

## California Grand Jurors' Association Board of Directors

### Special Meeting—January 15, 2016

#### MINUTES

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#### A. Call to Order and Roll Call

The roll was taken, and the meeting began at 1:06 PM.

Present: Directors Karen Jahr (President), Lloyd Bell, Medsie Bolin, Marsha Caranci, Rich Knowles, Jerry Kunkle, Joann Landi, Jerry Lewi, Jim Ragan, and Andi Winters

Absent: Director Mac Small and Director-elect Barbara Sommer (both excused)

#### B. Agenda and Comments

B-1 Agenda Approval: Jahr

No approval necessary for special meetings.

B-2 Member Comments

None

#### C. President's Report (Jahr)

Jahr said that on January 6, Gary Spaugh resigned as Director, co-chair and member of the Bylaws & Policies Review Committee (BPRC), and member of the Membership Relations Committee (MRC). He cited that his growing business prevents him from continuing. Jahr thanked Spaugh for his substantial service — citing in particular his very thorough and meticulous work as BPRC Chair. Jahr said that he proposed action item later in this meeting is asking the Board to ratify her appointment of Barbara Sommer to fill Spaugh's remaining term as Board member. She noted that, over the past few months, five new people have become Board members.

Jahr said that CGJA faces a serious challenge with respect to the status of chapters. Two have contacted CGJA about possible disassociation from CGJA. A few other chapters have too few CGJA members for the chapters to retain their chapter status.

Jahr said that in December she established an E-Commerce Task Force to address issues related to making purchases and paying dues on our website. She appointed Rich Knowles as chair. Other members are Medsie Bolin, Dianne Hoffman, Jerry Lewi, and Diane Masini.

Jahr announced that Dorothy Trautman, widow of former CGJA President Bill Trautman, just made a very generous donation of \$300 to the Education Fund. The fund now totals \$3,700.

#### D. Action Agenda

**D-1 Ratify the President's appointment of Barbara Sommer to fill the vacant Director position in the Central Region (term ending November 2016).**

On January 6, 2016, Director Gary Spaugh resigned from the Board of Directors. Barbara Sommer (Yolo County) has accepted the President's appointment to fill the remainder of that term, which ends in November 2016.

Barbara is known to many on the Board of Directors. She has served on the Awards Committee since 2012 and is currently its Chair, as well as Chair of the Excellence in Reporting Subcommittee. She served two terms on the Yolo County Grand Jury, the second (2009-10) as foreperson. She is president of the Yolo County Chapter.

Barbara was a Lecturer in Psychology at UC Davis, retiring in 2009. During her long career, she published numerous books and articles in her field. She has been active in community affairs both before and after her retirement. Barbara also has technology skills; she has produced websites and currently is the webmaster for seven sites.

**The motion passed unanimously, 10-0-0, by voice vote.**

**D-2 Adopt a position regarding the three parts of the proposal by the California Special Districts Association to amend Penal Code §933.05.**

The California Special Districts Association (CSDA) is developing a bill that would amend Penal Code §933.05, which deals with exit interviews, the pre-release period, and related matters.

Two months ago, CSDA approached CGJA, asking that we work with them to see if we can agree to the provisions of a bill. This appears to be a sound approach, as limiting our involvement to just contesting CSDA's bill would leave us less control over the process.

Jahr said that after seeking input from the Board and LLRC, she had discussions with CSDA's legislative representative. As a result, CSDA has modified its initial proposal. A written analysis of CSDA's revised proposal, which included Jahr's recommendations regarding the position to be taken by the Board, was provided to the Board under separate cover. That analysis divides the proposal into three parts, each of which should be addressed separately.

Jahr noted that CSDA's stated goals are to ensure greater grand jury report accuracy and to provide a mechanism for the entity to publish initial comments about the report on the grand jury's website at the same time that the report is issued. Discussion followed on each item (with interim votes taken on each) prior to an overall vote.

**(1) The CGJA supports the CSDA proposal to mandate exit interviews before the issuance of reports** (this procedure is currently discretionary). Jahr noted that exit interviews help ensure that investigations and reports are fair and accurate. After

discussing the statutory language that Jahr recommended as CGJA's counter-proposal, the Board's interim vote was unanimous in favor of CGJA taking a "support" position on the counter-proposal, as drafted by Jahr

**(2) CGJA opposes the CSDA proposal allowing the grand jury to give its draft report to the investigating entity.** Jahr noted that it would be impossible to ensure the confidentiality of the draft report. The Board vote was unanimous in favor of CGJA taking an "oppose" position on this part of CSDA's proposal.

**(3) CGJA does not oppose the CSDA proposal to lengthen the pre-release period to the affected agency (currently two working days).** Jahr recommended that CGJA counter-propose a five-working-day period, rather than the ten days that CSDA has proposed. The Board vote was unanimous in favor of taking a "does not oppose" position with regard to a five-working-day pre-release period.

**(4) CGJA strongly opposes the associated CSDA proposal to post entity comments on the grand jury's website.** Board members discussed several concerns with this. The Board vote was unanimous in favor of CGJA taking a position in opposition to this part of CSDA's proposal.

The Board then proceeded to vote on the original D-2 motion. Jahr suggested substituting the following language that she had previously circulated to the Executive Committee: **"That the Board of Directors (1) adopt the position recommended in the President's analysis of CSDA's legislative proposal (modified, as appropriate, by agreement in the discussions at this meeting); (2) authorize the President to negotiate with CSDA on the statutory language for the proposed bill to reach a compromise that is generally consistent with the Board's position; and (3) authorize the President, if needed, to sign a retainer agreement with Robert Hoffman of Paul Hastings to provide pro bono lobbying services to CGJA."** The three modifications, with respect to point one, are all with respect to the exit interview: the grand jury may discuss the facts supporting the "draft" findings; the grand jury must not reveal the source of any information provided to the grand jury; and there may be one or more exit interviews with regard to each investigation. With respect to point three of the motion, Jahr said she has already sought advice from Robert Hoffman on this matter. He has previously provided pro bono services to CGJA. His services might again be needed, and Jahr asked for authorization to sign a retainer agreement with him, if necessary.

**The motion passed unanimously, 10-0-0, by voice vote.**

Jahr said that within the next several days she would send to Board members her proposed memo to send to CSDA.

**E. Adjournment (1:56 PM).**

Respectfully submitted,  
Jim Ragan, Secretary