

Prosecutors drop charges against former cop in Modesto sex abuse case

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[2009 Cop pedophile](#) Francisco “Frank” Jose Drumond

Prosecutors on Wednesday dropped all charges against a former police officer and Modesto Junior College instructor accused of sexually molesting two girls.

There will be no second trial for defendant Francisco “Frank” Jose Drumond. The jurors in his first trial could not reach a unanimous verdict, so the judge declared a mistrial and sent the jurors home. A large majority of the jurors voted to acquit Drumond.

Deputy District Attorney Beth O’Hara De Jong told the judge Wednesday morning that the prosecution was not dropping the charges because of a lack of evidence against Drumond.

She said they would not seek a second trial because the victims did not want to dedicate one more day to this case and wanted to move on with their lives. De Jong told the judge all three accusers were subjected to “excruciating harassment” during cross-examination by the defense attorney, so much so that one of the alleged victims stopped her testimony during trial and was omitted from the case.

Frank Carson, Drumond’s attorney, said they had evidence to impeach the prosecution’s witnesses. He argued in the trial that the allegations against his client were fabricated.

“Thank God for the jury system.” Carson told the judge after the prosecutor’s announcement. “I’m glad this nightmare is over for Mr. Drumond.”

In the courthouse hallway, Drumond said, “I want to thank the jury, I want to thank Mr. Carson. Thank God this is over.”

On March 18, after about two days of deliberating, the jury of five women and seven men voted 10-2 to acquit on the charge stemming from Jane Doe No. 1’s allegations. There was an 11-1 vote to acquit on the charge stemming from Jane Doe No. 2’s allegations.

The prosecutor told the judge the victims also didn’t want to endure more delays by the defense if the case proceeded to a second trial. De Jong said the first trial was scheduled seven times but was postponed because of the unavailability of Drumond’s attorney.

She argued that time is crucial in cases of alleged crimes against children, who could start forgetting details as a case stalls – something the defendant, a former police officer, should be well aware of.

Carson told the judge that the jury’s vote clearly reflected the weakness of the prosecution’s

evidence against his client. The attorney later said he spoke to the jury foreman, who was upset the jurors could not reach a verdict.

A day after the first trial ended, a man who identified himself as a member of the jury told The Modesto Bee that he believed there was reasonable doubt in the allegations made against Drumond. He also said the prosecution had not presented enough evidence to meet its burden of proof.

In early March, Stanislaus Superior Court Judge Marie Silveira dropped one count of sexual misconduct against Drumond because Jane Doe No. 3 refused to continue her testimony under cross-examination. The judge ordered the jurors to disregard all testimony from the woman.

Jane Doe No. 3 was a 17-year-old police Explorer more than 20 years ago, when she says Drumond forced her to perform oral sex on him. She cried on the witness stand while calling Carson's questions "appalling."

Carson argued during the trial that his client was a 24-year-old man then, and that Jane Doe 3 was 18 and 19 years old when she had consensual sex with the defendant. He has said it was more than one isolated incident.

Jane Does No. 1 and No. 2 were friends of Drumond's daughter, and were at a sleepover at the Drumond family home in August 2009 when the alleged incidents occurred.

Jane Doe 1 testified that Drumond molested her in August 2009. She said they were watching a movie when Drumond started massaging her. She testified that the touching slowly escalated to Drumond slipping his hand inside her bikini bottoms.

Drumond testified that the incident Jane Doe 1 described did not happen, and that he never made her promise to keep silent about anything, as she'd said he did. He said the girl had been at his home four to six times in the 10 days before the allegations surfaced and never had acted strange or disturbed around him.

About a week later, Jane Doe 1 joined Drumond and his daughter on a road trip to the Bay Area. They were going to drop off a teenage German exchange student at the airport. Jane Doe 2 also went along on the road trip.

Jane Doe 2 told investigators that she rode in the front passenger seat of Drumond's Chevrolet Tahoe, and that the defendant rubbed her arms, legs and across the top of her chest throughout the drive back to Modesto from the Bay Area.

Drumond testified that his daughter rode in the front passenger seat during the entire ride home, and that Jane Doe 1 and 2 were in the back seat.

Jane Doe 2 told investigators that she and Jane Doe 1 were on both sides of Drumond on the living room couch that night, watching TV, while the defendant's daughter was asleep on the

other end of the couch. She said the defendant later touched her upper inner thigh before groping her buttocks.

The defendant testified that nothing like that happened. He said he was working in his office before joining the girls in the living room, and that all three girls were awake watching a movie.

Jane Doe 2 told investigators she went to the bathroom three times that night with Jane Doe 1 to explain what Drumond was doing to her. She said the girls returned to their positions on the couch twice, before hiding in Drumond's daughter's bedroom after the third trip to the bathroom.

Drumond testified that the girls used the bathroom only once that night, and that he wasn't keeping track of where they were going.

Drumond resigned from his job as a reserve Ripon police officer days after police showed up at his Modesto home to investigate the claims of lewd acts with the teenage girls. He previously worked as a police officer in Modesto and Patterson.

He was arrested Aug. 28, 2009, during a staff meeting at the Modesto Junior College East Campus, where he taught criminal justice.

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