

MEMORANDUM

To: Trustee Gerard A. Jervis
From: Gary Obrecht, Charlene Hoe, Kāwika Eyre, Kēhau Abad
Date: August 5, 1997
Subject: Staff immunity from retribution for participating in the fact-finding process

A concern of the KSBE staff in regards to participating in the current fact-finding process is possible personal retribution for having contributed to the investigation. None of the court documents or internal KSBE correspondences specifically guarantees immunity from such action.

Although we understand that we can be granted confidentiality when we speak to Judge Yim, many employees fear that they could be inadvertently identified through information revealed in Judge Yim's reports to be filed with the court.

At our meeting of June 9, 1997, you conveyed your wish that faculty and others be involved in the development of the investigation process. As per our memorandum to you dated June 9, "you conveyed your belief that any form of retribution ... would be categorically unacceptable."

We now request that the trustees provide all staff with a written guarantee assuring complete protection from any form of retribution for their participation in the fact-finding process. We understand that such a written guarantee of protection in investigations is standard procedure.

Nā Kumu o Kamehameha supports the trustees' efforts to resolve the current crisis. However, full participation in the trustee-initiated investigation and resolution process is contingent upon staff receiving assurance of immunity from retribution. In your phone conversation with Gary Obrecht on July 30, you indicated that you would review existing documents related to this issue and reply to our concern. We eagerly await your response.

cc: Patrick Yim