

**From:** Rebecca Sherman [REDACTED]  
**Sent:** Friday, September 11, 2020 10:28 AM  
**To:** Porter, Katharine (CAT)

Katie:

I am writing this to you because I made a terrible decision that I followed with a series of additional terrible decisions, and have created a giant mess. Now [REDACTED] and the stress of wanting [REDACTED] [REDACTED] is only exacerbating the existing anxiety I had about how to disclose this. I shouldn't have gotten into this to begin with, and should have, at so many points along the way tried to make this right. I resigned this morning and will fully cooperate with whatever the process is from here on out.

In late 2017, [REDACTED] filed an EEO complaint. At the time, [REDACTED] was trying to have a court overturn the CSC's administrative decision to uphold the closure/no finding in [REDACTED] past EEO complaint. I reviewed [REDACTED] past complaints, understood the then-current allegations (ongoing retaliation, e.g. ignoring, hostility in the workplace from coworkers and managers, etc.) [REDACTED] also provided new information regarding [REDACTED] closed complaint that I believed warranted review. I wanted to investigate.

At the time, I spoke with Matthew about it, who heard me out and said he'd back me in bringing the matter to Linda. I did, explained the new information and the narrow review of the proposed investigation, and she said ok but that there would not be a finding.

Sometime in the coming weeks, I drafted a Charge for [REDACTED] review and signature. I began investigating. During this time, based on my review of the past investigation, general discussions during the first investigation and at the then-present time, I got the general sense that people in DHR EEO and SFMTA viewed [REDACTED] as not credible, that [REDACTED] complaint had no merit, and generally a complainer. My view was different. [REDACTED] was consistent in [REDACTED] statements, the prior investigation was rushed and I did not believe the record supported the conclusion – the Respondent was not credible, and there were problems with the recruitment for the manager position that [REDACTED] was denied (and which was the basis, in part, of [REDACTED] complaint). Anyway, none of this is the point right now except to say that the evidence suggested to me that there should have been a finding on many of the previously closed claims and that based on the general sentiments about [REDACTED], my recommendation would not be popular.

That is where I made my first terrible decision. I shared with [REDACTED] my take on the merits of [REDACTED] complaint and [REDACTED] immediately filed an external complaint requesting an immediate right to sue, and filed suit based on my comments.

At the time, and clearly still, I was too passive and conflicted to tell [REDACTED] that. I was also certain – in my head and not necessarily because it is what actually would have happened – that my recommendation for a finding and appropriate make whole remedy would not find consensus. I told [REDACTED] the process – that I was going to share my findings and recommendations with my manager, and then it would go to Ed (at the time). And then I froze. I did nothing for so long and was spinning out because I was afraid to have those difficult conversations, whatever the substance.

I lied to [REDACTED] and told [REDACTED] my recommended findings were under review and then kept lying to buy time because I had truly convinced myself that I would write the report, present it to Linda, et al, and stand my ground on the findings. I didn't and I kept lying to [REDACTED] to buy more time. I told [REDACTED] they agreed and [REDACTED] asked whether [REDACTED] be given the remedies [REDACTED] requested – appointment to the position, backpay and restoration of leave taken. I told [REDACTED] it was under review.

In November 2019, I told [REDACTED] that that CAT would have to review and consider the requested remedies and potentially propose a settlement. I explained to [REDACTED] the actual process, but lied to [REDACTED] about where [REDACTED] complaint was along that process. To make a long story short, I continued to do that – explain to [REDACTED] the actual process, but lie to [REDACTED] about where [REDACTED] complaint was along that process – until now. As time went on, the lies got bigger as I continued to explain why [REDACTED] hadn't seen a determination, settlement offer, etc. Ultimately, I drafted a document based on other settlement agreements I'd seen, met with and showed it to [REDACTED], but continued to lie to [REDACTED] about why [REDACTED] couldn't have a copy, why it wasn't signed, etc. I made things up like, "oh, they're considering XX term now" or "they're reviewing possible positions for appointment." It was all a lie and I continued to make it worse and worse.

The longer I let this go on, the more impossible it was to see a way out. I truly do not even know all of the little lies I told to explain delays or why things weren't happening the way I said they would. I also grew to like [REDACTED] a lot and my lack of ability to stay neutral contributed to my unwillingness to tell [REDACTED] the truth.

Again, I can and will absolutely go through every single step and misstep and will fully cooperate with whatever process/consequences comes from my actions. But for purposes of my explaining now to you now what I did, before I lose the will to say it – I drafted a document appearing to be a proposed settlement agreement, I electronically imposed fake signatures, and I sent it to [REDACTED] and held it out as though it were real. Based on that, [REDACTED] moved to dismiss [REDACTED] case. Obviously, since [REDACTED] has not received the money, [REDACTED] is suspicious, confused, upset and while I continued to lie for awhile, there is clearly no way out other than to confess. I told [REDACTED] I fucked up.

I am currently [REDACTED], and told [REDACTED] I would call [REDACTED] shortly. I plan to explain/confess the same. I am sure [REDACTED] will either contact your office or you or SFMTA. I don't have the words right now to explain the embarrassment, shame, regret I feel. Again, I will fully cooperate with whatever investigation, process, consequences that are to come for me and I will do my best to try to right the many wrongs I've made.

Rebecca Sherman  
[REDACTED]