

NEWS

WilCo Officials Close Ranks in Constable Race
Maverick WilCo Republican constable under fire from county officials

BY PATRICIA J. RULAND, FRI., FEB. 29, 2008

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Big political wheels in Williamson Co. have mounted a full-bore effort to defeat one of their own Republican Party members – Precinct 1 Constable Gary Griffin, a three-term incumbent who faces former Austin Police Officer Robert Chody in the March 4 primary. While Chody has garnered endorsements from a slew of WilCo officials and law-enforcement groups, Griffin remains undaunted; he says this is not the first time he's stood on the "wrong side" of the WilCo party brass.



Robert Chody

Two weeks ago, District Attorney John Bradley took time out from his permanent war on crime to publicly denounce Griffin. In a statement published in the Round Rock Leader, the D.A. said Griffin's office has been "under a dark cloud for too long." Bradley, County Attorney Jana Duty, and constables Dale Vannoy and Bobby Gutierrez have all endorsed Chody, a volunteer deputy constable in Vannoy's office and the husband of Texas Lottery winner Beverly Chody. "I wouldn't take Bradley's endorsement if he gave it to me," Griffin responded.

Duty, for her part, told the Chronicle in an e-mail that Griffin "doesn't make good decisions." She was apparently alluding to Griffin's lawsuit against the county, after his budget was cut by three-fourths in mid-2005, following a dispute with county commissioners over mental-health calls. The 3rd Court of Appeals

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apparently adding to Griffin's lawsuit against the county, after his budget was cut by three-fourths in mid-2005, following a dispute with county commissioners over mental-health calls. The 3rd Court of Appeals ruled against Griffin, who has requested a rehearing. (Questions of apparent conflicts of interest have been raised, because Geoffrey Puryear, son of Justice David Puryear, is a staff attorney in Duty's office, and Duty had served on a fundraising committee for Justice Ken Law prior to the court's ruling.)

Vannoy's and Gutierrez's endorsements of Griffin's opponent are unsurprising, since Griffin has publicly accused them of moonlighting during regular county business hours. What Griffin doesn't understand is how Chody gained the endorsements of Travis and WilCo law-enforcement groups, since so many of the groups' members had gone to bat for him two years ago when Precinct 1 Commissioner **Lisa Birkman** first tried to divest Griffin of mental-health duties. Recently, a Round Rock Police Officers Association nod for Chody paradoxically turned on whether Griffin would agree to march in lockstep with Birkman, who is also running for re-election.

WilCo officials increased their attacks on Griffin after the *Chronicle* published an article on Chody's work history at the Austin Police Department. In 1998, Chody, then an APD officer, was accused of using excessive force on an East Austin youth. Court documents state he held the teenager in a choke hold, causing a seizure ("The Millionaire Who Would Be Constable," Sept. 28, 2007). A rapid round of hate-blogging ensued after the story ran, with most of the venom directed at Griffin, accusing him of any number of unfounded improprieties.

Meanwhile, Chody may have received another assist from elected law-enforcement officials in a criminal case involving his mother, Marisia Chody, who in May 2006 was charged with passing a fake prescription



Gary Griffin
PHOTO BY JOHN ANDERSON

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case involving his mother, Marisia Chody, who in May 2006 was charged with passing a fake prescription for a controlled substance. She ultimately entered into a felony plea agreement. Months later, as Chody's campaign was revving up, defense attorney Marc Ranc requested sentencing continuances so he could consult with an immigration attorney regarding an "immigration issue," according to records. Next, the D.A.'s office, which ordinarily prides itself as being a "zero-tolerance" crime-fighting operation, initiated a "felony reduction" on Marisia Chody's behalf, which allowed her to re-enter a plea to a misdemeanor on Oct. 1. In a voice mail, Assistant D.A. Jana McCown offered this explanation of the do-over: "Initially, that defendant pled guilty to the offense in the felony [case]. ... Then, at some point after that, when she came back to be sentenced, the defense attorney had come up with some issue regarding immigration, and the judge allowed her to withdraw her plea. ... It was subsequently renegotiated and sent to the county attorney's office to be prosecuted as a misdemeanor."

By most accounts, such plea deals involving immigrants are very rare. Asked what the immigration issue concerned, defense lawyer Ranc responded loudly, "It's none of your business!" Indeed, Pat Reilly, of the U.S. Department of Homeland Security Office of Public Affairs, confirmed that U.S. immigration agencies must keep such records confidential. "But it does sound like she had a lot at stake," Reilly offered. What little information the *Chronicle* could glean on this front is that in 1956, Mrs. Chody entered the U.S. as a tourist named Marisia Stepien, arriving here from Paris.

As for Griffin, his own trouble with law enforcement started when he began documenting evidence that would support the removal of former Sheriff **John Maspero** for public drunkenness and misconduct. Griffin says Maspero, who resigned in 2003, had warned him at the time, "If you slap a king, you better kill him." Bradley was reportedly strongly opposed to the investigation of Maspero. "My Achilles heel is that I strive to hold others to the same standard I hold myself," Griffin said at a recent campaign debate. "I'm a peace officer. I put my hand on a Bible to uphold the Texas and U.S. constitutions. We are all mandated ... to follow the rules."

Broadly speaking, Griffin believes his independent streak is what most irks WilCo officials. "I never go along just to get along," he says. In that spirit, dozens of survivors of the 1997 tornado in Jarrell credit Griffin for ignoring a law-enforcement communiqué to stay away from the area. He and other constables at the time were subsequently recognized by the governor's office for their heroic efforts before and after the tornado struck. Griffin was the first to arrive, which allowed him to lead some residents to safety.



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By contrast, Chody is running on a get-along, go-along platform. "Throughout the campaign process, I've already started the foundation that my office will be based upon – that's building relationships with our elected officials," Chody told an audience recently. Griffin says he's content to let the voters, not the GOP party bosses, determine his fate March 4.

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