**Investigating and Reporting on Jails and Prisons**

The grand jury is required to “inquire into” the condition and management of “public prisons within the county.” (PC §919(b)) Most grand juries “inquire” by conducting tours of their local jails and prisons. Some write reports about the facilities or certain aspects of them, but a report is not required. If a grand jury decides to write a report, it must be based on a *full investigation*, not just a tour. A grand jury may not release information about their investigations or inquiries other than through a formal report, which must include findings based on verified evidence. (PC §916)

These are CGJA’s suggestions for how conduct an investigation sufficient to allow the grand jury to write a report on a jail or prison.

1. **Understand detention facilities.** The entire investigating committee should watch the Detention Facilities Inspection video available at CGJA.org under the Training tab. They should print out and review together the *Jail Inspections Handbook* prepared by the Board of State and Community Corrections (BSCC), on our website under Jury Resources, Sample Documents.

1. **Conduct initial research.** The committee should obtain and read the last three BSCC reports and any recent grand jury reports on the facility, noting any recurring problems. The committee might also consider other information sources, such as complaints sent to the grand jury or local media coverage, before determining which, if any, issues to focus on. If no significant issues are identified, the committee may recommend that the full panel vote to discontinue the inquiry after this initial research. A full investigation should be started only if it is likely that important information might be discovered. The investigation can be discontinued by the panel at any time, without a report.
2. **Request copies of documents.** The committee can make a written request to the entity or facility under PC §921 for copies of facility records specifically related to the investigation. See the *Jail Inspections Handbook* for a list of documents the committee might want to obtain.
3. **Tour the facility.** The committee or the entire panel can tour the facility, following the suggestions in the Detention Facilities Inspection video and BSCC’s handbook. The tour participants should take careful notes and ask questions of facility staff.
4. **Conduct an initial interview.** PC §933.05(e) mandates the jury to “meet with” the “subject of the investigation.” The “meeting” should be conducted as a formal interview. The “subject” is that person who is in charge of the function being investigated and who is likely to know the most about it – here, the sheriff (or for a city jail, the chief of police), or the facility commander or warden. The committee should prepare a list of the questions they will ask. See CGJA’s Training Manual, Tab 5 “Grand Jury Investigations” and Tab 6 “Grand Jury Interviews” for more information.
5. **Verify all information.** Each item of information from research, the tour, and the initial interview must be verified by additional sources in order to be included in a report. The committee should conduct more research and interviews, or have a follow-up tour as needed.
6. **Draft the report.** See Tab 7 of CGJA’s Training Manual, “Grand Jury Reports.”
7. **Conduct an exit interview.** The committee should conduct an exit interview with the most knowledgeable official (sheriff, police chief, facility warden or commander) to review and confirm the draft report’s findings. See Tab 7.