

# Grand Jurors' Journal

February 2004

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## ***President's Report***

As we begin 2004, CGJA's planning is just about complete for a very active New Year.

I am pleased to report that we closed out 2003 with healthy financial reserves. The Board has approved a plan to file a short year tax report as we move CGJA's fiscal year to a calendar basis. A short year filing will be made in February and a summary report will be in the next issue of the Journal. Our 2003 operating budget had unanticipated and unbudgeted expenses for legal services and credit card machine rental service, providing for expenses in excess of income.

Our 2004 calendar budget projects expenses exceeding income based on conservative reserves for meetings, membership costs, and insurance coverage. We plan to expand our training activities this year with a fourth seminar site in Redding and a remodeling of our training approach, which could add short term start-up expenses.

CGJA's training efforts make up over 50% of our operating expenses but are well managed by Sherry Chesny, Training Committee Chair with many valued volunteers contributing to minimize costs. We look forward to 2004 being a productive and expansion year for CGJA.

I am pleased to announce the appointment of Richard Rutherford of Bakersfield to the Board of Directors. Richard had a distinguished career in leadership roles with many California School Districts. Richard's early efforts with CGJA will be devoted to curriculum review and development for our Training Committee.

I welcome the exceptional contributions of Jack Friesen, who will be taking over as Chair of our Finance Committee.

I am please to report that CGJA's Public Relations Committee has been re-establish with new talented members meeting on January 20<sup>th</sup>. New members to our public relations efforts are Jim Connick of Sacramento, Jack Hendee of Inyo, Ron McGinley of Los Angeles, and Diane Masini of Nevada County. Jerry Lewi and I continue on this committee, which appears energized for some exciting advances in 2004. We look forward to adding CGJA members with professional experience in marketing and public relations. I invited members with experience and interest to give me a call.

Our Chapters Program, lead by Clif Poole and Richard Ruth, continues to evolve and we welcome San Francisco as our newest chapter. We now recognize seven county chapters, who grow closer to us with full memberships in CGJA. It is encouraging to report that current or former Grand Jurors are exploring formation of new chapters in six additional counties.

In a good faith effort to build a closer relationship with our chapters, the Board of Directors voted in January to extend our general liability insurance coverage to all chapter voting members for local county events and meetings. Processing of endorsements to our policy is now underway.

Our Finance Committee has created a procedure for receiving memorial and restricted donations to our Association. We encourage our members and those outside our Association, who care to support our multiple programs to consider donating. Continuing financial support is vital to our plans for future growth.

I am please to report that the California Assembly Local Government Committee has voted to reject AB 312 presented by Todd Spitzer of Orange County. CGJA opposed the bill and appreciates the fine support of Assembly Members Simon Salinas, Sally Lieber, Mark Leno, Gene Mullin, and Patricia Wiggins for defeating further consideration to AB 312.

Jack Zepp, Legal Committee Chair testified at a January 14<sup>th</sup> hearing of AB 312 and we thank him for representing our Association and coordinating the efforts of many organizations and Grand Jurors in the defeat of very bad Grand Jury law. It is important that we remain aware and supportive of state representatives that support our County Grand Juries.

I close with an invite to all members and supporters to get actively involved with CGJA through volunteer services, closer affiliations, or financial support. Working together we can make a difference as we grow in support all California Grand Juries.

***Elwood Moger***

January 30, 2004

## **Changes in San Francisco - Grand Jury's work on the spotlight**

*Since the Inauguration of the newly elected Mayor in San Francisco Gavin Newsom the work and reports of the San Francisco Grand Jury has been in the spotlight. CGJA Director Serena Bardell (S.F) provided us with Excerpts from different articles in the San Francisco Chronicle.*

Jan. 21. 04 “In 2003 alone, she [SF Schools Superintendent Arlene Ackerman] faced protests over the district's desegregation plan, a **grand jury** report slamming truancy rates, increased gun violence at or near several schools and the death of two students on an overnight field trip organized by a district charter school.”

Jan. 21. 04 “The Building Inspection Department has been the subject of FBI investigations in recent years, and has been criticized in a **civil grand jury report** and a city controller audit. The **grand jury** report found institutionalized favoritism in the department and no sense among employees that such treatment was not allowed.”

Jan. 16. 04 “Mark Schlosberg, a police practices expert for the Northern California chapter of the American Civil Liberties Union, noted that the transition team said nothing about reports issued last year by the city controller and a **civil grand jury** that found chronic problems with police discipline.”

Jan. 10. 04 “Last summer, the **civil grand jury** criticized San Francisco authorities, saying they were unprepared to deal with emergencies adequately. Drills were too infrequent, equipment was lacking, and communications systems were not foolproof. One of the grand jury's most damning findings was former Mayor Willie Brown's failure to convene the Disaster Council regularly.

At the time, Brown, who left office Thursday, was sharply critical of the **grand jury** report and said the city was fully prepared to face an emergency situation. But newly elected Mayor Gavin Newsom started his first full day on the job by convening the city Disaster Council, which last met in October 2001, and directing municipal departments to update their preparedness plans for earthquakes, terrorist acts and other emergencies. Newsom gave departments until the end of March to update their response plans and wants the Department of Emergency Services to create a new citywide operations plan by the end of June.”

Jan. 8. 04 “ Indeed, the agency [Department of Building Inspection] was probed several times by the FBI and its day-to-day operations were criticized in both a city controller's audit and a **civil grand jury** report. The department's staff has since signed a code of conduct pledging to treat all applicants equally.”

Jan. 8. 04 “San Francisco's Department of Building Inspection -- investigated in the past by the FBI and slammed last year by a **civil grand jury** -- is about to undergo yet another high-profile examination, and its detractors hope that this time it results in reform.

A **civil grand jury** reached findings similar to the controller's in a report last June. The **grand jury** found that favoritism in the department was "deeply ingrained," and "many employees appear to be unaware that preferential treatment of certain customers is improper and prohibited."

Jan. 7. 04 “ While both the **grand jury's** and controller's reports received attention in the media, some department employees say privately that they have seen little change.”

## **2004 Annual Conference**

The planning process has already started for our 2004 Annual Conference. The Solano County Chapter will be hosting, and October 15<sup>th</sup> and 16<sup>th</sup> has been chosen as Conference dates. We have many individuals from the different counties helping with the planning and notification process and have all of the groundbreaking work done by our predecessors Rose Marino, Bob Abeling, Jerry Lewi and the rest of our dedicated volunteers, to keep us focused.

The planning thought is that we try to make this year's conference a “mini-family-vacation” (i.e. come in a day early and shop at the factory stores, tour a winery or biotech firm, or participate in other activities as listed on our questionnaire

which was sent out earlier). We are looking at ways to provide transportation at discount rates (possibly by train or bus) and picking up attendees along the way.

The Hampton Inn & Suites has agreed to work with us to get the best possible room rates and we're in the process of finalizing a deal to provide excellent food at far below what we normally expect to pay. We are also attempting to schedule prominent speakers.

As the planning process progresses, we hope this year's conference will be one of the cheapest and one of the most enjoyable ever. Please keep your calendars open for October 14, 15 and 16, as you don't want to be sorry you missed it.

Clif Poole

**2004 Conference Chair**

(707) 447-0554

(JCSwimm@AOL.com)

**Legal Committee**

The Legal Committee's primary focus recently has been on legislation. When the 2004 legislative session opened there were two concerns. The first was AB 312, a 2003 bill introduced by Todd Spitzer (R. Orange) and withdrawn near the end of that session. With the commencement of the 2004 session the bill was revived. The essence of the bill was that it overrode existing statutory and case law requiring that a grand jury maintain strict confidentiality of such things as evidence and identity of witnesses, and would have permitted a public agency to avoid the requirements of Penal Code 933.05 to respond meaningfully to a Final Report if a grand jury did not make available to the agency "requested relevant" information, even if the information was highly confidential or inconsequential. After a fairly contentious hearing during which Judge Quentin Kopp, the author of Penal Code 933.05, objected to the bill's evisceration of that statute's provisions and representatives of CGJA and the Los Angeles District Attorney's office objected to the bill's elimination of the strict principles of confidentiality applicable to grand juries, the bill was defeated by a vote of 5 to 3, with one abstention. We would like to thank those who wrote the approximately 40 letters of opposition and the many who attended the hearing and stated their opposition on the record.

The second concern was the possibility of the introduction of new grand jury legislation in the 2004 session. As of this writing (January 30) this has not happened, but it is too early to speculate whether the 2004 legislative session is likely to include one or more bills that would put the California grand jury system at risk.

We continue to search for a mechanism to discuss proposed changes in grand jury law in a neutral forum open to all stakeholders, such as a Task Force, so that any such proposals can reflect informed input and consensus before they are introduced as bills in the legislature.

Jack Zepp, Chair  
Legal Committee

**Operations Committee Report**

As we start the New Year, Operations is in the process of reviewing its goals for 2004. We started by reviewing the achievements against the 2003 goals and were pleased to note that many had been completed. Others, such as in Research and Analysis and GRIP (Grand Jury Indexing Project) remain in place as almost ongoing objectives.

One new goal for GRIP is to post it electronically on our website and give users an electronic search tool. (GRIP is the report that indexes all Grand Jury reports from all counties. It is useful to sitting Grand Juries who may be looking for other county reports on subjects of interest.)

Research & Analysis continues to look at how Counties are meeting the requirement to file Grand Jury reports and responses with the state.

Another goal is to improve the search capability of our website, which ties into the Research & Analysis and GRIP goals. With that in mind, please see the questionnaire elsewhere in this issue regarding our website. Your response to this questionnaire will help us upgrade its capability.

Finally, I am pleased to welcome Serena Bardell (San Francisco) to our committee. Serena is a newly elected director and has indicated an interest to contribute to the Grand Jurors' Journal. Welcome, Serena, we expect great things from you.

Jerry Lewi  
Operations Chair

### ***Training Committee***

Each year the standing committees of CGJA develop a list of goals and submit it to the Board of Directors for approval. The Training Committee developed eight goals for 2004, which were approved by the Board on Jan. 26, 2004.

Our primary goal is to conduct training seminars for new grand jurors. This year we have added a fourth training seminar to serve the counties in the northern part of the state.

#### **The dates and locations of the 2004 seminars are:**

- **Visalia at the Visalia Convention Center on July 26-27**
- **Sacramento at the Holiday Inn Northeast on Aug. 2-3**
- **Redding at the Red Lion Hotel on Aug. 9-10**
- **Concord at the Concord Hilton on Aug. 16-17**

The seminar registration fee will remain \$75 per juror. An announcement letter will soon be mailed to the presiding judge in each county. A registration packet will be sent to each county grand jury in June.

Another, related goal is to produce the Seminar Training Manual given to each juror attending the seminar. The workshop presenters, the Curriculum Subcommittee and the Training Committee work together to update, revise, and improve the manual each year. The training manual is copyrighted and is not sold as a CGJA publication.

A third goal related to the seminars is to expand the scope of counties that send their jurors by holding seminars in each major region of the state. For the last several years we have conducted seminars in the Bay Area, Sacramento area and the Central Valley region. This year with the addition of the Redding Seminar in the Northern Region, we will begin exploring the feasibility of holding a future seminar in Southern California.

Reactivating the Curriculum Subcommittee is another goal. Ted Freeman, a former Marin Co. grand juror has been appointed the Chairman. Ted is a retired high school teacher and he is actively involved in the Marin County Chapter of CGJA. Other members of the Curriculum Subcommittee are Jane Hebler (San Francisco Co.); Bev Hill (Lake Co.); Dianne Hoffman (Orange Co.); Ron Miguel (San Francisco Co.) and Dick Rutherford (Kern Co.).

Other goals include:

- Encouraging some of our current presenters to cross-train by learning how to present a second workshop topic
- The development of outreach training programs such as our one-day workshop on Report Writing and also a program to deliver on-site training to an individual grand jury.
- To conduct research on methods of tracking processes for implementation of accepted recommendations in grand jury final reports
- To purchase some additional audio-visual equipment for the training seminars.

The training program is certainly one of the largest programs of CGJA in terms of manpower and time. In the last three years we have had over 1600 grand jurors, representing 45 different counties, complete our training seminar program.

Sherry Chesny, Chair

## **Membership Relations**

As many of you are aware by now, the Grand Jury System of California is under attack again. Assemblyman Todd Spitzer's AB-312, which basically does away with our ability to promise anonymity to whistle-blowers, has come back. The only thing I find refreshing about this is how our members respond to the challenge.

An email was sent to some of our members alerting them of the problem and asking them to write their Assembly member and the committee hearing AB-312, voicing their opposition to AB-312. I would have sent the email alert to all but some have not kept us informed of their change of email address and my grandkids were not around to help me through a computer problem I was experiencing.

Anyway, the results are still out on how many wrote to their Assembly member and the committee hearing the bill, but the notice from the small distribution was unreal. I received copies of the email back from many of our supporters showing they had forwarded the alert to all of their family members and friends throughout the state. Thanks to all of you who passed the email alert on and even more thanks to those who wrote letters of opposition.

The above notice brings to light an issue I have struggled with: Do any of our members not want these email messages regarding the California Grand Jury to be sent to them? In order to please as many of our members and friends as possible, if you didn't get the email alert and want to make sure you are included in the future, please send me an email letting me know you would like to receive the alerts (include your name so we can verify our records), and if you don't want any more email alerts please email me to remove your name from my alert list.

I'm going to close now with a little humor found in the Senior Personal ads in Florida: "MEMORIES: I can usually remember Monday through Thursday. If you can remember Friday, Saturday and Sunday, let's put our two heads together."

P.S. Our deadline for writing Journal articles was extended from January 9th until January 30<sup>th</sup> (after the 1/14/04 AB312 hearing). Results on the vote for AB 312 are as follows:

Aye's (to pass the bill on)	3	Daucher, Garcia and LaSuer
No's (not to pass the bill on)	5	Salinas, Lieber, Leno, Mullin and Wiggins
Abstaining or not voting	1	Steinberg

Since Spitzer promised to bring the bill back again, please be sure to email a one-line thank you note for the no vote to each assembly person who voted "no" on AB312, and also send a copy to the Chairman (Salinas).

Clif Poole  
Member Relations Chair  
(707) 447-0554  
(JCSwimm@AOL.com)

## **Ventura Grand Jury Publishes Brochure**

*By Jerry Lewi*

On January 12, 2004, the Ventura County Grand Jury completed a two-year project by having a special section printed in the local newspaper, the *Ventura Star*. The title of the section is very descriptive, *Your Guide To The Ventura County Grand Jury: What It Is, What It Does, How You Can Make A Difference.*"

This 12-page supplement defines the work of the Grand Jury, and provides detailed instructions on how to apply for Grand Jury service. It is one of the best descriptions of California Grand Juries ever seen.

The Ventura Grand Jury will be sending a copy to every other Grand Jury in the state. For more information, please contact them. Contact information may be found on their website that can be accessed from our site <www.cgja.org> by clicking on "Grand Jury Links."

This special section was made possible by the generosity of the *Ventura Star*.

*Jerry Lewi served on the 1998-99 Ventura County Grand Jury. Jerry is CGJA Vice President, Chair of the Operations Committee and the CGJA Web Master.*

### ***The Impact of Watchdog Grand Juries.***

*By Ourania Riddle*

The Sacramento Bee reported the resignation of the Mayor of the City of Marysville who had been the subject of an Accusation returned by the Yuba County Grand Jury. This is an example of the important work performed by grand juries statewide. According to the Bee -- Mayor Dirk Helder has resigned, and the district attorney prosecuting him for alleged corruption welcomed the news. In a letter to the Council Helder said that he resigns as Mayor of the City of Marysville as he will be relocating outside the jurisdiction of the city.

However, in his letter Helder did not mention that he was facing what could have been a long and embarrassing trial stemming from a formal "accusation" by the county grand jury that he broke a state law barring him from speculating on property inside the city redevelopment area on which he might vote.

Helder, who lists himself as a rancher and developer, is accused of using straw buyers to obtain and hide a financial share in a plum D Street building lot fronting Lake Ellis, the city's premier park. District Attorney Patrick McGrath said Helder did not specifically deny the facts behind the accusation unveiled last year. Instead, he challenged the "legal sufficiency" of the grand jury's assertion. No trial date had been set, but McGrath was pushing to start soon so that the issue could be resolved before Helder's term expired in November. McGrath said that he was pleasantly surprised at Helder's resignation, because it would avoid a weeks-long proceeding that might prove embarrassing to Helder and others. He said that although he has a strong case, if the city accepts Helder's resignation, he will ask the judge to dismiss the case. As we know California's "watchdog" grand juries rarely hand up such accusations. According to the Bee only about 20 have been lodged and prosecuted in Yuba County.

### ***Is your County Current in archiving Grand Jury Reports?***

*By Beverly Hill*

As the CGJA is committed to working with the counties to bring current their submissions of Grand Jury Final Reports and Responses to the State Archives annually, as required by Penal Code Section 933(b), the Grand Juror's Journal is publishing the log of delinquent reports as prepared by the State Archivist.

CGJA encourages each county's grand jury to ensure that the requirements of Penal Code 933(b) are being met.

	1997	1998	1999	2000	2001	2002	2003	2004	2005
Alameda		X	X	X	X	X			
Alpine									
Amador									
Butte			X	X	X	X	X		
Calaveras									
Colusa			X		X	X			
Contra Costa	X	X	X	X	X	X			
Del Norte		X	X						
El Dorado			X	X	X	X	X		
Fresno							X		
Glenn		X	X	X	X	X			
Humboldt			X						

Imperial									
Inyo									
Kern		X	X		X		X		
Kings			X						
Lake				X	X	X			
Lassen		X	X	X	X	X			
Los Angeles									
Madera		X	X	X	X				
Marin	X		X	X	X	X	X		
Mariposa									
Mendocino			X	X	X	X			
Merced						X			
Modoc									
Mono									
Monterey			X	X	X	X			
Napa			X	X	X	X	X		
Nevada				X	X	X	X		
Orange			X	X	X	X	X		
Placer									
Plumas			X	X	X	X	X		
Riverside					X	X			
Sacramento			X	X	X	X	X		
San Benito				X	X	X	X		
San Bernardino			X	X	X	X	X		
San Diego				X	X	X	X		
San Francisco			X	X	X	X	X		
San Joaquin									
San Luis Obispo			X	X	X	X	X		
San Mateo				X	X	X	X		
Santa Barbara			X	X	X	X			
Santa Clara	X	X		X	X	X			
Santa Cruz			X	X	X	X			
Shasta			X	X		X	X		
Sierra		X	X	X	X	X	X		
Siskiyou			X	X	X	X			
Solano	X	X	X	X	X	X			
Sonoma			X	X	X	X	X		
Stanislaus			X				X		
Sutter			X	X		X			
Tehama									
Trinity		X	X			X	X		
Tulare									
Tuolumne			X						
Ventura			X	X	X	X			
Yolo			X		X		X		
Yuba	X	X	X	X	X	X	X		

### ***Solano Chapter Report***

The Solano County Chapter of the CGJA is proud to be hosting the annual CGJA Conference this year and it is shaping up to be one of the most exciting and well-planned events ever! Our county has an array of interesting sights and vacation possibilities that we hope will appeal not only to Grand Jurors conducting conference business but spouses and friends as well who would like to have a mini-vacation! Soon everyone will be contacted to give you an array of organized tour

offerings and we hope our jurors and spouses will take advantage of these tours. Cost will be minimal to free and guaranteed to be fun! Get your reservations in early before the tour buses fill up...contact Clif Poole for more information.

Wanda Kiger -Tucker, President  
Kigertucker@juno.com

## ***Director Biography***

### **Barbara Dabul**

Barbara Dabul first became interested in the law and the courts when Judge Compton spoke at her school in 9th grade. After his speech, she approached him and indicated her interest in law as a profession. He replied, "It's not a career for women. don't go there." The year was 1956.

Barbara went to Occidental College and USC, taking a year off to spend in bed with hepatitis. She then practiced her "second-choice" profession, speech pathology, in Veteran's hospitals, universities (7), outpatient clinics, schools, and now in home health.

While living in Redlands and working at the VA in Loma Linda, she learned about the Grand Jury and applied. Accepted into the 30-person pool, she was prohibited by her employer from attending the drawing.

Upon moving to the Central Coast (Paso Robles) and becoming semi-retired, she determined to take a second shot at Grand Jury service, and this time served a year (1999-2000), holding over for three more months to aid the transition to a new jury. Barbara views that experience as one of the best educational opportunities she's had since her Ph.D., and is still learning through her association with CGJA. On the "each one teach one" principle, she got her feet wet last summer as a trainer in interviewing techniques.

## ***San Francisco Grand Jury Out from Shadows***

*By Serena Bardell*

*Serena Bardell served on the 1996-97 San Francisco Grand Jury and was recently elected to CGJA Board of Directors. Serena is a member of the organizing committee to form a San Francisco Chapter of CGJA. Opinions expressed are those of the writers.*

Whatever one thought of recently termed-out San Francisco Mayor Willie L. Brown, Jr., there could be little argument that he expressed frequent hostility to the grand jury as an institution.

At a neighborhood candidates' night, I posed a question of those vying to replace the outgoing mayor, inviting them to express their views on the value of the grand jury. Although Gavin Newsom, who was subsequently elected, was less effusive than some of his opponents, he nonetheless did say he supported and respected the role of the grand jury.

A quick check of the *San Francisco Chronicle* in the days since the mayoral inauguration shows more references to grand jury reports on various local controversies than I have seen in memory. It's as if magically a (perhaps unspoken) prohibition had been lifted.

Four subjects of recent grand jury reports received coverage in one or more articles: truancy rates; emergency preparedness; favoritism by the Department of Building Inspection toward so-called facilitators over regular folks; and disciplining errant police officers. In each piece, the writer explicitly mentioned the grand jury.

I think we may all feel heartened to see the San Francisco Grand Jury included with other investigative entities as an accepted part of the community of good government overseers and not just relegated to an annual, *pro forma* article on its findings.

### **Michael Bradbury's Remarks**

*The following is the remainder of Michael Bradbury's talk, which was given at the CGJA Annual Conference on October 17, 2003. Mr. Bradbury recently retired as District Attorney of Ventura County after 28 years of service. He is currently a partner in the law firm of Weston, Benshoof in Westlake Village. Mr. Bradbury's views are his own and do not necessarily reflect the views of the CGJA.*

#### **Part 2**

### **"The Grand Jury, Our Justice System's Stepchild"**

or

### **"Why Are You Always Picking Me?"**

and

### **"How We Can Come Back"**

I've heard government officials brag about how they "got around" the grand jury. Don't hesitate to use your power of subpoena and to put witnesses under oath in watch dog investigations. It's amazing how quickly they come clean when the threat of perjury prosecution is hanging over their head. Normally you can get what you need with a simple informal interview and its okay to proceed in this fashion where feasible. But you have to have the political will to be the 800-lb. gorilla when necessary. Just always be sure you are making principled decisions and your inquiry meets your high threshold for initiation.

Issue interim reports whenever possible. All of your investigative reports should be issued with at least 60 days left in your term so you can get target agencies responses back (don't mean the statutory ones), evaluate and publicize them before you leave office. Get the agency head back in to debrief him or her before you end your term. Keep the pressure on for as long as you can.

Grand juries need to learn to back each other up. Specifically, their predecessor. It only makes sense. If the last grand jury's report on a particular subject is sound and valid and its target sniffs its nose at it, next year's grand jury should turn up the heat. Call the public official in, put him or her under oath, and find out why they ignored the report, panned it and why no changes were made. Call a news conference after getting your ducks in the proverbial row.

I guarantee you, the grand jury which is with alarming frequency being viewed as a paper tiger will quickly come roaring back as a saber tooth. There has to be follow up, oversight and consequences for stiffing the grand jury or you may as well pack it up and go home. The bad guys have won, they've out lasted you again. And asserting your authority is a balancing act. You need to be judicious and know that public sentiment will be with you before you push the envelope. But you will generally have the public and media support you need because they are inherently suspicious of government. This means that you must at all times act with integrity and high purpose. The first time you take unfair advantage or act without a strong predicate, you contribute to your demise and the glee of your detractors.

Media Relations. This is crucial and goes hand in hand with a good marketing strategy. It's hard to develop good strong media ties when you have to say "no comment" all the time. But unless you have a huge public relations budget the newsies are your only major access to the citizenry. You have to move past the idea that it's bad to talk to the press. All of your training and advice tells you to stay away from the media. I think differently. First, pick a couple of your most genuinely charming and intelligent people as the grand jury information officers. Get them some media relations training. I wrote a manual on this for DAs. There must be lots of these publications floating around. Have your PIOs talk with retired reporters to learn the ins and outs of the business, the care and feeding of the media. Then instill in them what they can and can't talk about. Then turn 'em loose. Go on talk shows, take editors and reporters out to lunch, visit with editorial boards, and propose programs on the grand jury for cable television. Demystify. You've heard that said many times but you don't really do it. Because you too love the mystique and mystery that surrounds grand jury service. Give them a glimpse into the nooks and crannies. Stage some investigatory proceedings for the media to witness so they understand what goes on in chambers. At first they may think you've simply hidden the racks and screws but they will love it and when they write about grand jury investigations that have become public they will have a better feel for the

story and to treat you more kindly and gently. Cops do this with great effect. You're part of government and keep it as open wherever possible.

Some of you budding authors should write books about the grand jury process and expose the myths. Maybe even in conjunction with a journalist. If it centered around an exciting investigation or criminal case it would have a great chance of success and you would be making a significant contribution to the perpetuation of your institution.

You prepare grand jury manuals for grand jurors. How about preparing one for the public at large explaining and demystifying one for the media, one for government officials that you may investigate, maybe even one for criminal defense attorneys.

You're thinking I've gone over to the enemy – to the contrary, I want us to think out of the box in order to outflank the enemy! This is the primary message this evening - blue sky it in trying to come up with ideas to assure your survival. Try those that work, chuck those that don't. But don't be afraid to try something new and perhaps even controversial.

The last thing I want to talk about is the indictment process. I've yet to meet a grand juror that doesn't love to hear the gory details of a criminal case. Don't be ashamed to admit it. I lived them for 35 years, loved them, too. They are exciting and give you a glimpse into another world. You're losing indictments because you don't look right, in other words, you lack diversity. Ventura bellied up a few years back because the courts wouldn't change the way they did business in selecting grand jurors until it was too late. Examine yourself, write a report on your grand jury make up and what it will take to have you pass constitutional muster. You have no jurisdiction to investigate or examine the courts but you can do a self inspection that will certainly get the court's attention regarding what it must do to retain or recapture the indictment function in one grand jury. It makes much more sense to keep it with one traditional grand jury that meets 21<sup>st</sup> century due process standards from several perspectives including cost, efficiency, time and credibility. You will have to address the criticisms of ineptness if grand jurors are selected in a legally acceptable manner. This can be largely solved by a successful marketing and recruitment program referenced earlier so that you capture a well-qualified diverse universe of people from which to select jurors.

In a couple of weeks I will deliver a paper on federal investigations of corporations to about 500 European lawyers in London. In preparing my remarks I spent a lot of time looking at federal grand juries. I was reminded of what a remarkable and indispensable institution the grand jury is. It is a powerful tool for good. It provided the government with the capability to effectively prosecute the Enrons, Global Crossings and Imclones of the world; corporations who bankrupted tens of thousands of good people and wiped out retirements and largely destroyed our nation's confidence in corporate America and our financial institutions. Investigative grand juries played a critical role in righting these wrongs. No other tools would have been as effective. As you know, they have always played a major role in easing the pain of sexual assault victims by shielding them from the media and heartless defense attorneys in preliminary proceedings. We should not give up this and the other great protections a grand jury can provide without a fight. You should be proud of your service to your community and nation as a grand juror. But you have an obligation to preserve the institution as well. I congratulate and salute you for your good efforts to date. I have recently read some of the specifics of your efforts to defeat bad legislation and your participation in statewide forums and fact gathering conferences. This is indeed important work.

If there is anything I have offered here this evening that might be helpful, terrific. My name is Mike Bradbury; call me if you need a good lawyer. If it sounded like a lot of hot air, I'm Ed Jagels DA from Kern County.

God bless you and God bless America.

### ***Grand Jury Expenses***

For a table of recent Grand Juries expenses, see our printed version of this Journal.

***Letter to the Editor***

Thanks for the DVD

Dear Journal Editor:

I have received the DVD set sent to the Siskiyou County Grand Jury that provides relevant training information to incoming Grand Jurors. I feel it has great value and wish to incorporate the set as part of our training library. This set, which was produced by the CGJA along with the University of LaVerne's College of Law, is very professionally put together. In my opinion, all incoming Grand Jurors in counties such as mine where budget and staff are too small to allow personal attendance at such seminars as the one where this was filmed should view it.

My coordinator has authorized me to purchase three additional sets for our library. I have ordered these and look forward to prompt delivery of them so I can distribute them to my members. Even though we are halfway through our term, the new Jurors will still benefit greatly from viewing the DVD.

Please do not hesitate to use our Grand Jury as a reference in marketing this type of information to other Grand Juries in California. Again, with budget concerns being what they are with the smaller counties in California, this is a very creative way to get your information out there.

Sincerely yours,  
Robert D. Cameron  
Foreman, Siskiyou Co. GJ