

IN THE YUBA COUNTY SUPERIOR COURT DISTRICT
COUNTY OF YUBA, STATE OF CALIFORNIA

10-1-8

ENDORSED FILED

YUBA COUNTY SUPERIOR COURT
H. STEPHEN KONISHI
SUPERIOR COURT CLERK
BY B. SLOAN
Court Clerk

THE PEOPLE OF THE STATE OF CALIFORNIA,

vs.

JOSEPH PATRICK GRIESA,

Defendant (s)

I N D I C T M E N T

CASE NO. CRF

08-458

COUNT I

The 2008-2009 Yuba County Grand Jury (hereafter Grand Jury) hereby accuses JOSEPH PATRICK GRIESA on or about OCTOBER 1 thru NOVEMBER 4, 2007, in the County of Yuba, State of California, of committing the crime of INDECENT EXPOSURE, a violation of Section 314(1) of the Penal Code of the State of California, a misdemeanor, to wit: did willfully and lewdly expose his person, or the private parts thereof, in any public place, or in any place where there were present other persons to be offended or annoyed thereby.

COUNT II

The Grand Jury hereby accuses JOSEPH PATRICK GRIESA on or about OCTOBER 1, 2007 to NOVEMBER 9, 2007, in the County of Yuba, State of California, of committing the crime of ANNOYING OR MOLESTING A CHILD UNDER THE AGE OF 18, a violation of Section 647.6(a) of the Penal Code of the State of California, a misdemeanor, to wit: did annoy or molest a child under the age of 18 years. (victim S.A.; dob 7-6-1990)

COUNT III

The Grand Jury hereby accuses JOSEPH PATRICK GRIESA on or about SUMMER-FALL 2007, in the County of Yuba, State of California, of committing the crime of INTIMIDATING A WITNESS WITH FORCE OR FEAR, a violation of Section 136.1(c)(1) of the Penal Code of the State of California, a felony, to wit: did attempt to prevent or dissuade another person who had been the victim of a crime or who was witness to a crime from making any report of such victimization to any peace officer, when the act was accompanied by force or by an express or implied threat of force or violence, upon a witness or victim or any third person or the property of any victim, witness, or any third person. (victim S.A.)

COUNT IV

The Grand Jury hereby accuses JOSEPH PATRICK GRIESA on or about JANUARY 2007, in the County of Yuba, State of California, of committing the crime of SEXUAL BATTERY, a violation of Section 243.4(a) of the Penal Code of the State of California, a felony, to wit: did touch an intimate part of another person while that person was unlawfully restrained by the accused or an accomplice, and when the touching was against the will of the person touched and was for the purpose of sexual arousal, sexual gratification or sexual abuse. (victim S.A.)

COUNT V

The Grand Jury hereby accuses JOSEPH PATRICK GRIESA on or about OCTOBER 2007, in the County of Yuba, State of California, of committing the crime of SEXUAL BATTERY, a violation of Section 243.4(a) of the Penal Code of the State of California, a felony, to wit: did touch an intimate part of another person while that person was unlawfully restrained by the accused or an accomplice, and when the touching was against the will of the person touched and was for the purpose of sexual arousal, sexual gratification or sexual abuse. (victim S.A.)

COUNT VI

The Grand Jury hereby accuses JOSEPH PATRICK GRIESA on or about SUMMER - FALL 2007, in the County of Yuba, State of California, of committing the crime of FALSE IMPRISONMENT, a violation of Section 236/237 of the Penal Code of the State of California, a felony, to wit: did unlawfully violate the personal liberty of another, effected by violence, menace, fraud, or deceit. (victim S.A.)

COUNT VII

The Grand Jury hereby accuses JOSEPH PATRICK GRIESA on or about SEPTEMBER or OCTOBER 2007, in the County of Yuba, State of California, of committing the crime of ASSAULT WITH FORCE LIKELY TO PRODUCE GREAT BODILY INJURY, a violation of section 245(a)(1) of the Penal Code, a felony, to wit: did commit an assault upon the person of another with means of force likely to produce great bodily injury. (victim S.A.)

COUNT VIII

The Grand Jury hereby accuses JOSEPH PATRICK GRIESA on or about NOVEMBER 4, 2007, in the County of Yuba, State of California, of committing the crime of CONTRIBUTING TO THE DELINQUENCY OF A MINOR, a violation of section 272(a)(1) of the Penal Code, a misdemeanor, to wit: did commit an act or omit the performance of a duty, which act or omission caused or tended to cause or encourage a person under the age of 18 years to come within the provisions of Section 300, 601 or 602 of the Welfare and Institutions Code, or which act or omission contributed thereto, to wit: encouraged or told S.A. to lie to the police.

COUNT IX

The Grand Jury hereby accuses JOSEPH PATRICK GRIESA on or about APRIL 2005, in the County of ^{CNW} ~~Sutter~~ ^{YUBA}, State of California, of committing the crime of FORCIBLE SEXUAL PENETRATION, a violation of Section 289(a)(1) of the Penal Code of the State of California, a felony, to wit: did willfully and unlawfully cause the penetration of the genital or anal openings of J.S. by a foreign object, to wit: finger(s), against the will of said victim and by force, violence, duress, menace, or fear of immediate and unlawful bodily injury to said victim or to another, or where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the defendant will execute the threat.

COUNT X

The Grand Jury hereby accuses JOSEPH PATRICK GRIESA on or about JANUARY 1, 2004 to JUNE 20, 2004, in the County of Yuba, State of California, of committing the crime of ORAL COPULATION WITH A MINOR, a violation of Section 288a(b)(1) of the Penal Code of the State of California, a felony, to wit: did participate in an act of oral copulation with another person who was under 18 years of age. (Victim Jane Doe)

COUNT XI

The Grand Jury hereby accuses JOSEPH PATRICK GRIESA on or about NOVEMBER 3-4, 2007, in the County of Yuba, State of California, of committing the crime of CONCEALMENT OF A CHILD FROM LEGAL CUSTODIAN, a violation of Section 278 of the Penal Code of the State of California, a felony, to wit: was a person, not having a right of custody, who did maliciously take, detain, conceal, or entice away, any minor child with intent to detain or conceal that child from a person, guardian, or public agency having the lawful charge of the child. (Victim S.D.)

COUNT XII

The Grand Jury hereby accuses JOSEPH PATRICK GRIESA on or about NOVEMBER 3-4, 2007, in the County of Yuba, State of California, of committing the crime of CONCEALMENT OF A CHILD FROM LEGAL CUSTODIAN, a violation of Section 278 of the Penal Code of the State of California, a felony, to wit: was a person, not having a right of custody, who did maliciously take, detain, conceal, or entice away, any minor child with intent to detain or conceal that child from a person, guardian, or public agency having the lawful charge of the child. (Victim A.G.)

COUNT XIII

The Grand Jury hereby accuses JOSEPH PATRICK GRIESA on or about NOVEMBER 3-4, 2007, in the County of Yuba, State of California, of committing the crime of CONTRIBUTING TO THE DELINQUENCY OF A MINOR, a violation of section 272(a)(1) of the Penal Code, a misdemeanor, to wit: did commit an act or omit the performance of a duty, which act or omission caused or tended to cause or encourage a person under the age of 18 years to come within the provisions of Section 300, 601 or 602 of the Welfare and Institutions Code, or which act or omission contributed thereto. (Victim S.D.)

COUNT XIV

The Grand Jury hereby accuses JOSEPH PATRICK GRIESA on or about NOVEMBER 3-4, 2007, in the County of Yuba, State of California, of committing the crime of CONTRIBUTING TO THE DELINQUENCY OF A MINOR, a violation of section 272(a)(1) of the Penal Code, a misdemeanor, to wit: did commit an act or omit the performance of a duty, which act or omission caused or tended to cause or encourage a person under the age of 18 years to come within the provisions of Section 300, 601 or 602 of the Welfare and Institutions Code, or which act or omission contributed thereto. (Victim A.G.)

COUNT XV

The Grand Jury hereby accuses JOSEPH PATRICK GRIESA on or about 1ST, 2ND, & 3RD QUARTERS OF 2005 and THE 3RD & 4TH QUARTERS OF 2006 and THE 1ST, 2ND, 3RD & 4TH QUARTERS OF 2007, in the County of Yuba, State of California, of committing the crime of WILLFUL FAILURE TO FILE RETURNS OR REPORTS, a violation of section 2109 of the Unemployment Insurance Code, a felony, to wit: defendant, being the executive officer, general manager, or other person having charge of the affairs of a corporation, did willfully fail to submit contribution returns, earning reports, or other returns and reports required under Division 1 of the California Unemployment Insurance Code to the Employment Development Department.

COUNT XVI

The Grand Jury hereby accuses JOSEPH PATRICK GRIESA on or about 1ST, 2ND, & 3RD QUARTERS OF 2005 and THE 3RD & 4TH QUARTERS OF 2006 and THE 1ST, 2ND, 3RD & 4TH QUARTERS OF 2007, in the County of Yuba, State of California, of committing the crime of WILLFUL FAILURE TO PAY DIVISION 1 TAX CONTRIBUTIONS, a violation of section 2108 of the Unemployment Insurance Code, a FELONY, to wit: defendant, being the executive officer, general manager, or other person having charge of the affairs of a corporation, did willfully fail to pay over to the Employment Development Department those contributions required under Division 6 of the California Unemployment Insurance Code.

COUNT XVII

The Grand Jury hereby accuses JOSEPH PATRICK GRIESA on or about 1ST, 2ND, & 3RD QUARTERS OF 2005 and THE 3RD & 4TH QUARTERS OF 2006 and THE 1ST, 2ND, 3RD & 4TH QUARTERS OF 2007, in the County of Yuba, State of California, of committing the crime of WILLFUL FAILURE TO FILE RETURNS, a violation of section 2117.5 of the Unemployment Insurance Code, a FELONY, to wit: defendant, being the executive officer, general manager, or other person having charge of the affairs of a corporation, did willfully fail to file truthful returns or report, or supply information required by law with the intent to evade taxes imposed by Division 6 of the California Unemployment Insurance Code, or did willfully and with like intent render, sign or verify a false or fraudulent return, report or statement.


COUNT XVIII

The Grand Jury hereby accuses JOSEPH PATRICK GRIESA on or about 1ST, 2ND, & 3RD QUARTERS OF 2005 and THE 3RD & 4TH QUARTERS OF 2006 and THE 1ST, 2ND, 3RD & 4TH QUARTERS OF 2007, in the County of Yuba, State of California, of committing the crime of WILLFUL FAILURE TO PAY OVER REQUIRED TAX, a violation of section 2118.5 of the Unemployment Insurance Code, a FELONY, to wit: defendant, being the executive officer, general manager, or other person having charge of the affairs of a corporation, did willfully fail to collect or truthfully account for and pay over to the Employment Development Department the taxes imposed under Division 6 of the California Unemployment Insurance Code.

DISCOVERY REQUEST

Pursuant to Penal Code Section, 1054.5(b), the People are hereby informally requesting that defendant's counsel provide discovery to the People as required by Penal Code Section 1054.3.

PATRICK J. MCGRATH,
DISTRICT ATTORNEY



John Vacek
Deputy District Attorney