



In this issue: Prez profile | Donors | Admonitions | Local achievement | Media coverage | State news | Ask the trainer | Upcoming events | Board actions



Meet the CGJA President A Profile of Larry Herbst

Grand Jury Service

Began grand jury service in July 2013 in San Luis Obispo County

Served as committee chair, authored several reports and participated on the editorial committee

Foreperson of the 2014-15 panel

Active in the San Luis Obispo County Chapter since 2015

CGJA Service

Active member of the Public Relations Committee since 2015

Elected to the Board of Directors in 2016, representing the south region

Reelected in 2018 Oversaw development of the new website that launched in November 2017

Continues as webmaster

Elected president for a two-year term in October 2018

Election promises (as director)

Enhance CGJA's value to the 58 counties by adding members and recruiting those with key skills to further grow the association and its chapters

Expand the capabilities and usefulness of the website, thereby increasing the repertoire of resources for chapters and sitting juries throughout the state

Help CGJA provide the best service to its membership

Personal life

Married with grown children and a cat

Bachelor and Master of science degrees in electrical engineering

Preretirement occupation: executive engineering manager of computer and storage systems for the information technology industry

Thank You CGJA Members and Friends! End-of-Year Donation Campaign for 2018

by Ron Zurek, Finance Committee Chair



The Finance Committee conducted a donation campaign in conjunction with the giving season starting just prior to Thanksgiving through the holiday season to the end of the year.

Our 2018 campaign was very successful, raising over \$2,400. Although those who donated were sent a personal thank you card from CGJA President Larry Herbst, the Finance Committee wants to publicly thank those members and friends who gave generously. They are

Lloyd Bell
Marsha Caranci
Bernadette Cheyne
Linda Glasscock
Lawrence Herbst
Dianne Hoffman

Karen Jahr
Marianne Jameson
Marina Kaiser
Mike Krey
Joann Landi
Lanny J. Larson

Irene O'Connell
Jim Ragan
Verlaine Lyn Schneider
Thomas Simpson
Martha Whittaker
Ronald Zurek

Your support allows CGJA to promote, preserve, and support the grand jury system through training, education, and outreach. Thank you.

If an Interviewee Refuses to Sign an Admonition

One of the grand jury's discretionary powers is to administer an admonition, which directs an interviewee to keep secret anything discussed during a grand jury interview.

The California Attorney General has approved the wording of the grand jury's admonition and concluded that its violation may constitute contempt of court. (Opinion No. 02-1108)

CGJA recommends as a best practice that the grand jury read the Attorney General's admonition to each interviewee. Ask them to confirm that they understand the admonition, and have them sign and date two copies of it. A signed copy is a reliable record that the admonition was given and that the interviewee acknowledged the duty of secrecy. It should be kept by the jury until the end of the term.

The interviewing team should give the second signed copy to the interviewee at the end of the interview and remind them of the duty not to reveal anything said or any records discussed during the interview.

On rare occasion, an interviewee will refuse to sign the admonition.

There is no legal requirement that the admonition be signed. We believe, however, that every interviewee should be encouraged to sign it. Ask the interviewee why they won't sign. Try to allay any fears they may have by explaining that the signed document can be helpful should they be asked questions about the interview by others. Also state that the grand jury is bound by the same admonition. If the interviewee still refuses, one of the jurors should write "Read to interviewee -- declined to sign" on the bottom of both copies of the admonition form and sign and date them. Give one copy to the interviewee.

A refusal to sign the admonition does not absolve the interviewee of the legal duty to hold confidential all they saw and heard during the interview. As long as the interviewing team reads the admonition to the interviewee, it is binding.

The admonition can be found in our Training Manual at Tab 6, page 11, or on our [website](#), under [Jury Resources, Sample Documents](#).

Has Anyone Local Contributed to the Grand Jury?

by Audrey Lynberg, Awards Committee

The CGJA **Local Achievement Award** is designed to recognize non-CGJA individuals or organizations who have made significant contributions to the activities of their county grand jury. CGJA looks to chapters, associations, local current or former grand jurors or a group of interested citizens to prepare the award and to schedule the presentation.

Upon request, the CGJA may participate in the presentation. Past awards have gone to an individual who devised a marketing plan for juror recruitment and to a high school teacher for support of a mock grand jury program. For more information, see our [website](#) or email [Audrey Lynberg](#).

Board of Directors election coming up in a few months

Think about it.



2017-18 Grand Juries in Eight Counties Received the Most Media Coverage

by Jim Ragan, CGJA News Blogger and Chair, Public Relations Committee

In 2018, we posted over 500 media articles (print and electronic) about California grand jury matters on our website's news blog. Most dealt with 2017-18 grand jury reports.

Here are my overall observations as our main news blogger:

Grand juries in eight counties received media coverage more than 20 times: San Diego (39), Marin (34), Tuolumne (31), Napa (29), Kern (27), San Mateo (25), Santa Barbara (24), and Orange (22). Tuolumne scores so high this year because of one report that attracted major media and public attention – and continues to do so. This normally happens in some county every year.

Half of the grand juries received coverage from the teens to just 3 times. Grand juries in 15 counties received no media coverage – as least insofar as our news blog could find.

Turning to the reporting media, *The Union Democrat* (serving Tuolumne and Calaveras counties) and the *Marin Independent Journal* topped our list with 31 articles each. The *Napa Valley Register* (24) and the *Mercury News* (21) were close behind. The latter three newspapers are consistent leaders statewide in covering grand jury reports, entity responses, and public reactions.

The major statewide newspapers in the state, the *Los Angeles Times* and the *Sacramento Bee*, are close to missing in their grand jury coverage. They occasionally publish articles about grand jury reports outside their counties, but rarely report on the grand juries in their own counties.

Internet-only media are making their presence known. We especially acknowledge *Voice of OC* (Orange County) and *Voice of San Diego*. Their articles, generally supporting the grand jury, are in much greater depth than those in the print media. We see this as a trend.

Go to our [news blog](#) to access the articles. Use the blog's search engine to find articles by county, media source and topic.

If you would like to receive a simple Excel document displaying the data I compiled, please email me: [Jim Ragan](#).

And, at the same email address, I invite your comments on the usefulness of this information and how we might use it.

NEWS FROM AROUND THE STATE

from Humboldt County by Tim Hafner

The Humboldt County Chapter held their Annual Membership Meeting on Tuesday, January 8. Approximately 20 members attended a no-host lunch and an abbreviated business meeting at *Rita's Margaritas and Mexican Food*.

The main order of business was the election of the officers and directors for the 2019 year. The slate of officers was elected by acclamation. They are: Tim Hafner, president; John Heckel, vice president; Jim Glover, secretary/treasurer; and directors, Sara (Sam) Giannandrea, Jean Guthrie and Wayne Ventuleth. Joseph Kravitz is director/sitting grand jury liaison; Eddie Morgan is our webmaster.





from Siskiyou County by Gina DeRose Bell

The Siskiyou County Chapter of the California Grand Jurors' Association was certified in July 2018. We have made progress organizing to assist the superior court with a recruitment plan for civil grand jurors, one of our main goals as a chapter.

We have been working toward creating a unified recruitment package, with all printed and visual material having a common color scheme and organization – with similar content. We want to present recruitment information to the public in a memorable and consistent way.

Several members have created presentation materials to be used at local civic groups, which introduces interested citizens to civil grand jury service. This short PowerPoint presentation and speech will be used as part of our public outreach. About fifteen minutes long, we intend it to give information concerning service as grand jurors, answer common questions, identify what the grand juror does and how the jury conducts its business and explain how to apply for grand jury membership.

Our members believe a potential applicant needs something to take away with them. As a companion piece, the chapter has created and printed a six-panel full-color brochure focusing on recruitment. It will be handed out during recruitment activities, and we will request contact information from those who receive a brochure so we can build a pool of interested candidates.

The front panel is very simple. It names the grand jury, suggests the value of volunteering and contains a mission statement. The three inside panels contain the meat of the brochure. It begins with a brief history of civil grand juries, followed by a section on how the grand jury works, how investigations are handled and the basics of reports. The last inside panel lists the necessary qualifications for serving on a civil grand jury. It also contains the location of an application online and tells the reader they are also available at the county administration office.

The center-back panel contains a section explaining what former members have gained from serving on a grand jury and recent grand jury reports, for the curious to read, along with a link to the website. Finally, the last panel again tells the interested person how to obtain an application, where to write for more information, how to contact our chapter and the CGJA website.

The brochure is intended to be visually appealing. It contains plenty of open space and features a photograph of Mt. Shasta, taken by a chapter member.

Along with the introductory presentation and recruitment brochure, the presenters will have applications at hand to complete the civic outreach piece of our recruitment plan.

Our chapter has also been planning an educational piece for the newly appointed grand juror and has completed an orientation presentation, which will be used, prior to the CGJA training. It is designed to answer some of the new grand juror's most pressing questions about meetings, time commitments and other basics. We are planning an educational brochure to round out the educational presentation.

Our members feel that we have met our goals for our first year and have many more goals planned for our upcoming fiscal year. We want to share our accomplishments with the associations and express our gratitude to the association and to the Siskiyou County Superior Court. We are pleased to be able to contribute to encouraging participation in civil grand juries in California.

View list and contact information for chapters and associations.

Ask the Trainer by Marsha Caranci, CGJA Training Chair



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 at cgjatraining@cgja.org. The Training Team's response to your question might appear in a future edition of the *Journal*.

Q. May a grand jury reveal in their report that they interviewed the head of the department or the elected official in charge of the entity being investigated? Based on the requirement to "meet with the subject" it would seem that it should be okay to identify that person as a source of information.

A. Penal Code section 929 provides that a grand jury may make available "... evidentiary material, findings, and other information relied upon by, or presented to, a grand jury for its final report in any civil grand jury investigation provided that the name of any person, or facts that lead to the identity of any person who provided information to the grand jury, shall not be released"

In *McClatchy Newspapers v. Superior Court*, 44 Ca. 3d 1162 (1988), the California Supreme Court wrote: "... there is a purpose to be served by requiring the grand jury to issue a report ... without revealing the identity of the witnesses or the exact content of their testimony The grand jury may, of course, refer in its reports to evidence supporting its conclusions by summarizing or paraphrasing the evidence, so long as the identity of witnesses is not thereby revealed, directly or by implication from content."

We understand that some legal advisors have opined that a grand jury report may indeed identify by name or position a "subject" who was interviewed by the grand jury, provided that there is no connection made between that person and specific information provided to the grand jury. This identification, by name or title, would be placed in the "Methodology" section of a report. The grand jury should always follow its own advisor's advice on this and other legal issues.

However, our Legal and Legislative Resources Committee (LLRC) continues to recommend as a "best practice" that the names, titles, or other information that could lead to the identity of individuals providing information to the grand jury not be included in the report. The Methodology section could instead state something like "the grand jury interviewed several top administrators and staff members."

This best practice suggestion is based on the lack of specific statutory authority for identifying witnesses. Our concern is that including any names, titles or other identifying information in a final report (even if only those of elected or appointed officials) may have a "chilling effect" on whistleblowers, who might be reluctant to provide information to a grand jury if they believe a grand jury can reveal the names or positions of witnesses.

Q. May a grand jury write a report that is informational only and has no findings or recommendations?

A. There is no authority for issuing just an "informational report."

Penal Code section 933(a) requires grand juries to submit to the presiding judge a "... final report of its findings and recommendations." According to the *McClatchy* case cited above, "This section implicitly calls for a grand jury to distill its conclusions from the evidentiary materials before it by determining the credibility of the testimony, drawing inferences, and resolving conflicts – such a process is implicit in the words 'its findings.'"

The grand jury's job is not to just record the evidence, but to analyze the facts (which have been verified) and draw conclusions (findings) from those facts. That doesn't mean that findings need to be critical. If the grand jury concludes that the entity is functioning properly, it can issue a report with only positive findings – which would meet the mandate of PC §933(a).

2019 CGJA Training Dates

The **CGJA Training Committee** is pleased to announce the following training dates and locations for 2019:

Regional two-day Training Seminars

- Sacramento, Tuesday and Wednesday, July 16 and 17
- Redding, Monday and Tuesday, July 22 and 23
- Visalia, Tuesday and Wednesday, July 30 and 31

Foreperson and Pro Tem Workshops

- San Mateo, Saturday July 13
- Sacramento, Monday July 15
- Redding, Saturday July 20
- Visalia, Monday July 29

Legal Advisors' Training and Workshop – CGJA will offer MCLE credit to grand jury civil legal advisors who attend one of our regional seminars and the breakout Legal Advisors' Workshop, which will be held:

- Sacramento, Tuesday and Wednesday, July 16 and 17
- Visalia, Tuesday and Wednesday, July 30 and 31

On-site Training (for one to three counties) – these seminars are arranged directly with the counties.

Report Writing Workshops – to be scheduled in the fall

More detailed information may be found on our [website](#) or email [Marsha Caranci](#).

Annual Conference Site and Dates Set



Photos by Jerry Lewi

Planning is currently underway for the **38th consecutive CGJA annual conference and membership meeting** (photos are from the 37th). This year's event will be at the **Embassy Suites** by Hilton **Sacramento Riverfront Promenade**, near the heart of downtown Sacramento. The dates are Sunday and Monday, November 3 and 4, 2019. By starting the program at 1:00 pm the first day and ending it by noon the second day, out-of-town attendees only need to plan on a single overnight stay. Unless, of course, they wish to take advantage of the many educational and entertainment opportunities in the area.

The expanded Annual Conference Committee, chaired by Lloyd Bell, is busily constructing a program that will combine authoritative speakers on timely topics and several panel discussions on topics of interest to both chapters and sitting jurors in a format that will allow for ample interaction among the attendees and panelists. Based on the response to last year's session on the Chapter-Court Partnership, this year's program will feature a two-hour session on an equally compelling subject.

There is still room in the program to add topics of interest to our members. If you have one you would like to see added to the program, or a speaker who would be of interest to the CGJA membership, please let us know. Take a few minutes now and submit your thoughts to the [committee](#) or directly to [Lloyd](#).

Mark your calendars today and join us in Sacramento! [Stay posted at our website.](#)

Letters

Feel like sounding off on something besides the current political climate? Give us your thoughts on CGJA or grand jury matters. Send your comments to editor@cgja.org.

Recent board actions

Board Meeting, Jan. 22, 2019

Ratified the appointments of Lloyd Bell as Chair of Nominations-Elections Committee (NEC); Ron Zurek and Medsie Bolin (Southern Region); Barbara Sommer and Karin Hern (Central Region); and Jerry Kunkle and Tim Hafner (Northern Region) as committee members.

Approved an expenditure of up to \$9000 for the production of two new training videos from the general fund and authorized President Herbst to sign a contract with the video company for up to that amount.

Retroactively approved the Administration expenses exceeding the Board approved 2018 CGJA Budget.

All approved board meeting minutes are available on the CGJA [website](#).

Barbara Sommer, Secretary

Keep us posted

Send us your chapter or association news and accomplishments. Format articles in Word and send as email attachments to Barbara Sommer editor@cgja.org. For more details see [How to submit an article](#).

**DEADLINE for submitting articles for publication in the next issue
March 25, 2019**

Change of address - Please notify the editor@cgja.org of any email address changes.

Join/Renew your membership

Serve on a committee - fill out our [Volunteer Interest form](#).

The mission of the CGJA is to promote, preserve, and support the grand jury system through training, education, and outreach.

Contacts: [Officers and directors](#), chapter and associations [presidents](#)

STAY CONNECTED



Visit our website



California Grand Jurors' Association Voting Member Application

To promote, preserve, and support the grand jury system through training, education, and outreach

Check all that apply: New member* Renewal

Check one: 1 yr. membership, \$30 2-yrs or more (specify if more) \$25 per yr. Lifetime \$500

Please type or print legibly

Email address

Telephone

Name

Mailing address

City

County

State

Zip+4

California county of service

Year(s) served on Grand Jury (e.g., 2000/01)

Are you a member of a local chapter or association? No Yes (please specify)

Please consider adding a donation \$ _____ Do you wish your donation to remain unpublished? Yes No

Make check payable to California Grand Jurors' Association or enter credit card information below.

The California Grand Jurors' Association will not knowingly provide, sell, trade, transfer or in any other way deliberately reveal any such private member information to any party outside of the California Grand Jurors' Association

Applicable fees will be charged on returned checks

Amount enclosed _____ or _____

Credit card amount _____ (MC, Visa, AMEX, Discover – fill in the information below)

Card number _____ – – – Exp. Date ____ / ____ Security code (on back of card) _____

Billing name (if different from above)

Billing address (if different from above)

Signature (OK to type)

CGJA is a California Nonprofit Public Benefit Corporation and designated an IRS Section 501(c)3 Tax Exempt Corporation. CGJA annual membership dues of \$75 or less are of token value, not substantial, and fully deductible. Contributions to the association are deductible to the extent permitted by law.

***Individual (voting) membership** is open to any person who is serving or has served as a member in good standing on a county grand jury in California. Members elect a Board of Directors to conduct association business. Members are eligible to serve on association committees, attend the association's annual conference at locations throughout California and receive the CGJA Journal, containing periodic updates of association and grand jury developments.

Please continue to page 2 to indicate or update your volunteer choices and information.

Support our important work with your time!

After you have completed this form, either

1) scan and email to the CGJA Treasurer at treasurer@cgja.org or

2) print and mail to **California Grand Jurors' Association, Attn: Treasurer. 1017 L St, #320, Sacramento, CA 95814.**

CGJA Volunteer Interest Form

CGJA is an all-volunteer membership organization. We succeed mainly because our members **volunteer** to serve on our committees and/or train grand jurors. Serving on committees almost never requires travel. We communicate via email and computer video and telephone teleconferencing. Trainers travel throughout the state. We reimburse them for lodging and pay the government rate for mileage and a modest per diem for other expenses.

Contact Information			
Name		Phone	
Street		Email	
City, ZIP		County	

CGJA volunteers work mainly in committees and/or as grand juror trainers. In which areas are you **interested** in volunteering? Please check (with an x) each box as applicable.

Annual Conference Committee - oversees the preparation and conduct of the CGJA annual conference.

Awards Committee - administers the selection of winners of the awards given throughout the year.

Bylaws & Policies Review Committee - reviews proposed amendments to CGJA Bylaws and Policies, committee procedures, and chapter bylaws.

Finance Committee - oversees CGJA's financial management.

Legal & Legislative Resources Committee - formally responds to legal and "best practices" questions; monitors legislative activity affecting the grand jury system.

Membership Relations Committee - encourages membership and chapter formation and communication; supports regional activities.

Public Relations Committee - manages the website; publishes the *Journal*; educates the public in support of California's regular grand juries.

Technology Committee (new) - oversees and supports CGJA's technical, data, storage, and communications resources.

Training Committee - develops and conducts annual training programs for grand jurors, alternates, forepersons, and grand jury legal advisors throughout the state.

Trainer - train grand jurors under direction of the Training Committee.

Special Skills/Qualifications. We frequently seek volunteers with special skills and qualifications to carry out specific tasks. Please check each box as applicable.

Microsoft products: mainly Word, Excel, PowerPoint

Database management

Quickbooks Online

Bookkeeping or accounting

Video production

Education program development or management

Sales and marketing

Web page design, management, and optimization

Social media development and operation

Information technology management

Public speaking or lecturing

Publication writing, editing, or production

Legal expertise in nonprofit, corporate, or grand jury law

Teaching

Go to next page

CGJA Volunteer Interest Form

Please summarize your grand jury, other volunteer, and work experiences as related to the interests, skills, and qualifications that you checked on page 1.

Signature (okay to type)	Date
--------------------------	------

After you have completed this form, either

- 1) scan and email to the CGJA Treasurer at treasurer@cgja.org or
- 2) print and mail to **California Grand Jurors' Association, Attn: Treasurer. 1017 L St, #320, Sacramento, CA 95814.**

Thank you for your interest in volunteering with us.