

October 15, 2019

Draft #1 of the Ethics Committee Report on the complaint filed by Robert Snelling against Clay Hine, Lars Grevstad and Austin Harris

Let me say at the very outset that this Committee abhors the actions of Brian Williams and send our sincere regrets to Josh/Jade, his parents and his grandparents. No family should ever have to go through those pains and anguish and we are very sorry for your miseries.

In short, the basis of the complaint filed against these three men revolves around the fact that, at the sentencing hearing for Brian Williams (who had already pled guilty), the three named individuals testified basically as “character” witness on behalf of the Defendant. This caused additional anguish to the complainant and his family.

The committee has obtained a copy of the transcript of the sentencing hearing and has reviewed it thoroughly. The committee has also received and reviewed an email from Mr. Hine explaining his part in this matter. Mr. Hine has also provided written communication from the attorney for Brian Williams indicating that he, the attorney, subpoenaed the three individuals requiring their appearance in court for the sentencing hearing.

The committee has received no communication from Mr. Grevstad and Mr. Harris. All three were sent a copy of the complaint via email and also via U S Mail, Certified, Return Receipt Requested. I have a return receipt indication Mr. Grevstad received and signed for his letter on September 26, 2019. Mr. Hine indicated that he finally received his Certified letter sometime last week but I do not yet have the signed receipt. I have not received a Return Receipt from Mr. Harris.

To this date, only Mr. Hine has communicated with this committee. We have not heard directly from Mr. Grevstad and Mr. Harris.

In reviewing the transcript from the sentencing hearing, it is clear that none of the three men who are the subject of this Ethics Complaint made any suggestion that they were speaking on behalf of or representing the Barbershop Harmony Society in their testimony. They were testifying strictly as a friend of the Defendant Brian Williams. There is evidence that they were subpoenaed by the Defendant’s attorney to testify at the sentencing hearing and, therefore, their appearance in court was not strictly voluntary. We did discuss the possibility that the three men asked to be subpoenaed but we have no evidence that that occurred.

Perhaps the underlying or main point in the committee discussions is the Constitutional guarantee of freedom of speech. All United States citizens are free to express their thoughts, ideas, feelings and emotions without fear of reprisals, as long as they are not violating any law with their oral expressions. We conclude that Mr. Hine,

Mr. Grevstad and Mr. Harris committed no act that would violate the Code of Ethics of the Barbershop Harmony Society or the Society's Youth Policy.

We additionally discussed the fact, as outlined in the court transcript, that Mr. Grevstad called the individual that was the subject of Brian Williams's actions a few days before the sentencing hearing. We felt that that was completely inappropriate but since he did testify to that phone call in court and the Assistant District Attorney took no action as a result of that testimony, then we don't believe it is a violation of any tenet of our Code of Ethics.

Therefore, the Ethics Committee, by unanimous vote, hereby dismisses the Ethics Complaint against Clay Hine, Lars Grevstad and Austin Harris.