



## OPHD E-news

Winter 2015

An update on bias, harassment, and discrimination issues from the  
Office for the Prevention of Harassment & Discrimination (OPHD)

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### **LIFE THEATRE SUPERVISOR TRAINING ON MAY 5, 2015 FROM 10 AM TO 12 PM**

The Emmy Award winning acting group, Life Theatre, will be on campus on May 5, 2015 from 10 am to 12 pm at the Price Center East Forum on the fourth floor. Supervisors may satisfy the mandatory sexual harassment prevention training requirement by attending this program. You may register at UC Learning, <http://uclearning.ucsd.edu>. Don't miss this very popular program!

### **SAN DIEGO MAN FOUND GUILTY IN LANDMARK REVENGE PORN TRIAL**

In early February, San Diego jurors [returned a guilty verdict](#) for Kevin Bollaert, a local man who ran a “revenge porn” website out of his Pacific Beach apartment. The site featured thousands of nude photos, mostly of women, often uploaded by their ex-boyfriends without their consent. Many of the photos were tagged with personal information including addresses, workplaces, social media profile links and phone numbers. Bollaert used another site to extort money from women who asked that their images be taken down. At issue during the trial was whether Bollaert could be considered a “content provider” or merely the proprietor of a service that others used to break the law. The defense likened Bollaert’s site to Google or Facebook, which are not typically held liable when third parties threaten others or post defamatory content. Legal experts define the case as a breakthrough; Bollaert appears to be the first website operator to be successfully prosecuted for trafficking in revenge porn.

### **6<sup>TH</sup> CIRCUIT COURT OF APPEALS UPHOLDS VERDICT AGAINST FORMER MICHIGAN ASST ATTORNEY GENERAL FOR DEFAMING GAY FORMER STUDENT COUNCIL PRESIDENT**

The United States Court of Appeals for the Sixth Circuit [upheld a ruling](#) against a former Michigan Assistant Attorney General for publicly vilifying a former student council president because he was gay, but reduced the damages awarded from \$4.5 million to \$3.5 million for technical reasons. Andrew Shirvell was fired in 2010 after an investigation revealed he maintained an anti-gay blog centered on University of Michigan student, Christopher Armstrong. Shirvell, an alumnus of the University of Michigan, learned of Armstrong’s election

to the student council and that Armstrong was openly gay. Shirvell began posting on his Facebook page about Armstrong, whom he had never met, calling him “dangerous” and a “radical homosexual activist,” and a “privileged pervert,” then set up a Facebook fan page against Armstrong, which called on alumni to join if they were “pro-family.” He then set up a blog entitled “Chris Armstrong Watch,” which featured a picture of Armstrong’s face next to a swastika. Shirvell also appeared on national television with CNN’s Anderson Cooper and on Comedy Central’s the Daily Show, where he said that the swastika was there because Armstrong was “acting like a gay Nazi.” Shirvell did not limit his attacks to online or media fora; he discovered Armstrong’s off-campus residence and showed up during a party there, and marched up and down the street outside Armstrong’s house protesting.

#### **OPHD TO CO-SPONSOR SCREENING OF “DEAR WHITE PEOPLE” APRIL 10**

OPHD will co-sponsor a screening of the much talked about comedy, “[Dear White People](#)” along with the Black Resource Center and the Cross-Cultural Center on Friday, April 10 at Peterson Hall. Doors will open at 5:30 pm. OPHD will lead a discussion of issues and questions presented by the film following the screening.

**DID YOU KNOW?** The Supreme Court will decide [Young vs. United Parcel Service](#), an important case interpreting the Pregnancy Discrimination Act this term. At issue is whether the United Parcel Service (UPS) violated the Act by refusing light duty accommodations to its pregnant employee, Peggy Young. UPS put Young on unpaid leave, which caused her to lose her medical benefits, though they had approved light duty accommodations for other employees injured off the job. The company has since changed its policies to allow for accommodations of the sort sought by Young; however it is defending its old policy. The Supreme Court heard arguments in early December 2014 and will likely issue a decision by summer.

#### **BE THE VOICE—REPORT BIAS**

OPHD oversees the UC San Diego online bias reporting system. All members of the UC San Diego community may report bias-motivated incidents or other acts of intolerance to [reportbias.ucsd.edu](mailto:reportbias.ucsd.edu) or [ophd@ucsd.edu](mailto:ophd@ucsd.edu). Be The Voice—Report Bias.

#### **OPHD IS ABOUT SOLUTIONS.**

Office for the Prevention of Harassment & Discrimination (OPHD), 201 University Center, corner of Gilman and Myers, (858) 534-8298, [ophd@ucsd.edu](mailto:ophd@ucsd.edu), <http://ophd.ucsd.edu>.