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Ethical Concerns Q&A

This document discusses concerns that have been raised related to the disclosure of identities.

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Introduction:

On August 25, 2021, Chameleon Aconitum left a threatening voicemail for Jake Gustafson. To listen to the voicemail, click on the MP3 link below. A small audio player should pop up. Press the Play button:

Chameleon MP3 Voicemail Link

This project had treated Chameleon Aconitum as anonymous prior to this point. However, the voicemail included a threat and this changed the situation.

In general, if you receive a threat from somebody, particularly a past associate or abuse figure, you shouldn't disregard the threat or make light of it. It isn't necessarily a sign of possible violence but it needs to be disclosed.

Transparency is recommended in general. It can be workable to keep some of the people involved in abuse situations anonymous when you tell the story. However, this isn't a given. Different situations call for different approaches.

This said, we emphasize that, if you're a victim of abuse of any type that has gone beyond the normal bounds of adult-child or personal relationships, you're not obligated not to name people and to talk about things that happened.

You have a responsibility to tell the truth to the best of your understanding. If you misrepresent things, you can be the subject of legal action.

But if somebody tells you "don't talk about me or I'll call the police!" or others tell you, "this is 'doxxing'", none of that is supportable.

To talk about things is the path to healing and to protecting others who might be vulnerable.

Subsequent to the voicemail, Chameleon Aconitum's identity as Camille McDonald has been disclosed.

On September 03, 2021, Chameleon followed up the voicemail with a harassing text message.

The voicemail, the PDF, and the text message have led to renewed discussion of the FCA Overcomers project. This document addresses questions that readers have raised and offers related thoughts.

Introducing Camilleon:

The woman in the voicemail is Camille Mattiola aka Camille Capaldo aka Camille McDonald.

Jake thinks that Camille's birth surname is Mattiola. The Capaldo surname seems to be a non-legal alias. McDonald is a married (actually, divorced) surname. She seems to be using the Capaldo and McDonald surnames for most purposes.

Camille Capaldo aka Camille McDonald is the person that the book referred to previously as Chameleon Aconitum.

Camille-Specific Questions and Answers

This part answers questions about this site's disclosure of Camille's identity and related issues. It may be moved to another page. There is a separate Legal Questions and Answers part further down.

Q. Did you post Camille's name and other information as part of a retaliatory "tit for tat" thing?

A. No.

In 2020, as I approached the 20th anniversary of my High School graduation, I found that I was thinking more about the past, most importantly my family and the culture in which I was raised.

I wanted to make sense out of things and to offer advice about what I'd learned to others. So, I started to write the story.

Camille Capaldo aka Camille McDonald was part of the story, but I didn't use her real name. She was the only person that I recall using a fake name for. This was a courtesy offered with the intention of avoiding conflict.

A year later, in 2021, Camille threatened me for telling the story of our relationship even though I hadn't named her. Due to the nature of her threats, full disclosure of everything was advisable.

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I also certainly didn't have any obligation to continue to offer Camille special treatment, but that isn't the point.

Q. Why did you disclose a possible street address for Camille? Did you have the legal right to do so?

A. I certainly had the legal right to do so. This is covered in the Legal Q&A section. Regarding why it was disclosed, there were multiple legitimate and reasonable purposes. Two such purposes are discussed below.

1) One such purpose was transparency related to possible litigation.

The street address was the "To:" street part of a pre-litigation document that was sent to Camille subsequent to threats that she'd made. The PDF has been posted and the street address is part of it.

It would be possible to redact the "To:" street address as the "Cc:" email addresses have been redacted. However, it might be for the best, both in legal contexts and from a practical perspective, if things are be posted publicly and as completely as possible.

2) Another legitimate and reasonable purpose is, quite simply, that if there are going to be issues with Camille McDonald again, information will need to be gathered for submission to attorneys and possibly to law enforcement.

In short, it might be necessary to ask people who are familiar with the street address in question to confirm that Camille is or isn't residing there and – if that is this person's residence – whether or not it's a drug house or prostitution venue.

- Q. Even if it's legal to post Camille's name and other information, aren't you "doxxing"? "Doxxing" should be illegal!
- A. There's no such thing as "doxxing". Not the way that that most people use the term.

Define the type of "doxxing" that you mean. Try to come up with a definition that doesn't come down to this: "Person A doesn't want Person B to post information that is already public or to talk about things that Person A did to Person B".

The word "doxxing" is more properly used to refer to the aggregation of information including points that are **not** already public such as the identities of members of a terrorist group.

Whether or not actual "doxxing" is involved, one should have legitimate and reasonable purposes for posting significantly about others in personal contexts.

This said, the use of the word "doxxing" is usually just another way to say "Don't talk, be silent about crimes and abuse, it's bad to stand up and tell the story of your own life".

No, it isn't bad to stand up and tell the story of one's own life. More people should do it.

Q. You've disclosed that one of Camille's multiple surnames is "Mattiola". Doesn't that disclosure put her in danger of being targeted by organized crime groups?

A. Camille was never on the run from organized crime in a serious sense. Her stories about her days as a drug mule were largely fantasy.

She may have tried to obscure her whereabouts at times for reasons related to a child custody battle. It wasn't a serious effort. The contents of legal papers suggest that she and her ex-husband each knew where the other was most of the time during the relevant period.

Q. If this was so bad, why didn't you go to the police instead of making a spectacle of it? (a decade later).

A. How is this relevant?

Yes, Camille may have been guilty of prosecutable crimes related to the manner in which she acquired prescription medications. She herself claimed to have been a drug mule a decade earlier, though the story is questionable. She committed minor assault in 2009 as well.

So what? These issues aren't the story or the point. They're background. The larger story is a thread in my life and the point is what I've learned and the advice that I'd like to offer based on that.

This said, I encourage others to confront irresponsible behavior using incremental escalation and to report significant crimes to the police.

I should have gone to the police at the time and that is part of the advice to others. This isn't the complete story, though.

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Q. If you're pressured enough, will you go back to being quiet and not talking about things?

A. No. I'm not on a soapbox and I'd like people to be comfortable. However, after Spring 2020 – when I started to think more about the past – I understand that I do need to talk about things that happened.

It came from inside me as it often does for people. It was physically uncomfortable. The story had to come out.

Additionally, if it proves to be necessary, the site editor, OldCoder, will step in and "fork" the project. This means that he'll take legal responsibility for the online parts and pressure will need to be applied to him as opposed to me.

I should add that OldCoder isn't really as pleasant to deal with as I am.

Q. If a writer puts up a website and tells a story that includes abusive things which people did, isn't the writer just being petty and self-absorbed and shouldn't he or she just be silent so that people don't feel that the writer is like that? Shouldn't the writer just shut up for his or her own good?

A. No.

Kelly Romig, a girl who was in my brother Ray's grade, was abused by John Longaker, a teacher who was supposed to protect her and took advantage of her instead.

Longaker was prosecuted. However, he made a plea bargain, served a very short sentence, and today denies any wrongdoing. He's even permitted to be a pastor. He vilifies people who inquire about the abuse that he committed and states that they ought to be silent.

The case is discussed at this link: https://overcomers.group/doku/xabuse longaker

It's the failure to talk about abuse that permits such things to happen.

In my case, there are things which happened between my parents, Ray, and me that aren't online yet. I'm entitled to use the term "abuse" and to write about abuse for such purposes as seem appropriate to me.

You're not entitled to judge. My advice to others in a similar position is to speak. It isn't wrong to do

so. It's wrong to tell others that it's shameful to speak about things that have happened.

It isn't solely about abuse.

I've written about Camille as well as about my childhood and youth. Camille committed no physical abuse that I presently know of other than beating me up on one occasion. So what? The story that I've written isn't a laundry list of abusive incidents. It's different threads of my life. Both positive and negative threads.

There are lessons to be learned from my failure to handle my relationship with Camille properly. My decision to speak about this and to offer what thoughts and advice I can is my own and not yours to judge.

I feel that the question works out to little more than an implied threat. My advice to others is as follows:

If somebody elects not to speak to you because you won't be silent, perhaps they're not somebody that you should miss speaking to.

Legal Questions and Answers

These points are personal views of the editor and not legal advice. Feel free to submit corrections.

This section will probably be moved to its own page.

- Q. If you post photos that came from people's social media pages, does that mean that the social media companies own them?
- A. Sometimes yes, sometimes no. But it doesn't really matter. See the next question.
- Q. Don't you need permission to post photos that somebody else owns? Isn't it against the law to do so without permission?
- A. If the circumstances meet the conditions for something called Fair Use, no, certainly not.

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The rights-holder can demand a temporary take-down through a DMCA filing but a website editor can file a counter-notice. The rights-holder then has 14 days to file an actual lawsuit or lose the case.

DMCA must be filed by the rights-holder, not somebody who simply feels aggrieved. It can be a prosecutable crime to do a DMCA filing under false pretenses.

Q. Isn't it illegal to post somebody's street address, either office or residence, online without their permission?

A. In the general case, no. In fact, you can post more significant information such as Social Security Numbers. The editor for this website has done so on Haggis Hell.

However, some important rules apply.

There are special cases such as professions that are protected from the disclosure of residence addresses per se. For example, it's illegal in some States to post the residence addresses of judges, prosecutors, and/or law enforcement officers.

It can also be highly illegal to disclose personal information of most types if you're a State or Federal employee or a health-care worker or similar employee and you obtain such information from protected documents.

One rule which applies to the general case is that legitimate and reasonable purposes are a shield against most civil and/or criminal allegations that an aggrieved subject might try to make. Not an absolute shield, but a pretty good one.

It's certainly legal to post a street address or other factual information, short of something such as a photo that falls separately under copyright rules, which the subject of the information has posted themselves.

One interesting legal point is the question of how far the preceding rule goes.

If Person A is in a protected status of some type, for example, and they make their street address public, it should be legal for Person B for link to the public disclosure and/or to post a screenshot of it.

However, Person A would disagree. The problem with Person A's position, in this case, is that subsequent to the initial disclosure, violation of protected status is basically a thought crime. The definition of what does and doesn't constitute a violation would seem to get into some sticky areas.

The editor, OldCoder, encountered the preceding situation personally in 2012. He was directed by a Court not to "seek" the street address of his father. The problem with this was that the order came in a document which had his father's street address in it right on the first page. So, naturally, OldCoder posted a screenshot of that and asked the other side to comment.

Oddly, no comments were ever received.

More will added here:

The writing of this essay is in progress. Parts will be broken up and moved to separate pages to make it easier to read.

This is a stand-alone essay related to the Overcomers project itself. To jump to the start and the index, click here.

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