

## Grand Jurors' Journal Vol. 24, No. 1, February 2023



#### **Meet Our New President**

Our new president, Travis Gibbons, has a solid history with CGJA. A trainer since 2016, he serves on multiple training subcommittees along with the Annual Conference and Finance Committees.

He is the CGJA Treasurer and is a member of the board of directors, representing the southern region.

At the annual conference he told us that he thoroughly enjoys teaching and learning. His goals as president are

- Expanding civil grand jury community awareness
- Evaluating and enhancing grand jury effectiveness
- Increasing membership and member involvement in CGJA Committees
- Forming new chapters and improving coordination with existing chapters
- Evaluating potential for a Court CEO Workshop

#### Read more

#### **GRAND JURY AWARENESS MONTH 2023**

During his term as Governor of California, Arnold Schwarzenegger proclaimed each February as *Grand Jury Awareness Month.* Some California counties regularly recognize grand jury service in February, and some choose to do this in March.

As many counties have not been recognizing this honorable and voluntary service, this year the CGJA Public Relations committee reached out to each county – through the chapters or by directly contacting Court Executive Offices where there are no CGJA chapters. They were offered a template proclamation to share with their Board of Supervisors.

If your county makes a proclamation – please send us (**Juliana Jone**s) pictures and any press coverage.



## 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 questions we receive from grand jurors. Please remember – do not take any response from CGJA as legal advice, and contact your local legal advisors to answer any question that might divulge confidential information.

You can submit your questions to me at cgja training@cgja.org. Our response to your edited or redacted question might appear in a future edition of the Journal.

Read this issue's column

#### Do You Have Ideas for the Annual Conference?

It is not too early to think about the Annual CGJA Conference this coming October. Planning starts the day after the previous conference ends. We know we'll be in Walnut Creek and anticipate exciting panels, a dinner, cocktail time, awards, new officers, and a silent auction.

We are considering adding are round table discussions – an opportunity to gather at four or five tables to explore subjects of interest.



If we add round table discussions, we need **you** to tell **us** what you think the great subjects to discuss should be. For example, would a discussion of how to recruit chapter members would be of interest? How about developing relationships with the press or what can we do to make jury work more effective? Maybe share materials and ideas used to get more grand jurors to sign up?

We would really like to hear what you have to say about what you want to cover. Send your thoughts to *Juliana Jones*. We will follow up in the coming months to narrow down your amazing ideas to make the 2023 CGJA Annual Conference the best yet!

# THANK YOU, CGJA MEMBERS

The Finance Committee's donation campaign raised \$1,400 thanks to generous contributions from members Marsha Caranci, Lloyd Bell, Scott Law, Joann Landi, Don Hamaguchi, and Karin Hern.

We thank them for their generosity. It helps CGJA fulfill its mission – to promote, preserve and support the grand jury system through training, education, and outreach. CGJA President Travis Gibbons personally thanked them. Donations are always appreciated and may be made anytime during the year.





Administrative Assistant for the CGJA Training Program
Read more

## **Multi-chapter January Meeting Highlights**



How might we get chapter members more involved in the statewide organization? CGJA President Travis Gibbons and Shirley Boracci, chair of the Chapter Relations subcommittee, are eager to hear your suggestions and learn of current chapter activities.

Diane Lloyd (chair, Membership and Chapter Relations Committee) floated the idea of reduced CGJA dues for current and incoming chapter members. Any interest? Let her know what you think.

Ongoing issues and suggested solutions:

- Relationship with the court requires caution around issues of bias, conflict of interest, and confidentiality
- Difficulty in recruiting members from the outgoing sitting jury – Suggestions: invite to meetings, offer social activities and food, let them know modest time requirement.
- Grand jury recruitment banners work. Consider posting on fences, in city parks, and lawn signs in front yards.



# Now Available

Revised Chapter Formation Guide and Chapter By-laws Template

#### **CGJA AWARDS: Certificates of Special Recognition**

There are many people who do a lot for the Grand Jury and are not members of the CGJA, for example, civic-minded city council members, county officials, legislators, judges, and others.

Their value should be recognized and rewarded. You can do so by nominating them for a **Certificate of Special Recognition** from the CGJA.

Submit a nomination



### Foreperson Roundtable Sessions Held in January

#### from the Training Committee

In response to suggestions from last summer's Foreperson and Pro Tem Workshop attendees, two roundtable discussions were held for sitting forepersons and pro tems via Zoom in January.

They were hosted by members of our Foreperson Workshop training team. *Read more* 



## **Improving the Grand Jury Process**

by Jerry Lewi

Improving the effectiveness of grand jury reports throughout the state and over time is an overarching goal of CGJA. Effectiveness has been an elusive term to define, but it clearly includes the cases where a grand jury recommendation has been accepted and implemented thus improving the service of a government entity to its clients, the citizens it serves.

A specific CGJA goal and a part of its mission statement is to educate the California public about the value of our unique California Grand Jury system. **Read more** 

#### **News from Around the State**

# Double Dosing: How to Get \$2 Worth of Charitable Donations for \$1 Spent from Janet Clark, Alameda Chapter

I bought several pieces of great pottery handcrafted by Barbara Norum here in Oakland. She will not accept payment for her work. Instead one must write a check to Tech Trek, a summer STEM camp for middle school girls sponsored by AAUW (American Association of University Women). Once purchased, I donated the items to the CGJA silent auction (an annual conference event).

A real two for one! Now I have to convince the IRS to give me double deduction.

## from Doug Gillen, President, GJA Orange County

UC Irvine's Osher Lifelong Learning Institute (OLLI) has asked the association to provide a two-hour presentation on the Grand Jury. The chair of our speakers bureau, Sandy Dunkin, has reached out to Cal State Fullerton to see if they would like to include a similar presentation as part of their OLLI program.

OF ORALIES OF ORALIES

On a different note, we now have 92 applicants for next year's Grand Jury with still a couple more days to go before the application period closes. Very good news.

#### **RECENT BOARD ACTIONS - Read more**

KEEP US POSTED. Send chapter/association news and accomplishments. Read more

## 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 association presidents.

#### **STAY CONNECTED**





Visit our website

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#### **CGJA President, Travis Gibbons**

Travis retired from the Lockheed Martin Corporation in 2007 after 48 years of service as a system engineer and Technical Director. After retiring, Travis led the northern Santa Barbara County IRS Volunteer Income Tax Assistance (VITA) program for five years. He served two years as Human Services Commissioner for the Santa Barbara County Fifth Supervisorial District. He was in senior leadership for Little League Baseball in the San Jose area for 16 years, and a mentor in Disadvantaged Children programs.

He has served on four Santa Barbara County grand juries holding positions of pro tem, treasurer, and IT coordinator and chairing three committees. He conducted new juror policy and procedure orientations and training about computer hardware/software usage.

Travis led the effort in upgrading the grand jury computer systems and implementing teleconferencing, computer aided overhead projection, secure Cloud data sharing, and secure remote projection viewing (very much an engineer – ed.)

#### **Ask the Trainer February 2023**

Q. We just received a complaint that seems legitimate, but we are more than halfway through our term and may not be able to complete the investigation. Can this be carried over to the next grand jury?

**A.** Penal Code section 924.4 allows a grand jury to pass forward an investigation file to the next grand jury. An investigation file can consist of any records, information, or evidence in the possession of the jury, including complaints, of a civil (not criminal) nature. CGJA believes that passing forward a file must be approved by a supermajority because it reveals confidential information to persons outside the current grand jury.

This is discussed further in Tab 5 of the CGJA Training Manual.

If your grand jury votes to forward this complaint to the next jury, you can send a letter to the complainant explaining that your grand jury lacks the time to fully investigate this issue in the remaining months of this jury term and that you are forwarding it for consideration by next year's jury, which may or may not decide to look at it further. Do not indicate that next jury will, in fact, investigate the complaint because that jury may decide not to.

# Q. Can our grand jurors use email to correspond with each other and with employees of entities we are investigating? How do we ensure confidentiality?

**A.** Email correspondence from grand jurors should never contain confidential information in the subject line or body of the email or in the file name of an attachment. Any attachment should be password protected. If the email does not contain confidential information, then it is fine to communicate this way, especially among grand jurors.

For instance, you might send an email about when the next plenary or committee meeting is being held. If you don't discuss the subject of the meeting in detail, it does not need to be considered confidential. You can say, for example, that the Special Districts Committee is meeting to discuss their current investigation, but not say what the topic of the investigation is.

Email communications with non-jurors must avoid revealing any confidential information. For this reason, they are usually used only to schedule interviews or site visits or to request public records the grand jury wants the entity to produce.

The fact that you will be interviewing a particular person does not have to be kept confidential, so you may schedule or confirm the scheduling of an interview by email. However, make sure the subject matter of the interview is not disclosed.

Email should ever be used to ask questions as part of an investigation. While the Penal Code refers to interviews and document requests, it does not authorize the use of written questions (known as "interrogatories"). Asking questions would improperly reveal the nature of the jury's investigation.

There is a sample of a confidentiality disclaimer for emails on our website under Sample Documents.

#### Administrative Assistant for the CGJA training program

Must be proficient in Word and Excel, able to work from a computer at home, and have great communication and organizational skills.

> Hours needed will vary by season; may average 15 hours per week.

For more information, contact

Marsha Caranci at

cgjatraining@cgja.org

#### Submit a nomination for a Certificate of Special Recognition

Here is how you make a nomination. Submit a written nomination that describes how this person or entity is deserving of recognition to the *Awards Committee*.

Upon approval a certificate will be prepared and submitted to the CGJA President for signature.

Examples of past recognition awards:

Recognition of organizers of regional meetings

Acknowledgment of a grand jury for a significant report resulting in an accusation of a district attorney

Founding member of a CGJA chapter

Tribute to a grand jury legal advisor for support of the grand jury and successful encouragement for the formation of a CGJA chapter.

#### **Foreperson Roundtable Sessions**

The purpose was to allow the attendees to network with each other, share experiences, and ask questions. Some attendees submitted questions and topic ideas in advance.

The response was tremendous. Thirty-eight attendees took part in one of the two sessions. We used breakout rooms for smaller groups discussions which were then reported out to the full group.

All agreed that the sessions were beneficial and asked that we continue to offer these in the future. Two more sessions will be scheduled for April.

For more information on this or other training programs, contact Marsha Caranci at *cgjatraining@cgja.org*.

#### Improving the grand jury process

I came to the following conclusion expressed in a journal article in 2007 that what we can have is a closed-loop system involving the entire grand jury process as follows:

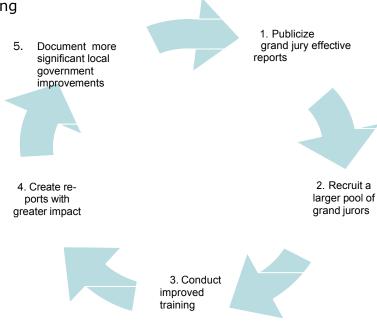
- 1. It starts with documenting and publicizing grand jury achievements, defined briefly as a grand jury report that achieves a positive improvement on a local government operation.
- 2. By publicizing this good work, we can then hope to recruit a larger and better pool of prospective jurors.
- 3. We then will seek to provide them improved training by a combination of our training program and encouraging in any possible way improved local training.
- 4. This improved training then results in grand jury reports that create even greater improvements in local government.

We then close the loop by documenting these improved operations, including in the long run, documenting the statistics of these improvements.

See chart for a graphical representation.

This process should be a collaborative effort among CGJA, its chapters, independent associations including any group of former grand jurors, CGJA members, all grand juries and the court administrative staffs that support them and wherever possible, the media.

With respect to step 1, the Board has approved a goal to document grand jury effectiveness and formed an ad hoc committee to develop a process.



Since my original article, the well-documented Training program has expanded its outreach and quality of reporting significantly. And very recently, we have encouraged juries to increase the intensity of publicizing the effectiveness of past reports from their county.

This should and will be continued, but to further expand on this overall approach, chapters need to be encouraged to also publicize effective reports which can also be a tool to help recruiting as shown in step 2 above.

I have no magic bullet for any additional activities CGJA might adopt, but this description might be useful to help focus on our objectives going forward.

#### **CGJA Recent Board Actions**

01/24/23 Ratified the President's appointment of Marsha Caranci to the Executive Committee.

Ratified the President's appointment of Gary Cooper to the Executive Committee.

Adopted chapter formation guide revision.

Adopted chapter by-laws template revision.

Amended policies 9.10 and 11.10.

Approved the position paper regarding AB 78, adding that demographic data required from the courts by the California Rules of the Court, be included in the bill's justification. Authorized the LLRC chair action.

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 27, 2023

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