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Squarespace and Domestic Terrorism in Charlottesville: The Responsibility of Private Companies to Respond

In August 2017, tragedy struck Charlottesville, Virginia. A domestic terrorist drove his car into a crowd of counter-protestors at the “Unite the Right” rally in an apparent hate crime, killing one woman and injuring dozens of other people. In the wake of the violence, web design and hosting company Squarespace wanted to issue a corporate response and crafting the first draft was up to Squarespace’s head of human resources, Connie Ovalsport.ⁱ

Ovalsport had been receiving letters from Squarespace employees asking that the platform stop hosting violent extremist groups that spread hatred like the domestic terrorist (now in custody) had put forth. Now, in response to the Charlottesville attack and to its employees’ requests, Squarespace’s senior management team was considering removing well-known white supremacists and associated individuals and groups from its platform. However, before the management team made any final decision, the CEO tasked Ovalsport with advising him on the best course of action. He asked Ovalsport to not only craft a corporate response to the recent attack, but also to quickly recommend how to respond to employee concerns, and how to maintain a strategic approach that would not put the company in a potentially risky or liable position. She planned to discuss the financial implications with the CFO and the customer opinion data with the CMO, with final approval from the CEO himself. He also asked that she engage Squarespace’s legal team to determine potential liability and responsibility scopes.

Ovalsport felt overwhelmed by the complexity of this decision and the various implications it might have for the business. Would removing specific accounts or platforms trigger a negative response from users and potentially expose the company to liabilities? Would failing to do so invoke a revolt from Squarespace employees and lead to more liability risks? Ovalsport knew deep down what she felt was the right thing to do, but wondered if that path forward was the most prudent course of action for the company.

ⁱ Connie Ovalsport is a fictional character.

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