

Note from the Editor

This is our Annual Conference Edition that is almost entirely devoted to coverage of the recent very successful conference in Lafayette. But please note the announcements on several changes in the membership of the Board of Directors, a new Treasurer and several new committee chairs.

My thanks to Jim Ragan who assisted me with several of the articles on the conference topics and who provided photos,

And to all our readers, best wishes for a safe and happy holiday season and a peaceful and prosperous new year from the editorial staff of the journal.



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Grand Jurors' Journal

www.cgja.org

CONFERENCE EDITION

President's Message

There is no other institution quite like a California grand jury.

The grand jury's role as a civil investigator – a fact-finding body – gives it the ability to identify and bring to light problems in local agencies that would never otherwise come to the public's attention.

Because of this, the grand jury plays a vital role in promoting the transparency of government operations and the accountability of public officials. It can expose official corruption, waste, and inefficiency. And it can also lay to rest misconceptions or unwarranted criticisms of public agencies or managers.

I believe that the best way to ensure the continued viability of the grand jury is to help it to do the best work it can.

The grand jury will flourish if it demonstrates its own value – if it proves that it can propel meaningful improvements in government operations and ethics by conducting thorough, fair, and professional investigations into important local issues, and by producing carefully documented reports that compellingly and persuasively set forth the jury's recommendations.

How can CGJA help our 58 grand juries achieve excellence and thereby safeguard their role as the watchdog over local governments?

We can follow our mission statement: to promote, preserve, and support the grand jury system through training, education, and outreach.

Training

Our training program continues on its upward trajectory – both in the number of jurors we train and in the quality of our programs and materials.

We now train over 90% of all incoming grand jurors, and dozens of alternates as well, during our two-day summer seminars. That's over 1000 people. Our Foreperson Workshops reached a new attendance high this year, with 73 forepersons and pro tems in attendance. And we increased attendance at our fall Report Writing Workshops this year by nearly 20%, to 315 jurors.

Education and Outreach:

CGJA has recently made real strides in providing education to the grand jury's legal and judicial advisors.

This year, over 40 judges, county counsels, and district attorneys attended our summer seminars. These attorneys often use our training materials when advising their grand juries. They also contact our trainers and our Legal and Legislative Resources Committee when they want to tap our expertise.

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CGJA was invited to make a presentation last month at the Judicial Council’s annual Presiding Judges/Court Executive Officers Management Conference on the topic of Practical Approaches to Supervising Grand Juries.

This presentation is described later in this edition of the Journal, but what is important to note here is that the state judiciary’s education branch turned to CGJA as the “subject matter expert” on the court’s supervision of grand juries. Moreover, we were asked to come back and conduct a similar program next year.

We hope that our involvement in judiciary education will be a springboard for a closer relationship with the courts.

Having direct and routine interaction with judges and court administrators will enhance CGJA’s credibility with the state’s judiciary. This will enable us to promote our training program and encourage the courts to use our chapters to help them with juror recruitment, selection, and orientation.

I believe that when the courts and CGJA are on the same page, stressing together the need for excellence in grand jury investigations and reporting, CGJA and its chapters will make further strides toward fulfilling our mission of promoting, preserving, and supporting California’s grand jury system.

Karen Jahr

Election Results

By Jerry Lewi, Nominations-Elections Chair and Head Teller

Ballots issued: 256 Ballots received: 167 (65%)
No ballots were challenged.

| | |
|------------------|--------------|
| Directors | Votes |
|------------------|--------------|

Northern Region

| | |
|----------------------|-------|
| Karen Jahr | 118 * |
| Beckie Jennings | 67 |
| Andi Winters | 79 * |
| Mike Boom (Write-in) | 1 |

Central Region

| | |
|--------------|------|
| Rich Knowles | 83 |
| Lou Meyer | 90 * |
| Diane Shepp | 86 * |

Southern Region

| | |
|-----------------------------|-------|
| Jim Ragan | 121 * |
| Mac Small | 119 * |
| Lynn Runyon (Write-in) | 1 |
| Jeannie Turpenen (Write-in) | 1 |

***ELECTED**

| | | |
|------------------------|------------|-----------|
| Ballot Measures | Yes | No |
| Term Limits | 126 (77%) | 37 |
| Election by Region | 118 (72%) | 47 |
| Director Residency | 125 (78%) | 35 |

My thanks to Bette Flick (Orange) and Karen Stracka (Los Angeles) for their assistance as tellers and to the team from the North Orange County Chapter of the League of Women Voters for their efficient and accurate counting of the ballots.

Highlights of the Annual Conference

Annual Conference Chair Report

By Lloyd Bell, Host Chair, 2015 Annual Conference

It seems like only a few months ago that the Contra Costa Chapter volunteered to host the 2015 Annual Conference. How time flies! Now that it is over, and before planning begins in earnest for next year’s conference, I would like to reflect on what we learned during our time in Lafayette, California.

Our chapter sought to put together a program that was informative, challenging, and educational for members of our state organization as well as for seated Grand Jurors who would be attending. We also wanted to provide an intimate atmosphere as well as plenty of time to socialize with friends we may only see infrequently. Members and guests from 25 counties come to join us. We believe we hit the mark by providing the very cozy Lafayette Park Hotel as a venue, a free-flowing cocktail reception, and a very delicious evening banquet for our members.

The program opened with the presentation of the Colors by the 60th Force Support Squadron Color Guard stationed at Travis Air Force Base. These young men and women, representing our military members scattered across the globe, caused us to give pause, and thanks, that we are free to gather at conferences such as this. After the opening remarks by Mary Lou Oliver, the Contra Costa Chapter Presi-

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dent, and the CGJA President's report by Karen Jahr, the conference began in earnest. And, while all of the presentations provided information and new ideas, it was the Keynote Address by the Chief Justice of California, Tani G. Cantil-Sakauye, who challenged all of us to do our best and do it well.

In this edition of the Grand Jurors' Journal, you will find information on the other presentations and panel discussions presented at our conference. For those of you who could not be with us this year, these reports will give you a flavor of the ideas presented.

As usual, putting on a conference such as this required a Herculean effort by many individuals, some of whom you may have seen, while others toiled behind the scenes to insure the event ran smoothly. To all of these volunteers I can only give my heart-felt thanks that they stepped up and gave of themselves to insure a successful program. Some of these individuals are:

- Diane Shepp who negotiated the event facility and food selection
- Leslie Lea, our conference vice-chair and registrar
- Mary Lou Oliver who organized the volunteers who so ably insured a successful conference
- Marianne Jameson and the Mount Diablo Rose Society for donating the floral centerpieces
- Members who generously donated funds, products, and time to our endeavor
- Local businesses who cheerfully donated items for our silent auction and drawing

The Contra Costa Chapter was very pleased to host the 2015 CGJA Annual Conference. We, collectively, offer our sincere thank you to all who took time out of their lives to join us in Lafayette to celebrate our great organization.

Keynote Address

CGJA was honored to have as its keynote speaker the Chief Justice of the State of California, Tani G. Cantil-Sakauye. The Chief Justice, a fabulous extemporaneous speaker, spoke for nearly an hour. She discussed several topics of interest to our audience: the need for more transparency and accountability at all levels of government; the dearth of civics knowledge, particularly among our young people; keeping youth in school and out of the criminal justice system; and the value of diversity in our public institutions. The Chief Justice also spoke of her upbringing and her unconventional career path, including stints as a waitress and a black jack dealer. From her humble beginnings and an education at a community college and state university, she went on to become a prosecutor, then an appellate court justice, and since 2011, the head of California's judicial branch, the world's largest judicial system.

The Chief Justice strongly believes that the courts must provide equal justice to all citizens despite severe budget reductions. "You can't limit the number of cases just because you may not have adequate resources." The Chief Justice partnered several years ago with the state Superintendent of Public Instruction and the Secretary of State to create the Power of Democracy, an initiative that aims to integrate civics into K-12 core curriculum.

She also was a driving force behind the creation of the Civic Learning Award, given annually since 2013 to public schools that best engage students in civics education. She cited several examples. She has also encouraged youth courts for peer-to-peer justice. One of the main topics of these tribunals has been bullying. For more information on these initiatives, visit <http://www.courts.ca.gov/chiefjustice.htm>.

Another initiative has been to make the courts more open and accessible through its open record and open meeting rules. Judicial Branch meetings will soon be streaming live.

The Chief Justice expressed her appreciation for the importance of the grand jury civil oversight process. She said that the grand jury is the only entity that can act as an honest broker in reviewing local government operations.

Panel Discussion: Civics in the Classroom

Beate Boultinghouse (Chair), Martha Mangold, Barbara Arietta, Ben Kelly

This panel addressed three different chapter level activities to educate high school students about the workings of the California grand jury in its civil oversight role. Mangold described the Law Academy effort at San Francisco's Balboa High School. This is an eight-week program that takes the students through the entire process where they serve on mock grand juries, conduct investigations, write reports and put together presentations on their work. A second year is planned with hopes to expand to other schools in the San Francisco system. This effort was more fully reported in the [June 2014 Grand Jurors' Journal](#) (page 5).

Arietta explained a San Mateo Chapter-sponsored scholarship activity that asks students to write an essay about the grand jury system that addresses these specific questions:

What is the purpose of the Civil Grand Jury system (not to be confused with the Criminal Grand Jury system) in California?

What were its historical origins?

Why do you think the Civil Grand jury system is important?

The students are required to review the CGJA website and read certain materials. Each year a winner is selected, and a monetary award is made for the best essay.

Kelly described a program given in Madera County's Yosemite High School put together by the Madera Chapter. It is a brief program explaining the grand jury system to several civics classes. To get the students involved, they are read several hypothetical complaints that could easily occur in the high school environment. Then they discuss how to conduct the investigation, conduct interviews, and write a report. It was reported in more detail in the [April 2015 Grand Jurors' Journal](#) (page 8). Kelly said that one of the interesting benefits of this program is that students will talk about it at home, thus spreading the word to more adults.

Brown Act/First Amendment Coalition

Karl Olson, First Amendment Coalition Director

Olson talked about the importance of the Public Records Act (1968) and the Ralph M. Brown Act (1953), and their inclusion in the California Constitution by the passage of Proposition 59 in 2004, and the difficulty of enforcement. Today, the courts construe any exemptions narrowly.

With respect to the Public Records Act, he said that, in order to obtain records, citizens don't have to tell agencies their purpose, although doing so might make it easier for the agencies to find what you need. Agencies invariably take the full 14 days to produce the records, regardless of their complexity. As for the Brown Act, everything (with limited exceptions) has to be done in public. The First Amendment Coalition occasionally acts as a plaintiff in alleged violations to the Brown Act.

Olson highlighted some specific issues with regard to records and meeting openness:

- Doing business on private phones? Are these records public? The Court of Appeals says yes.
- How long must agencies retain records? The First Amendment Coalition's policy is that records must be retained for two years, and all agency staff must use the agency email system or copy relevant emails from a private server to

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that system.

- Public employee salaries (including salary components) pensions, and disciplinary actions should be public records. The courts will decide.
- Government's use of the deliberative process privilege (the common-law principle that the internal processes of the executive branch of a government are immune from normal disclosure or discovery in civil litigations, Freedom of Information Act requests, etc.). If agencies use this to prevent access to records, the burden is on the government to prove that the privilege is necessary. Lately, some court decisions have allowed a little more access.

Angelo Rolando Award

CGJA has granted the 2015 Angelo Rolando Memorial Award to Owen Haxton of Novato for outstanding service to the association. Haxton was presented with the award at the association's annual conference held in Lafayette on November 2 and 3.

Haxton served on the 2001-2002 Marin County Grand Jury and has been active in the Marin County Chapter of the association and with the statewide association itself ever since. He served as president of the chapter for two years. Owen served on the board of directors of the statewide association, chaired the Membership Relations Committee and was part of a small group of individuals who began regional meetings of chapters. Haxton also served on the awards committee of the association from 2010 to 2014.

The Angelo Rolando Memorial Award was created in 1991 to honor Angelo Rolando, who, in 1979, traveled throughout the state to explore creation a statewide grand juror organization. From his efforts, meetings then took place leading to the creation of the California Grand Jurors' Association.



Haxton, with Awards Committee Chair Barbara Sommer

Excellence in Reporting Awards

Media Award — Santa Barbara County Lompoc Record

CGJA has granted the 2015 News Media Excellence in Reporting Award to the Lompoc Record for its news coverage of "A Failure of Oversight: Lompoc Housing and Community Development Corporation," a report issued by the 2011-12 Santa Barbara County Grand Jury.

The Lompoc Housing and Community Development Corporation is a nonprofit organization that owns and operates homeless shelters and many other affordable housing projects in the Lompoc area. In January 2012, the corporation suddenly (with five days notice) closed two homeless shelters on a holiday weekend. That fact coupled with complaints of homes in disrepair and defaults on loan payments indicated that the corporation was in serious trouble. The Grand Jury received several citizen complaints requesting an investigation into what went wrong. By the beginning of 2012, 30 of the corporation's 42 properties had been repossessed by lenders, placed in receivership or foreclosed upon.

The Grand Jury's report addressed oversight (or its lack) and the steps the County and City of Lompoc should have taken to protect the public's investment in funds loaned to the corporation. The report focused on the relationship between the County and the City of Lompoc as conduits of funds to the corporation as a provider of affordable housing and the monitoring undertaken on behalf of the taxpayer.

The Lompoc Record, (LompocRecord.com) a local online news outlet, made the Grand Jury's report available to its

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readers and published 25 articles describing and following up on the Grand Jury's findings. This reporting encouraged the Santa Barbara County District Attorney to look into the nonprofit's operations. It also revealed a potential conflict of interest involving a county supervisor.

The News Media Excellence in Reporting Award program recognizes individuals and media that have created positive changes in their communities and increased awareness of the California Grand Jury system. The award was formally presented November 19, 2015, to Managing Editor Marga Cooley by members of the 2011-12 Santa Barbara County Grand Jury, including Mel Kimlinger, who nominated the newspaper for the award.



Current Grand Jury Foreperson Maria Millsap with 2011-12 Grand Jury members Pam Olsen, Barbara Breza, Lorelei Snyder, Mel Kimlinger, Travis Gibbons, Jack Snyder, and Mary Frink and not pictured, Tim Putz, photographer. Recipient Marga Cooley is holding the award.

**Robert Geiss Excellence in Reporting Award
2013-14 Santa Cruz County Grand Jury Receives Prestigious Reporting Award**

CGJA has granted the Robert Geiss Excellence in Reporting Award for 2015 to the 2013-14 Santa Cruz County Grand Jury for its report, "Desalination and Alternatives: Water for a Thirsty County."

The award was presented on November 2 at the association's 34th annual conference held in Lafayette, California. Nell Griscom, foreperson of the 2013-14 Santa Cruz County Grand Jury, was at the conference to accept the Award.

The Grand Jury examined the issues facing both the City of Santa Cruz Water Department and Soquel Creek Water District as they attempted to manage their local water supply problems. Much of Santa Cruz County receives its drinking water from underground aquifers. Wells pump water from the aquifers to be treated and sent to homes and businesses. Many of the aquifers in the coastal areas are already contaminated or in danger of contamination due to saltwater intrusion caused by over-pumping. One way to protect the aquifers is to develop a regional plan to halt the intrusion where it has already occurred and to protect those aquifers yet to be tainted.



Nell Griscom on the right, with Awards Committee Chair Barbara Sommer

The City of Santa Cruz Water Department and Soquel Creek Water District entered into a plan to do this through the construction of a regional seawater desalination plant. However, due to strong and vocal opposition from a number of residents, the Santa Cruz City Council put a halt to the project a year before a scheduled public vote.

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The Grand Jury reviewed the plans for the regional desalination project as well as other alternatives being considered. Jurors conducted extensive research and spoke with multiple water agencies, experts and local opposition groups. The subsequent report discusses each of the options currently available and makes the technical details easily accessible to lay readers. The color maps make the report more readable and aid the reader in understanding the complex matters discussed. In the report, the Grand Jury recommends that both agencies secure a supplemental water supply and that the City of Santa Cruz strongly consider reviving the regional seawater desalination plant.

The Robert Geiss Excellence in Reporting Award recognizes a grand jury report that is of high quality and has a positive impact on the community, as well as increasing awareness of the California grand jury system.

Human Trafficking

Paula Kamena (retired District Attorney, Marin County) and Linda Witong (retired Assistant District Attorney, Marin County)

This presentation began with a film produced by the Soroptimist Chapter of Marin County about the problem of human trafficking. Soroptimist is a global volunteer organization working to improve the lives of women and girls through programs leading to social and economic empowerment. The film starts with debunking three myths about human trafficking: It is not a US problem, the crimes are victimless, and it is an activity done by choice. All of these are not true. Most human trafficking is in the form of prostitution and mostly derives from sexual abuse at home. And it is the victims who are generally prosecuted. The speakers described the Nordic model, especially prevalent in Sweden where the victims are generally not prosecuted.

There are other forms of human trafficking such as organ trafficking where human organs are bought and sold; and labor trafficking where people unable to speak up for their own rights are victimized in all walks of life such as landscaping, the garment industry, and construction. The victims are usually immigrants, legal, and illegal.

The speakers outlined a variety of ways grand juries can highlight problems in their community and commended the Placer (see [Placer County 2014-15 Grand Jury Report](#)) and Orange County grand juries (see [2011-12 Orange County Grand Jury report](#)) for recent reports on the subject. There is a national hotline, 888-373-7888, for reporting any suspected activities. A recent Federal law, Justice for Victims of Trafficking Act of 2015, shows promise to be helpful in combating this widespread problem.

Public Records and Privacy

Thomas Peele, Bay Area Newsgroup Investigative Reporter

Peele started his talk with a very simple statement: We have no privacy. Google reads your email; banks know all about your spending habits; police read your license plate so they know where you are; deeds are a public record. The California Public Records Act is severely broken and needs reform. While Proposition 59 put the act into the constitution, there are far too many exemptions granted in case law that allow public entities the freedom to refuse requests.

One of the most common is the “deliberative process” exemption. Any document involving an entity conducting an activity that is intended to lead to some decision falls under this exemption. Another problem for reporters is the delay tactic, as reporters haven’t the time to stick with a story and wait out the delay. This is less of a problem for grand juries, except that their time is limited to their time in office.

One bright note is that the Supreme Court supported access to public employee compensation information that entities formerly tried to hide. But there is a privacy exemption that the government’s need for privacy trumps the public’s need to know.

Peele concluded by restating that the Public Records Act needs reform, but he has no expectation of success.

Editor note: For more information on Public Records Act exemptions, see http://www.calaware.org/downloads/Top10_CPRAExemptions.pdf.

Grand Jury Effectiveness

The Honorable John T. Laettner, Contra Costa Superior Court

Judge Laettner, who has been involved with the Contra Costa grand juries, both criminal and civil, since 2010, opened his talk by saying, “When asked if I would speak on the issue of effectiveness of the grand jury, I chuckled, for of course you are effective.” He then recalled for us the history of the grand jury from its most likely inception in 1066 in England to current California law. The judge noted an interesting twist in history in that the English grand juries served the government in finding and prosecuting private citizens’ misdeeds, while now juries investigate and access public figures, defending individuals’ rights and expectations. County grand juries can investigate any non-criminal activities and report and make recommendations based on the result of the investigations.

He then related all of the duties and powers of the grand jury in its civil oversight role, concluding that, “If the grand jury system was not beneficial to the community, it would have died long ago. By virtue of its longevity, there is evidence that it is effective and a viable part of our government.” The size of the grand jury (19 in most counties) gives it enough resources to delve into complex problems with unlimited power to gather data and investigate. Investigative reporters try to do the same thing, but do not have subpoena power. Reporters are hampered by delaying tactics in responding to requests for documents exactly as related by the previous speaker, Thomas Peele.

Judge Laettner then related several examples of effective Contra Costa County grand jury reports, including one that resulted in needy people getting \$54 million worth of food and another calling for pension reform for public employees. He believes the most effective tool of the grand jury is its reports that call attention to problems. Even though the grand jury does not have enforcement power, no one wants to be embarrassed for not doing their job well, and most government workers want to do their jobs as well as they can.

The judge concluded by saying that the best thing we can all do to improve the system is to recruit people to volunteer for grand jury service. His list of attributes of an effective grand juror includes the ability to listen; that the person not carry baggage or an axe to grind; that the person plays well with others; that the person has the time to do their best work for the community; that the person be an optimist; and that the person has the life experience – no set age is required, but life experience really helps.

His final comment was that grand juries are effective and essential for good government.

For the judge’s complete talk, go to the Newsblog on the CGJA website, www.cgja.org/newsblog/grandjuryeffectiveness.

Recruiting for Diversity

José Varela, Public Defender, Marin County

The key to diversity, Varela said, is to engage people in a particular community whom everyone knows: “promotores.” They can help involve you in ethnic-associated celebrations and fairs. This is where you see people who could be grand jurors. Create diversity calendars to know when and where these events are. Take grand jury results to these communities so that they can see how they are helped. Grand juries incite innovation. They can bring a sense of inclusiveness. Use the Latino and Asian media.

In Marin County Varela was a founder of the Association of Latino Marin Attorneys. He found that many Latino attorneys worked in San Francisco but lived in Marin. The association now has 15 - 20 members. They are mentoring a law student. They may now have time to become grand jurors.

Panel Discussion: Expanding Service Beyond the Grand Jury

Diane Shepp, chair (Napa), Dan Mufson (Napa), Beckie Jennings (Sutter), Rich Knowles (Contra Costa)

Knowles described his involvement in disbanding the Mt. Diablo Healthcare District, which had been the subject of several grand jury reports. One-and-a-half years after the last report, the Board of Supervisors disbanded the district. Former grand jurors attended meetings of the district Board of Directors and of the County Board of Supervisors. They spoke, expressing their opinions. Current grand jurors could not do this. The Board of Supervisors had to take action; the district Board was unwilling to dissolve itself.

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Jennings wasn't able to attend, so Mufson spoke on her behalf. He said that one of her grand jury's reports described terrible conditions in a county animal shelter. Nothing happened as a result of the report. But, she was later part of a movement that successfully resulted in improved conditions at the shelter.

Mufson then turned to his situation: grass roots democracy on a proposed land use project. Development in Napa County, Mufson said, was getting out of hand. The resident protest started small – individuals speaking no more than three minutes each at a public forum. Diane Shepp discovered a proposal to develop a new winery center at the top of a hill. Shepp invited a few neighbors to join her in protest. Mufson came to the meeting. Some attendees asked him about another big project in his neighborhood that would involve cutting down 28,000 trees and building four reservoirs. Mufson didn't know about it. There was a 1,200-page Environmental Impact Report (EIR). He began to contact his neighbors. They started attending meetings of the Planning Commission and the Board of Supervisors, with multiple voices speaking for 45 minutes. They raised money to support their effort. They hired experts to comment on the EIR and hired lawyers to file the comments. They mounted three legal teams. To date, the Board of Supervisors has not certified to EIR and approved the project.

This effort led Mufson to invite people through the county to work together to get ahead of the constant new winery, expanding winery, and hotel development projects. Fifty people established a steering committee, which meets regularly. Supervisors are beginning to ask questions. In March 2015, they held a public forum on land use. The Board of Supervisors established an agricultural protection advisory committee (17 people); four of the steering committee members (including Mufson) are on the committee. Mufson said that this group is now a new voice in the county. It is going to lobby. It is going to support candidates and propose ballot initiatives. The group wants to change the composition of the Board of Supervisors.

Shepp elaborated on the proposed winery center project in her neighborhood. The developer says that 22,000 visitors would come annually to this center in an area with little water and great fire danger. On the same road to this project, developers have filed three more applications. One property owner wants a helipad on his residential property. Shepp is running for a position on the Board of Supervisors.

Annual Meeting

Each year, each standing committee submits an annual report, that is included in the conference booklet. Following are this year's reports for those unable to attend the conference.

Committee Reports

Awards

Barbara Sommer, Chair

There have been some changes in committee membership this year. Betty Mattea has moved to the position of Chair Emerita. Barbara Sommer is committee chair. Current members are Joann Landi, Terrie Stevens, Linda Glasscock, Todd Lloyd, and Jerry Lewi.

This year the CGJA has presented the two EIR awards, the Angelo Rolando Memorial Award, and recognized four members with Certificates of Special Recognition. In addition, a chapter (San Francisco) has presented a Local Achievement Award. The names of the winners announced at the Annual Conference will be posted on the website following the meeting.

We continue to urge our colleagues to consider presenting awards to their Regional or Chapter meetings. While certain awards must be presented at the Annual Conference, i.e., the EIR and Rolando awards, Local Achievement and Certificates of Special Recognition awards can be presented at a Chapter or Regional meeting. This may permit more local people to be present to enjoy the proceedings and congratulate the honoree.

An ad hoc committee from the Public Relations and Awards Committees will work to establish an Honor Roll or Founders Roll to honor past members who have contributed substantially to the CGJA and/or their local chapter.



Finance

Lloyd Bell, Chair

This is the annual report of the California Grand Jurors' Association (CGJA) Finance Committee. This report highlights the key activities of the Finance Committee, from January through October 2015.

The Finance Committee began the year with two members: Marsha Caranci and Dianne Hoffman, outgoing Treasurer. The committee welcomed the addition of Lou Meyer as incoming Treasurer, and Lloyd Bell as Committee Chair. The committee actively recruits for new members familiar with financial management principles, the nonprofit legal environment, accounting software, and administrative skills.

Major accomplishments during this period include:

- Executed an external financial review with assistance from the Financial Review Committee
- Fulfilled a Succession Planning requirement to identify a Vice-Chair (Hoffman)
- Developed and led implementation of a CGJA Director reimbursement policy
- Development and led adoption of Finance Committee Procedures;
- Compiled and drove approval of 2015 annual CGJA budget
- Solicited and received a mid-year revised budget forecast from each committee
- Clarified and published language pertaining to the deductibility of CGJA annual dues
- Provided a Finance Committee representative to the InfusionSoft Task Force (Meyer).
- Initiated communication to MRC to send to chapters concerning the importance of maintaining their tax-exempt status
- Filed IRS CP119 Form to update subsidiary CGJA chapter non-profit status.
- Conducts a monthly review of CGJA financial records and transactions.

Priorities for 2016 will focus on:

- Facilitating the implementation of InfusionSoft with existing accounting software
- Improving the accuracy of the interface with QuickBooks and e-commerce software

The committee wishes to offer their sincere appreciation and heartfelt thanks to Dianne Hoffman for her tireless efforts on behalf of the CGJA in her roles as Director and Treasurer of our fine organization.

Chapter Officers' Meeting

It has become a custom for the Membership Relations Committee to host a meeting of Chapter Officers (and Board Members) on the day preceding any annual conference. That meeting was hosted this year in Lafayette, CA on November 1. Representatives from 12 chapters and 11 (out of 12) Board members attended

Mike Chernock, MRC Chair, opened the meeting by welcoming the chapter officers and the Board members present. A special introduction was made for the three incoming CGJA Board members Andi Winters, Rich Knowles, and Mac Small. Everyone introduced themselves.

Housekeeping Item

Mike mentioned the need for each chapter to keep the MRC informed of the name and contact information for its president (new or returning). That information is needed for our annual tax and nonprofit filings. Mike asked for suggestions on how to keep this information current and received the following suggestions:

- All Presidents should be asked to include a contact telephone number along with their other contact information. After the MRC sends the standard e-mails requesting new (or old) officer data and receives same, the MRC should then *telephone* the past President of those chapters who have not replied.
- InfusionSoft keep the names of other Chapter officers and that should include their membership chair.

Public Awareness

In light of the Ferguson riots against the Criminal Grand Jury, several chapters asked for a brief discussion regarding what chapters have done about responding to questions about how we differentiate Civil Grand Juries from Criminal Grand Juries in the minds of the general population? Members present whose seated juries are both Criminal and Civil acknowledged that some of their detractors have asserted that DAs use Criminal Grand Juries to deflect decisions about whether to prosecute police officers in excessive force cases.

One chapter president said that she appeared on TV to explain how the indictment process works and that the jury's limited role is to determine probable cause, not guilt or innocence. Another chapter said that they quickly sent a letter to the editor of the local paper to clarify their roles and to stave off public misperceptions.

Recruiting Practices For Jurors

The next topic appeared to be a universal issue for all counties: How Chapters can assist their courts in finding and screening new jurors and, in general, how effective Counties have been in attracting volunteers.

The best people to find and recruit jurors are those people who have been jurors themselves. This role is among the most important services a chapter can render. Most counties have been expending more effort than ever before with diminishing results.

It is an axiom of Civil Grand Jury service that “no two counties work the same.” This is especially true of outreach and recruiting. The envelope ran the entire gamut from some chapters who hand a qualified list to the courts for them to sign off to other chapters who are forbidden to contribute to the process at all.

During the course of the discussion, the following ideas were offered:

1. Start the recruiting process earlier in the year.
2. Hold open houses around the county.
3. Invest in broader advertising such as giving speeches to civic groups using a speaker's bureau.
4. Write articles in *Westways Magazine* (an auto club publication), make announcements in city, utility, or public newsletters (such as the League of Women Voters, faith base groups, social clubs, and service organizations). If you have one, advertise on your local internet *Patch* site. Write articles and submit them to AAA and Via magazines. Investigate using the NextDoor.com website in your neighborhood.
5. Participate in radio spots with popular DJs; arrange and staff booths at home shows, county fairs, or health fairs. These events draw a large number of retirees and that has historically been a major source pool for seated jurors.
6. Have discussions at Osher classes and other events at local colleges.
7. Find out if your city or county has a website or city newspaper and will allow a Civil Grand Jury page. Attempt to have the board of supervisors declare February as “Civil Grand Jury Awareness month.” View the Placer Chapter's website for ideas.
8. Ask the local petit jury staff to present a video in the jury assembly room (such as CGJA's *Agents of Change* or *Gavin Newsom's tribute to the Civil Grand Jury*).
9. It was noted by several members present that Marin County presently has a very strong relationship with their courts and presently does both outreach and candidate screening at the request of their courts. Nadine Muller, Marin's President, made the following observations:
 - a. When interviewing, candidly describe the time commitment and skills needed for grand jury service. People who really are not well suited to the task tend to drop out, leaving a smaller but more qualified pool.
 - b. A smaller number of applications are not necessarily bad if the quality is good. A smaller source pool might provide a richer resource than a mass of volunteers.
 - c. Constantly review and evaluate what is working and what is not working. Seek evaluations from all parties in every step of the process and compare your efforts to find the most viable return on your efforts. Always ascertain from any candidate, “where did you learn about the Civil Grand Jury.”

Continued from page 11

- d. A new process requested by the courts will be to hold a short “small group” session with potential jurors to determine how they function in a small group environment.
10. In one county this past year, the court and chapter focused on weeding out the potential pool by using pre-orientation meetings. They believe this is a highly effective practice since their county's grand jury has had zero turnover as of November.
11. Grand Jury reports are a prime vehicle for mass recruiting. Marin's has always produced an insert for the largest newspaper in the county to give to each of their subscribers. This same insert finds its way into libraries, Civic Center newsstands and the like.

Social Media

There was a brief discussion about the advantageous use of social media. A Board member noted that we have posted a social media strategy on our website. Another attendee mentioned the use of NextDoor.com. Many other such communication vehicles were already mentioned in the recruiting discussion.

Regionals

Regionals are now into their 5th year. That is proof of its success as a chapter-to-chapter communications tool. The next Bay Area Regional Meeting is scheduled for February 6, 2016 in San Rafael, CA, and a San Joaquin Regional Conference is planned for April 2016. (Exact date to be forthcoming)

The consensus was that Regionals are of great benefit to those attending. They make it possible for Chapters to help Chapters with simple, basic things and topics of common interest. With CGJA Directors now elected by Regions, Regional Conferences create a way for members within a Region to get to know each other better and possibly actually meet their candidates who are running for a directorship.

Reviews of the event were quite favorable and we hope to see even more officers at the 2016 Annual Conference.

Mike Chernock (with input from Karen Jahr and Mac Small)
Chairperson, Membership Relations Committee

Nominations – Elections Committee

Jerry Lewi, Chair

The Nominations-Elections Committee (NEC) is an ad-hoc committee appointed annually to recruit candidates for the Board of Directors election and to conduct the election by preparing and mailing the ballots to qualified members. The committee consists of three directors, one from each region, and three non-directors also one from each region. This year's committee included Jerry Lewi, Chair, Marsha Caranci, Vice-chair, and Lloyd Bell as director members and Ray Frisbie, Bette Flick, and Nadine Muller as the non-director committee members.

This year, the committee had the additional task of preparing the ballot for the three proposed changes to the bylaws.

We used some innovative procedures this year, primarily to reduce cost, but to also improve communications with the membership. We placed all the candidate statements and arguments for and against the ballot measures in the *Grand Jurors' Journal* as well as on a dedicated website page instead of including them in the ballot package mailed to each member. We also used bulk mail to save cost. Four members reported not receiving ballots and they were mailed a subsequent ballot with adequate time to vote.

Our final task was to update the NEC procedures, basically documenting what we did for the benefit of future committees.

One disappointment for all to think about: Not a single recommendation for a nominee came from the membership and not a single person offered themselves as a nominee. All nominees were either incumbents seeking reelection or members recruited to run by our committee.

My thanks to the committee members for their support and hard work. We worked diligently, resulting in a fair and well-publicized election.

Public Relations Committee

Jim Ragan, Chair

CGJA and its Public Relations Committee (PRC) continue to promote communication about grand juries and CGJA with our members and the broader public. PRC's main communication tools are our website and bimonthly *CGJA Grand Jurors' Journal*. Other tools include the *California Grand Jury System* book, the *CGJA Information Brochure*, and social media.

Website (www.cgja.org). PRC continues to improve the website to make it more user friendly to our audiences. This year, the major change has been to add to and consolidate resources for grand juries under one banner menu item, **Jury Resources**:

- FAQs—CGJA's answers to the most frequently asked questions submitted by grand jurors, CGJA chapter members, court personnel, and others
- California Codes—links to the 29 codes
- Local Government Information—documents and links about types of local governments and transparency and ethics laws.
- Other Useful Links—statutes, legislation, court decisions, statewide local government organizations, state government sites, and other useful organizations
- Sample Documents—Downloadable, useable files from individual grand juries and CGJA trainers with respect to grand jury procedures, internal administrative matters, grand jury correspondence, citizen complaints, investigations, and report writing
- Legal and Legislative Resources—contact with CGJA's Legal and Legislative Resources Committee for best practice advice and answers to questions about grand jury jurisdiction and operations

In 2015, PRC has given major attention to our website's news blog that posts media articles on grand jury reports and responses throughout the state. By the end of the year, we expect to have posted about 500 articles—a 25-percent increase over the best previous year. The articles demonstrate significant local media coverage of grand jury reports.

Grand Jurors' Journal. PRC continues electronic distribution of the Journal (in color) to all , introductory members, former introductory members and others, including regular members who opt for this version. In addition, all other regular members and all grand juries receive print copies (black-and-white only, because of cost). The current edition and all prior editions going back to 1996 continue to be available on the CGJA website.

Statewide Grand Jury Awareness Month 2016. Due to Assembly Member James Gallagher (3rd District), the Assembly, in late December or in January, will designate February 2016 as Grand Jury Awareness Month. Board and PRC member Beckie Jennings has spearheaded this effort.

PRC chair is Jim Ragan; Jerry Lewi is vice chair. Other 2015 members are Barbara Arietta, Beckie Jennings, Joann Landi (Secretary), Di Masini, and Larry Walker. Larry Herbst joined in September.

Training Committee

By Marsha Caranci, Chair

The CGJA Training Program includes the parent Training Committee, four subcommittees, and a team of 19 trainers – a total of 23 dedicated people, most of whom serve in multiple capacities. This group successfully put on 35 seminars and workshops this summer, plus 8 Report Writing Workshops in the fall.

Regional seminars were conducted in Sacramento, Redding, and Visalia; Foreperson Workshops in those same three locations plus San Mateo; and on-site seminars in 28 venues, training a total of 1018 jurors and alternates this summer at our regular seminars, plus 73 Forepersons and Pro Tems at separate workshops. We were also very fortunate to have more than 40 legal advisors (County Counsels, District Attorneys, and Superior Court Judges) and other county or court

Continued from page 13

officials attend our seminars this summer. We expect approximately 300 jurors to attend our Report Writing Workshops in October and November.

Our subcommittees worked hard to ensure the Training Program's success. The Program Workshop Subcommittee was involved in the planning and communications needed to set up every one of these 42 venues. Registration for our regional seminars, Foreperson and Pro Tem Workshops, and Report Writing Workshops was handled by Cheryl Nelson; the invoicing and receipts by Joann Landi; our volunteer teams and regional registration desk by Andi Winters; and our hotel accommodations by Leslie Lea.

Teams of volunteers from the Placer County, Shasta County, Solano County, and Tulare County Chapters assisted at our regional seminars, and many other chapters provided support at some of our on-site seminars. Most CGJA Chapters had representatives at the seminars to introduce themselves to the new jurors.

Our Curriculum Subcommittee, lead by Karen Jahr, revised and prepared all of our power point presentations and the training manuals and other materials for our seminars and workshops. The PR Subcommittee, chaired by Jerry Lewi, made sure that our work was well publicized. The Trainer Subcommittee, chaired by Ray Frisbie, scheduled the training teams needed for the various locations, coordinated our trainer evaluation program, and planned and presented our annual Train-the-Trainer Workshop.

Our 2015 trainers, who traveled all over the state working with new grand juries from 53 counties, are: Lew Avera, Bob Bianco, Medsie Bolin, Marsha Caranci, Bette Flick, Ray Frisbie, Karin Hern, Dianne Hoffman, Karen Jahr, Jerry Kunkle, Jeanette Monahan, Larry Johnson, Ed Kreins, Judi Lazenby, Jerry Lewi, Ron Miguel, Cheryl Nelson, Jim Ragan, and Ray Tjulander.

As our program matures, after several years of significant growth, we will continue to fine-tune our programs, enhance the quality of our training materials, and increase the size, skills, and knowledge of our training team. To that end, we will expand the number of new trainers and volunteers that we will be bringing on board this year so that in future years we can be assured of continued success.

As we near the end of another highly successful year for the CGJA Training Program and begin preparing for next year, I want to sincerely thank everyone who has contributed to this effort. It takes the work of so many to make our program a success.

New Directors Join the Board

Every November, following the CGJA elections, the composition of the Board of Directors changes.

Two new Directors were elected this October: Andi Winters (northern region) and Mac Small (southern region).

Joann Landi was appointed to fill the vacancy that occurred in the central region when Director Diane Shepp resigned earlier this month.

Rich Knowles was appointed to the Board on October 27 to fill a two-year term that the newly elected Director for the central region, Lou Meyer was unable to fulfill.

There have been changes in our officers as well.

On November 24, Lloyd Bell was named Vice President, replacing Diane Shepp

Director Medsie Bolin was appointed CGJA's Treasurer on October 27, replacing former Treasurer Lou Meyer.

Two Directors, Dianne Hoffman and Karin Hern, chose not to run for reelection. Dianne served as a Director for eight years and as CGJA Treasurer for four. She is now our Assistant Treasurer and a member of the Finance, Legal and Legislative Resources, and Training committees. Karin also served for eight years, and is a member of the Bylaws and Policy Review, Finance, and Legal and Legislative Resources committees, and acts as our corporate law expert. Both Dianne and Karin are long-time trainers in a variety of subjects. The Board thanks them for their exemplary service to our Association.

The Board also thanks outgoing Directors Beckie Jennings, Lou Meyer, and Diane Shepp for their service to CGJA: Beckie as a Director, Lou as a Director and CGJA's Treasurer, and Diane as Director, Vice President, and Chair of the Fund Development and Annual Conference committees

CGJA Takes Part in Judiciary Education

By Karen Jahr and Marsha Caranci

On October 20, CGJA President Karen Jahr and Training Committee Chair and Director Marsha Caranci gave a one-hour presentation at the Judicial Council’s annual Presiding Judges/Court Executive Officers Management Conference, held in San Jose.

Our presentation – *Practical Approaches to Supervising Grand Juries* - was warmly received by the 100 presiding judges, assistant presiding judges, and court executive officers in attendance.

We discussed several topics, including the need to carefully recruit and screen jurors and to have a good local orientation program. We stressed that accurate and thorough training is essential to insuring grand juror competence.

We encouraged the courts, during both our oral presentation and in our handout materials, to make use of CGJA chapters to help recruit, screen, and interview candidates and to develop and conduct local orientation programs. We anticipate a higher level of chapter involvement in the coming years as the courts learn of our chapters’ successful efforts in many counties.

Our PowerPoint slide set, our 20-page handout (*Guidelines for Supervising Civil Grand Juries*), and our 300-page Training Manual have all been loaded onto the courts’ private network for use by judges in all 58 superior courts.

Our educational efforts were a demonstrable success. In the month since we made our presentation, we have received a number of contacts from courts asking for our advice.

CGJA Officers

| | | | |
|---|--|--|---|
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|---|--|--|---|

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| | | |
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For a listing of current chapters visit www.https://cgja.org/chapters-and-associations



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Promote,
Preserve,
and
Support

the
Grand Jury System

through

Training ,
Education,
and
Outreach

Format for submitting letters and articles to the Grand Jurors' Journal

Articles submitted by e-mail should be saved in Rich Text Format (.rtf) and transmitted as an attachment to Jerry Lewi, editor@cgja.org
See more detailed instructions on our website, <http://cgja.org/submit-article>

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