

# Aiming for Representative Grand Juries

by Barbara Sommer, Chair, Diversity Study Workgroup<sup>1</sup>

An ideal grand jury reflects the demographic diversity of a county. It is desirable for the following reasons:

- Reflects the values of a democratic society.
- Potential for a broader range of viewpoints.
- Greater awareness of what is going on in the community and effects on its constituents.
- Brings the concerns of underrepresented communities to the attention of local governing boards and officials.
- Increases the base of support for subsequent grand jury investigations and reports.
- Helps recruit grand jurors by providing role models for underrepresented groups.

The CGJA Diversity Study Workgroup, created in October 2021, collected county information, reviewed available information online, brainstormed, and came up with the following suggestions for incentivizing public participation on the grand jury with the goal of increasing demographic, age, and geographic diversity.

## For the sitting grand jury

Create a **welcoming environment** by

having repeat grand jurors mentor newcomers.

being attentive to members who come from a different background or set of experiences.

arranging meeting times to accommodate temporal and physical limitations (e.g., meeting time, location, accessibility, transportation).

**Internet access** – is the entire county covered? If not, can steps be taken to provide access?

**Computer access** – obtain laptops to loan jury members.

**Hybrid or zoom meetings** to provide access for disabled or mobility impaired and those living at a distance from the county seat.

When jurors resign, use an **exit interview** to learn reasons for attrition.

Consider **time vs. productivity trade-off**. Reduce time commitment by selecting fewer investigations, emphasizing quality over quantity.

**Lighten the load**. Makes it easier for working people to participate. For example, Santa Cruz County uses volunteer clerks - former grand jurors who provide continuity, help with technology, and serve as librarians.

## Court Recruitment and Retention Suggestions

Create a **welcoming environment** (see above).

Examine and **remedy the temporal and physical limitations** that might exist for meetings (e.g., meeting time, location, accessibility, transportation).

Pay attention to current or potential members who come from a **different background** or set of experiences.

Recruit from **service organizations** (people already committed to service).

Enlist **assistance of diverse members**, current or past.

**Representative grand juries** – *continued on next page*

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Reach out to **public officials** (county and city) whose job relates to promoting diversity.

During GJ recruitment season, **publicize in NextDoor and local news blogs**, particularly radio and news media that have followings from underrepresented communities.

Create an **inclusion council or workgroup** to specifically address the issue by actively engaging in recruitment activities. CGJA or the local chapter may be consulted for assistance.

Reach out to a **broad range of civic and church volunteer organizations** and community organizations in your county

Find and **contact influencers** within community of interest/concern.

Provide an **adequate per diem**.

On October 1, 2021, the revised *California Rules of the Court* contained Rule 10.625(b)(2) specified that the court jury commissioner

*Develop and maintain a database containing the following information regarding **prospective regular grand jurors, the candidates who are ultimately selected by the court to serve as grand jurors, and any carry-over grand jurors: name, age range, occupation, gender, race or ethnicity, and the year(s) served on the regular grand jury** (emphasis mine - Ed.).*

Each court must develop and maintain an annual summary of the information and it must be made available to the public.

Being interested in that information, we searched the internet. Perhaps because of the recent date of the requirement, few counties have published it. However, we did find demographic information for the seated jury for seven counties (Alameda, Kern, Los Angeles, Marin, Napa, Orange, and Riverside). Another six provided data for the recruitment pool from which the jury was selected (Sacramento, San Bernardino, San Diego, San Luis Obispo, Santa Clara, and Santa Cruz).

Not surprisingly, the data show a clear over-representation of the post-retirement age group.

Ten of the thirteen counties for whom data are available met or exceeded proportional representation of Blacks. Their effort is impressive.

The data shows a substantial under-representation of the Hispanic/Latino ethnicity across most of the thirteen counties. The Hispanic/Latino population is substantial in the state (over 40 percent in 18 counties).

Asians also are under-represented in most cases. Six of the thirteen reporting counties had no Asian grand jurors. One of those (Alameda) has an Asian population of 32 percent.

It is difficult to generalize from these preliminary results to other counties in the state and to subsequent years. We will continue to report on the data as it becomes available. Time will reveal patterns and trends. If chapter members acquire this information for their county, please send it on to us.

If you wish more specific information or have any questions or comments, please contact **Barbara Sommer**. We welcome additional suggestions for promoting diversity.

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