



Grand Jurors' Journal

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President's Message

By Jerry Lewi

President, California Grand Jurors' Association

This issue of our Journal is focused on the recent Annual Conference and Board Retreat held in Burbank October 27-29th. While I haven't seen the tabulated surveys from our recent conference I feel it was a success even though lightly attended. Actually as a percentage of current membership, it was better attended than the past two. But that's a misleading statistic as we have lost 164 members from last year. That is alarming and will be discussed later. Andy Bliss and his team from the LA Chapter, especially Audrey Lynberg, are to be congratulated on bringing a group of outstanding speakers to the conference. I believe the Open Forum and Chapter sessions were very productive and have given us ideas for the forthcoming year.

Let me welcome and congratulate all new and re-elected Directors. As I said in my last President's message, while we regret losing experienced Directors, having new talent can be very beneficial. I believe all our new Directors will be very productive and I am looking forward to working with them as well as with all "hold-over" Directors.

We have two new committee chairs, both new to the Board, but experienced in the matters that count. I think they will do a great job. Owen Haxton (Marin) will bring his high energy to the position of Chair of the Membership and Chapter Relations Committee. Tom Hansen (Solano) and new Director Paul Libeu (Sonoma) have joined that committee. Being keenly aware of the loss of membership mentioned above, the committee is dedicating its efforts to recruiting new members and encouraging prior members to rejoin.

Ira Grooms (Ventura) who has been serving on the Finance Committee this past year will now serve as that Committee's chair. Ira is an experienced finance professional and will provide strong financial disciplines.

Another rewarding announcement at the conference was that of the Kern County Grand Jurors Association who have decided to apply for CJGA Chapter status as announced by Anthony Noce, their Vice-President. I had the pleasure of meeting with their group last month and we look forward to welcoming them with open arms.

The Board is now working on new goals for 2006. It is no secret that during the past year we have been devoting an inordinate amount of time on internal matters. I am optimistic that we are now positioned to devote the majority of our attention and efforts to the mission of the Association and I look forward to your support.

Summary of Board Actions

The CGJA Board of Directors took the following actions.

September 26, 2005 Regular meeting

- A motion to approve the Bylaws was amended to read “if the board approves the bylaws they be submitted to the membership for approval. The amendment was approved. The main motion was withdrawn. A motion to change Section 2.06 is changed from “Every act or decision by a majority of the directors present to a majority of the directors voting... was defeated by a roll call. A vote for the main motion to approve the bylaws which includes the approved amendment was called. The motion was defeated by a roll call vote.
- The appointment of Linda Baker as chair for the Teller committee was approved.
- A motion to approve the publication and distribution of the 2005 Grand Jurors’ Manual using the Price Family Charitable Fund was passed.
- The motion to approve Redding is the site for the 2005 Annual Conference was approved.

October 27, 2005 Special Meeting at Hilton Hotel Burbank

- A motion to allow members attend the Special Meeting was approved.
- A motion to count the ballots and if the vote is closer than 3 votes the 3 Chapters who have not responded /voted will be requested to submit their vote by November 20th passed by a roll call vote.

October 28, 2005 Special Meeting at Hilton Hotel Burbank

- A motion to approve of the appointment of newly elected Director Burnett to serve as Treasurer and to submit bank required paperwork to reflect this change was passed.

Committee Reports

Legal

Jack Zepp, Chair

The Legal Committee had a fairly quiet year in 2005. The committee’s primary function is to monitor and react to Legislative, Judicial and Executive (primarily Attorney General) activities affecting the civil function of California’s grand juries. There were no such developments of significance this year. Each year we decide whether the rewards are potentially worth the risks of introducing “proactive” or corrective legislation, and for this year we once again concluded that the risks are too great. The legislative scheme for grand juries in California has its problems, but grand juries have learned to work around them over the years and, as CGJA training reaches

more and more grand juries, some of the worst anomalies in grand jury practices are disappearing. Corrective legislation carries the risk that it will be amended in ways adverse to grand juries, and that is a risk we seek to avoid. As a result we have had a fairly quiet year.

We have responded to a number of inquiries about grand jury procedures and practices, always making clear that we cannot render legal advice. The inquirers have been consistently grateful for our advice.

Over the course of this year we gained two members and lost two. We will miss Dick Nichols and Kathy Wylie, and are pleased to welcome on board Mary Johnston of Kings County and Yvette Brisco of Merced County.

Membership & Chapter Relations

By Owen Haxton, Chair

During the board retreat after the 24th Annual CGJA Conference, Jerry asked me to chair the Membership Relations Committee (MRC). I was pleased to accept. After all, run a membership drive, no sweat. Then I read the description of the functions assigned to the MRC. Talk about being sandbagged! In another life I did a little work in the area of manpower survey. I need at least 1 3/4 full time administrative personnel to handle the files and the mail program, at least 2 traveling liaison types to execute the Chapter formation policy and 1 2/3 database masters, one of whom should have a Doctorate with eleven years experience in the field. Then I turned the page and staring me in the face was the Member Resource Plan. That brought me back to reality. Wait a minute, the Association being an all-volunteer team. I may look to my fellow members to 'volunteer' their expertise or simply offer to help. A workable solution to a scary dilemma. If any of the functions described below interest you send an email to me with your name, current address, phone number and email address with an offer to help and I will be in touch.

1. Volunteers to develop and operate a Member Resource plan that will identify skills and interests of CGJA members who wish to serve at the CGJA level and will enable Committee Chairman to identify members who may be interested in joining their committees.
2. Volunteers who are interested and have experience in Grant writing. This is a new effort to access additional funds for appropriate purposes. Paul Libeu, a board member from the Central Region, who suggested this project, will chair this sub-committee.
3. Chapter formation is a major task of this committee. We need volunteers from Los Angeles, Kern, Orange, San Bernardino, San Diego, Kings, Riverside, Contra Costa, Shasta, Humboldt and Placer. Richard Ruth has chaired this sub-committee and through his efforts there are now ten chapters and an eleventh in the final stage of approval. Richard, however, has opted to make his contribution in other areas and so we need a chairperson and volunteer members for this sub-committee. At least one volunteer from each county is needed. Help me out here!
4. Membership services and acquisition of new members requires a lot of perseverance, significant administrative skills and attention to detail. We need a plan to accomplish these functions, have the plan approved and be prepared to implement the plan early next year.
5. And finally there is a need for a volunteer with extensive database experience to assist and be the backup to Tom Hansen who has assumed this responsibility from Clif Poole. CGJA would be in chaos without an up-to-date database. So if you have the experience, are knowledgeable in this area and want to help, give me a call.

Do I sound desperate? Oh yes I am! Mike Miller and Clif Poole established the standard. With

your help the MRC will strive to maintain that standard.

I can hardly wait until the next board meeting!
E-mail <hornet5@pacbell.net>

Operations

Les Daye, Chair

Dynamic speakers were featured at the 24th annual conference of the California Grand Jurors' Association, held in Burbank, on October 27th and 28th. A lively Open forum returned to prominence. Featuring retention of grand jurors, implementation review, conflict of interest, complaint form & procedures and record retention. Be sure to see other features of this stellar event elsewhere in this issue. Thank you to all volunteers that made this a notably successful annual gathering. In mid-October 2006, the 25th annual conference is scheduled for Redding, as announced by CGJA President Jerry Lewi.

The goals of the Operations Committee for 2006 include continuation of Excellence in Reporting, GRIP field research data being gathered by Kern County volunteers, expansion of good works ("success stories") implemented after grand jury findings/recommendations and additional features for the website <www.cgja.org>

We would like to remember, fondly, Ralph Morrell of Solano County, a longtime supporter of CGJA, who passed away recently. Ralph was a tax restraint leader and sought to create a workable plan for setting up a State Grand Jury.

Finally, a second plea for current grand jurors to monitor responses to Final Reports from 2004-05. A quick review to date reflects some shallow replies. Continuity remains one of your duties of service...shine during the remaining term.

Public Relations

Jerry Lewi, Acting Chair

Current members of the Public Relations Committee are Diane Massini, Lowell Smith, Bill Burnett, new Director Jack Simpson, and yours truly as Acting Chair. Bob Abeling and Jack Hendee have left the committee with our thanks for their past efforts.

The committee has two major goals for the coming year: (1) to produce and distribute a video throughout the state promoting Grand Juries and (2) collect and distribute information regarding how Grand Juries recruit new members in order to share "Best Practices" with all counties.

If there are any members who have experience in production or distribution of video products, we would appreciate hearing from you to assist us with our number one goal.

Training

Sherry Chesny, Chair

This article was written on behalf of the Training Committee by Sandy Rendell, a member of the committee and Chair of the Curriculum Sub committee.

One of the goals that the Training Committee identified for 2005 was to offer a One-Day Report

Writing Workshop. On November 15, 2005, in Sacramento that goal was met. The Curriculum Subcommittee of the Training Committee took responsibility for the planning of the workshop.

First, the subcommittee conducted a needs assessment to verify that there was sufficient interest and support for the workshop. The response was positive and planning began. The subcommittee then revised the format of the workshop which had been offered previously but not in the past two years. Also, a revised workshop manual was assembled specifically for this workshop.

The objective was to provide more in-depth training in writing reports. The workshop was planned so that juries were further into their term and therefore better able to anticipate and identify their writing needs. The location chosen for the workshop had to be a central one to accommodate several counties.

The workshop built on the report writing section of the regular training seminars and began with a brief review of this presentation. But the focus and methodology for this training was to provide participants with an opportunity to plan, practice, and share ideas about the report writing process using an interactive format and participatory exercises.

The participants were enthusiastic about the workshop and appreciative of the opportunity. One of the comments on the evaluation form sums it up: "Thank you. This was an absolute help and truly appreciated." The key to the success of the one-day format is interaction and participation. One evaluation noted: "Excellent – the more examples, the better." And, of course, the numerical scores reflect the effectiveness of the participatory exercises scoring consistently 4.6 on a 5-point scale with the overall workshop rated 4.3.

The Training Committee plans to offer this workshop again in the future as the need arises.

Angelo Rolando Service Award

Les Daye, Director & 2005 Rolando award committee member

At the 24th annual conference of the Burbank, it was announced by Jack Zepp, current director and Past President of CGJA, that Ourania Riddle was the 2005 recipient of the Angelo Rolando Memorial Award for outstanding service to our Association.

Ourania has served as CGJA Director since 2001, been a seminar trainer, an active member of the Solano County Chapter of CGJA and the editor of the Grand Jurors' Journal since 2001, including design and layout since May of 2004.

The Rolando award is given annually at the conference to a member in good standing for their exemplary service. The selection is made by a Committee, chosen annually, and includes at least two previous winners of the award.

Congratulations from the CGJA to Ourania Riddle, for this honor, deserving of one who has tirelessly made an effort to serve our Association and educate the people of California about its county grand juries.

Monterey County Chapter

By Raymond Wuco—Chapter Treasurer

The Monterey County Chapter has lost another member and officer. Dr. Phil Nash has been the Chapter's President for the past three years and he will be missed. Phil served on the Monterey

County grand jury in 1981 and 1996. Selecting a suitable replacement is now on the Board's minds and will, hopefully, be resolved shortly

Marin County Chapter

Submitted by Lowell Smith

Robert Sterling, City Editor of the *Marin Independent Journal* was presented with the 2005 CGJA Award for Excellence in Reporting at the November 14th chapter meeting.

The editors and reporters were recognized in the award proclamation. Marin County Supervisor, Susan Adams, CGJA Vice President, Betty Mattea, and Owen Haxton, Chapter President shared in the presentation. The award plaque noted "The consistent, diligent reporting of Marin County Grand Jury investigative reports" and the *Independent Journal's* "aggressive reporting to inform the public of needed corrections as recommended by the Grand Jury."

Mr. Sterling lauded the Grand Jury process and its contribution to good government. He added the *Independent Journal* will continue to give coverage to the work of the Grand Jury. Chapter member Val Garfield prepared and submitted the application to the CGJA Awards Committee.

Solano County Chapter

By Wanda Kiger-Tucker

At our meeting last month there was much discussion regarding the ballot process and the inconvenience and problems it caused. It was noted that there has been balloting irregularities two years in a row. In 2004 the ballot was received later than the other ballots, marked "draft" and in order to comply with the return deadline, we had to attempt a last minute teleconference with our members in order to cast our ballot as a chapter on time.

The 2005 ballot arrived eight days after the published deadline for return of the ballot and the remedy offered was to send our vote by email, fax, or telephone which is an obvious violation of voting privacy.

There seems to be an endemic problem with continuing acts and omissions regarding voting and violation of our governing rules. As a chapter, our voting rights ARE very important to us. Some chapters may choose not to participate in this vote, but this is our only input and connection as a chapter to our board elections.

As CGJA chapters, we have very little opportunity for input in the governing process of our state association. Our members are required to be paying due members of CGJA. We fervently believe that our chapter member dues are worth at least one collective vote.

For the "health" of our chapter membership, we cannot afford to continually disenfranchise our members. We hope our state board of directors will take this under advisement and next year we look forward to things being done properly and timely.

Ted Freeman Elected to San Anselmo Town Council

By Conrad Kloh, Marin County

If the name Ted Freeman doesn't mean anything to you, it's because you haven't been very active in the California Grand Jury Association. Ted's trained many Grand Jurors in seminars throughout California and at the statewide meetings in Concord, Sacramento and Redding. And that's no surprise; he's a veteran of 32 years of high school teaching in – you guessed it- Social Studies, mostly US History, Government and Economics. That's a logical application of skills when you've done graduate work at UC Berkeley in Political Science. And tacked on a teaching credential, as well.

Now, no surprise again, he doesn't teach government anymore, he's part of it. On November 8th he was elected to the San Anselmo (pop. 12,400) Town Council, second in a six-candidate race for three seats on the council; only the one incumbent on the ballot scored more. During the campaign Ted walked about 70% of the town and talked to voters, and voters, and more voters. The name Ted Freeman means a lot these days to the citizens of the Marin County town of San Anselmo.

How did it happen? Well, Ted's a doer as well as a teacher, (some folks consider that a very rare, almost impossible, combination). After retirement, he served two terms on the Marin County Civil Grand Jury, both times as Chair of the Education Committee. In the 1999-2000 Jury, his last, he was also pro tem. Taking on the job of Secretary and then President of the Marin County Chapter of CGJA seemed like good ideas to Ted, and he did them.

The saga of doing continues. Ted served on: the San Anselmo Quality of Life Commission; the Library Advisory Board; the Planning Commission. For five years he regularly attended San Anselmo Town Council meetings, making it impossible for him to now wail that he did not know what he was getting into- and if he had.....

No story such as this would be complete without the direct quote. Says Ted: "I am a firm believer that there is a public life after grand jury service. I strongly recommend to others they get involved."

Good Luck, Ted. But somehow we don't think you'll need it.

California Special District Association Speaks to Grand Jurors

Submitted by Director Joann Landi (Permission was granted by CSDA)

On four dates in July and August of this year California Special Districts Association (CSDA) representatives led breakout sessions at the California Grand Jurors' Association conferences. The purpose of the sessions was to familiarize members of this year's grand juries with special districts: what they are, how they operate, how their services are financed, etc. CSDA Deputy Director Neil McCormick led the session at the Sacramento location, and Public Affairs Specialist Geoffrey Neil facilitated the sessions in Redding, Walnut Creek and Visalia.

Reactions from grand jurors to the presentation varied. While a few asked questions that seemed to have their basis in a specific local situation that the grand jury was considering inspecting more closely, the great majority of attendees asked questions that reflected their genuine interest in learning more about special districts and the roles they play in different communities. In total,

about 275 individual grand jurors attended the classes that CSDA taught. The special district breakout was the only one available at all four of the CGJA conferences.

By helping the citizens that compose California's grand juries understand districts and the way they operate, CSDA is helping special districts that come under the scrutiny of these grand juries. CSDA led similar discussion at the CGJA conferences last year, and look forward to providing the valuable service for special districts in the future.

What is the Grand Jury

By Director Diane Masini

As a former juror of the Nevada County Grand Jury (three terms) and a board member of the Nevada County Chapter of the California Grand Jurors Association and also The California Grand Jurors' Association, I was pleased to see the recent letter to The Union asking grand jury questions as it lends an opportunity to educate the public about the substantial oversight and reporting powers grand juries have.

The California State Constitution requires that each county impanel a "regular" grand jury every year. Such grand juries have broad powers to, among other things, investigate and report upon the conduct of local government.

Regular grand juries are governed by the Penal Code section 888 through 939.91. The penal code, for the most part, provides for the creation and activities of the grand jury. Selected portions of the government, evidence, revenue and tax and other codes impact the grand jury's functioning as well. These codes are available at the law library in your county courthouse, and may be available in your local public library or a college library located in your community or the statutes can be researched on line at www.cgja.org

The Nevada County Grand Jury is composed of 19 citizens fully independent of administrators, politicians and legislators. With its investigatory powers, it makes recommendations which improve city and county services and save taxpayer dollars. The grand jury speaks out when government does not perform effectively.

Here in Nevada County, citizens are asked to volunteer to serve as members of the grand jury. From this pool, applicants are selected by random drawing by the Superior Court to make up a grand jury to act as an arm of the court. Jurors serve for a period of one year.

The selection process is governed by Penal Code § 893(a) ..."A person is competent to act as a grand juror only if he or she possesses each of the following qualifications:

- Be a citizen of the United States and a resident of Nevada County for at least one year.
- Be at least eighteen years of age.
- Possess ordinary intelligence, sound judgment and fair character.
- Possess sufficient knowledge of the English language.
- Never have been convicted of a felony, malfeasance or other crime.

Who reviews and confirms the qualifications? Penal Code section 896 states: ... "The court shall select the grand jurors required by personal interview for the purpose of ascertaining whether they possess the qualifications prescribed by subdivision (a) of Section 893. If a person so interviewed,

in the opinion of the court, possesses the necessary qualifications.....” Who determines the agenda of the grand jury? While it is a part of the judicial system, a grand jury is an entirely independent body. Judges of the Superior Court, the district attorney, the county counsel and the state attorney general may act as its advisors, but cannot control the actions of the jury.

Penal Code 916 is the source of the grand jury's authority to decide for themselves what of the things it is empowered to do, they want to investigate, how to proceed in the investigation and how much energy to invest in doing it right.

When a subject is selected, who determines who the witnesses will be? Who questions the witnesses? The full jury will decide what it wishes to investigate. The actual investigation is turned over to one of the several investigative committees that will do the investigative research and conduct interviews accordingly.

How are the witnesses summoned? Are they called by a subpoena? Are the witnesses sworn-in? The jury obtains valuable information by informally meeting with county and city officials and visiting county facilities. Interviewees are asked to sign a confidentiality agreement. The grand jury may retain a subpoena for reluctant witnesses. Witnesses are sworn by grand jury discretion.

Who transcribes the questions and answers? Who writes the reports? Are the reports approved unanimously? The investigative committee will review all appropriate information gathered from which they prepare written summaries of their investigation findings, conclusions and also recommendations for improvements in procedures and processes. The committee will authenticate their findings with the various sources, and then submit the report to the full jury for review. The full jury has three options: It can return the report to the investigative committee to re-work, revise or reconsider, approve as written or approve as amended with minor changes. No less than 12 jurors must agree to approve the report for release.

Since the Board of Supervisors and the grand jury are both new, it is evident that the critique is aimed at a previous board. A new jury's investigations of government entities and study of citizen's complaints pertain only to the year they are actively serving as a juror. In keeping with their most frequently exercised function known as the "watchdog" function, the jury will follow-up on the status of recommendations made in prior years reports to ascertain if the agreed to recommendations have been implemented and are working. If their research indicates that government has not met the implementation schedule originally agreed to, the new jury might decide to write a new report on the same subject.

The grand jury maintains a web site where full reports and their responses from 1997-2005 are stored for public viewing. I strongly urge that interested citizens visit the grand jury's website of Nevada County.

24th Annual Conference

Conference Open Forum

The Open Forum, always a popular item at our conferences, was held earlier in the program than in the past several years in the hope it would find the attendees eager to contribute their ideas and ask questions. The subjects were limited to activities of grand juries, not of the association. Discussion of association matters was handled during the report to the membership later in the program.

A series of comments about recruiting and retention of grand jurors was a popular theme. Some ideas to help with these problems included: Thorough briefings before selection to be sure prospective jurors understand the degree of commitment required; have jury schedules that accommodate personal schedule, e.g. evening meetings; and raising per diem.

Discussion about conflicts of interest yielded several suggestions: Thorough training (CGJA training covers this topic); advising jurors when a potential conflict is present.

The suggestion to develop a standard complaint form that would result in complaints having a better chance of being investigated met with generally favorable response although there was some concern such a format might be intimidating to some citizens. (CGJA would like to see a project established to pursue this idea). There was a mixed response regarding whether or not a complaint had to be signed to be evaluated.

More details on this session will be provided in our next Journal after the transcript has been prepared and reviewed.

One Board Member's Reaction to the Annual Conference

By Betty Mattea, Vice President

This year's Conference and Retreat marked the end of my first year as a director of the CGJA. I found the meeting to be an overall positive event with fresh ideas for progress and enthusiasm that just seemed to grow among the attendees.

The guest speakers (all three) were exceptionally fine and were very well received by all of us. Without a doubt, Andy Bliss and Audrey Lynberg hit a home run when they arranged for these speakers.

I enjoyed listening to the year-end reports from my fellow directors and found them informative. For the members present who were not directors, I think they gave a good picture of the work produced by the standing committees of Finance, Legal, Membership, Operations, Public Relations, and Training.

Almost all of the newly elected board members serving for the first time were present. It was delightful to meet them and to listen to their goals for the year. I am encouraged that they will contribute much to our organization in the coming two years. Already, they have shown their individual leadership styles, so evident in past California grand jurors, by volunteering for committee work as chairpersons, board officers, as well as members. We will have our first board

Chapter Relations Session

The purpose of this session was to allow each Chapter and Individual Association representative to report on the most important activity of their chapter/association. Then it may be possible to compile these items into a list of "Best Practices."

Marin County: (Owen Haxton)

A strong membership is important for fresh ideas and sharing the load. CGJA's Grand Jurors' Journal is a vehicle to attract new members. Chapter meetings should be interesting; invite a speaker from an agency that has been the subject of a report.

Nevada County: (Bill Burnett)

The Presiding Judge has turned over the Public Relations Committee duties of the court to their Chapter. One important function is their public speaking program to recruit new jurors.

San Luis Obispo County: (Sandra Parker)

Recruiting former jurors to their Association is important. The Chapter has established a relationship with sitting grand jurors. They send out a monthly newsletter with the Board minutes and information on upcoming speakers.

San Mateo County: (Mike Miller)

The Speakers Bureau for outreach is the most important for public education and recruitment.

Solano County: (Earl Heal)

Grand jurors were nominated by elected officials. The Chapter finally convinced the County to open the process to volunteers.

San Francisco County: (Serena Bardell)

The Chapter conducts interviews of potential jurors. Their efforts primarily contribute to improving and increasing the jury pool.

Los Angeles County: (Andy Bliss and Audrey Lynberg)

The most important achievement is the Public Relations work done by the Chapter. It helped to get CGJA training to the Los Angeles Grand Jury. The second important thing was being chosen to host this conference

Kern County Association: (Anthony Noce)

This association has a committee that responds to negative press about the sitting jurors' reports. To do this they are going to begin issuing a newsletter. Also going to propose legislation to allow investigation of non-profits who receive any county funding.

President Lewi mentioned ways a Chapter can fulfill a project as mentioned in the Bylaws: hosting the conference, participating in the idea of a standardized complaint form, hosting a training seminar, etc.

Orange County Association: (Sheldon Singer)

They have 200 members. They have quarterly luncheon meetings with speakers and usually have about 100-125 in attendance. They provide six-month complimentary membership to outgoing jurors. They provide input for monitoring oversight of the proper use of transit tax. Most important thing is to maintain relationship with County.

San Diego County Association: (Jack Vaughn)

Most important is implementation of a review committee for the County. They are now trying to get a review committee in place for cities in San Diego County, starting with the City of San Diego.

Placer County Association: (Sherry Chesny)

Have discussed tracking ongoing, unfulfilled grand jury recommendations. The group helped with the Sacramento training seminar.

Lewi spoke about ways that individuals with no local chapter can get involved. However, Dan Taranto (Humboldt County) expressed his concern that if there are too many individuals doing that in a county, it could be confusing. Lewi agreed this was a legitimate concern but that perhaps the association could look into this.

From the Mailbox

Congratulations to Nevada County Grand Jury

Albert P. Dover, Presiding Judge of the Nevada County Civil Grand Jury wrote the following congratulatory letter to the members of the Nevada County Grand Jury.

Dear Grand Jurors:

Congratulations on receipt of the Excellence in Reporting Award granted by the California Grand Juries Association. It looks like further congratulations are also appropriate in light of the substantial contributions made by Ray Hoffman and Diane Masini to the recently completed California Grand Jurors Manual. The significance of these contributions cannot be overlooked or underestimated.

I was reading in the book "Grand Juries, A Study in Citizenship in California," by Bruce Olsen, Aristotle's definition of a serious citizen. He noted that absolute monarchies did not require active citizens, but instead compliant subjects. However, in the case of representative government, a "serious citizen" is defined by nothing else so much as by his or her having a share in judgment in rule or office. These awards clearly show that all of you are active citizens who are not only willing to pay attention to public affairs and know how to do so, but understand the duties and responsibilities of citizenship and the importance of being engaged in public service as necessary to the betterment of the social order.

Please accept my compliments with the deep respect I hold for each of you in making your contributions to better the quality of our institutions on, behalf of all citizens of Nevada County.

Citizen Emergency Response Team

By Director Jack Zepp

Wow! Christmas in November. On my return from what I thought was a very healthy and productive Annual Conference in Burbank, I found the October Journal in my mail. What a treat to see articles from Mickey Strang and Steve Phipps, two "old timers" whose contributions over the years gave the Journal an intellectual luster it otherwise might have lacked. I usually agree with Mickey, which is kind of boring, but I could almost count on not agreeing with Steve, which is more fun.

I do want to follow up on Mickey's suggestions. Yesterday I received a certification as a Citizen Emergency Response Team (CERT) member. The CERT program is intended to give ordinary citizens the very basic skills to attend to their families, neighbors and, if needed, community, in the event of a disaster. My community is most at risk of a nuclear reactor incident (San Onofre) or earthquake and we train in evacuation, search and rescue, triage, medical treatment, and support for professional first responders. I highly recommend the program for anyone thinking of reporting on the emergency response capability of professional first responders such as fire and police. The main things I learned were: resources will be inadequate; people have to be left to die; and communications will fail. It adds a bit of perspective which might help those who wish to report on their disaster response capabilities. The CERT program is now sponsored by (and here I take a deep breath) FEMA but may nonetheless prove very worthwhile in your community.

Juries in the News

Modesto Bee

By Adam Ashton

The veterinarian accused in a civil grand jury report of euthanizing animals too quickly was released from her position at Stanislaus County Animal Services this week.

Debbie Greer said she had planned to resign from her post since early October because she felt she became a distraction at the department. Dave Young, the interim Animal Services director, dismissed her Tuesday, she said. "It was just kind of obvious that we needed to go different

directions," said Greer, who was appointed as the county's first veterinarian in 1998. "I've got other plans, and I've got other directions I want to go now." Greer said she isn't clear on whether she'll receive severance pay.

Young declined to comment. County Chief Executive Officer Rick Robinson confirmed that Greer no longer works at Animal Services, but would not elaborate.

The grand jury report chastised Greer and her former supervisor, Michael Rodriguez, for providing inadequate care at Modesto's Finch Road animal shelter. Rodriguez resigned in August. The report said some animals taken to the shelter were put down within 20 minutes. By law, the shelter is required to keep them for four days. It also said Rodriguez and Greer were ineffective leaders.

Greer, a veterinarian since 1983, denied that animals were put to sleep before the end of the four-day waiting period. She denied the report's findings that animals were euthanized because they were not cute, were too big or did not like playing with balls.

"To go out with half-truths and lies and innuendo, and to have the grand jury, who is supposed to do a fair and impartial investigation, say what they said is just devastating," Greer said. The July report enumerated a number of incidents in which Greer allegedly provided insufficient animal care, including denying help to a dog that had been burned, using excessive force to bring down a rambunctious animal and trying to spay a male cat.

Greer said jurors did not ask her about any of those incidents. She collected statements from employees stating she did not mistreat the animals highlighted in the report. "It was never deliberate."

Mercury News

By Rodney Foo

Norcal Waste owes \$924,000, audit says

Norcal Waste Systems, already at the center of a controversy over the cost of its garbage hauling contract, owes at least \$924,000 of a contested \$10.8 million in penalties to the city of San Jose over alleged failures in monitoring its recycling program, according to an independent audit.

Auditors hired by the city's Environmental Services Department are continuing to review records to determine how much -- if not all -- of the remaining \$9.9 million penalty should be levied, a process that could take months, said Deputy City Manager Terry Roberts.

From a legal standpoint, we feel very firm about the \$924,000. We feel the documentation is there," Roberts said, "and the reminder still needs more work."

The city had notified Norcal in March that it intended to withhold \$10.8 million in payments from the company because Norcal's subcontractor, California Waste Solutions, failed to comply with the contract from Aug. 25, 2003, to March 1.

The contested penalty comes in the midst of an independent investigation that is looking into the city council's approval of an extra \$11.3 million to Norcal in September 2004 to subsidize higher labor costs at a Timothy Drive recycling plant run by Norcal's subcontractor, California Waste Solutions.

That investigation, commissioned by the city council and due next month, followed a Santa Clara

County civil grand jury report in June that accused Mayor Ron Gonzales and his budget and policy director, Joe Guerra, of brokering a secret deal with Norcal in 2000 to obtain money from the city at a later date to pay workers at the recycling plant higher wages.