

Part 15.

Questions directed to Ombudsman Gordon Claude Cannon at his deposition on April 16, 2010 about his investigation of Professor DePree with the charge of recommending whether to terminate DePree's tenure and employment.

Question: [Y]ou're the person that determines the method and scope of the [ombudsman's] investigation, are you not?

Cannon: Yeah, that's right.

Question: And so you chose not to interview names that you had before your report was filed? Let me get you to look at the TRO [Temporary Restraining Order] transcript. It's Exhibit 7. Here you go. Read that for me starting at line 17.

Cannon reading sworn testimony of College of Business senior full professor from TRO court hearing: [T]here were a lot of people still sitting there when I left [the May 4, 2006 College of Business faculty meeting], and I didn't leave because I was afraid. I left because I was kind of disgusted.

Questioner: You can keep going.

Cannon continuing to read sworn testimony of a CoB senior professor: Did you observe Chauncey M. DePree, Jr. do anything to threaten anybody or that would cause anyone to be afraid?

Questioner: Keep going.

Cannon continuing to read sworn testimony of the CoB senior professor: No, I think he reacted like I would if someone had all of a sudden put up an overhead that accused me of doing things that I felt were – that it wasn't correct. I would respond the same way. I would deny it and, quite frankly, be very surprised. This is not the normal way I see things happen in academia.

Questioner: Keep going just a little bit further.

Cannon continuing to read sworn testimony of the CoB senior professor: [Q.] So you consider Marc's reaction to have been appropriate? [A.] I think it was appropriate. I think that many other people would have acted the same way had they been openly attacked in that meeting. It's not a very good feeling for someone to put up an overhead attacking you when you don't know what it's about or it's completely unexpected.

Question: Okay. So would you agree that [the CoB senior full professor] had a knowledgeable perspective?

Cannon: No, I don't.

Question: But [the senior professor] was there and had a perspective as to whether or not it was a fearful situation?

Cannon: He probably did.

Question: But weren't you charged to investigate these matters fully and thoroughly?

Cannon: And I did.

Question: But you chose not to interview some witnesses that may have been relevant?...Did you review the TRO transcript thoroughly enough to ascertain that?

Cannon: No.

Question: [DePree] provided you with the testimony, did he not?

Cannon: I don't know when that testimony came up. That testimony maybe came up even after I had met with [DePree]. I'm not sure.

Question: Did you have it when you issued your report?

Cannon: Yeah, I did.

Question: So you were aware of it and had access to it?

Cannon: Yes.

Question: And you chose not to thoroughly review it?

Cannon: Yes.

Dr. Cannon casually admitted that he chose not to review evidence which would not support his conclusions. As Dr. Cannon said when questioned about his reliance on false statements intended to procure termination of a tenured professor “I don't know that it would trouble me too much.” (See [part 11](#).)

What should trouble all of us is that any faculty member may have the misfortune to be the subject of an ombudsman's investigation. Any of us may be subject to termination proceedings based on his findings – all without a shred of evidence.

And don't think it can't happen to you.