



STANISLAUS COUNTY CIVIL GRAND JURY

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June 7, 2010

RE: Case 10-04C - Grand Jury Response to Council Members A, B & C

The Stanislaus County Civil Grand Jury stands firmly behind its findings for Case 10-04C, which found violations of the Brown Act, FPPC and Hughson Municipal code by various Council members.

In response to a complaint by the City Manager the Grand Jury investigated an allegation by a City Council member of "willful misconduct" by staff in the city administration. The allegation was made on April 13, 2009 and the investigation was limited to acts occurring prior to or on that date. In addition, the complaint requested the Grand Jury investigate specific incidents uncovered by the City Manager involving possible Brown Act violations, Fair Political Practices Commission (FPPC) violations and violations of the Hughson Municipal Code. The scope of the Grand Jury investigation was limited to the issues raised in the complaint. It should be noted that statutes preclude the Grand Jury from investigating matters currently before the court and matters that are subject of litigation and that any such matters were not a part of the report. Also, the Grand Jury did take into consideration and did not reinvestigate matters that had been the subject of previous or current investigations.

During the investigation, the Grand Jury obtained and reviewed numerous documents, recordings and sworn testimony. The final report made reference to incident dates, the individuals involved, and where possible, included a quotation from the selected passage for all findings within the report. The Grand Jury finds it unacceptable that Council member A denies the existence of any of the cited comments.

Repeated throughout the responses to the report is that a violation did not occur because the offender had obtained bad advice or had good intentions. The Grand Jury does not find such excuses adequate justification for having violated the code.

Denis D. France,
Civil Grand Jury Foreperson
Fiscal Year 2009-2010