

California Grand Jurors' Association
2009 Annual Conference Proceedings Summary
Doubletree Inn, Sacramento, California
October 29-30, 2009

28th Annual Conference:
***“Grand Juries and Local Governments – Working together
in times of Financial Crisis”***

Thursday, October 29, 2009

1:03 P.M. Conference convened by Jerry Lewi, 2009 Conference Chair who led the assembled group in the Pledge of Allegiance.

28th Annual Conference convenes:

1:10 P.M. Welcome by Sacramento Superior Court Judge Raymond Cadei and CGJA President Tony Noce

Jerry Lewi introduced Judge Cadei who thanked the attendees for their past and present service to the people of their various communities and the court. Grand juries are the watchdog of the community; you use your eyes and ears to conduct investigations. It is remarkable and unique for people to step forward and give their time and energy to the community. Judge Cadei appreciates the mission of CGJA. He mentioned his personal educational process in familiarizing himself with the grand jury system as an attorney in private practice. Education is key to help the courts in their task of seeking diversity on grand juries. He believes that the impact of the grand jury is substantial and gave some examples of work done by the Sacramento Grand Jury. He thanked everyone for their support of the grand jury process.

Conference Chair Lewi introduced Tony Noce, President of CGJA. President Noce acknowledged past Presidents Jerry Lewi and Judi Lazenby, long time member Audrey Lynberg from Los Angeles and Barbara Dabul all the way from Arizona. He offered thanks to the newly formed Sacramento Chapter who are hosting the conference.

Jerry Lewi made some routine housekeeping announcements: return your badge at the end of the conference, complete and turn in your evaluation forms.

The conference booklet contains biographies of all the speakers. Also in the booklet are the notes from the 2008 conference.

If you would like to ask a question, go to the microphone at the back of the room and wait to be called upon. You may also submit your question in writing.

1:30 P.M. Open Forum: Questions from the floor regarding Grand Jury practices and experiences.

Ron Miguel, Chair

Panelists – Marsha Caranci, Walter Hofmann and Bill Trautman

Ron Miguel clarified that this session is actually “questions, answers and comments regarding grand jury practices.”

Boyd Horne, San Luis Obispo: The Association is doing a good job on its’ mission except getting information into the education system. Are there any plans afoot to do something about introducing the subject of the grand jury into the schools?

Panelist Trautman: He isn't aware of anything the Association is doing. He does know that various chapters of CGJA are doing things like that. Napa County has discussed contacting the Napa Valley Unified School District about sending former grand jurors to make presentations in civics or government courses.

Panelist Hofmann: Thinks that San Diego gets very good exposure so people are aware of the grand jury.

Panelist Caranci: There is an issue of man power. CGJA has a lot on its plate and as we move forward with increased membership participation, we may be able to do something

Larry Walker, Kern: Kern was trying to get into the high school curriculum. It would have taken much too much money to write the curriculum. They are now attempting to go at it one classroom at a time.

Ted Freeman, Marin: He put a lesson plan together for high schools. It was supported by the Superintendent Of Schools. He was able to present at three high schools one year. The problem is that there are so many required studies that teachers are not looking for extra curriculum. It might be a good idea for the Association to put together a lesson plan for use by/at schools.

Bill Eichler, San Diego: They have addressed the issue and the County has allotted money to produce a video. It would be shown to petit jurors to educate them about the grand jury. He believes that CGJA needs to develop a plan to educate the public that could be used at the local level.

Keath North, Humboldt: They are working on a recruitment DVD. Mass media is the way to reach people.

Dianne Hoffman, Orange: In Orange County there is a court tours program for 7th and 8th graders and 10th and 11th graders. She is a guide and during those tours, she mentions the grand jury system. If anyone has the opportunity to meet with students in any venue, take the opening to mention the grand jury.

Panelist Miguel: CGJA and Chapters do a fair amount of outreach to senior groups to try to recruit. It is extremely difficult to get your foot in the door at schools; they are busy teaching to the test and we're not in the test. CGJA was contacted by Yolo County to present a 3 hour presentation to court personnel about the grand jury. Once this is done it could be something that could be used in other forums.

Leslie Lea, Contra Costa: Contra Costa made some small inroads into this issue. They had an idea to work with colleges to get a grand jury program into the schools. It is too much work for one grand jury during one year.

George Henke, Napa: An observation he has is that people always think of criminal grand juries. They need to be educated about the difference.

Panelist Hofmann: The Osher programs are an excellent venue to educate people.

Sunny Culy, El Dorado: Does CGJA follow compliance of recommendations in reports?

Panelist Hofmann: San Diego County has an Implementation Review Committee. It is a cooperative, collaborative way to follow up on report recommendations.

Jerry Lewi, Ventura: The Grand Jury Achievement Report is an effort we have made to document history from around the State about reports and implementation. We need more examples to be submitted. He urged everyone to look at our website and submit a report.

Karin Hern, Marin: In Marin County the Chapter has formed a continuity committee. They are currently formulating their operating procedures. They will not act as a shadow jury.

Panelist Trautman: Starting last year the sitting grand jury sent inquiries to all the entities who were to implement recommendations asking if they had implemented. He brought copies of the latest final report which includes the follow up that was done to check on prior reports. They are interested in forming something like the San Diego Implementation Review Committee. That form of committee has protection since they are sanctioned by the County.

Joe Moreland, Orange: They take compliance very seriously. The Orange County Association has offered their services to Orange County to follow up regarding compliance. They have not yet been asked to do so.

Panelist Hofmann: The San Diego Implementation Committee was established by ordinance. The Chapter selects 7 people to serve on the committee. He believes it works best to wait at least a year after a report has been issued.

Panelist Caranci: The CGJA training program tries to emphasize continuity to jurors. You do need to be cautious not to create a shadow grand jury. You can work with the sitting jury as much as they may allow.

Panelist Miguel: San Francisco is pursuing the idea of an implementation review committee.

John Sitton, San Benito: He said that one thing that can be used to educate is the Grand Jury Cookbook. It would be a good gift for a friend who wants to know what a grand jury does.

Sherry Chesny, Shasta: For counties with no association, as a citizen you have the right to view public documents and can check to see if an entity has complied with recommendations.

John Welton, Butte: What can be kept and what should be kept in the grand jury library? What is considered confidential?

Panelist Trautman: A grand jury can ask for a record from a prior grand jury...that is assuming that the record has been kept. Notes taken by grand jurors are considered confidential. When they believe a report is controversial, they will keep records.

Panelist Caranci: This question comes up in training. They recommend that the juries consult with county counsel since that is who is required to defend the jury in the case of libel suits. The material should be kept in locked file cabinets for 5 years.

Panelist Miguel: It will also depend on the facilities and the space that a grand jury has.

Albert Lozano, Marin: What is going on in the State to recruit young people to grand juries?

Panelist Hofmann: It's hard to find people who can give up the time it takes to be on a grand jury.

Panelist Trautman: In some counties the jury works every day. In other counties it is very much a part-time job. When Napa tries to recruit they emphasize the importance of serving and that you can work and serve.

Meredith Avery, San Diego: It is difficult to recruit young people. They created a 5 minute DVD which is played for the petit jurors. A sitting juror will attend and make a presentation about what the grand jury does. They also provide a postcard that can be sent into the court if they are interested in the grand jury. This seems to be working.

Jerry Lewi Ventura: CGJA is not doing a lot in this area except for sharing information in forums such as this. It is helpful to hold some meetings in the evening...any grand jury can do that.

Lew Avera, Orange: Orange County gets maybe one or two younger people on the jury. This year the Merced Grand Jury had a couple college students.

Trudy Slater, Kern: The 2004-05 Foreperson went to Cal State Bakersfield and developed a program where students who served on the grand jury received college credit. Three or four students applied but it ended up that they just couldn't give the time.

Marian Mosley, Fresno: The presiding judge suggested the Fresno Grand Jury have two public meetings a year where the public could ask the grand jury questions. Per the penal code, that can't be done. The judge suggested the penal code be changed.

Boyd Horne. San Luis Obispo: One caution in seeking change to the penal code is the moment you open up the subject you run a risk of the wrong kind of change being made.

David Feldstein, Sacramento: Age is not the only problem relative to grand jury diversity. What about ethnic diversity?

Panelist Miguel: You could hold an open meeting depending on how it was held and what was discussed. It would be a very limited scope. The San Francisco Chapter has worked with the court and provided them with contacts for ethnic media; they have a speakers bureau and target minority organizations/churches. San Francisco has been doing this for years. The San Francisco superior court judge purposely chose 5 of his colleagues from diverse backgrounds/ethnicity; however, the make up of the jury panel didn't change.

William Eichler, San Diego: CGJA should develop a syllabus for use by instructors to educate, train instructors, etc. That would make sure there was consistency throughout the State. The efforts that have been made have been disorganized. CGJA needs to appoint a committee to create the syllabus.

Larry Walker, Kern: We need to find a way to interest minority participation on juries. He agrees that the time commitment is the problem.

Panelist Hofmann wonders why implementation committees haven't caught on in other counties.

Panelist Trautman: Napa is looking into establishing an implementation review committee. The route taken by San Diego provides it protection and clout. An entity will be more forthcoming with a sanctioned implementation review committee.

Tony Noce, Kern: Gave an example of his personal attempt to follow up on compliance of report recommendations. He will also approach the Board of Supervisors about setting up an implementation review committee.

Thomas McCarthy, San Diego: He is current Chairman of the County Implementation Committee. The County Committee has been around for about 25 years. The City Implementation Committee is new. It is a very cooperative effort and they are appreciated by the County.

Karin Hern, Marin: Would CGJA consider forming a committee or a workgroup and come up with a paper on continuity?

Ed O'Neill, Fresno: They have an Implementation Committee and would like to convert this to a County sanctioned commission. He is hopeful that it will be accomplished.

Panelist Miguel: Asked if anyone is from a county where the court, during the vetting process, purposely selects from zip codes or supervisorial districts?

Ed O'Neill, Fresno: Fresno wants a diversity of zip codes.

Lew Avera, Orange: The Orange County Grand Jury goes out to civic organizations, city council meetings, etc. to talk about the grand jury. They also speak at various neighborhood groups. Current jurors also speak before petit jury pools. They usually get about 200 applicants which is reduced to 30. The outreach doesn't always result in diversity. Recruitment begins in November with selection in February.

Panelist Miguel: In San Francisco the Court has put together a very good recruitment video which is shown in the petit jurors waiting room.

Panelist Caranci: In Shasta County they use a power point presentation developed by the Chapter which is shown to the petit juror.

Larry Walker, Kern: Kern shows a recruiting DVD to petit jurors. They will not allow grand jurors to speak to the petit juries. He was interviewed and that interview generated about 20 applicants.

William Eichler, San Diego: The first video produced in San Diego County was presented at a mock session and the press was invited. It appeared on the news and the following year there were more applicants. This year funds were allocating by the County to produce a video.

Jerry Lewi, Ventura: The Public Relations Committee looked into the use of public radio for outreach. Anecdotal experience is that the print media is the best for getting out the message.

John Sitton, San Benito: Said that the best publicity you can get is when the newspaper picks up the report and tells the public that the grand jury is looking out for their interest. It also helps to issue interim reports.

Panelist Trautman: Napa County has been issuing interim reports and most have made the front page of the newspaper.

Marian Mosley, Fresno: They initiated interim reports and it was successful. The final report was not issued until all the responses were received. Non responders were advised by the Court that they were violating the penal code. She also reported that by writing a letter to the editor about the grand jury, the number of applications increased. She agreed with others that geography in large counties is a problem.

2:55 P.M. Break

3:15 P.M. **After Grand Jury Service** – reports from CGJA members who are serving their communities as appointed and elected officials about how grand jury service influenced them.

Jerry Lewi, Chair

Panelists: Lew Avera, Ted Freeman, Ron Miguel

Jerry Lewi opened the session and said that Ron and Lew serve as Planning Commissioners and Ted is on the Town Council.

Panelist Miguel: is currently President of the Planning Commission in San Francisco. There are 7 commissioners appointed to 4 year terms. Four commissioners are appointed by the Mayor, the other 3 by the President of the Board. Ron was a mayoral appointment. He served on the 1995-96 Grand Jury. It did not directly influence where he is now. What it did do was to provide insight into areas of the City he wasn't aware of before. And it provided contacts. Grand Jury service gave him background of the various departments within the City and it enabled him to take a broader look at the City. The grand jury experience gives you the broad outlook you didn't have before. There is diversity on the San Francisco Planning Commission. Grand jury service provided experience working in a group.

Panelist Avera: Is in his 3rd term on the San Clemente Planning Commission. He provided some background about the Orange County grand jury. Serving on the grand jury was a wonderful way to learn about the complexities of public entities. His work on the grand jury encouraged him to get involved. The knowledge, perspective, contacts made have been helpful in serving on the Planning Commission. He thinks the collegiality experienced in the grand jury has carried over to his public service.

Ted Freeman: After serving on the grand jury he sat in on Town Council meetings for about 4 years. He applied for various commissions and served on a few. Grand Jury service provided some knowledge of local government. One big difference between the grand jury and the Council is the Brown Act. In the grand jury all nineteen communicate but on the Council no more than 2 people can talk.

Panelist Avera: Believes the Brown Act is vital to keep government transparent.

Panelist Miguel: In San Francisco a hospital submitted its institutional site facilities plan. He wanted to talk to people on the Health Commission. The only way he could do that was to arrange for a joint meeting which was publicly noticed. He related a story about a federal commission located in San Francisco. They do not operate under the Brown Act, hold only two public hearings each year and they take no votes

Tony Noce, Kern: Agreed with the panel that serving on a grand jury provides you with a different perspective of local government.

Alfred Lozano, Marin: Have you considered attempting to follow the San Diego Chapter to pass an ordinance? How do you handle the problems of confusion between civil vs. criminal grand jury?

Panelist Miguel: He does not believe there is an ordinance similar to San Diego. Members of the Chapter are interested in pursuing this. As to civil vs. criminal, this is an ongoing process of education.

Owen Haxton, Marin: Under the Brown Act the legislative body is authorized to have closed sessions. After the closed session it will be reported that there is nothing to report. What goes on in those closed sessions, what is permitted?

Panelist Avera: The Planning Commission does not have any closed sessions. The City Council does conduct closed sessions. Their agendas do give some details of each item in the closed session.

Panelist Freeman: There are two topics in closed session—lawsuits and personnel matters. Their closed session immediately precedes the meeting.

Panelist Miguel: The Planning Commission does not deal in litigation but they will go into closed session for personnel matters. Any decision made is announced following the closed session.

William Eichler, San Diego: He has been on the Appeals Board and is familiar with the Brown Act. The Act is very specific regarding what matters may be discussed in closed session. As a grand jury member they investigated an organization that conducted an illegal closed session.

Jerry Lewi, Ventura: Grand jurors do not have the right to attend closed sessions.

Barbara Dabul, formerly San Luis Obispo: What did you learn in your interactions with the media during your grand jury service and has it been helpful?

Panelist Miguel: Friendly contacts with the media serve you well if they can trust what you are saying and you can be honest with them. Now when he is contacted by media they deal with him very appropriately without any problem.

Panelist Avera: He would do things differently; he would reach out to the media rather than avoiding them.

Panelist Freeman: One newspaper dominates Marin County and over the years they have been very receptive to the grand jury. As an elected official he has very good experience with the press.

Joe Moreland, Orange: Spent the last 4 years of his career in Abu Dhabi and he decided that when he came home he was going to give back. He relocated to Orange County and applied for the grand jury with the hope that he would make some contacts. Life after the grand jury began with the grand jury. It opened avenues where he could volunteer.

Karin Hern, Marin: Does any one know of any former grand jury member who has served on the Little Hoover Commission? It was suggested that tomorrow's speaker can answer that question.

Jerry Lewi, Ventura: Has served on some commissions before and after grand jury service. He served on the Budget Task Force. The Committee was divided into subcommittees and met with department heads. Recommendations were made and approved by the body and a report with findings and recommendations was issued. His experience was to use his grand jury discipline to put the report together.

Dianne Hoffman, Orange: When she retired she applied for the grand jury and was selected. The jury agreed that they were going to work at getting along and they did. The value of serving is that you broaden your opportunities.

Panelist Avera: Orange County uses mediators for small claims court and some police department issues. He was trained and has gotten involved in mediation.

Panelist Freeman: Is willing to talk to anyone who is interested in running for public office.

Panelist Miguel: In San Francisco there are task forces, commissions and other volunteer opportunities. They are all over and many of them are looking for people to serve. You will find this kind of service very rewarding.

Walter Hofmann, San Diego: As a result of his service he applied and is serving on a legal counsel mediation council.

Bill Turner, Los Angeles: He went through training in Los Angeles to become a mediator. The goal is to keep cases off the docket. There are volunteer positions in the elections departments.

4:25 P.M. Report of Election of Directors & Ballot Measure to Increase Size of Board

Karin Hern, Chair,

Karin reported that CGJA used the League of Woman Voters-San Mateo for receiving, verifying and counting the ballots. Karin and Owen Haxton witnessed the vote counting conducted by three members of the League. Keath North, the Head Teller reported that there were 238 eligible voters, 156 ballots received and two were disqualified. One had no signature and the other had an illegible signature. The results are as follows:

Northern Region elected:	Chesny 119 - North 95 (Hoffman 41)
Central Region elected:	Hern 104 - Lazenby 96 (Haxton 78) (write in: Serena Bardell 1)
Southern Region elected:	Hoffman 93 - Noce 117 (Sitton 41) (write in: Pat Yeomans 1; Lew Avera 2)
Ballot Measure	Ayes = 50 Noes = 89

These directors will serve for 2 years until 2011.

Adjourned for the day at 4:32 P.M.

5:30 P.M. Reception – hosted by Sacramento Chapter with invited guests from local government

7:00 P.M. Dinner with local entertainment followed by Awards

Duane Mason presented Jerry Lewi with the Angelo Rolando Memorial Award for his considerable contribution as Conference Chair (2003 & 2009), Operations Chair, Public Relations Chair and President (2003-04). Owen Haxton presented Joann Landi with the Jack Zepp Lifetime Achievement Award for her service as Corporate Secretary from April, 2003 to the present.

Friday, October 30, 2009

9:00 A.M. Who's Watching the Watchdog? A panel discussion with representatives from the courts, the press, grand juries and CGJA about whether any of these groups feel a legal or actual responsibility to determine whether or not grand juries are doing effective work.

Jerry Lewi, Chair

Panelists: Judge David deAlba, Sacramento Superior Court; Don Prange, former Sacramento Grand Jury Foreperson, Robert Lewis, Reporter with the Sacramento Bee, and Judi Lazenby, Past President of CGJA.

The biographies for each of the panelists is included in the Conference booklet.

How far does the independence of the grand jury go? Does the court have any responsibility? Is there a legal authority or is there no authority at all?

Judge deAlba welcomed the attendees to Sacramento and expressed his appreciation at being asked to participate in the panel. His personal experience with a grand jury was during the 80's when he was an attorney in the criminal division. They would be called upon as an outside advisor to the grand jury. Early on he learned that all grand juries are very different and shared some examples. One of which was a judge from Madera County dismissing indictments made by the Grand Jury in Mariposa County.

The statute says that each of the 58 counties must empanel a grand jury. One of the checks that the court has is that it can dismiss the grand jury and empanel another. The judge must approve the foreperson, a final report, the funding, etc. There are legal limits relative to slander or going beyond the scope of your authority. The judge provides oversight.

Jerry Lewi: Based on the judge's remarks, the Judge does have some authority over the grand jury.

Panelist Lewis: He has been with the Bee for a year and his perspective will be based upon his first impressions. There is some frustration that the reports don't always lead to substantive changes. He gave an example of a scathing report issued on child protective services. There is a way for the press to beat the drum on behalf of a report. There is some hope in the newsroom that the local chapter will keep the pressure on to follow up on reports. On the other hand, there is always breaking news that needs to be reported so the press can't always delve into these things. The Association is a good source to stay on the press. The Bee devotes resources to government accountability unlike some other news groups. Public agencies seem to play the delay, delay, delay game hoping that the press will just go away. He believes that the press can do a little more in the area of following up on reports that were initially very newsworthy. One problem is that, due to grand jury confidentiality, it is difficult for the press to validate or confirm allegations or findings.

Panelist Prange is originally from Ohio where the grand jury system is quite different. They used the grand jury for the indictment process. He thinks the civil grand jury system is fabulous. In the last two years 182 subpoenas were issued by the Sacramento grand juries. He gave several examples of reports issued and the outcome of the various recommendations made in those reports. He feels that it is the grand jury's responsibility to follow up on reports. He hopes that there can be more follow up to make sure that recommendations are implemented.

Panelist Lazenby: She believes that CGJA should get involved in following up on implementation. In 1997 the Association began its process of becoming a 501(c)3. The current bylaws include the purposes of the Association. The fact is that we have entered into a legal agreement with the State of California; #1 to educate the public and #2 to preserve and enhance the grand jury system by studying legislation and making recommendations to the appropriate body of the legislature. We have a Legislative Affairs Committee (LAC) which is charged with monitoring any legislation which would dilute the power of the grand jury. A blog has been set up to monitor the activities of grand juries. The LAC reviews and responds to inquiries from grand juries or grand jurors. A third commitment we have made is to train grand jurors. It has been designed to comply with PC 914. We have promised the State that we will carry out our purposes and they do monitor us. How well grand juries perform is a measure of our effectiveness. So she believes it is CGJA's responsibility to monitor the effectiveness of grand juries.

Judge deAlba: It is the responsibility of a non profit to adhere to its bylaws. As to training and education it is his observation that as a grand juror you are learning and being trained on the job. Juries can't be effective and powerful if they are not trained. Do not discount your work, it often has ripple effects with other organizations/entities. Even though the spotlight is on one entity, others may have made changes as a result of that report. The press has the same interest as a grand jury; they are just a different entity. Finding issues, setting the public agenda, uncovering malfeasance, etc.

Panelist Lewis: He thinks that grand juries are reporters. They gather information and put it in a report. He encouraged attendees to make a friend in the press. He thinks there can be sharing of information both ways.

Judge deAlba: Grand jurors cannot disclose information but journalists have the right to keep sources anonymous.

Jerry Lewi: As to continuity, his conclusion is that the law permits a grand jury to do follow up on implementation. The law also says a jury makes its own rules. No one can compel a grand jury to do follow up on the implementation. The grand jury and the press both have better government as their goal.

Boyd Horne, San Luis Obispo: Does the presiding judge have a watchdog responsibility to make sure a jury accomplishes their job in the correct fashion?

Judge deAlba: By statute the presiding judge is there to offer advice along with County Counsel and the County Attorney. The judge has more of an institutional advisory role. His understanding of the law is that the judicial office has the responsibility for the overall process—not content. The law provides that the judge review and approve reports. Being mindful of the fact that a grand jury is empaneled by the court, that judicial officer has to insure that the content of the reports is consistent with their charge--whatever that may mean in any of the 58 counties.

David Feldstein, Sacramento: Agrees with Judi Lazenby's comments. But CGJA does not have a structure or committee to monitor grand juries.

Panelist Lazenby: The LAC or Training Committee have a relationship with jurors which gives you a sense about a jury. However, CGJA has no jurisdiction.

David Feldstein, Sacramento: Asked Judge deAlba if the grand jury is required to make visits to jails in their jurisdictions. And are the reports ever read by the State?

Judge deAlba: Not that he is aware of.

Larry Walker, Kern: In Kern County they forward the reports to the CDC. This year the CDC called Kern asking for a report in digital format so they could post it on their website. The CDC has been very responsive.

Judge deAlba: The law doesn't require that but you can do it. Also send a copy to the Auditor General for the Department of Corrections. It is the Auditor General's job to make sure that the Department of Corrections is operating properly. The Auditor General is independent.

Marsha Caranci, Shasta: Any grand jury is only going to be as effective as the jurors who serve. A challenge is to recruit quality people to serve on juries. What responsibility does the press have in helping this recruitment of volunteers?

Panelist Lewis: It's not really news and would probably not generate a story.

Jerry Lewi: Perhaps a foreperson could do an op-ed piece.

Judge deAlba: The Association could write such a piece. Judges need to be vested into vetting grand jury candidates. Perhaps write letters to the presiding judge's telling them how important this process is.

Panelist Prange: To get diversity, they visited churches, various organizations, and sent out flyers which resulted in about 100 applicants.

Duane Mason, Shasta: He wonders if the legislature in their wisdom purposely didn't address the issue of implementation. But rather left it to the report to incite the public to demand change and implementation of recommendations.

Bill Trautman, Napa: Do you think that the press has an obligation to make the grand jury findings and recommendations effective by publishing stories about the report?

Panelist Lewis: The press does have a responsibility but the jury needs to be its own advocate.

Wendy Robertson, Mendocino: Can publicity for a report be handled by alumni of the grand jury?

Judge deAlba: Doesn't see why not.

Panelist Lazenby: One of CGJA's purposes is to make sure that reports are published.

Jerry Lewi: It is permissible.

Wendy Robertson, Mendocino: A non profit that was reported on still maintains that the grand jury has no jurisdiction. They claim they are independent. They receive government funding. How can that be resolved if non profits think they are not culpable? Their judge and counsel did agree that they had jurisdiction.

Judge deAlba: The Attorney General may respond, it could just take a while.

Barbara ?, Mendocino: She would like to see a state grand jury?

Jerry Lewi: The closest to that is the Little Hoover Commission

Bill Eichler, San Diego: His understanding is that anyone who is qualified can serve on a petit jury. He has been hearing comments like "good people/quality people", aren't the guidelines for grand jurors the same?

Judge deAlba: There are people who are exempt from petit service.

John Sitton, San Benito: Regarding securing public records, maybe a grand jury should invite local press to a meeting and develop relationships.

10:35 A.M. Break

10:49 A.M. Annual Report to Membership – Report from the Officers, Committee Chairs and Chapters about the status of the association vis-à-vis its mandated charter.

Standing Committee and Pres Q&A

President's report: The report was contained in the last Journal and it is included in the conference booklet. President Noce said he is pleased with the conference so far. He reported that the Board has initiated a successor plan and it has been used during the last year. He is pleased to report that there were 16 Chapter and Association representatives at a breakfast yesterday.

The 2010 conference will be held in San Diego and is being chaired by Meredith Avery and hosted by the San Diego Association.

The more volunteers we have, the more that can be accomplished by the Association.

Committee Reports will be published in a future issue of the Journal.

Jerry Lewi, Chair of Public Relations:

This has been a pretty good year for the Committee. We have achieved most of our goals. The Grand Jury Achievement Report is a product of this Committee. He encouraged attendees to submit examples. Another project is the Osher Lifelong Learning Institutes. Almost every campus in the California State University system has an Osher Chapter. Several presentations have been made to Osher Chapters this year and these Chapters choose their own topics to pursue.

The website and Journal are continually undergoing upgrades. Di Masini helps Jerry with those projects. We are getting closer to the idea of putting together a short video as an educational tool for use throughout the State. Keath North has secured funding to produce a video for Humboldt County. We are working with Keath to keep this fairly generic and to be expanded upon in the future. Recruitment is improved when the

public is informed. It could be shown at service clubs, put on YouTube, etc. We will continue to publicize recruiting videos we are aware of.

Dan Mufson, Membership Relations Committee:

The Committee is a little more than membership. The primary purpose is to develop and maintain relationships with the Chapters, to encourage new chapters and maintain a database. We have about 250 members.

Database management: During the past year there have been some changes. The good news is that Bonnie Kenk joined CGJA and has become the Database Manager. She is also working on membership billing.

Dan took on Chairmanship of the Committee about 2 months ago. Before accepting the position he made inquiries of others. The most important thing is membership retention and support. Some expressed the opinion that members don't feel valued. This made him feel that we needed to nurture Chapters and members before trying to grow larger. He is working with Chapters to find out what is working and what is not working.

We are all here because we believe in the grand jury process and are members of CGJA. He posed the question, why should I be a member of CGJA. The challenge for current members and Directors is to encourage membership to continue our mission. The membership forms include an interest form. This information is the lifeblood of the Association and is shared with the appropriate committee(s).

Jurors who participate in CGJA training are wonderful candidates to be members of the organization.

The good news is that since taking over the Chairmanship there are people around the State who are trying to organize. There is a group of CGJA members in Sonoma who have requested to become a chapter. The Shasta County Past Grand Jurors Association have expressed a desire to become a Chapter of CGJA. In Santa Barbara County former jurors have met and decided they would like to become a Chapter of CGJA. Dan's goal is to have 5 new Chapters in his first year. Bill Trautman told the group that Dan personally resurrected the Napa County Chapter.

The Committee is looking for new members.

Lew Avera, Training Chair:

In 2009 we will have trained about 900 grand jurors around the State in 5 regional programs, 10 onsite trainings, 4 foreperson workshops and 3 report writing workshops. This met our expectations given the financial state of the economy. We added 2 onsite county trainings this year. There were two curriculum changes; they broadened continuity and added local government. The local government program was very well received and rated. The training expenses were covered by the registration revenue.

The Training Committee had 10 members but 2 have resigned. Resigning member Sherry Chesny was one of the founders of the training program. Jerry Lewi, Dianne Hoffman, Bill Trautman, Kathy Wylie and Karen Jahr have recently been appointed to the Committee. The training program relies heavily on local volunteers.

Discussed strategic planning, the need for trainers, possibility of more onsite training, the fee structure, etc

Judi Lazenby, Treasurer:

President Noce said that Judi is a trainer, takes care of all the training arrangements and has also taken on the job of Treasurer.

Treasurer Lazenby distributed the financial report of the 2009 income vs. expenses. We are within our budget.

Karin Hern, Marin: Other than the extraordinary legal expenses, we operated in the black.

Bill Trautman, Legislative Affairs Committee:

He recently took over the Chairmanship. They have 8 members and recently added a retired attorney from Marin County. They monitor legislative action that may affect the grand jury system, advocate for the grand jury system when needed, and respond to inquiries from juries, individual jurors and grand jury associations. All inquiries are distributed to the Committee. Responses are in the form of advice, not a legal opinion.

Diane Hoffman, By-law Review Committee:

As a result of a settled lawsuit a four member Bylaw Review Committee was selected. It will be about a 6 month process to review the Bylaws .

Chapter/Association Year in Review Reports

Chapters were encouraged to submit an update to the Journal editor.

Joe Moreland, Vice President, Orange County Grand Jurors Association:

They have a robust association with about 125 members and a 12 member board. They have quarterly luncheon meetings with guest speakers usually attended by about 80 members. The Association serves as a selection committee for the Measure M Tax Advisory Committee which oversees expenditures of a half cent sales tax for improved transportation.

Marian Mosley, Fresno Chapter:

Has brought a history book of the Chapter which is available for review.

Boyd Horne, San Luis Obispo Chapter:

They meet monthly and have good relations with the sitting jury. He reported that Sandra Parker is currently in a coma but the prognosis for her recovery is good. Her absence will leave a void in the chapter.

Mike Miller, San Mateo County Chapter:

We have a small chapter with a collegial board.

Keath North, Humboldt County Chapter:

The Chapter has 75 members and meets monthly. They had their first training in Humboldt. They have social mixers with the sitting grand jury. Had a successful Osher program at Humboldt State and will be doing another in April. They are in pre-production on their DVD project. There will be a two day shoot in January with completion in March.

Trudy Slater, Kern County Chapter:

They have meetings with governmental speakers. Board meetings are held at the Superintendent of School's Office and general meetings are held in County Counsel's Office. They attempted to sponsor an Osher course at Cal State Bakersfield and will try again. The Chapter has support from the Court and participate in in-house training. They have 3-4 members who are sitting jurors. And, like other Chapters they need more active members.

John Sitton, San Benito County Chapter:

They helped train the San Benito Grand Jury this year. As Publications Chair, he reported that sales at the trainings went well.

Meredith Avery, San Diego Association:

There is a lot of excitement in San Diego about hosting the 2010 Conference. Twenty five per cent of the San Diego members are CGJA members. They meet monthly and have speakers. The average attendance is 30-40.

Catherine McKown, Marin County Chapter:

They conduct an annual survey of their members and see what they want. Twenty eight members participated in the process of interviewing prospective jurors. They have speakers who speak to various organizations around the County. Conducted a six day orientation program for the jury. They are currently working on continuity and their Bylaws. They had a celebration of the 10th anniversary of the organization. They will try to revive their annual picnic.

Marsha Caranci, Shasta County:

They are a small group of 18 members. They have a very active core group and have a close relationship with the court officer. A new project was a banner placed across the main street publicizing grand jury awareness.

Dan Mufson, Napa County Chapter:

The chapter was resurrected thanks to help from the Marin County Chapter.

12 Noon Lunch to be followed by annual awards

Reconvened at about 1:05 P.M.

Jerry Lewi apologized that Dan Mufson's bio is not included in the conference booklet.

Excellence in Grand Jury Report Award(s) – Dan Mufson, Chair

Last year Dan and Bill Trautman accepted the EIR award on behalf of the Napa County Grand Jury. Next year's chairperson will be Sara Simpson of Sonoma County. She would like to have 5 or 6 reviewers from around the State.

The first award is for Excellence in Reporting by a Grand Jury which goes to the Mendocino 2008-09 Grand Jury. The report entitled "Nobody was Listening" was an investigation of the Redwood Coast Senior Center which uncovered a history of abuse of employees, a disrespectful demeanor towards seniors, a neglected facility, deteriorating programs and an excessive compensation package for the executive director. Wendy ? expressed her thanks to a group of vocal, vulnerable senior citizens who protested. The Redwood Coast Senior Center has a new director and board. She thanked the media for their coverage of the report. Betty Hook and Carol Rosenberg are holdovers this year and will take the award back to the Grand Jury chambers.

The 2009 Excellence in Media Reporting Award goes to the Mendocino Beacon & Fort Bragg Advocate News for their coverage of the report "Nobody was Listening." The award was accepted by Catherine Lee and Connie Korbel. Not only did they provide coverage of the report, they also publicized the effort to reduce the funding of the grand jury. Catherine thanked CGJA for the honor and expressed her appreciation of the efforts by the reporter being recognized, Catherine Lee. She also spoke about the limited resources of the newspaper.

Dan Mufson challenged the audience to submit reports from each of the 58 counties.

Angelo Rolando Award - Chair Duane Mason, Chair

It was announced that Jerry Lewi was presented the Award last evening at the banquet.

1:15 P.M. Public Participation on Main Street – a program developed and presented by the Sacramento Chapter to help grand jurors, past and present, be aware of promoting transparency and accountability of local governments.

Joe Maloney, Chair

Panelists: Terry Amsler, Institute for Local government, affiliate of League of California Cities; Ronda Saffo, Center for Youth Citizenship

Individuals views on participation is based on conditioning and climate.

Following are highlights from the video presentation:

If you want effective change there are 3 things to look at: reactive change, organizational change and strategic-long term planning.

Panelist Amsler, Institute for Local Government: He directs collaborative government initiative. The grand jury kind of represents that. The mission is good government at the local level and resources for local officials.

Public Engagement: A broad range of methods to inform and involve the public - (1) information, (2) consultation & (3) deliberation. Improves local agency decision making, better outcomes, more informed residents, participation beyond the usuals, enhanced community buy-in and support, faster project implementation, more trust among residents and in local government, development of community leadership and habits of community participation, legal requirements.

Local officials resistance and doubts: same people participate, not enough time, residents not sufficiently informed, residents not interested, local official's elected/hired to do the job.

Involving the public in local budgeting: public information & outreach, surveys, advisory commissions, workshops, deliberative forums, neighborhood councils/committees.

Tips for success: Clearly identified engagement goals, well framed issues, committee decision makers, approaches matched to goals, adequate time & resources, clear goals for who will participate, inclusive approaches, well run processes, results should influence decisions, close the circle with participants, learn from the experience.

Panelist Saffo: Would like to develop curriculum on local government for schools to prepare personally responsible and community minded youth. They focus on preparing children and youth early about good citizenship and look at character traits. They encourage respect, responsibility, etc. The teachings are based on the educational level of the children/young people and begin in kindergarten.

David Feldstein, Sacramento: Is there someone similar who works with special districts and joint power authorities?

Panelist Amsler: No there is not but it's a good idea.

Jerry Lewi, Ventura: How do we educate young people about what we do? Ronda's organization would be a wonderful program for that.

Panelist Saffo: They would like to get the word out to the kids.

2:30 P.M. Jim Mayer, Executive Director of California Forward, a new organization dedicated to help California with long term solutions to many structural problems.

Jerry said that Jim was formerly the Director of the Little Hoover Commission. That is the closest thing to a grand jury at the State level. Jim will find out if any member of the Little Hoover Commission was ever a grand juror. Jerry said that the average citizen doesn't know what California Forward is all about.

This organization was launched about 18 months ago and is supported by philanthropic organizations, individuals, etc and is bipartisan. There is consensus that the governance of California needs to be fixed. This is about a process to agree on the problems and the solutions. They anticipate that it will take about 6 years to see a change. The co-chairs are Tom McKernan (CEO of AAA) and Bob Hertzberg, former Speaker of the Assembly. Members of the organization are people who have held office, people from different parts of the State, civil rights advocates, from both the Democratic and Republic party. Another part of the strategy is to recognize that there is no one thing that can be changed to solve the problem.

When they started in March, 2008 there was a group working on redistricting. Gerrymandered districts make it hard for elections to work. The census will be done in 2010 and redistricting will be done in 2011. A ballot measure was passed to take redistricting out of the hands of the legislature; now the challenge is implementation.

They decided to look at the budget process which has become more dysfunctional. They looked at other states to find the best practices. Recommendations from other commissions pretty much matched the best practices of other states. In California there is no fiscal discipline. The most important thing to be done with the state budget process is to build trust. We pass legislation with no payment mechanism. Policy must have a payment mechanism built in. We need performance/results based budgeting; there are models in local government.

In regard to lowering the 2/3 standard to pass a budget, they are working on language that would require a 2/3 vote to raise a fee to supplant a tax. The initiative has been filed and will be on the 2010 ballot.

Dianne Hoffman, Orange: She heard a lot of "them", "we", "they"...who are they? What are you doing to make a nervous electorate comfortable?

Jim Mayer: "We" is California Forward. The initiatives were written by a group taking into consideration best practices and public comments. Cal forward has talked to 15,000 people.

Marian Mosley, Fresno: She is impressed with what sounds like a great initiative. Is there seed money to advertise this in 60 second TV sound bites?

Jim Mayer: That is the question. If you are going to move through this, the campaign will need to come up with the money.

Jerry Lewi, Ventura: There is growing distrust for the initiative process. What is the relationship between what they are doing and a constitutional convention?

Jim Mayer: The Constitutional Convention is proposing a process and CA Forward has not taken a position. Their goals are similar. He thinks that this is a complicated issue and his fear is that the Constitutional Convention may not come up with the best answers.

John Sitton, San Benito: How do individuals get involved in this organization?

Jim Mayer: Go to the website calforward.org where you can register to be informed of meetings, papers being published, etc.

3:31 P.M. Closing & Adjournment

The President reminded the Directors and Committee Chairs that the retreat is tomorrow at 8:00 A.M.. He congratulated the Conference Chair and the Conference Committee for a job well done.

Keep former Director Sandra Parker in your thoughts and remember the accomplishments of the late Ray Hoffman.

Jerry Lewi thanked everyone for attending and asked for any feedback--we want to hear from you.

Submitted by Joann Landi