for progress in the area of the Affordable Care Act and with regard to Universal Healthcare in general."

Further consideration of this rubric produced and published one introductory blog post in April 2013, which had three (3) views.

#### 7. Gun Reform

This rubric was "intended to examine and advocate for reform with regard to Gun safety with the aim of preventing gun violence. We will be especially interested in instances of gun violence in the workplace."

Further consideration of this rubric produced and published four (4) blog posts between April and May of 2013.

Aside from the most viewed introductory post (17 views, April 2013), notable posts included: "Apparent Accidental Shooting by Toddler Results in Death" (15 views, April 2013), and "Violence In The Workplace" which addressed statistics regarding workplace fatalities (11 views, April 2013).

Though this rubric did not enjoy a great deal of popularity, when the number of views is compared to posts in other rubrics, in 2022 "Gun Reform" is a prominent issue.

#### 8. Educational Justice Including STEM Access for Young Children

This rubric was "tasked to address issues of educational inequality in America and look for ways to promote STEM Education for Young Children."

Further consideration of this rubric produced 26 posts, 25 of which were published between March and September 2013.

The post with the most views (295 views, April 2013) "BRAIN Initiative and STEM Early Education" discussed a US Presidential Initiative, "The BRAIN Initiative" and hyperlinked to an article in Reuters about the initiative.

The post with the second most views (154 views, published July 2013), "STEM Collaborative for Teacher Learning, Texas" addressed an educational grant, awarded in Texas, for Stem collaborative learning. The other notable posts included a post introducing the subject matter: "OFA Pi STEM - Rubric 8" (133 views, published March 2013), "STEM Clubs for Kids under six" (116 views, March 2013), and "STEM and the Gender Gap" (112 views, April 2013).

This rubric enjoyed a great deal of popularity and in 2022 "Educational Justice" is a prominent issue.

#### 9. Prisons Inquiry

The survey identified "Prisons Inquiry" as an issue meriting further consideration.

The author of this report supports further consideration into this subject matter, however, throughout the relevant time period (2013), was unable to identify and recruit an able volunteer collaborator to address this rubric. Further considering this issue resulted in 0 blog posts produced and 0 published.

#### 10.Corporate Responsibility

This rubric was to "address the ten most profitable corporations in America and do basic investigative work on what kinds of policies they encourage."

Further consideration of this rubric produced and published six (6) posts between March and November 2013.

The best performing post "Transcript: Alan Greenspan on the Daily Show, Extended Interview Transcript" (189 views, published November 2013) contained an interview transcript with a hyperlink to the referenced interview on YouTube.

The second best performing post "Corporate Responsibility" (141 views, published March 2013) introduced the mission of the rubric generally; an additional interview transcript "Extreme Views: 10/17/13, "D-Day"<sup>II</sup> (125 views, pub. October, 2013) and an opinion piece "Gerrymandating" (123 views, published October 2013) also did well in terms of views, relative to the project.

This rubric enjoyed a great deal of popularity and in 2022 "corporate responsibility" is a prominent issue.

Thus, 53 rubric specific posts were disseminated to the public, resulting in several posts with >100 views addressing a specific further consideration of an identified rubric. No comments were received to the blog administrators concerning these posts.

## iv: Observations Regarding Capacity Building With Technology:

Some observations and disclosures regarding technology in 2013: This project was primarily deployed using free digital technology. Google Blogger was utilized for blogging. Ancillary activity of the project utilized free social media platforms.

This seems like the most appropriate place in this report to convey that view counts offered and published in this report are prominently included because they represent an objective measure by which to potentially evaluate how important, or at least how popular a particular post, further considering an enumerated rubric was, relative to the universe of all of the posts published. View counts referenced in this report were supplied by Google Blogger and were current as of June 18, 2022. The view counts contained herein have not been independently audited.

Upon reviewing the view data, and further considering the content of those respective posts, a fact that arises is that *embedded content performed better than native content*, generally speaking. For example, the Rubric 5. "Minimum Wage Reform & Wage Inequality; Economic Stimulus & Jobs" post referencing a WSJ tweet, or the several infographics referenced above, according to the data, were significantly more effective, utilizing the metric of number of views, than, for example, merely disseminating a text based post. Infographics performed well, generally, in comparison to other kinds of posts. Also, based on the analysis of the views data, posts containing at least one hyperlink performed better generally than plain text posts. Finally, also of relevance to this discussion, is how the dissemination of embed code has evolved since 2013. For example, in at least one case, the embed code in a blog post ceased functioning because the original publisher of the embedded (and presumably embeddable) content, deleted the original content.

Barriers to entry regarding volunteer collaborators: Some potential collaborators wanted to assist, however, the amount of additional training that would have been required for them to meaningfully collaborate using the technological tools employed was, in the author's view, prohibitive, and thus, some technology literacy was identified as a potential barrier to entry to be involved with this project. This factor may have screened out otherwise able and willing volunteers. Generally speaking, recruiting unpaid volunteers can be challenging.

One rather prolific collaborator passed away after the project had been published. The OFA PI Blogs website administrator was granted continuing access to that collaborator's work product, however the name on that collaborator's account was changed to "anonymous." Thus, this departed collaborator is sincerely thanked for their conscientious collaboration (and in fact this report is respectfully dedicated to their memory). However, their collaboration cannot be meaningfully credited or attributed at this time.

Another collaborator left the United States with the password (and thus custody) of one of the project's social media accounts, and ceased responding to the communications they were issued. To the best of the author's knowledge, this former collaborator has never returned stateside. In abstentia, there was no meaningful way to retrieve custody of that social media account.

Other, potentially novel, <u>at the time</u>, issues raised by use of technology associated with this project, including concerns regarding legal liability, for unratified communications issued by volunteers, are discussed in section <u>v. Additional Observations</u>.

# v. Additional Observations:

Most legally burdensome challenges of the project:

The most legally burdensome challenges of the project were associated to Legal Compliance. The most significant and ongoing areas of legal risk identified with this project were:

1. **Potential for Liability due to litigation:** especially in the area of defamation, slander and other related actions generally associated to publishing content to the web.

2. **Evolving landscape of data regulation**: The project's blogs were visible on several different URLS. After 2013, several laws came into effect that identified the obligations of organizations publishing to the world wide web that created causes of action, or at least *jurisdiction* over parties whose content are visible in one particular jurisdiction or another, even if they are not physically present there.

**Particularly with no budget for legal compliance**, these risks amounted to a chilling factor. (The project's blogs are no longer accessible by the public without a specific link.) Post views cited in this report thus represent how many views a particular post had while it was publicly viewable. The viewability of all of the projects' posts were updated at approximately the same time.

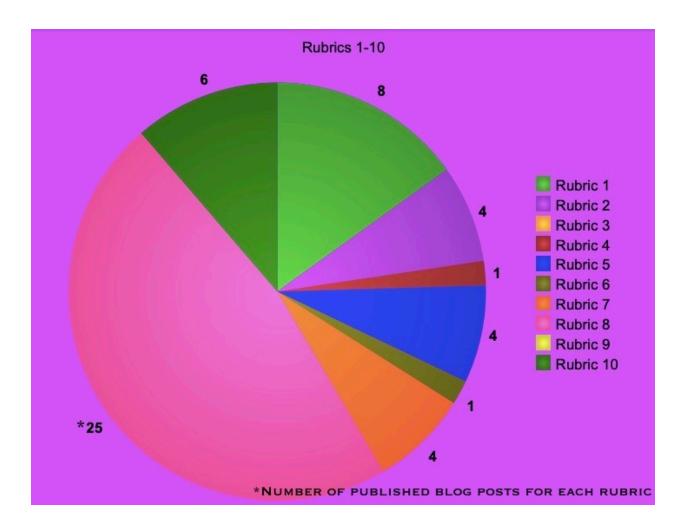
Other, potentially novel, <u>at the time</u>, issues raised by the use of technology associated with this project included concerns regarding joint and several legal liability, for unratified communications issued by lay volunteers, i.e. the risk that liability might accrue to a party with administrative access to post or issue instant messages to a shared social media account, even if they were not the actual party who issued, for example, what is later determined to be a defamatory or otherwise problematic communication. When multiple persons have access to post or to issue instant messages to/from the same social media account, a clearly defined process, policy or understanding by which to vet posts, and if in use, instant messaging communications, *before they are issued*, may meaningfully mitigate non trivial issues in joint and several liability. Perhaps the most enduring lesson this report's author has learned from this project is to more greatly appreciate formal legal training.\*

# The idea of raising contributions to support this project was considered and rejected due to the anticipated costs of continuing legal compliance.

Most burdensome, not necessarily legal, challenges of this unfunded project:

Costs of maintaining the website(s) (even using free tools), and costs associated to conducting outreach.

Most obvious benefit of having conducted this project: Identifying, enumerating and elucidating the stated priorities of a diverse community.



### vi. Conclusion:

It is with gratitude that I now reflect on what may have been revealed by this project. First, taking an empirical approach to identifying important issues of civic relevance probably seems rather elementary to many of my learned peers. Nevertheless, in the humble opinion of this report's author, the use of data and statistical analysis was not widely deployed in this area until recently. The post with the most overall views hailed from Rubric 8, "Educational Justice Including STEM Access for Young Children" and contained a hyperlink. Thus it is clear that there existed demand for providing third party information on an

enumerated priority of the survey. What inference may be drawn from the project's failure to produce any blog posts in the areas of "DOMA & Equal Protection" or "Prisons Inquiry"? Perhaps individuals or parties interested in advocacy in these respective areas may encounter resistance when openly addressing these rubrics, or at the very least, perhaps this was a condition that existed in 2013.

Second, despite the complete absence of a budget, significant progress was made towards enumerating the priorities of a diverse community.

The traditional wisdom in politics indicates that those moving towards advocacy, or towards building capacity in a particular area of what may be referred to as "social progress" may seek to develop relationships and allegiances to particular political candidates or parties. The work product of the OFA Pi project indicates and informs an issues oriented, empirical, data driven approach, which may be utilized in conjunction with, or as an alternative to, more traditional approaches in "social progress" advocacy.

\* The OFA Pi Report 2022 is not legal advice.



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