

California Legislature

Assembly Rules Committee

ROOM 3016 — STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CALIFORNIA 94249-0001
TELEPHONE: (916) 319-2800

February 12, 2018

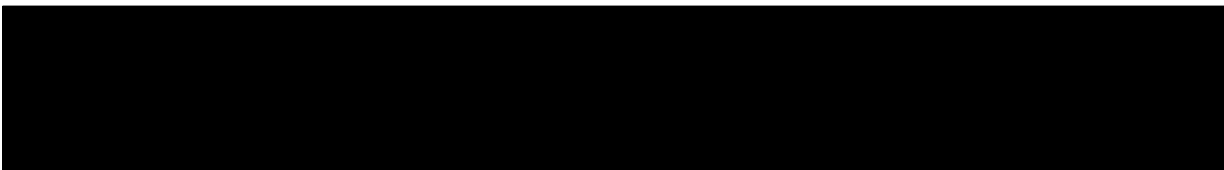
Raul Bocanegra
c/o Debra Hinshaw Vierra
Cook Brown LLP
2407 J Street, Second Floor
Sacramento, CA 95816

Dear Mr. Bocanegra:

Benjamin Webster, Esq. of Littler Mendelson, P.C., an outside, independent attorney, conducted an investigation into complaints registered by former staff members who asserted that you engaged in inappropriate behavior towards them while you served as Chief of Staff for Assemblymember Felipe Fuentes. We subsequently received your letter dated November 20, 2017, in which you requested that the Assembly Rules Committee conduct a formal investigation into any and all claims alleging sexual harassment as brought forth in the media.

Mr. Webster attempted to schedule an interview with you regarding the allegations brought forth by former staff member, as well as the media, and was later advised by your attorney, Debra Hinshaw Vierra of Cook Brown LLP, that you were no longer requesting an investigation, and subsequently, Ms. Vierra indicated you were unwilling to participate in the investigation I responded indicating that the Assembly would continue to conduct our investigation and would be required to draw conclusions without your participation in the process.

You are not entitled to a copy of the Confidential Investigation Report and it is subject to the attorney-client privilege. The investigator made factual findings regarding the allegations against you which are summarized below:



Allegation: While Chief of Staff for Assemblymember Felipe Fuentes, you engaged in unwanted conduct towards three female Assembly employees.

The alleged inappropriate behavior included:

- Sending messages to a female Assembly employee, commenting on her appearance and asking her out
- Sliding your hand across a female Assembly employee's stomach
- Stroking the hair of a female Assembly employee, and also touching her shoulders
- Taking a subordinate's bracelet, placing it in your front pants pocket and asking her to retrieve it

Based on interviews and a review of relevant documents, the investigator determined these allegations were substantiated, that is, it is more likely than not that most of the facts alleged did occur.

Your conduct violated the following Assembly policies:



- Policy against Sexual Harassment: The Assembly has a strict, zero tolerance policy prohibiting sexual harassment in the workplace.
- Personnel Policy Manual for Assembly Employees: Section VI. Ethics, Subsection 5, Conduct of Employees, provides that employees are expected to conduct themselves in a professional manner and to avoid behavior that might bring discredit to the Assembly.

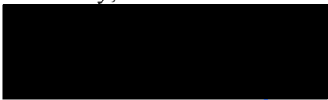
The Assembly proceeded with completing this investigation even after receiving your notice of resignation effective November 27, 2017. Notwithstanding this fact, the Assembly Rules Committee will use the findings from this investigation as the entire Assembly works to improve the culture in the California Capitol as it pertains to sexual harassment including initiating remedial action designed to help prevent future occurrences of such conduct.

Please be advised that the Assembly's Policy Against Sexual Harassment includes post-investigation rights for both the accused and the complainant, which must be exercised within 10 working days of your receipt notification of the findings from an investigation. A copy of the policy is enclosed.

In conclusion, I remind you that the Assembly strictly prohibits retaliation. If in the future you believe anyone is retaliating or has retaliated against you because of your participation in this investigation, please notify me immediately. On the other hand, you may not retaliate against anyone who you believe participated in this process. Finally, if you believe anyone else who may have participated in this investigation has become a victim of retaliation because of their participation in this process, please notify me immediately.

Your participation in the investigation of your complaints is appreciated.

Sincerely,


Tosha M. Cherry
Human Resources Director
California State Assembly

cc: Debra Gravert, Chief Administrative Officer
Investigation Binder
Personnel File

Encl. California State Assembly Policy Against Sexual Harassment