

**Holiday  
Wishes**

The Grand Jurors' Journal wishes all our readers the very happiest of holidays and that the new year, with new CGJA President Andi Winters, will be a productive one for our association and for all of California's grand jurors.



# Grand Jurors' Journal

www.cgja.org

## Outgoing President Karen Jahr: CGJA future success requires membership growth



Karen Jahr, CGJA president from 2014 to 2016, made her report about organization activities and the State of the Association at the 35<sup>th</sup> Annual Conference on November 5:

I'm happy to be here today to report to our membership about CGJA's activities since our last annual conference and to share some of my thoughts on the state of our association.

Taking a long view, I see 2016 as having been a year of increased stability and unity after a time of conflict and change starting in late 2014.

While conflict within an organization can be stressful, it can also lead to new approaches in governance and a reexamination of the organization's strengths, weaknesses, and values.

During 2015, we made several strategic changes in response to member input. We developed a detailed action plan for the board of directors and our committees. We conducted a comprehensive review of CGJA's bylaws and thereafter submitted three ballot measures to membership. Our members voted to amend our bylaws to shorten term limits and to limit voting to those members within each region.

We instituted the use of E-blasts to more frequently and effectively communicate with members, chapters, and grand juries.

We hired an accounting firm to conduct an independent audit to confirm our financial health.

In 2016, our focus has been less on new initiatives, and more about enhancing our services and operations – with an emphasis on these two goals:

- Further improving our communications with all our stakeholders
- Increasing our membership.

Let's talk about membership first. This is still an area of concern. Our membership levels have remained flat for the past three years. We need a bigger workforce if we want to fulfill our mission to promote, preserve, and support the grand jury system through training, education and outreach.

It is true when people say roughly 20 percent of a volunteer organization's members contribute significantly to the work the organization conducts (and in an organization with chapters, many members spend most of their time involved at the local level, not statewide). We have just over 200 members, and about 40 of them are really active in our statewide activities.

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### New CGJA Officers

CGJA's leaders installed at the Annual Conference :

**Andi Winters**, President

**Lloyd Bell**, Vice President

**Medsie Bolin**, Treasurer

**Jim Ragan**, Secretary.

### New Directors

Larry Herbst (South)

Lou Panetta (South)

Kathy Wylie (North).



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We need to grow our membership to about 300 members, which would yield about 60 highly involved people if we want to be able to do the work to accomplish our goals. We need to come up with new and better ways to grow our workforce – attract new members and to retain the ones we have.

We need a more robust Introductory Membership program and a more personalized approach to both recruiting new members and encouraging current members to renew their memberships. But this requires additional human resources. If you are a “people person” please seriously consider joining Membership Relations Committee. Or if you know someone who fits the bill, either press them into service or give their contact information to Rich Knowles, our MRC chair.

We’ve had more success this year with our second goal: improving our communications with individual members, our chapters, the sitting grand juries, the grand juries’ legal advisors, and the judiciary.

We’ve continued the use of E-blasts – which have more than doubled our routine membership-wide communications.

The Journal going strong, but I would like to see more chapter news.

Our website now has more information and resources for grand jurors and chapters. Our Jury Resources page was expanded with the addition of several documents for sitting grand jurors to use, many related to the writing and processing of reports: a variety of forms, checklists, and sample correspondence.

We added a Chapter Resources page so chapters can easily access information of interest to them. This includes a document called “Juror Recruitment Ideas” that describes recruitment activities your chapter can conduct either with or without court’s participation.

Please take the time to really look at the website. You will be impressed with its updated content.

And through our Public Relations Committee, the Board developed a communications matrix to clarify the communication/officer responsibilities for drafting and reviewing communications.

Finally, our Legal and Legislative Resources Committee continues to be an effective avenue of communication with grand juries, members and chapters – acting as a hotline to answer “best practices” questions and updating our website FAQ each year.

In the area of governance, the Board reviewed our committee structure and dissolved those committees that have been inactive for an extended period such as Fund Development, and Archives and History, and another one that our new president will discuss. If there is future interest in any of these areas, the committee can easily be revived.

We’ve also been reviewing and updating standing committees’ procedures to ensure that our committees operate as effectively as possible.

The Board and our committees had a busy year.

And this year, we faced the additional challenge of dealing with a proposed state senate bill that has since died in committee. SB 1292 was sponsored by the California Special Districts Association (CSDA). It would have amended the PC with regard to exit interviews and responses to grand jury reports.

When we learned of the proposed bill, the Board secured the assistance of a certified lobbyist, who urged us to negotiate with CSDA because “just saying no” usually doesn’t work to a bill opponent’s advantage. This proved to be a productive strategy; and due to our involvement, the content of the bill was improved considerably as it moved forward. In fact, we were negotiating additional changes at the time the bill died.

CSDA’s initial proposal was that grand juries would have had to hold their final reports for 90 days and insert entities’ responses into the report itself before it released publicly. By working with CSDA, we were able to convince them to delete those provisions even before the bill was introduced.

The bill as introduced in February contained several provisions that we believed were not workable or could compromise grand jury confidentiality. So, we continued to negotiate. We advised the members thru E-Blasts and the Journal of our ongoing efforts and received a number of suggestions on the bill language.

We also heard from the Grand Jurors Association of Orange County, an independent association, who provided par-

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ticularly valuable analysis and input.

The bill never got out of the state senate. It was tabled because of concerns that the costs associated with the additional exit interviews required by the bill would result in an “unfunded mandate” the state would have to reimburse.

Although we spent a lot of time on SB 1292, CSDA actually did us a favor. It let us know how entities – at least how special districts – view grand jury reports. CSDA shared with us the results of its survey of the districts it represents:

- 194 responded that they were the subject of a grand jury report and 53% (103) of those districts stated that the report contained inaccuracies.
- 77% said the grand jury did not conduct an exit interview.
- ◆ Of the districts that stated that an exit interview was conducted, 47% said that inaccuracies were discovered during the exit interview.

While the results of the survey may be open to dispute or interpretation, they do indicate a perception that grand juries do not always verify the facts and findings contained in their reports.

As a result, CGJA’s training team put additional emphasis this year on the need to verify the facts in a report. During both the summer seminars and the ongoing report writing workshops, our trainers have urged the jurors to routinely conduct exit interviews to review the report’s findings with the official who is the subject of the investigation and ask follow-up questions about the facts that support the findings – thereby helping to ensure that the findings are accurate and fair.

I believe that the best way that we can help preserve the grand jury system as we know it is for us to help grand juries do the best job possible. We can encourage grand juries to conduct thorough investigations into issues that need to see the light of day and to doggedly follow those investigations until the truth is uncovered.

And we can teach juries how to present their facts, findings, and recommendations in hard-hitting, but also even-handed and accurate reports – reports that will act as a clarion call to meaningful, productive changes in local government operations and which will promote government accountability.

Of course, promoting report accuracy was not the only initiative undertaken by our Training Team this year. Never content with “how it’s always been done,” the team again revised and improved its curriculum – the PowerPoint presentations, the training manuals, and other resources –and added more interaction and group exercises to its programs.

Because our individualized on-site seminars allow our faculty to meet and become acquainted with many of the jurors they train, the team was able to identify a number of jurors who have the skills and interest to become CGJA trainers.

And we added 10 new trainers to our team this year, increasing the vitality of the team and ensuring its success in the future.

Our efforts to promote excellence in grand jury investigating and reporting can be multiplied to the extent we partner with the superior courts and the grand juries’ legal advisors. And this year we were invited back to again give a presentation to the presiding judges and court executive officers at the Judicial Council’s annual court management institute.

And we held our first annual Legal Advisors’ Workshop, allowing county counsels and district attorneys to discuss (and debate) grand jury law and to share best practices. The side benefit of facilitating this workshop is that we are able to strengthen our ties to the legal advisors to help them better understand grand jury law and to increase our credibility with them – and thru them – with the court.

We hope this will lead to courts being more willing to take advantage of our chapters’ offers to help with publicizing the GJ system and with the recruitment and selection of jurors.

We are a relatively small association, so we must marshal our talents and resources and deploy them where they do the most good.

Fortunately, we have been blessed through the years with wonderfully dedicated, civic minded members who don’t

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just say they support grand juries, but devote hours and energy each year to this effort.

I want to give special thanks to:

- Our outgoing and incoming directors – collegial, engaged, and forward looking.
- Our executive team – Lloyd Bell, Medsie Bolin, Jim Ragan and Marsha Caranci. They have a wealth of knowledge and good judgment.
- Retiring directors Jerry Lewi and Marsha Caranci. Their long service has been invaluable. We are happy that Jerry and Marsha will continue to offer their time and efforts to CGJA in the years to come.

On behalf of the board of directors, we give our thanks to all of you for joining us today and for your continuing support of CGJA.

I hope you will take to heart my invitation to help us grow our association, and to increase your own involvement on CGJA at the statewide level.

Let me finish by saying how thoroughly I have enjoyed serving as the association's president these past two years, and I thank the board for giving me this opportunity. CGJA can be proud of what we've accomplished, but we can and will do more.

Under new leadership, our organization will continue to grow and to fulfill its mission to promote, preserve, and support California's grand jury system.

I ask that you give the incoming president and the new board of directors your full support in their efforts to further this important cause.

## California Grand Jurors' Association 35<sup>th</sup> Annual Statewide Conference Sacramento California, November 5, 2016

### **Little Hoover Commission director offers grand jury investigation possibilities**

California Little Hoover Commission Executive Director Carole D'Elia told the CGJA's 35<sup>th</sup> Annual Conference the commission "has much in common with county grand juries" in holding government agencies accountable for their actions.

"Like all of you, our commissioners are volunteers," she said of the kinship between local grand jurors and the nine public citizen members of the 13-member bipartisan commission. "They want to get involved in government and believe one person can make a difference."

Similar to grand juries that work within their counties, D'Elia said in her keynote speech, the Little Hoover Commission on a statewide basis:

- Reviews executive branch programs for efficiency and effectiveness.
- Focuses on state agencies and programs and local governments implementing them.
- Draws conclusions and offers recommendations for improvement.
- Provides oversight about whether agencies/programs do what they've been told or is expected, and whether actions match needs.
- Focus on policy and performance, not criminal investigations or violation of law.

Unlike grand juries, whose proceedings are confidential until a report is issued, D'Elia said that the Little Hoover Commission conducts business publicly in hearings, community meetings and advisory committee sessions.

Like California civil grand juries, the commission has no power to compel action on its recommendations, but encourages implementation through administrative actions, legislation and budget decisions.



Executive Director  
Carole D'Elia

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D'Elia told the CGJA that counties might want to consider following locally the commission's lead in such areas as:

**Veterans facilities and programs.** Areas to test are cost-effectiveness and leadership, she said.

**Special districts.** D'Elia said climate-change adaptation, permitting and healthcare are areas of interest among the more than 4,000 tax-supported local districts. Some hospital districts, she said, no longer have hospitals, while other districts may no longer serve the function for which they were created, but still collect taxes.

**Bond oversight.** Voters approved \$54 billion worth of bonds from 2006-2008, but grand juries might wonder whether money's being spent as intended. Another \$25 billion in local bond measures are on the November 2016 ballot, she said on November 5, and if enacted, grand juries might assess how local oversight is working for these and prior local bond measures. (Ninety percent of those bond measures were enacted on November 8.)

**Fire prevention grants.** She said that in 2017, the Little Hoover Commission will look at the tree mortality crisis including the State Responsibility Area Fire Prevention Fund, which has \$15.75 million available for grants to local agencies working to prevent wildfire threats.

Other areas of potential grand jury investigation, she said, include online connectivity between local agencies and special districts with the public, and Mental Health Services Act fund expenditures, which are overseen by counties, and total approximately \$2 billion annually statewide.

## 2016 CGJA Standing Committee Annual Reports

### **Annual Conference,** *Lloyd Bell, Chair*



The Annual Conference Committee oversees the planning and management of the Association's Annual Conference as authorized by CGJA policy. This role includes oversight of the activities of the hosting chapter or independent association (the "host") regarding program development, enlistment of volunteer support, financial management, publicizing of the event, registration, and associated tasks. This committee provides guidelines and assistance to the host, insuring that the annual conference advances the Association's charitable and educational purposes and Mission Statement and that the conference itself is self-supporting. Marsha Caranci was instrumental in negotiating the Annual Conference meeting and dining contract with the Sacramento Crowne Plaza Hotel, and Barbara Sommer volunteered her incredible talent as editor of our Annual Conference Program.

Each year the committee solicits a "host" chapter to create an informative and interesting conference in conjunction with the required annual meeting of CGJA. Unlike recent past events, no chapter, or association volunteered for this role for 2016. Also, since the past two annual conferences were not self-supporting, we decided to scale down the event for 2016 and schedule a one-day conference in a central location, conducive to those who must travel, and to reduce the need for overnight accommodations and out-of-pocket expenses for attendees.

The committee is pleased to present the 2016 CGJA Annual Conference in Sacramento, our historic State capitol. The program is compact and the keynote speaker will provide salient information useful to chapters, associations, and standing grand juries alike. Awards for the best grand jury report, best media support will be presented, and we will be introduced to our next Angelo Rolando award winner. Finally, CGJA President Karen Jahr will be recognized and presented with the Lifetime Achievement Award!

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### **Awards,** *Joann Landi, Vice Chair*

The Committee has been relatively quiet this year due to the lack of a chair. However, we continue to administer the awards programs, having determined the two EIR awards, and the Angelo Rolando Memorial Award. The winners will be announced at the Annual Conference and be posted on the website following the meeting.

We urge our colleagues to consider presenting awards at their regional or chapter meetings. While certain awards must be presented at the Annual Conference (i.e., the Excellence in Reporting and the Rolando Awards), Local Achieve-

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ment 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 with members from the Public Relations and Awards Committees is working to establish an Honor Roll or Founders Roll to recognize those past members who have contributed substantially to the CGJA and/or their local chapter.

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### **Finance,** *Lloyd Bell, Chair*

The Committee works with the President and Treasurer and other committee chairs to develop the annual budget and provide oversight of other finance-related information and activities of the Association. 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:

- Conducted a monthly review of CGJA financial records and transactions.
- Conducted full review of financial records upon transition of treasurers from Lou Meyer to Medsie Bolin.
- Conducted a line-item review of all 2015 transactions.
- Removed Intuit as a web option in the store, substituting PayPal for web-based payments.
- Transitioned to a single merchant service provider (PayPal) for all credit card processing.
- Compiled and drove approval of 2016 CGJA budget.
- Filed IRS CP119 Form to update subsidiary CGJA chapter nonprofit status.
- Filed updated Entity Numbers for Subordinates to CGJA with the California Franchise Tax Board.

Priorities for 2017 will focus on continuing to interface with all CGJA committees to streamline operations and enhance organizational efficiencies, and make related recommendations to the CGJA Board, including:

- Conduct a monthly review of CGJA financial records and transactions.
- Conduct a general review of all 2017 transactions.
- Coordinate with MRC to gather point-of-contact information for tax filing purposes.
- Coordinate with MRC to insure chapters' completion of timely tax return and corporate filings.
- Oversee and manage PayPal for all credit card processing.
- Work with MRC and PRC to insure that online purchases of memberships and other store purchases operate smoothly.
- Compile and drive approval of 2017 CGJA budget.
- File IRS Form CP119 to update subsidiary CGJA chapter nonprofit statuses.
- File updated Entity Numbers for Subordinates to CGJA with the California Franchise Tax Board.

Prepare and submit an annual Financial Report for the CGJA Board and membership.

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### **Legislative and Legal Resources,** *Larry Johnson, Chair*

The Legal and Legislative Resources Committee (LLRC) is comprised of active and retired members of the California State Bar, CGJA officers and members with experience in state legislative matters, and members of the CGJA training team.

As the members of the LLRC are not in an attorney/client relationship with any grand jury, the LLRC does not provide legal advice in response to the questions we receive. Instead, we make "best practice" suggestions based upon the questions and information submitted to us by grand juries, grand jurors, CGJA chapter members, legal advisors to grand juries, and court personnel.

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Since January 1, 2016 the LLRC has responded to and issued formal responses to more than twenty-five inquiries. The inquiries received concern a broad range of topics covering such areas as juror recruitment, retention and funding of experts to assist the grand jury, attendance by county counsel or city attorneys during grand jury interviews, subject matter jurisdiction, voting rights of grand jurors, various confidentiality concerns, internet research issues, release of "corrected" grand jury reports, use of cloud storage for document review and retention, required responses from government entities, access to confidential records, use of the admonishment, and interaction between past and current grand jurors.

In every response, the LLRC provides a suggested course of action based upon the collective experience of the LLRC members. When a statute supports the suggested course of action, the statute is cited. When a juror's question can be answered by reference to CGJA's training materials, we point the juror to the text. Grand juries and grand jurors are always advised to consult with their statutory legal advisor.

The other key function of the LLRC is monitoring legislation that could affect the grand jury system and providing our analysis of those bills to the board of directors. This year, we provided input on SB 1292, related to responses to grand jury reports. That bill died in committee.

The LLRC also reviews and revises the FAQ page on the CGJA website. Several times each year, the LLRC writes articles that appear in the CGJA Journal.

### **Membership Relations**, *Rich Knowles, Chair*



The primary thing MRC has tried to address is renewals. We have sent email renewals to everyone whose renewal date was before September 30, 2016 (if you didn't get one let us know).

We have attended as many chapter meetings as we could, and will continue to do so. If you would like a member of MRC to attend your chapter meeting please let us know. We want to hear what you have to say and we will answer as many of your questions about CGJA as we can.

We also interviewed chapter presidents to ask why their chapter members continue to be CGJA members. Turned out one of the one most common reasons was to continue social interaction with former grand jury members. For many of you a bond was formed with the grand jury system and joining CGJA and/or joining your chapter is a way to solidify that bond. Joining also gives many a way to continue making a contribution to the grand jury process.

Going forward we want to encourage people to continue as members, we want to recruit new members, and we want to help chapters recruit new members (a little self interest there – many CGJA members are also chapter members.)

We now have a chapter resources page on the CGJA website, which is dedicated to providing information from other chapters and from CGJA on subjects of interest to many chapters. Please check it out.

Bottom line is MRC wants to do all it can for our members and our chapters. We welcome any suggestion, and we would also welcome anyone interested in joining the committee (we are a committee of five now.)

### **Training**, *Marsha Caranci, Chair*

2016 has been another banner year for the Training Committee. We trained, as usual, well over 1000 jurors and alternates at our regular seminars and Foreperson/Pro Tem Workshops during the summer and will train nearly 400 at our fall Report Writing Workshops.

Our seminars this year included three regional seminars, 29 on-site seminars, four Foreperson/Pro Tem workshops, and seven regional Report Writing workshops. Representatives from all but one of the 58 counties attended one or more of these activities.

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We had one notable addition to our program this year – Curriculum Subcommittee Chair and Lead Legal Trainer Karen Jahr created a new program called the Legal Advisor Workshop (LAW), which was conducted at each of our regional seminars and was attended by 28 legal advisors from throughout the state. Karen was able to get approval from the State Bar of California for Minimum Continuing Legal Education (MCLE) credit for the attendees. The workshops allowed for an exchange of information that was mutually beneficial to the attendees, who gained a better understanding of grand jury legal requirements and issues, and to CGJA, as we were able to get their insights while providing them a resource-sharing platform.

Again this November, we made a presentation at the statewide Presiding Judges conference, provided a handout related to the court’s oversight of grand juries, and shared copies of our training manual with the attending judges.

As our program has grown over the past several years, we are faced with the challenge of having enough qualified trainers to cover our demanding schedule. This year we recruited, screened, and selected ten new trainers. We conducted a special new trainer orientation for them before the annual “Train the Trainer” workshop that all trainers attend.

This year also saw the retirement of veteran trainers Lew Avera, Bette Flick, and Ray Tjulander. We are grateful to them for their many years of valuable service.

My personal thanks go out to our entire training staff, as well as the four non-trainers who serve as members of the Training Committee or one of its subcommittees. These folks provide support in a number of ways, from managing volunteers, to handling registrations, to helping with the financial transactions, to making travel arrangements for the trainers. Please see the list of current committee members and trainers elsewhere in this program. It is an honor and a pleasure to lead this group.

I would also like to thank the many chapter volunteers who assist us at our training seminars. Together we all work to fulfill one of CGJA’s primary purposes, to provide training to all grand jurors throughout the state.

## 2016 CGJA Awards

### **Karen Jahr receives Lifetime Achievement Award**

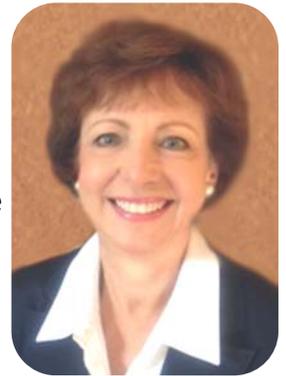
Immediate Past-president Karen Jahr is the recipient of CGJA’s Lifetime Achievement Award for her tireless work for the organization as a trainer, , chair of the Training Committee’s Curriculum Subcommittee and leadership of the association.

In presenting the award at the Annual Conference, CGJA Vice President Lloyd Bell said Karen was “as an individual who has given of her time and talents in exceptional service, furthering the goals and purposes of CGJA over an extended period of time.” The award was presented on behalf of the Board of Directors.

In addition to ongoing improvements to the training curriculum, he said, Karen has been instrumental in establishing and getting State Bar credit for legal-adviser training programs.

With the Legal and Legislative Resources Committee, she has written and updated CGJA website FAQs; and negotiated improvements to proposed legislation that would have hampered grand jury operations. As Vice-chair of the Bylaws and Policy Review Committee, she guided a rewrite of bylaws.

In 2013, Karen became CGJA vice president. Months later, she had to unexpectedly assume the presidency. Then she devoted countless hours to developing and motivating other leaders who calmed turmoil and helped CGJA better serve members and sitting grand juries.



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### **Mendocino Grand Jury, Marin Independent Journal receive Excellence in Reporting Awards**

*By Jim Ragan, CGJA Public Relations Committee chair*

The California Grand Jurors’ Association’s Robert Geiss Excellence in Reporting Award was presented to the 2014-15 Mendocino County Grand Jury for its report, “The Library,” and the News Media Excellence in Reporting Award hon-

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ored the Marin Independent Journal.

Both awards were presented at the CGJA's Annual Conference on November 5 in Sacramento.

Two Mendocino County grand juries, 2013-14 and 2014-15, questioned the ways that county officials interpreted state law and county accounting records related to the Mendocino County Library. The reports resulted in major changes to library management and operations.

The juries particularly questioned library record keeping and fund disbursement. Charges for certain costs were claimed to be made from the general fund. However, those costs were paid from dedicated or donated funds.

The juries and the county disagreed as to whether the library is a special district. The juries expressed concern about the county chief executive officer managing the library as if it were a county department. The district librarian was paid out of the dedicated revenue rather than the county general fund, but the county charged the library for indirect support, preventing the library from spending its dedicated revenue for its services, particularly information technology.

Tension between the library and county officials led to the district librarian resigning.

The County Board of Supervisors, county administrative officers and elected officials negatively responded to the 2013-14 grand jury report. The 2014-15 grand jury report led the Board of Supervisors to reconsider and to implement many of the report's recommendations that largely mirrored those of the 2013-14 report.

Funds taken improperly from the library were restored. The Board of Supervisors will request clarification from the Legislature on payment of librarians' salaries, which could affect how tax-supported librarian salaries are paid across California.

Finley Williams accepted the award on behalf of the Mendocino County Grand Jury.

The News Media Excellence in Reporting Award to the San Rafael-based Marin Independent Journal recognized the newspaper's coverage of Marin County Grand Jury reports over the past three years.

During that time, the Independent Journal published at least 50 articles about grand jury reports investigations, some positioned on the Journal's front page.

By continually and consistently covering grand jury reports, the Journal informs Marin County residents of grand jury work and supports and raises public awareness of the grand jury system. The Journal's coverage also serves as a vital form of outreach in recruiting volunteers to serve on the grand jury.

Jack Nixon, president of the Marin County CGJA chapter, accepted the award for the newspaper.

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## **CGJA's Rolando Memorial Award honors Jim Ragan's service**

*By Jerry Lewi*

**Jim Ragan** of Cambria, the California Grand Jurors' Association secretary and a CGJA trainer, was awarded the prestigious Angelo Rolando Memorial Award for outstanding service to the association. The award was presented at the Association's Annual Conference in Sacramento on November 5.

Ragan served on the 2002-03 San Luis Obispo County Grand Jury, which led to his continuing dedicated service to the San Luis Obispo County Chapter and the CGJA. He was President of the chapter for two years.

Ragan is a CGJA director, chairs its Public Relations Committee and is a valued member of the Training Committee, which oversees training for about 1,000 grand jurors annually from all around California.

## **35<sup>th</sup> Annual Conference Report** *By Lloyd Bell, 2016 CGJA Annual Conference Chair*

It seems like only a short time ago that planning began for the 2016 Annual Conference. Now that it has successfully concluded, and before planning begins in earnest for next year's conference, I would like to reflect on what we learned during our brief time in Sacramento.

Based on feedback from those attending the 2015 conference, our committee sought to put together a one-day program so members could attend without paying for overnight accommodations. Our program was crisp and concise.

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The Excellence in Reporting Awards honored the Mendocino County Grand Jury for its library report and the Marin Independent Journal for publishing dozens of reports about that county's civil grand jury.

The newest Angelo Rolando award winner in recognition of outstanding and exceptional service to CGJA presented to Jim Ragan and a Lifetime Achievement Award honored CGJA Past President Karen Jahr.

The program began with an update on CGJA activities by Jahr and was followed by her presentation on the state of the Association. An extensive question and answer period followed her presentations.

Jerry Lewi, the Nominations and Elections Committee chair, announced Andi Winters as the new CGJA president and that Vice President Lloyd Bell, Treasurer Medsie Bolin and Secretary Ragan would continue in their roles. Joining as new directors are Larry Herbst and Lou Panetta (South), and Kathy Wylie (North). Herbst was elected and Panetta appointed to replace Mac Small, who resigned.

We said farewell to Directors Marsha Caranci, Lewi and Small with gratitude for their service to CGJA.

The keynote address by Carole D'Elia, executive director of the Little Hoover Commission, updated us on its activities and how sitting jurors and association members can be more effective watchdogs over the public domain.

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 give my heartfelt thanks for stepping up and giving of themselves to insure a successful program. Some of these individuals are:

- Caranci, who negotiated the event facility and food selection.
- Lewi, who provided historical guidance to the committee.
- Barbara Sommer, who edited for our Annual Conference program.
- Alan and Carol Witten, who staffed the registration table.
- Numerous members who generously donated funds and time to make the program a success.

As we begin planning for 2017, I need your advice. We asked this year's conference attendees about their preference for our next conference: a one-day or two-day event, and where it should be held. Unfortunately, not everyone provided feedback, so our sample was limited.

So I'm asking your help in letting us know what you expect from your CGJA Annual Conference. Please visit our website's Member Business/Annual Conference page to find a quick survey to help guide us in our planning for 2017. Who knows? It might be in a location near you!

### 2016 Chapter Officers Meeting *By Barbara Sommer*

The following notes were taken of the Annual Chapter Officers meeting at the conclusion of the CGJA Annual Conference on November 5 in Sacramento:

There was a brief discussion about membership criteria. CGJA policy requires a voting member to be a member of a sitting Grand Jury or a past GJ member with a completed term. Associate members (which now require member sponsorship) may be counted as CGJA chapter members. currently, there are 2 Associate Members.

Jack Nixon pointed out that Marin County pays for all sitting Grand Jurors. After the meeting, it was clarified Marin County pays for the chapter dues, not the CGJA dues as some thought was said.

**Juror Recruitment** -- There is considerable material on the CGJA website under Chapter resources. We discussed newspaper ads. In some cases, city or county officials recommend candidates. The Sonoma chapter sent out 600 letters to local officials asking each to nominate one person for the GJ. San Mateo county used "Next Door" (social media) to solicit juror applications. Shasta chapter put a large billboard on the side of a

bank in a well-frequented public location. They also used radio spots. Contra Costa asked cities to put a notice in red on their websites.

We agreed that it would be a good idea to ask jurors how they found out about the application process. Some of the applications ask for that information.

**Implementation Review** -- Butte chapter addresses reports from preceding years, but skips the most recent so as not to conflict with possible activity by the sitting jury. Contra Costa checks with sitting jury's compliance committee to make sure there is no overlap. Shasta chapter described simply showing up at meetings of the responding agencies. The Marin chapter's Implementation Review Committee disbanded because the sitting jury was following up on reports.

**Excellence in Reporting** -- Contra Costa chapter members complained that there was insufficient recognition of the work that went into submitting a report for the award. They felt that Honorable Mentions would be appropriate. The subcommittee chair (Barbara Sommer) pointed out that the subcommittee has considered that option in the past. However, although there has been agreement within the subcommittee with regard to a winner, the consensus tends to fail when moving to 2<sup>nd</sup> and 3<sup>rd</sup> place.

Suggested solutions (which will be implemented) were to provide links on the website to all of the submitted reports, and to publish a list of those in the *Journal* (along with links in the electronic version).

We discussed printing a synopsis in the *Journal*. However, that becomes problematic with regard to who would write it. With a little research, it was determined this could be done.

**CGJA Website use as a sharing tool** -- The website Chapter Resources page was promoted as a good place to share chapter information.

**Chapter and CGJA Dues** -- After a brief discussion, we concluded that although the idea of combining dues seems good in theory, it is more practical to keep them separate, given the variability between CGJA and chapter membership.

**CGJA Website pluses and minuses** -- The plan to update the website was mentioned. Richard Allen of Fresno pointed out how useful it is in its present state and expressed concern about the cost of updating it. Larry Herbst, the new webmaster, requested that members take a look at the website and send the Membership Relations Committee (membership@cgja.org) suggestions for improvement.

**Journal pluses and minuses** -- The new *Journal* editor is Lanny Larson (Fresno chapter, writing/editing background with the *Fresno Bee*). There was some discussion of the mailed version, currently costing about \$2,400 per year to print and mail. The cost is lower than in previous years, per Jim Ragan.

**Videotaping training session for use later with alternate jurors** -- Marsha Caranci stated that they have tried videotaping training sessions, but that it had not been successful. She said they would provide direct training, if requested. The Training Committee is moving toward creating modules and video snippets that will be used for subsequent training. Lanny Larson pointed out that more alternates are getting the training and that, as a trainer, he is also available to help out in Fresno.

**Insurance coverage for small chapters** -- Concern was expressed about the cost of insurance for small chapters. All that is required is that the chapter request insurance. If the amount is too large for its treasury, the chapter need not purchase it. The fact that they made the effort is sufficient. Details are available on the Chapter Resources page on the website.

Follow California Grand Juries in the news at our BlogSpot  
<http://cgja.blogspot.com/>

## In Memoriam

### Donald Blythe, San Luis Obispo Chapter Founder

Donald Blythe passed away September 24, 2016, at his home in Templeton CA. Don was born in 1938 in Clayton, New Mexico. In 2002, following his service as 2001-02 SLO county grand jury foreperson, he led the reformation of the former grand jurors' association of San Luis Obispo County.

Don started working at JC Penney in Santa Barbara in 1960, and held many positions spanning his 35-year career. He was an active member in the communities that he lived, including The United Way, the Santa Barbara Jaycees, the YMCA, The Childs Estate (now the Santa Barbara Zoo.)

Don leaves behind his wife Letha, four children, several grandchildren, and one great granddaughter.

### San Diego's Walter Hofmann Remembered for CGJA Service



Friends and colleagues of Walter Hofmann were saddened to learn of his passing on November 7 at his home in La Jolla.

Walter, a psychiatrist for 40 years before retiring, served on the CGJA Board of Directors from 2007 to 2009.

He was a member of the 2004-05 San Diego County Grand Jury. Walter was an active member of the Past Grand Juror's Association of San Diego and its president in 2006-07.

A memorial service is scheduled at 2 p.m. Saturday, December 17, at La Jolla Lutheran Church, 7111 La Jolla Blvd., La Jolla, CA 92037.



## CGJA News and Chapter News from Around the State *News for You and by You*

### Shasta County Chapter's Fall Social a Success *By Larry Johnson*

On September 27, the Shasta County Grand Jurors' Association (SCGJA) hosted its second annual Fall Social, where sitting grand jurors, their spouses and significant others socialize with former grand jurors and Superior Court judges.

Thirty - six people attended the catered event, with wine and desserts donated by SCGJA members.

In light of the success of the past two Fall Socials, the SCGJA is considering a spring or early summer get together, during which the outgoing grand jurors would be encouraged to stay connected by joining and participating in the SCGJA.

### Remembering and honoring Don Blythe, San Luis Obispo Chapter founder

*By Jim Ragan, Former President, San Luis Obispo County Chapter and Don's friend*

Don Blythe died on September 24. He – more than anyone else – is why we have a San Luis Obispo County Former Grand Jurors' Association (FGJA) today.

In 2002, following his service as 2001-02 grand jury foreperson, he led the reformation of our former grand jurors' association. He served as FGJA president for four years. I succeeded him as president (he recruited me). Don became one of my close friends for the rest of his life. Don and I bonded on many subjects: the most important was our support for California's unique civil grand jury system in our country.

Kory Blythe, one of Don's three sons, told me how proud Don was of his involvement with the FGJA. He joined the FGJA and revived the interest and effectiveness of the organization. The success for his entire career was based on his ability to bring a group of people together with a common theme or goal and be successful at moving them forward together.

We have overwhelming evidence from grand jurors who served with Don that he brought the 2001-02 grand jurors together with common goals and facilitated their production of excellent investigative reports. Amazingly, Don was not a holdover. He came cold turkey into his grand jury. He nailed it.

Don knew that serving on the grand jury in our county was part of a larger system of people serving on 57 other grand juries in the state. He concluded that our association becoming a chapter of CGJA would give our fledgling association more leverage. One reason is that we could become a part of a group training jurors and promoting and enhancing our grand jury system. More parochially, becoming a CGJA chapter would give us tax-exempt status to receive tax-exempt

*Continued from page 12*

donations. Under Don's leadership, we became a CGJA chapter.

Two FGJA members are in current CGJA leadership positions (following the tradition initiated by Boyd Horne and Sandra Parker). I currently serve on the CGJA Board as secretary, chair of the Public Relations Committee, and grand juror trainer. Larry Herbst of our chapter is now a Board member, CGJA webmaster, and a member of the Public Relations Committee.

Don Blythe started it all. We now have a history of our FGJA members participating in CGJA. Let's continue it.

As to FGJA socially, many of us fondly remember the holiday parties that Don and his wife Letha so eloquently hosted at their Notsogrande home in Templeton. Over the years, we have been continuing this tradition.

Long live Don! Let's continue and improve on what he gave us (especially me).

*Editor's note: This article is excerpted from one published in the October edition of the chapter's newsletter.*

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## Ask the Trainer

*This regular column allows the CGJA Training Team to share with Journal readers our responses to some of the questions we receive from grand jurors. Please remember the following: Our trainers are happy to answer questions in their areas of expertise and may be contacted by using the information in Tab 8 of our training manual; you may not take any response as legal advice; and you should contact your local legal advisors to answer any question that might divulge confidential information. Please submit your questions to me or the Journal Editor. The Training Team's response to your question might appear in a future edition of the Journal.*

*Marsha Caranci, CGJA Training Chair*

[cjatraining@cgja.org](mailto:cjatraining@cgja.org)

### Questions submitted recently by jurors:

**Q.** We have been told we can interview anyone we want. One of our committees wants to interview a newspaper reporter who has extensively covered a topic we are looking into. Is that a good idea?

**A.** The grand jury may wish to consider the value of the information they would receive from such a source since it might be just second hand or hearsay. The reporter presumably would not have personal knowledge of the local government agency or procedure being investigated. And even though the grand jury would admonish the reporter, what if the reporter wrote an article revealing that the grand jury had contacted him or her? Might there be an appearance of credibility given to the information in the reporter's articles? So yes, a reporter can be interviewed, but a better source of information might be someone who actually works in or directly with the entity being investigated.

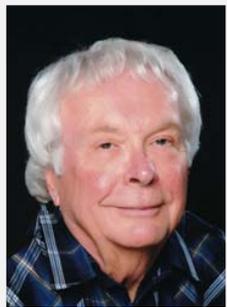
**Q.** Our grand jury has lost several members and we have no alternates left. We may have trouble getting a supermajority vote of 12 to approve our reports. If the number of jurors on the panel gets down to 14 or 15, does the supermajority requirement change to fewer than 12?

**A.** The Penal Code does *not* contain language authorizing a reduction in the number of votes needed to adopt procedures, approve public actions (investigations), or approve reports. So the number required for supermajority approval of those actions remains constant at 12 for a county with a population of more than 20,000 but less than 4,000,000.

If the jury has been reduced to 15 members this early in the year and all of the alternates have already been used, then it would be wise for the grand jury to ask the Court to fill the vacant seats. It will be difficult to get enough affirmative votes to approve the reports this spring if anyone is absent, dissents, recuses, or if the jury should lose additional members.



**Board Actions** *By James Ragan, Secretary*



September – November 2016

September 27 Actions (Regular Meeting) None.

**October 25 Action (Regular Meeting)**

The Board ratified the president’s appointment of Lou Panetta of Monterey County to fill a one-year vacancy in the Southern Region on

the Board of Directors. Panetta is replacing Mac Small, also from Monterey County, who is moving out of the Southern Region and is therefore not eligible to hold the position.

**November 4 Action (Special Meeting)**

The Board elected the following officers: Andi Winters to serve as president for a two-year term; Lloyd Bell to serve as vice president for a two-year term; Jim Ragan to serve as secretary for a one-year term; and Medsie Bolin to serve as treasurer for a two-year term.

**November 22 Actions (Regular Meeting)**

The Board:

- Re-established the Education Committee as an ad hoc committee of CGJA.
- Ratified the president’s appointment of Kathy Wylie to chair the Education Committee.
- Approved a mailed solicitation of CGJA members for end-of-year tax deductible donations to the association.

**A Message from the Editor**

This will be my last issue as Editor, as I am stepping down after 10 years on the job. Lanny Larson, an experienced journalist, will be taking over with the next issue.

It has been a pleasure and an honor to fill this very important position with CGJA during this time, but I feel it is time to let someone else have the honor. But I could not have accomplished this assignment without the support and expertise of Diane Masini who takes the words I assemble and edit from multiple sources and puts everything together in an attractive package that has received many kudos.



Jerry Lewi

**CGJA Officers**

President

Andi Winters

[andicgjabod@gmail.com](mailto:andicgjabod@gmail.com)

Vice President

Lloyd Bell

[lloyd.bell@comcast.net](mailto:lloyd.bell@comcast.net)

Secretary

Jim Ragan

[Jimragan@charter.net](mailto:Jimragan@charter.net)

Treasurer

Medsie Bolin

[medsie.bolin@gmail.com](mailto:medsie.bolin@gmail.com)

**CGJA Directors**

**North**

**Karen Jahr, Shasta**

[karen.jahr@sbcglobal.net](mailto:karen.jahr@sbcglobal.net)

**Jerry Kunkle, Butte**

[sjkunkle@hotmail.com](mailto:sjkunkle@hotmail.com)

**Andi Winters, El Dorado**

[andicgjabod@gmail.com](mailto:andicgjabod@gmail.com)

**Kathy Wylie, Mendocino**

[kathy@mcn.com](mailto:kathy@mcn.com)

**Central**

**Lloyd Bell, Contra Costa**

[lloyd.bell@comcast.net](mailto:lloyd.bell@comcast.net)

**Rich Knowles, Contra Costa**

[griethek@gmail.com](mailto:griethek@gmail.com)

**Joann Landi, San Mateo**

[joannelandi@aol.com](mailto:joannelandi@aol.com)

**Barbara Sommer, Yolo**

[basommer@ucdavis.edu](mailto:basommer@ucdavis.edu)

**South**

**Medsie Bolin, Fresno**

[medsie.bolin@gmail.com](mailto:medsie.bolin@gmail.com)

**Larry Herbst, San Luis Obispo**

[larryherbst488@gmail.com](mailto:larryherbst488@gmail.com)

**Jim Ragan, San Luis Obispo**

[jimragan@charter.net](mailto:jimragan@charter.net)

**Lou Panetta, Monterey**

[lpanetta@yahoo.com](mailto:lpanetta@yahoo.com)

2016 Conference Photographs



Swearing In the 2017 Board  
Ragan, Landi, Winters (partially hidden), Wylie, Bolin, Kunkle, Sommer, Jahr, Herbst, Knowles, Panetta, Bell



CGJA Director Lou Panetta, left, chats with outgoing President Karen Jahr and her husband, Hon. Steven Jahr.



Dianna Sturges, Rich Knowles and Ray Frisbie



Lanny Larson, left, and Larry Herbst discuss CGJA communications



Sharing a laugh, Marsha Caranci and Andi Winters



Barbara Arietta (San Mateo) receiving registration packet from Carol and Al Witten (Placer), who staffed the registration desk.

*Photographs by Peter Andrews*



# Grand Jurors' Journal

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### 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](mailto:editor@cgja.org)  
See more detailed instructions on our website, <http://cgja.org/submit-article>

### Change of Address

Please notify Editor, [editor@cgja.org](mailto:editor@cgja.org) of any address changes. When you don't, it costs CGJA \$1.00 or more to get your correct address from the Post Office and your Journal mailing is delayed.

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### Grand Jurors' Journal

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**Opinions:** The views expressed in the Grand Jurors' Journal are those of the writers unless otherwise stated.

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