

# Fresno Unified Superintendent Hanson admits to using Cyber Dust privacy app

By Mackenzie Mays  
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Fresno Unified Superintendent Michael Hanson says he used a controversial privacy phone app to conduct school district business, but denies allegations that it was used to cover up his involvement in no-bid contracts that are now the subject of a federal investigation.

Hanson said Tuesday that he and a small group of senior staff used [Cyber Dust](#) – an app that automatically erases any record of text messages, leaving no digital footprint – in 2014 for less than a month. It was done as an experiment, he said.

“We used it as a trial run to see if it would help us do our work better and more effectively, and it didn’t,” Hanson said. “Nothing we used it for had anything to do with things that are now the topic of the grand jury investigation, and the use of this app will be fully disclosed when we turn over and disclose all of our documents.”

The U.S. Attorney’s Office served the district with a grand jury [subpoena](#) last month, requesting a wide range of documents pertaining to Fresno Unified’s involvement in no-bid construction contracts – including district officials’ personal phone records.

“I think with respect to technology, normal is always changing,” Hanson said. “But let me be very, very clear: When we used it, we were totally within our district policy around electronic records in that we don’t retain instant or text messages of any type. It’s not something we archive.

“But that has all changed from the moment we got notified by the grand jury. We have been active in making sure we’re preserving everything they’ve asked for.”

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Fresno Unified Superintendent Michael Hanson on Cyber Dust

The use of Cyber Dust was discussed in a closed session school board meeting last week, but trustees were unsure Tuesday who actually had used the app.

Hanson would not name the other staffers who also used the Cyber Dust app, but he said no trustees were involved.

Chief Operations Officer Karin Temple said she did not use the app and was not aware it was being used. Chief Financial Officer Ruthie Quinto could not be reached.

Trustees Brooke Ashjian, Carol Mills, Luis Chavez, Janet Ryan and Christopher De La Cerda also said they have never used Cyber Dust. Trustees Cal Johnson and Valerie Davis did not return phone calls.

Ashjian said trustees were left in the dark about who used the app and why it was used.

“For a district official to have that on their phone and communicate with other district officials and hide it from the public is appalling, is illegal and is grounds for dismissal in my mind,” he said.

“In general, if you’re not using (Cyber Dust) for Ashley Madison reasons or for dealing drugs, the only other reason you’d be using it is to avoid the Public Records Act. I can’t think of another reason that you’d want it or need it.”

[Ashley Madison](#) is a website that brings married people together to have affairs.

According to multiple sources at the district, [Carl Faller](#) – a former federal prosecutor hired by the district in light of the federal grand jury investigation – told trustees in last week’s closed session that several high-ranking district officials had put Cyber Dust on their phones. Hanson did not comment on what happened in closed session.

Sources said Faller has been interviewing district officials in an effort to put together a time line of the app’s use and to ascertain who sent and received disappearing messages. Faller did not comment on Tuesday except to say that the board is continuing to comply with the subpoena.

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Fresno Unified Trustee Brooke Ashjian

The district released a statement via Fresno Unified spokesman Miguel Arias, saying, “the Brown Act does not permit us to discuss confidential closed session communications, including any discussion covered by the attorney-client privilege.”

Ryan said Tuesday, prior to Hanson’s statement, that she was mostly upset that a conversation in private session has made its way into the public – and she pinned the blame on Ashjian, who was the first to speak out publicly about the matter. However, Ashjian did not acknowledge a private session discussion in his official statement to The Bee.

“This was discussed in closed session with our attorneys and board members, and staff are forbidden to discuss anything that goes on in closed session,” Ryan said. “Apparently member Ashjian doesn’t believe the rules apply to him. I’m appalled that he has broken the confidence of closed session when our attorneys have advised otherwise. I’ve been on this board 11 years. We do not break the confidence of closed session. There’s a reason for that. Everybody that’s on a school board knows that.”

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Fresno Unified Trustee Janet Ryan

Local civic activist and good government advocate Pete Weber said he didn’t like public officials using apps such as Cyber Dust. Weber, a longtime Hanson supporter, made the comments in a Tuesday meeting between The Bee’s editorial board and the good government group [California Forward](#).

Weber, California Forward co-chairman, said the organization has yet to take an official stance on such apps – which also include others such as Snapchat – but said it would likely be in opposition, given its stance on open government.

“We are all about accountability and transparency,” Weber said.

In the same meeting, Fresno Mayor Ashley Swearingin said nobody at City Hall uses apps such as Cyber Dust.

“I’m not even familiar with that app that you guys are referring to at (Fresno Unified.) I know Snapchat because my 15-year-old uses it.”

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