Supporting Bystanders
See Something, Say Something is Not Enough

Bystanders—and their organizations—often take effective action in the face of unacceptable behavior. However, both face significant barriers much of the time. Why does this matter—why are bystanders important? How do they think and why do so many hesitate? How can we make bystander training measurably effective? What factors inhibit organizations from supporting bystanders—and how can complaint systems and their managers do better?

Every barrier discussed here invites attention from senior leaders. At a minimum, three ideas are a place to begin: offering regular bystander training that includes detailed, credible information about how the organization takes action about unacceptable behavior; training supervisors to be "receptive" to bystanders; and offering a "zero barrier" office to all constituents who wish to talk about concerns off the record.

Bystanders—and the "bystanders of bystanders"—are essential to society. Most problematic and dangerous behaviors are observed—or even known in advance—by people other than the actor. Research on topics like sexual, racial and religious harassment, micro-inequities, errors and safety issues—and also mass shootings and insider threats—highlights the importance of understanding bystander behavior. I use the term "bystander" here for people who observe or come to know about concerning behavior or wrongdoing by others, but who are not knowingly engaged in planning or executing that behavior. In addition, although they receive little scholarly attention, "*bystanders of bystanders*" frequently help. They learn of concerns from bystanders, and then sometimes become the first source of information for managers, or they help by supporting bystander-witnesses to act on their own or come forward.

Bystanders often have, and sometimes act on, very important information. Various studies report that bystanders pick up on hints and portents of unacceptable behaviors at least 50% to 80% of the time before specific wrong-doings occur. Bystanders are often the best source of information about indicators of intent and "warning" behaviors. They are frequently the reason that errors, misdeeds and catastrophes are prevented, remediated or successfully investigated. My research[1] (and research with Prof. Randy Borum of USF[2]) shows that, in many circumstances, bystanders act on their own or appeal to others. As we know from the newspapers, reports about violence prevention[3] and personal experience, many bystanders are able to divert, prevent, stop, interrupt, mitigate or remediate wrongdoing directly, or prompt official action. Powerful bystanders (e.g. senior faculty, chief executives, affinity group leaders) are sometimes the best (or only) real constraint on unacceptable behavior by their peers.

[1] "Fostering Constructive Action by Peers and Bystanders in Organizations and Communities." Rowe, Mary. *Negotiation Journal* Vol. 34, No. 2 (2018): 137-163.

[2] Borum, R. & Rowe, M. (Submitted). The Role of Bystanders in Threat Assessment. In J.R. Meloy and J. Hoffman (Eds.) International Handbook of Threat Assessment, Second Edition. New York:Oxford University Press.

[3] See, for example, FBI Behavioral Analysis Unit, US Department of Justice, Lone Offender Terrorism Report: A Study of Lone Offender Terrorism in the United States, (1972—2015) Nov 2019. And Mark Levine, et al., *Rethinking the Bystander Effect in Violence Reduction Training Programs*., Soc. Iss. & Pol'y Rev. (forthcoming). Social Issues and Policy Review, vol.00 No.0 2019. pp 1-24.

However, bystanders hesitate much of the time. Surveys show that—like many *targets* of unacceptable behavior—many bystanders do not take action. This hesitation occurs for a *range of reasons*, and often for multiple reasons. Hesitation is not just a result of the "diffusion of responsibility" cited in the media. Distrust of institutions is growing apace, world-wide. Many people dislike and distrust investigations or the authorities that conduct them. Many who would like to take action or make reports greatly fear bad consequences; most importantly they fear the loss of relationships. Bystanders may doubt the significance of what they know, or even convince themselves that there might be benign explanations for what they know or have seen.

Understanding how bystanders think. In order to plan how to support bystanders in a systemic way, it helps to know how they think, and to identify the potential "points of failure." Bystanders often go through four stages when deciding whether/how to act on concerning behavior. They first perceive the behavior; then recognize the behavior is unacceptable; then determine whether some response/action is necessary; and finally determine whether, when and how they will respond. At each stage they may weigh many considerations: their own motivations and goals; how others are likely to judge their action; the perpetrator's status and any relationship with the bystander. They review their own skills and capacity to act, and the perceived effectiveness of taking action. They often balance the perceived consequences of acting in-house—or going out-of-house on social media or as whistleblowers.

Organizations should review the barriers to action that occur at each stage. The barriers include: not seeing (or not wanting to see) what happened; not knowing whether the behavior is wrong—or bad enough—to warrant reporting it; not having "enough" evidence to be sure of the behavior's significance; not knowing how to respond appropriately or report a concern; worry they may be wrong, especially when reporting about authorities or friends; and worry that reporting authorities are not trustworthy or that they respond ineffectively (or under-react or over-react). Bystanders who are "bringing bad news" often know it—and fear retaliation.

 "See Something—Say Something" is not adequate to overcome the barriers. Simply telling or asking bystanders to act is not enough; and it is hard to prove that bystander training by itself makes a measurable difference in organizations. To improve the "effectiveness" of bystanders, organizations need a system that *deals as well as possible with each barrier described above*.

Safety, accessibility and credibility. Bystanders want an approachable complaint system that they trust. They need to believe they can discuss concerns, and consider various actions, without being harmed. *A no-retaliation policy is not enough to be "credible" for most bystanders who bring bad news in good faith. Bystanders offering really critical information often require customized protection from bad consequences*. These points should be included in regular "bystander training" for managers and compliance officers.

Receptivity and competence. Managers who receive information need to practice how to listen to bystanders—and to the "bystanders of bystanders" who are often the first source of information—in a way that is *perceived* as receptive and competent. The goal is that bystanders

will learn from word-of-mouth stories and the media that they will be safe, protected if necessary, and that authorities can and will act fairly, prudently and effectively.

What are some barriers faced by organizations? Organizations face serious hurdles in supporting bystanders. Managers are usually swamped. In real life, most managers lack training—and may require "just-in-time" support—if they are to be seen as receptive and competent. A perceived wrong-doer may have great power and influence. Some bystanders are misinformed, misguided, appear (or are) uncollegial or truly malicious. Bystanders with bad news may appear disloyal; most managers need explicit training not to "shoot the messenger." Often the evidence of wrong-doing appears for the moment to be too slim to take immediate action. Frequently there are issues of protecting privacy and free speech. And some organizational policies create barriers—*mandatory reporting of concerns* does help some people but discourages many bystanders. Many managers do not realize that a system can offer several options to get information where it ought to go. Ideally these barriers will be addressed together, in a systems approach. And these barriers indicate the value that can be added by a *zero barrier* office with an experienced professional like an organizational ombuds.

Providing back-up and fail-safe. A zero barrier office provides at least one access point that is safe for all constituents (including managers) to consult off the record*.* An organizational ombuds is an example of a zero barrier office. Organizational ombuds practice to International Ombudsman Association Standards of Practice: they are confidential, neutral, independent, and informal; they have no management decision-making authority. Ombuds keep no case records, and do not accept "notice" for the organization. (They can and will act if they perceive imminent threat of very serious harm.)

Ombuds professionals help to identify and assess concerns and provide *safe options that help both bystanders and the organization*. Here are a few examples. An ombuds may be able to help a concerned bystander to think through what is or is not harassment. And can help to develop options for both clear-cut and ambiguous concerns. An ombuds may receive permission from bystanders to help compliance officers with anonymized information, so compliance professionals can seek the facts about a concern in an apparently "routine inspection." An ombuds can help bystanders to construct anonymous—but detailed—reports that will not identify sources of information. An ombuds can help a unit head to draft an effective, general letter that addresses a specific concern conveyed by an anonymous bystander. Because of regular interactions with the senior managers in an organization, an ombuds may be able to act fast and effectively in an emergency.

Summary: Organizations can help themselves by supporting bystanders. Bystanders help to save relationships, money, reputations and "image"—and also lives. Bystanders need to feel *safe* to learn all their options and consider taking action in-house. Organizations should discuss and try to address all the barriers cited above. As first steps they should offer bystander training that helps all constituents to understand in detail how the organization may take action, train supervisors to be receptive and competent with bystanders, and consider a "zero barrier" office—so all members can consult without harm about apparent wrongdoing.