

# California Legislature

## Assembly Rules Committee

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

February 12, 2018

Dear [REDACTED]

The investigation of your complaints against Assemblymember Raul Bocanegra has concluded. You are not entitled to a copy of the Confidential Investigation Report and it is subject to the attorney-client privilege.

The investigation, conducted by an outside, independent attorney, Benjamin Webster, Esq. of Littler Mendelson, P.C. resulted in factual findings related to your allegations which are summarized below.

**Allegation: While Chief of Staff for Assemblymember Felipe Fuentes, Raul Bocanegra, engaged in unwanted conduct towards you, including sending you personal text messages and emails, commenting on your physical appearance, and asking you out on dates, during the period of 2009-2011.**

Based on the interviews with witnesses and a review of relevant documents, the investigator determined that it is more likely than not that the facts alleged did occur.

This conduct was found to violate the following provisions of the Personnel Policy Manual for Assembly Employees:

- 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.

As you may know, Raul Bocanegra resigned in November 2017, as the Assembly representative for California's 39<sup>th</sup> Assembly District. 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.

During our telephone conversation, I informed you that that 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 Rules Committee strictly prohibits retaliation. If in the future you believe a sitting Assemblymember or current Assembly employee is retaliating against you because you came forward with this complaint, please notify me immediately.

Your participation in this process is appreciated.

Sincerely,

[REDACTED]  
Tosha M. Cherry  
Human Resources Director  
California State Assembly

cc: Debra Gravert, Chief Administrative Officer  
Investigation Binder

Encl. California State Assembly Policy Against Sexual Harassment