
From: Sen Gelser

Date: Wednesday, November 29, 2017 at 7:47 PM

To: Johnson Dexter, Christopher Lore D ,Imholt Betsy, Inman Tim , Sen Courtney, Rep Kotek

Subject: FW: Investigator

Dexter,

<deleted text is regarding process logistics for the investigation>

Finally, on a separate note, my review of the rule notes that the Human Resources Department is required even without complaint to address severe and persistent harassment and ensure safety for all people in the building. Given that I am aware of at least one more additional informal complaint that involves a non-Capitol staff person having their butt grabbed by Senator Kruse in the Capitol and in a public setting in October, I am concerned about how all women in the building will be kept safe during the February session. I appreciate that he will not be in committee, which provides a measure of relief to members. However, interns and young staff who have also been reportedly subject to inappropriate touching will still be within his reach. What is the plan to keep these women safe and to limit the Senator's access to women while he is in the Capitol and on the Senate floor? Giving these women the tools to report these behaviors is not enough. As an assembly we must act before any other woman is inappropriately touched or groped in the ways your investigation revealed is a reality for too many women who have encountered Senator Kruse.

Sincerely,

Sara

Note: I have copied both presiding officers and Labor Commissioner Avakian because I understand you are all meeting to discuss the process next week.. I believe this is germane to the discussion if we are to develop a process that is safe and fair for victims of workplace harassment that must go through such a public process in order to obtain safety at work.

Thursday, November 30, 2017, 3:07:04 PM PST, Dian Rubanoff wrote:

Hello again Senator Gelser, <....>

I'm writing ... to remind you of the requirement for confidentiality under the Legislative Branch Personnel Rules for investigations of formal complaints. Specifically, the rules state:

"All members and employees involved in the investigation shall cooperate with the investigation and keep information regarding the investigation confidential."

<....> I'm aware that the media is actively seeking information regarding this investigation, so I thought it was prudent to clarify this with the three primary participants as soon as possible.

If you have any questions, please contact Dexter Johnson or Lore Christopher for clarification.

Thanks for your cooperation,

Dee Rubanoff

From: Sara Gelser
To: Dian Rubanoff
Sent: Thursday, November 30, 2017, 3:16:44 PM PST
Subject: Re: CONFIDENTIAL

Thank you, Dian. I am happy to keep details of the investigation itself confidential. However, I do believe I have the right to speak about what I have experienced as I have in the past. I also believe it is incumbent upon me to press however I can to ensure that women are not at risk in February. Too many women have been harmed already.

<....> I do not believe that I should be bound by confidentiality in expressing that concern publicly, particularly as it relates to my rights to seek protection from outside legal counsel or the Bureau of Labor and Industries. Please advise if you disagree with this.

Sara

From: Sen Gelser
Sent: Thursday, November 30, 2017 3:24 PM
To: Johnson Dexter ; Christopher Lore D
Cc: Imholt Betsy
Subject: FW: CONFIDENTIAL

<...>I am deeply concerned that this process does not have the interests of me or the other victims at its core. I am fearful that this is turning into an exercise of protecting the institution rather than protecting the women who serve it.<...>

On Nov 30, 2017, at 5:51 PM, Johnson Dexter wrote:

Sen. Gelser:

<...>

Also from your email last night, you requested placing limits on Senator Kruse's access to women while in the Capitol. As you know, Senator Kruse has been instructed to have no contact with you. Others interviewed in the informal investigation have not requested such action. In the absence of requests from others, there is no authority under the rule to take further action. See LBPR 27 (6)(d) (legislative officials must "immediately take appropriate action to ensure that *the complainant* has a safe and nonhostile work environment). Also, it is

the Committee on Conduct and the Senate that have that authority and only after the independent investigation is completed. <...>

Finally, I would like to stress that the integrity of the investigation depends on those involved maintaining confidentiality. See LBPR 27 (6)(f).

<...>

I hope this helps answer some of your questions and concerns.

Best regards,

Dexter

From: Sen Gelser

Sent: Thursday, November 30, 2017 6:26 PM

To: Johnson Dexter

Subject: Re: CONFIDENTIAL

Dexter,

<...> Please help me understand the confidentiality requirement. Our complaints are public record.

Finally, with regard to the complainant, I am concerned not just about those who have already been violated by Senator Kruse but by those who may be in February. As an employer do we have no obligation to protect those women when we know how pervasive the problem is? It truly befuddles me that our process is essentially allowing us to knowingly feed young women into the reach of a serial groper. That can't be right. How will we explain this to the next woman who is groped?

Sara

From: Johnson Dexter

Date: Friday, December 1, 2017 at 6:15 PM

To: Sen Gelser

Subject: RE: CONFIDENTIAL

Hi Senator,

<...>I understand that you have concerns about women who may be subject to harassment by Senator Kruse in the February session. I don't have an immediate answer to you about that, but I note that the February session begins just about two months from now, so there is time to problem-solve this. <...>

Dexter

