

California Grand Jurors' Association
Board of Directors Meeting—February 24, 2013
MINUTES

A. Call to Order & Roll Call

Boultinghouse (vice president) chaired the meeting. The roll was taken, and the meeting began at 8:30 AM. This was an in-person meeting at the Holiday Inn Express, 2981 Advantage Way, Sacramento.

Present: Directors Boultinghouse, Caranci, Hern, Jahr, Monaco, Mufson, North, Ragan, Trautman, Walker; former Director Lewi (10 directors present)

Absent: Directors Greenberg and Hoffman

B. Agenda and Comments

B-1 Agenda Approval: Boultinghouse
The agenda was accepted as submitted.

B-2 Member Comments
On behalf of the Board, Mufson presented to North a plaque acknowledging his significant contributions to CGJA.

C. Consent Items

C-1 Approval of the CGJA Board Minutes, 1/22/13: Ragan

C-2 Acknowledgement of Training Committee Minutes and the Executive Committee Minutes (1/31/13) in the 2/24/13 board meeting packet: Boultinghouse

The Board unanimously approved the two Consent Items as submitted.

D. Standing Committee Chair Reports

D-1 Legal and Legislative Resources Committee (LLRC)

Chair Jahr said that the committee has recently received inquiries from a court executive officer, a chapter, and jurors. Committee chairs, trainers, and non-trainer board members will receive responses to all inquiries.

Jahr said that the committee continues to work with Director Monaco in developing an Excel spreadsheet that will catalog all responses (past, present, future) that will allow the reader to find and question and response by date, who asked, who answered, and topic.

D-2 Public Relations Committee (PRC)

Chair North reported that CGJA held a press conference on February 5, 2013, to launch the Lt. Governor Gavin Newsom Public Service Announcement (PSA) promoting the grand jury. Links to the PSA are available on the CGJA web site. The PSA is current as long as Newsom is Lt. Governor.

We are now on LinkedIn. Our Blog will follow through Facebook and Linked In. We currently have over 200 Facebook and 80 LinkedIn links and 10 Twitter followers.

PRC member Lewi distributed to each director 5 copies, for sale, of the second edition of the CGJA book, *The California Grand Jury System, "Keeping an Eye on Local Government," the History of Grand Juries, Grand Jury Law, and How Grand Juries Work*. The cost of each book is \$10 (including tax). Lewi said that when directors sell copies, they should identify the purchaser and the date and county of sale.

D-3 Membership Relations Committee (MRC)

Chair Mufson said he went to San Bernardino County to deliver the chapter's CGJA charter. A positive news article of the event appeared the next day in the local newspaper.

Over 60 people (including some IMs) attended the February 9 regional meeting in Sacramento. Good meeting.

Previous Board actions removed CGJA chapters in Monterey and Nevada counties. CGJA letters to leaders in the two chapters have requested that remaining chapter funds be transmitted to CGJA. No response yet.

The CGJA Executive Committee approved the charter for the Yolo County chapter (1/31/13).

Mufson asked Board members to visit chapters in their districts and to consider how to introduce chapter formation in counties that don't currently have chapters.

Mufson added that we should all stress that CGJA members in one county can be members of chapters in other counties.

D-4 Training Committee (TC)

Chair Caranci reported that the just completed Train-the-Trainer workshop was long and productive. It is important, she said, for all trainers to know what is going on in all subjects. Trainee news included the involvement of two new trainers (previously announced at the January meeting) and the withdrawal of Catherine McKown as a trainer and committee member.

Caranci stressed (reinforced by Trautman) that it is important for all board members to observe both regional and on-site training sessions if they have not already done so.

D-5 Finance Committee (FC)

Chair Monaco reported that the committee is working with the accountant on asset valuation and tax filings and with a local QuickBooks (QB) expert on asset valuation, chart of accounts, and QB usage.

The committee is determining what is necessary for the CGJA and its chapters and associations to file with federal and state agencies (IRS, FTB, CA AG). Once settled, the committee will confirm that CGJA has or is filing per requirements and will generate recommendations for chapters to follow.

CGJA will close the Bank of America checking account once we reach check number 6700 (less than 30 checks left).

The committee will submit a request to PR Committee to remove financials (2010) from CGJA website and cease publishing financial statements on our site.

D-6 Awards Committee (AC)

Committee member North reported that the 2013 window for submittals for the Excellence in Reporting (EIR) Award is April 1 to May 31.

He said that activities of the Honor Roll Committee are in limbo awaiting results from the History and Archives Committee (HAC). It may result in merging the two committees.

Trautman asked whether the Board should approve local achievement awards. Consensus appeared to be yes.

Ad-Hoc Committee Reports

D-7 Annual Conference Committee (ACC)

In Co-Chair Greenberg's absence, Boultinghouse reported that the proposed venue for 2013 Annual Conference is the Radisson Hotel & Conference Center in Fresno. The time frame is November 14 to 17. Boultinghouse will check on the exact dates. Greenberg and Co-Chair Shepp are working on the budget. Caranci pointed out that the conference venue, dates, and budget require board approval. She also said that the Board should soon approve the 2014 Conference venue, as well.

D-8 Education Committee (EC)

Chair Boultinghouse said that the committee is now collecting information.

D-9 History & Archives Committee (HAC)

Committee Member Ragan said that the committee had met and discussed required retention periods for records. In reviewing the committee minutes, Trautman said that insurance policy records should be retained permanently.

D-10 Financial Review Committee (FRC)

Director Hern reported that the committee will not meet until the summer.

D-11 Fund Development Committee (FDC)

Board members have received from Trautman and Committee Chair Shepp. One of the tasks of the Board retreat on the afternoon of February 24 is to talk about fund development priorities.

D-12 Nominations and Elections Committee (NEC)

No report.

E. Action Agenda

E-1 Expanded Electronic Distribution of the Journal: North

The Journal has become a high-quality source of information about California's grand jury system. The emergence of no-added-cost methods of distribution via email will allow an expansion of CGJA's outreach.

The motion is to expand CGJA's outreach by expanding the distribution of the Grand Jurors' Journal to all past Introductory Members (IMs) on an opt-out basis and offer electronic distribution to interested members of the public on an opt-in basis via the website and social media tools (Facebook, Twitter, LinkedIn) at no additional cost.

Mufson said that the downside of offering the Journal free is that some people pay dues just to receive the Journal. Hern added that it might, therefore, take away a benefit of membership. North said that the Journal is now available for free on the CGJA website.

The motion passed, 8 ayes, 1 no, 1 abstention: Ayes—Boultinghouse, Caranci, Jahr, Monaco, North, Ragan, Trautman, Walker; No—Hern; Abstention—Mufson.

E-2 Next Steps re Inactive Chapters: Mufson

For several years, two county chapters have had fewer than 5 CGJA members and are, therefore, subject to charter revocation. Recently the Board revoked the charter of two other chapters for this reason. The CGJA Policy Manual, §7.007, establishes a procedure for chapter dissolution.

The motion is for the CGJA President to initiate the procedure for chapter dissolution as called for in §7.007A by sending a registered letter and email to the chapter president, and a regular mail or email to the known officers and members of said chapter and any CGJA voting member in that county informing them of the infractions and requesting a response within 15 days from the date of the letter. Next steps will depend on responses received.

The motion passed unanimously.

E-3 New CGJA Chapter: Mufson

CGJA has received a Resolution from CGJA members in Madera County requesting to be recognized as a duly organized chapter of the CGJA.

The motion is to approve the petition from CGJA members residing in Madera County to become a Chapter of the CGJA.

The motion passed unanimously.

E-4 Proposed Preliminary Guidelines re Chapter Implementation Review: Trautman

Trautman said that there is much misinformation among chapters regarding CGJA's position on local chapter implementation review of past grand jury reports. We need to nip this in the bud ASAP, he said. The recommended action allows the President to communicate with the chapters to make clear CGJA's position. It is only a start, but it is a start.

The motion is to approve the CGJA's Proposed Preliminary Guidelines for Chapter Implementation Review for Past Grand Jury Reports, as modified by board discussion at this meeting, and to authorize the President to communicate these Guidelines as soon as possible to chapters.

In the discussion, there was general agreement from the start that such preliminary guidelines are needed and that it would start a process of CGJA-chapter interaction on the development of permanent guidelines. Concerns expressed included what might be our legal risks and at what time we should interact with chapters. Mufson expressed the view that such interaction should begin immediately. Others felt that the Board should coordinate its initial efforts and develop preliminary guidelines first and then set up an ad hoc committee with chapter members to finalize the guidelines. The latter view prevailed.

The discussion then turned to editing each of the proposed preliminary guidelines.

The motion passed, 9 ayes, 0 no. North was out of the room when the vote was taken. See Attachment for Preliminary Guidelines.

It was agreed that a Board Ad Hoc Committee would then "put some flesh" on the preliminary guidelines and send them to Board members for comments prior to distribution to the chapters. This committee's charge is also to propose to the Board what the CGJA/Chapter Ad Hoc Committee will do.

Trautman appointed the following members to the Board Ad Hoc Committee: Trautman (co-chair), Jahr (co-chair), Boultinghouse, Hern, Hoffman, Mufson, and Walker.

E-5 Grand Jury Training Scholarships: Caranci

The Training Committee (TC) recommends that it be able to offer scholarships to a few counties in 2013 that have not or cannot afford to use CGJA training. This means CGJA will absorb the registration fee, including materials, and the trainers' travel and per diem expenses not to exceed \$6,000.

The motion is to authorize the Training Committee to offer scholarships to counties that have not or cannot afford to use CGJA training at a cost of not to exceed \$6,000 for registration, materials, and trainers' travel and per diem expenses.

Caranci said that a few counties don't have the funds for training. One county's total grand jury budget, for example, is \$1,000. Maybe some other counties don't yet see the value of CGJA training. In some counties where we have been successful, funding is not an issue. We have previously underwritten training costs for some trainees, and this has resulted in more paid trainees in later years. When those trained go home, they tell others about the value of the training. Providing scholarships may be another way to get our foot in the door to establish credibility and value.

Concern was expressed about this setting a precedent. Caranci responded that the motion is for 2013 only and not an annual expense.

Responding to a question about why \$6,000, Caranci answered that TC bases the amount on the expenses CGJA incurs. On the average, it costs us about \$2,000 to do an on-site training event. \$6,000 is the maximum.

Asked about criteria for selection, Caranci said that this would be a private offer negotiated on a case-by-case basis.

Monaco asked about the feasibility of offering training via Skype, which would reduce training costs for counties. Caranci responded that the TC's position is that training has to be in person. The personal connection is important. Offering an Internet alternative would diminish demand for the live program and lose the interaction and exchange of ideas with trainers.

The motion passed unanimously.

G. Adjournment (1:12 PM, including a 30-minute break for lunch, which was tasty)

Respectfully submitted,
Jim Ragan, Secretary

**Preliminary CGJA Guidelines for Chapter Implementation Review
of Past Grand Jury Recommendations (2013)**

Under state law, the local government entities that are investigated by the grand jury must respond to any recommendations contained in the grand jury's final reports. The allowable responses are that the entity: (1) has taken the action recommended in the report; (2) will take the action by a particular date; (3) will study the recommendation within six months of the date the report was released; or (4) disagrees with the recommendation and will not take the action, with an explanation. (Penal Code §933).

CGJA encourages each of its local chapters to establish a program for Implementation Review (Chapter IR) to determine whether the entities have followed through with the action they said they would take in response to the grand jury's recommendations (see CGJA Articles of Incorporation, Section B.10).

CGJA is currently considering final guidelines for Chapter IR. The following are *preliminary* guidelines, which will be refined by CGJA in consultation with its chapters.

1. CGJA will promptly establish an ad hoc committee, which will include chapter members, to finalize these guidelines.
2. Chapters should seek the approval of and work with the local Superior Court to establish Chapter IR procedures best suited to their particular county.
3. Chapters must coordinate their Chapter IR process with the sitting grand jury to assure mutual support and to avoid any conflict in jurisdiction or roles.
4. CGJA will provide to local chapters suggested forms for correspondence and other types of communications that clarify the IR role of the chapters.

5. CGJA, working with the chapters, will establish guidelines for use of chapter and CGJA letterheads and logos.
6. In their Chapter IR activities, former grand jurors should clearly represent themselves as members of a former grand jurors' organization, or as former grand jurors, or as private citizens speaking for themselves but may not identify themselves as being the author of or otherwise associated with writing a grand jury report(s).
8. Former grand jurors must always be mindful of their lifetime confidentiality oath in carrying out their Chapter IR program.
9. Former grand jurors must avoid any inflammatory statements or provocative activities in carrying out their Chapter IR program in order to minimize the possibility of legal liability.
10. CGJA will research and provide its chapters with information regarding potential liability for Chapter IR activities and related insurance issues.
11. Upon request, CGJA will provide timely comments and suggestions to a local chapter on the proposed Chapter IR program, activities or services.
12. CGJA will continue to provide chapters and members with information on how other chapters are dealing with Chapter IR and continuity issues.

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