

COMPLAINT PBRC027

3/11/2020 6:41:38

[email address redacted]

Sherry Gendelman

[email address redacted]

Anonymous: No

[name redacted]'s vicious communications to proposed directors goes beyond political argument and constitutes harassment. From: [name redacted]<[email address redacted]>

>

Date: Tue, Mar 10, 2020 at 12:10 PM

Subject: Re: Pacifica Restructuring Project

To: <[email address redacted]>

Dear [name redacted],

I hope you're well. I wanted to give you an update. The bylaws listener election is underway. I don't know what the results will be, but it will be close and it has been a divisive process. Whether the yes or no vote is the one that prevails, there will be a large contingent of unhappy members.

I wanted to let you know, since it seems like the communication from the Pacifica Restructuring Project to its appointees has not been frequent, that due to three potential appointees withdrawing their names (and a fourth who withdrew and then un-withdrew) that you are no longer an alternate and potentially stand to be seated on the Pacifica board within a two week period for a term of up to three years. The individuals who have dropped out are [name redacted], [name redacted] and your fellow alternate [name redacted]. [name redacted] also withdrew and then withdrew her withdrawal.

As I understand it, [name redacted] provided no reason for her resignation, [name redacted] withdrew because she did not wish to stop hosting a program on WBAI-FM, [name redacted] withdrew because he did not want to come into the organization "under a cloud" (his own words) and [name redacted] almost withdrew due to the lack of officers and directors liability insurance.

From my own experience with six years on the local and national boards of Pacifica, I can attest to the fact that Pacifica has a working board that is demanding on one's time, primarily due to organizational under staffing (3 of the 5 stations operate with less than 10 FTE positions. KPFT in Texas operates with 3 FTE) and poorly trained staff due to low levels of compensation. It was extremely difficult to maintain a board position along with a full-time professional job and that was with a much larger board and several supporting local boards that would cease to exist. It will be an extensive workload. If your position with ACLU of Texas is anything like the parallel position of director at ACLU of Northern California, which I am very familiar with, it will not be easy. And while one doesn't want to make bad predictions, it seems reasonable to project that the 2020 presidential campaign will lead to a ramping up of the anti-immigrant agenda to whip up the Trump base, which will be demanding for the ACLU of Texas on the front lines.

So I hope you'll give serious consideration whether you have 10 hours a week available for this working board position and if that isn't really the case, let Pacifica members know now when they are voting with your name attached to the proposal. .

With regard to directors and officer liability, since I dropped that in, it has not been in place since 2015. During my board tenure it was, but Pacifica's carrier bailed after a large quantity of sexual harassment and wrongful hiring lawsuits were litigated due to human resources errors by untrained managers. Replacement coverage has only been available at extremely high risk premium levels in excess of \$300K annually which the organization has been unable to afford.

I hope you understand that if you are not fully committed at this point, that it would be for the best to say so so that the people voting can factor that into their decision making.

Best wishes,

[name redacted]

Election Inspectors Response: There is no Fair Campaign violation identified in this complaint.