

Mendocino County Grand Jury Procedure Manual



**Researched and Written by the
2008-09 Mendocino County Grand Jury
Manual Revision Committee**

**Adopted by the Full Panel and
Reviewed by County Counsel and the
Supervising Judge**

June 30, 2009

The Mendocino County Grand Jury is indebted to the California Grand Juror's Association and to the Price Family Charitable Fund for the template on which this manual is based.

Where information has been excerpted verbatim from the template, it is identified as such.

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FOREWORD

This manual has been developed by the 2008-09 Mendocino County Grand Jury Manual Revision Committee based on the pre-existing Mendocino County Grand Jury Procedure Manual and the template developed by the California Grand Jurors' Association (CGJA, The Association). With the exception of the cited sections of the California Penal Code, included as Appendix J, and other specific references, the content is based on the opinions and experiences of Mendocino County grand jurors and members of the CGJA. These materials are not intended as legal advice. Should a legal question arise, you should consult your grand jury's legal advisor.

Penal Code § 916 requires that each grand jury must determine its own procedures and must adopt rules which ensure compliance with the laws that govern investigations and reports.

The information in this manual is intended to:

- 1. Identify required and recommended actions of a regular grand jury*
- 2. Provide, through appendices, detailed information referenced in the primary material*
- 3. Provide appropriate legal references for each grand jury to update its manual when laws change*

To further clarify the context, the following verb meanings are used

- 1. Shall or will – mandatory as required by penal codes*
- 2. Should – optional but recommended by past experience*
- 3. May – optional at the choice of the group*

Both CGJA and the 2008-09 Manual Revision Committee recognize that each new grand jury experiences a difficult learning process and valuable investigative time must be conserved. The intent of this manual is to provide a succinct overview of laws and procedures to facilitate accomplishment of jury responsibilities with special emphasis on enabling the jury to quickly organize its structure, approve its rules, and establish its objectives. We acknowledge that each grand jury is required to adopt its own manual of rules and internal policies. We present this work as a living document, as a guide developed from our experience and that of our predecessors that has been reviewed by Mendocino County Counsel. Proposed changes to this manual, other than routine updates, must be reviewed and approved by the full panel and reviewed by County Counsel prior to being incorporated in the document.

We are indebted to past contributors to the Mendocino County Grand Jury Procedure Manual and to the CGJA for expanding the range of thoughts and classification system reflected in the current document.

June 30, 2009

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County of Mendocino
Grand Jury
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Ukiah, CA 95482

Grand Jurors Oath

The following oath shall be taken by each member of the grand jury:

“I do solemnly swear (affirm) that I will support the Constitution of the United States and of the State of California, and all laws made pursuant to and in conformity therewith, will diligently inquire into, and true presentment make, of all public offenses against the people of this state, committed or triable within this county, of which the grand jury shall have or can obtain legal evidence. Further, I will not disclose any evidence brought before the grand jury, nor anything which I or any other grand juror may say, nor the manner in which I or any other grand juror may have voted on any matter before the grand jury. I will keep the charge that will be given to me by the court.”

(Penal Code § 911)

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Charge to Grand Jury by Presiding Judge

Ladies and Gentlemen of the Grand Jury:

I congratulate you on your selection to serve as Grand Jurors. As Grand Jurors you now commence a great mission, a mission that will be simultaneously filled with an awesome responsibility and with a remarkable opportunity for public service. I have no doubt that you will accept that responsibility and seize that opportunity and thereby accomplish your mission with great distinction.

Now that you have taken the oath, you are the Mendocino County Grand Jury. It is my duty to instruct you concerning your functions as a Grand Jury and the applicable law, and it is your duty to follow these instructions.

From the earliest of times to the present, a Grand Jury is composed of citizens of the county who are sworn to exercise sound and independent judgment of other governmental agencies within the county. A Grand Jury is primarily an investigative body with two principal areas of inquiry.

First, you have powers and duties to examine and report on public offices, public officers, and transactions. This is your civil function.

Second, you have powers and duties to inquire into possible public offenses, misconduct in office, and to determine whether to return indictments charging the commission of felonies. This is your criminal function.

Before discussing these functions, I wish to advise you of some organizational and administrative matters applicable to the business of a Grand Jury.

Your Foreperson is appointed by the Court for the full year of your tenure.

The Grand Jury may select a member to serve as temporary Foreperson. The temporary Foreperson shall perform the duties of the Foreperson and shall have all of the powers of the Foreperson if the regularly appointed Foreperson is either absent, or disqualified.

At your organizational meeting you shall determine your rules of procedure, and you shall choose your other officers, including a permanent secretary. I suggest that you shortly form committees to preliminarily consider matters within your fields of activity. You will not be required to hear criminal matters. You will be able to concentrate your efforts on civil matters.

Twelve Grand Jurors constitute a quorum necessary for the transaction of your business. The importance of your work requires that each of you be present at all sessions, except for the most significant reasons.

You may at all times ask the advice of the Court or of the District Attorney or of the County Counsel, but unless such advice is requested by you, the Court and the County Counsel will not be present during your sessions. No person except

members of the Grand Jury shall be permitted to be present during the expression of the opinions of the Grand Jurors, or the giving of their votes upon any matter before them.

In regard to your civil function you may seek advice from the District Attorney or the County Counsel. As to any matter that concerns you, please feel free to call upon me for advice.

The deliberations of the Grand Jury and its voting upon its investigations are required by law to be in private session. It is significant that secrecy is prohibited in almost every other phase of government, and exists as to the Grand Jury. This is so because it is an agency designed not only to search out offenses and accusations which would otherwise not be acted upon because of the fear or inability of individuals to bring the complaint, but also to protect persons from publicity that might otherwise occur because of charges which eventually are proved to be unfounded.

You are instructed to keep your own counsel. Matters before the Grand Jury should never be discussed, even with your closest relatives, associates or superiors. I urge that while you are on the Grand Jury, you take special pains to listen rather than to talk, and to restrict to the Grand Jury room your conversation concerning public business, either pending, prospective, or within the realm of possibility.

The law provides that every Grand Juror must keep secret all evidence adduced before the Grand Jury, or anything he himself, or any other Grand Juror, may have said; or in what manner he, or any other Grand Juror, may have voted on any matter before them. It is a misdemeanor to violate such secrecy of the Grand Jury room, or to disclose the finding of an indictment until the defendant has been arrested.

Although under certain proper circumstances, a court may require a Grand Juror to disclose testimony given before the Grand Jury, a Grand Juror cannot be questioned for anything he may say or any vote he may give in the Grand Jury room relative to a matter legally pending before the jury, except for a perjury of which he may have been guilty in making an accusation or giving testimony to his fellow jurors. But at times, in order to obtain legal advice, it may be necessary for you to disclose to the District Attorney, or to the County Counsel if he is officiating in the case, or to me, some matter of evidence which you have taken during an investigation, and such a disclosure is not a violation of your oath.

Unless a public hearing has been ordered by the court, when evidence is being presented to the Grand Jury no person is permitted to be present except: the members of the jury; the witness actually under examination (with an interpreter if necessary); and a stenographic reporter. No session shall be open to the public unless a public hearing is ordered by the Court upon a finding that the subject matter of the investigation is one affecting the general public welfare respecting matters involving alleged corruption, misfeasance or malfeasance in office, dereliction of duty of public officials or public employees, or of any person allegedly acting in conjunction with, or conspiracy with, such officials or employees in such alleged acts. An open session is extremely rare. Such order of the Court authorizing public

sessions may be obtained only upon certain conditions. If this Grand Jury believes a public hearing is warranted then the Grand Jury acting through its foreperson may apply to me for such an order. In the tenure of any judges before you today there has not been an occasion to have such an open hearing.

As to your civil function, you are to make a careful and complete examination of and report on the operations, accounts and records of the officers, departments and functions of the county, including those of any district in the county created pursuant to state law, for which the officers of the county are serving in their ex-officio capacity as officers of the districts. In addition, you may examine the books and records of any special purpose assessing or taxing district located wholly or partly in the county, or the local agency formation commission in the county. Also, you may examine the books and records which pertain to fiscal matters of any incorporated city or joint powers agency located in the county as well as the books and records of redevelopment agencies, housing authorities and non-profit corporations established by or operated on behalf of a public entity.

For the purposes only of these examinations involved in your civil function, you may employ the services of experts, and their assistants, at an agreed compensation which must be first approved by the court.

Moreover, you may investigate and report upon the needs of all county officers, including the abolition or creation of offices and the equipment for, or the method or system of performing the duties of, such offices. Such investigations and reports shall be conducted selectively each year, but the needs of each county officer shall be investigated and reported at least once every eight years.

Included in your examination and reports shall be all the books, records and accounts of all the officers of the county which are kept in their ex-officio capacities, as incumbents or officers of any special legislative district or other district in the county, created pursuant to state law.

All expenses of the Grand Jurors properly incurred in such examinations and reports shall be paid by the treasurer of the county from the general funds of the county upon warrants drawn by the county auditor, upon the written order of the court. After investigating the books and accounts of the various officials of the county, the Grand Jury may order the District Attorney of the county to institute suit to recover any money that, in the judgment of the Grand Jury, may from any cause be due the county. The order of the Grand Jury, certified by the Foreperson of the Grand Jury and filed with the clerk of the county is full authority for the District Attorney to institute and maintain any such suit.

No later than the end of each fiscal year the Grand Jury shall submit to the Presiding Judge a final report with its findings and recommendations that pertain to pertinent matters of county government and that pertain to fiscal matters of county government. Reports may be submitted to the Presiding Judge at any time during the term of service of a Grand Jury.

No later than ninety (90) days after the Grand Jury submits a final report on the operations of any public agency, the governing body of the public agency shall comment to the Presiding Judge on the findings and recommendations. In addition every elective officer or agency head for which the Grand Jury has responsibility pursuant to Penal Code § 914.1 shall comment within sixty (60) days to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of such county officer or agency head. Copies of such comments shall be sent by such county officers and agency heads to the Board of Supervisors. All such comments and reports shall forthwith be submitted to the Presiding Judge.

A copy of all responses to Grand Jury reports shall be placed on file with the clerk of the public agency and the office of the County Clerk and shall remain on file. A copy of all responses shall be placed by the current Grand Jury on file with the applicable Grand Jury final report and it shall be in the control of the currently impaneled Grand Jury. Such files shall be maintained by the Grand Jury for not less than five (5) years.

As a matter of courtesy, the sitting Grand Jury should notify the past Grand Jury through its former Foreperson or Foreperson Pro Tem when the responses are received and offer to make them available for review by any of the previous committee chairs.

In this way, the former Grand Jury can make the current Grand Jury aware of any deficiencies that it finds in the responses. The current Grand Jury can then, if it chooses, pursue the matter.

You may investigate into all sales and transfers of land, and into the ownership of land, which might or should escheat to the State, and you may direct that proper escheat proceedings be commenced.

You may inquire into the case of every person imprisoned in the jail of the county on a criminal charge and not indicted, and shall inquire into the condition and management of the public prisons within the county; but you are not required to investigate infractions of jail regulations unless requested to do so by proper authorities.

You are entitled to free access, at all reasonable times, to the public prisons, and to the examination, without charge, of all public records within the county.

I am required to call your attention particularly to certain statutory provisions in the California Government Code, those being Sections 23000 through 23015, inclusive, and 24054, 25250, and 26525; and I instruct you to ascertain by a careful and diligent investigation whether such provisions have been complied with and to note the result of such investigation in your report.

You shall inquire into willful or corrupt misconduct in office of public officers of every description within the county.

If you should determine that any district or county officer is guilty of willful or corrupt misconduct in office, you may present an accusation in writing, stating the offense against him or her that will initiate legal action against that person for his removal from office. Such accusation shall be delivered to the District Attorney unless he or she is the officer accused, in which case it shall be delivered to the Clerk of this Court and by him or her to me.

The Grand Jury is empowered to compel by subpoena the attendance as witnesses before the entire Grand Jury, and to require the production of books, records, documents and other material objects. However, neither the Grand Jury, nor any of its committees, can compel the attendance of a witness or the production of records before a committee only. You cannot yourself issue subpoenas, since that is the function of the court and the prosecuting authorities, but you may direct that subpoenas be obtained from proper authorities.

However, you must remember the constitutional privilege of every person against self-incrimination. A person generally has a privilege to refuse to disclose any matter that may tend to incriminate him. A defendant in a criminal case even has a privilege not to be called as a witness.

A witness called upon to testify before a Grand Jury has certain rights and duties which you should understand and respect. A Grand Jury, like a court, may ask only such questions as are pertinent to a matter then under consideration. If there be no matter under consideration, a refusal to answer questions does not constitute contempt, nor, under such circumstances, is it contempt for a witness to refuse to appear.

You should never vote upon any matter in the presence of any witness, nor express any opinion on the matter under consideration during the examination of a witness. When you express opinions on a matter under consideration or when you take votes upon a matter under consideration all other persons must be excluded.

When a complaint is presented to you by persons other than law enforcement officials, I suggest that you ascertain whether or not the same complaint has theretofore been presented to the District Attorney. In some instances, you will probably find that the same matter, previously, has been submitted to the District Attorney and either acted upon by the District Attorney or prosecution thereon refused for valid legal reasons. Thus, in some cases the matters heard by the Grand Jury already have been extensively investigated by some law enforcement agency, and the news media, naturally, may have obtained a detailed knowledge of these cases. Also, you must realize that a witness who testified under oath at one of your sessions might make a statement outside the Grand Jury room. If, therefore, you should find in the news media a story containing substantially the same facts obtained by the Grand Jury in secret session, you must not assume that one of your fellow jurors has violated his or her oath as to secrecy.

You will find that you will be asked to examine, and will examine, some groundless complaints. You should require that all complaints be in writing. Attempts will be made to burden you with private grievances, real or imaginary, where no crime or

charge cognizable by you has been committed. Some person may make false accusations before you. Not infrequently, persons who attempt to initiate accusatory proceedings are motivated by private enmity or political reasons. In light of the experience of past Grand Juries, a comparatively small percentage of the accusatory complaints which you will receive from other than law enforcement officials will deserve your official action. Some, however, may result in disclosures of offenses that would not have otherwise been brought to light; and when you obtain reliable information indicating an offense or misconduct within your jurisdiction, it is your duty to fearlessly and fairly investigate and take appropriate action.

You are not a detective agency and you should not engage in "fishing expeditions" or indiscriminate meddling with private or public affairs. You should not attempt to substitute your own judgment as to matters of business and operations of public offices where others may be more skilled in such matters and reasonably may hold different views. A Grand Jury cannot forage at will upon any whim it may entertain. Your written reports are factual. Occasionally, some zealous Grand Juries, without proper understanding of their duties, have returned reports to the courts concerning matters beyond their powers of inquiry; and such reports contained unfounded criticisms, castigations, or innuendoes of improper conduct on the part of private citizens, or those engaged in public service. The publicity attendant to the filing of such reports has occasioned tragic consequences to accused persons who had no forum to establish their innocence.

I trust that in a majority of the instances in which there has been such an abuse of power by a Grand Jury, it has come about because of insufficient explanation by the Court in the charge to the Grand Jurors as to their powers and duties, and of a failure on the part of the Grand Jury to individually and collectively know the law and to accept it as its guide.

Pursuant to the provisions of the Penal Code and the policies of this Court I instruct you to deliver to me all Grand Jury reports before filing them, and I instruct the Clerk not to accept for filing any Grand Jury report until it has been approved by the Court for filing. If you so desire you may submit the report to the County Counsel before it is filed. If you choose to do so the County Counsel will provide a written opinion of those statements which might be considered libelous. I urge you to seek the advice of the County Counsel, but I remind you that you are not obligated to follow such advice.

You may review reports of earlier Grand Juries, particularly those recommendations that have not been acted upon, the reasons therefore and the possible need for again recommending action where action has not been taken. But you shall not adopt as your own the recommendation of another Grand Jury unless you do so after your own investigation of the matter as to which the recommendation is made; nor may you make any report, declaration or recommendation on any matter except on the basis of your own investigation.

Violation of the letter or spirit of the Grand Juror's Oath you have taken, or of my charge to you, would endanger the integrity and effectiveness of the entire Grand

Jury. If the Court should be convinced that there is any such violation which would tend to destroy your integrity or effectiveness, it would be obligated to act, even to the extent, if necessary, of discharging the whole Grand Jury and impaneling another one.

You must not be influenced by mere sentiment, conjecture, sympathy, public feeling, passion or prejudice, and you must apply the same objective standards of conduct and responsibility to all persons, regardless of race, color, creed, religion or economic status.

You are now aware that there are distinct limitations as to what you may do in the course of your investigations, presentments and reporting. You function lawfully as a body. An individual Grand Juror acting alone has no power or authority. The Grand Jury itself is not intended to be a super-government for this county, nor is it intended that you should interfere with the discretionary policy-making or operational powers of public officials. Only when public officials, or others, are justifiably suspected by you of violating applicable standards of conduct and laws and are subject to being indicted or accused by you, do they become proper subjects for indictment or accusation. In this connection a Grand Juror is not civilly liable for damage resulting to a person indicted or accused by the Grand Jury. However, as to any comments in your reports upon a person or public official not indicted, such comments are not privileged and could, if libelous, be the basis for a charge of civil or criminal libel. It is for that reason, among others, that I have urged you to seek the advice of the County Counsel.

As you commence your service as Grand Jurors, I am certain that some of you are apprehensive about the duties that you have assumed and the decisions that you may be required to make. You should not be uneasy. Many before you have assumed those duties and discharged them with honor, and like you none was born to be a Grand Juror and none was specifically trained to be a Grand Juror. It should be of comfort to remember that for more than 200 years in this country, and for over 100 years in this very County; citizens have been called together annually to serve as Grand Jurors. We do this because we have a government of the people, a government by the people; and a government for the people; and therefore it is natural and right that we ask people such as yourselves to serve as Grand Jurors and to scrutinize the workings of government and public officials to be certain that we maintain a government of, by and for the people. You are following in that honored calling.

I trust that your deliberations will be harmonious and that your reports may be such as to inform the people of this county whether or not the affairs of the county are properly and honestly conducted; and, if there be any fault to find, that you frankly point it out to the people. You have been selected on behalf of the people of Mendocino County to examine into the affairs of government; to approve what your judgment dictates is worthy of approval; and, to condemn anything which meets with your prudent censure as being opposed to the best interests of the people. You, like a Judge, cannot promise to always be right, but you, like a Judge have a duty to do your very best to be right. You are to diligently and impartially perform your duties to

the best of your ability for the common good. The people can expect no more from you and they should receive no less from you.

I wish you well as you now begin your year of service as member of the Grand Jury for the County of Mendocino.

Presiding Judge

CHAPTER I

OVERVIEW OF THE GRAND JURY

Introduction

The Mendocino County civil grand jury is a judicial body. Based on the county's population, 19 jurors are impaneled each year, by the state constitution and various laws, to act as an arm of the court, to be a voice of the people and the conscience of the community. Jurors serve one-year terms commencing on July 1. At the pleasure of the court, a juror may serve two consecutive terms and may apply to serve again after a one-year absence.

The present grand jury system evolved from the ecclesiastical courts of the Dark Ages, beginning in 1164 when Henry II of England impaneled the first person grand jury to remove criminal indictments from the hands of the church. In 1635, the first American grand jury was impaneled in the Massachusetts Bay Colony; by 1683 grand juries were present in all of the colonies. These early grand juries began the practice of returning "presentments," which were primarily against public officials and were different from criminal indictments. See Appendix H for additional history provided by the California Grand Jury Association.

Although forty-two states have some form of grand jury, only California and Nevada mandate that county grand juries be impaneled every year to conduct civil investigations of county government and to hear evidence to decide whether to return indictments.

The grand jury represents one example of our democracy whereby citizens volunteer for civic duty on behalf of their community. These citizens organize and share responsibilities to monitor local government and oversee their appointed and elected officials.

Grand Jury Functions

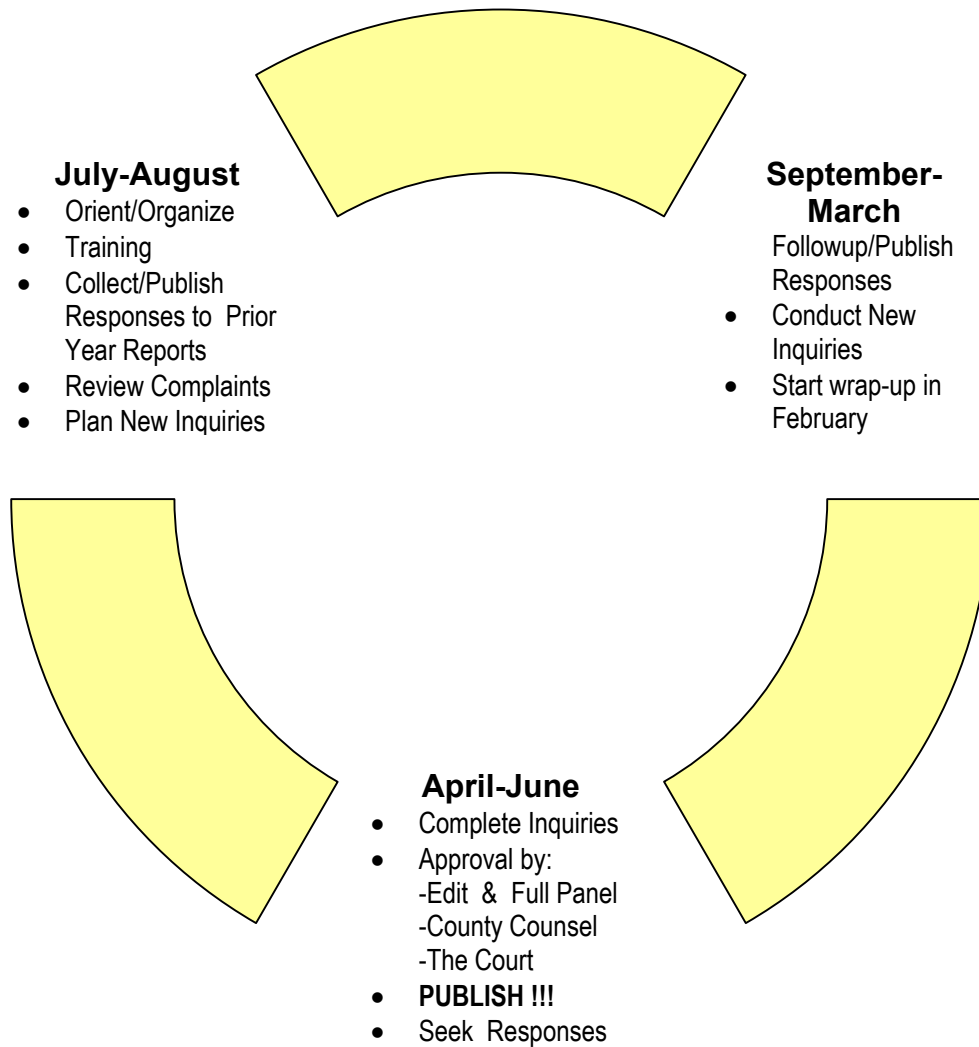
By law, a civil grand jury performs an oversight or "watchdog" function, investigating and reporting on all aspects of local and county government. The grand jury may also investigate non-profit organizations that receive public funds and operate on behalf of a public entity. The foreperson is well advised to consult with County Counsel to establish jurisdiction prior to embarking on such investigations. In addition, the grand jury may issue an accusation, bringing charges against an official of government or of a public agency, which may result in removal from office.

The primary duty of a civil grand jury is to investigate, within the county, the functions of city and county governments, tax supported agencies and districts, and any agencies or districts created by state law. State law mandates certain functions of the grand jury. The jury itself selects additional areas that it wishes to study.

These may include investigations of citizen complaints. During the year, the grand jury releases individual reports as they are approved by the full panel and reviewed by County Counsel and the Court. At the end of the year, the grand jury publishes its consolidated report electronically and in print and distributes it to public officials, libraries, media, and the public. The subsequent grand jury is responsible for collecting responses and publishing them on the grand jury website. An electronic copy of the final report with responses is then provided to the Court and forwarded by the Court to the State Archivist.

Civil grand juries may be tasked to investigate criminal matters and issue indictments when appropriate. Few civil grand juries are called to judge criminal matters; therefore, those matters are not included in this manual. Should the situation arise, the district attorney calling for such investigation will explain the requirements.

GRAND JURY ANNUAL WORK FLOW



5_19_09

While it is a part of the judicial system, a grand jury is an entirely independent body. Judges of the Superior Court, the District Attorney, the County Counsel and the State Attorney General may act as its advisors *but cannot attend jury deliberations nor control the actions of the Grand Jury.* (Penal Code §§ 934, 939) The foreperson is the grand jury's contact with its advisors. In general, it is advisable to seek counsel on potentially sensitive legal issues. The full panel may or may not choose to act on the counsel received, but should give it full consideration.

Reports

The ultimate power of the grand jury is in creating public awareness and knowledge of local government through its published reports. (Penal Code § 933)

Each report includes investigative findings and recommendations for corrective action. Individual reports are issued as they are completed and approved throughout the year of service. The completed reports are then published together at the end of the term in a consolidated final report. Publishing reports as they are completed throughout the year is frequently most effective in developing public awareness because of individual attention by news media. Detailed information on conducting investigations and preparing reports is provided in Chapters VII and VIII.

Individual elected officials and agency heads are required to respond to the findings and recommendations in a report within 60 days. Elected governing bodies, e.g. the Board of Supervisors, city councils and school or special district boards are required to respond to the findings and recommendations contained in the report within 90 days. (Penal Code § 933.05)

Oath

Each member of the grand jury shall take the following oath:

I do solemnly swear (affirm) that I will support the Constitution of the United States and of the State of California, and all laws made pursuant to and in conformity therewith, will diligently inquire into, and true presentment make, of all public offenses against the people of this State, committed or triable within this county of which the grand jury shall have or can obtain legal evidence. Further, I will not disclose any evidence brought before the grand jury, nor anything which I or any other grand juror may say, nor the manner in which I or any other grand juror may have voted on any matter before the grand jury. I will keep the charge that will be given to me by the court. (Penal Code § 911)

Charge of the Court

Each year when a new grand jury is impaneled, the Supervising Judge of the Superior Court provides guidance to the newly sworn jurors in the form known as a *charge*. (Penal Code §§ 914, 914.1) This charge outlines each juror's obligations,

responsibilities and the laws and ethical constraints that jurors must understand and adopt to guide their actions. Because jurors are encouraged to re-read this charge periodically, it appears at the beginning of this manual.

Ethics, Conflict of Interest, and Bias

No member of the grand jury may use his or her office for any kind of personal gain or advantage. Grand jurors shall not identify themselves as grand jurors to influence matters other than those directly connected with grand jury business. While jurors do not give up their right to free speech and freedom of opinion, they should not intentionally use their status as grand jurors or as former or prospective grand jurors to lend emphasis to personal positions on public issues. No grand juror, active or inactive, should ever publicly express their intent to initiate an investigation against an individual or entity since so doing would violate the confidentiality that protects all grand jury proceedings.

Members of the grand jury may not accept gifts except for token gifts and other such mementos given to visitors as a matter of standard procedure. Transportation or moderately priced meals while conducting business in the field are not considered gifts, if necessary to support the logistics of the inspection, tour, or investigation.

Clothing and accessories conveying political or religious messages are inappropriate in the grand jury chambers or in interviews or meetings attended as a juror. During grand jury proceedings, jurors shall use discretion to avoid interjecting a personal position for or against any election, candidate, or issue under public debate.

Each grand juror signs the following Mendocino County grand jury code of ethical conduct at the first meeting of the full panel. Early in each grand jury term, County Counsel conducts a formal ethics training that jurors are required to complete.

CODE OF ETHICAL CONDUCT

*It is now understood by the members of the Grand Jury that the Grand Jury functions lawfully only as a body—not as individuals—and that the Grand Jury investigates local entities, conducts audits of County records, and pursues matters of community interest. **Remembering this:***

- *As a member of the Grand Jury, **I will not** conduct business or interviews except by working in pairs or teams.*
- *I understand that as a Grand Juror, **I may not** use my status to exert undue influence, obtain favors, or create favorable impressions.*
- ***I will disclose** to the Foreperson and/or the entire Grand Jury, any potential conflicts of interest I may have or that may exist, either at the beginning of the term, or that may develop during the term of my service on the Grand Jury. When I have a conflict of interest, either real or perceived, I will abstain from investigations, discussions, voting and report writing on such matters. I will abide by any decision of the executive committee in matters concerning whether or not a conflict of interest exists.*
- ***I will use** the power of the Grand Jury only in the interests of the citizens of the County of Mendocino, and I will use discretion and diligence in conducting such business of the Grand Jury.*
- *In conclusion, **I will not discuss Grand Jury matters**, County departments, agencies, or public issues, either approvingly or disapprovingly with anyone except fellow Grand Jurors and then only in total privacy.*

(A copy of this Code of Ethical Conduct as a signature form is included in Appendix A and in the Forms Folder on the desktop of the grand jury computer. It should be distributed to all jurors and signed during the first or second full panel meeting.)

Conflict of Interest

Jurors serving on standing committees and carrying out investigations for the grand jury will not use *or appear to use* such position for private gain. Jurors must not participate in any grand jury action when they have a clear, pre-existing bias regarding that action.

It is the responsibility of each grand juror to advise the grand jury of any potential conflict of interest which exists at the beginning of the term of service or which may later develop during the year of service in connection with issues that come before the jury. A juror may have an actual or perceived conflict of interest when he or she

- makes, participates in, or uses his or her position to influence a decision that might affect the grand juror's economic interest
- has a personal relationship with an individual who may be affected by a grand jury decision
- is employed or was previously employed by an agency that is a subject of a current grand jury investigation

If a juror has doubts about whether bias or a conflict of interest may exist, the matter should be discussed with the foreperson who may seek further clarification from the Supervising Judge and/or County Counsel if necessary to resolve the matter.

Each juror is required to file a Form 700 Statement of Economic Interests at the beginning and end of service on the grand jury. The California Fair Political Practices Commission at www.fppc.ca.gov provides a detailed interpretation of California law regarding economic conflict of interest. The foreperson and the County Clerk cooperate to manage the process of providing and collecting these forms.

Bias

Bias shall be defined as either (1) prejudgment of essential facts that prevent the grand juror from considering an issue on its merits or (2) publicly expressed support or opposition to specific aspects of a matter before the grand jury. Having an educated opinion on an issue should not be considered the same as having a bias. The same procedures that apply to potential conflicts of interest shall apply to pre-existing bias.

Recusal

A juror who believes that his/her presence could present an appearance of bias or conflict of interest shall recuse him/herself from deliberations and voting. This is normally an individual decision. If questions arise about a juror's impartiality, the executive committee may review the situation and determine whether or not that juror can act without significant real or perceived bias. Once a juror has recused him/herself from work on a topic, s/he may not take part in further investigation,

deliberations, decisions or report writing regarding this topic. A juror's failure to recuse himself when there is an appearance of bias may damage the credibility of a report or of the grand jury process whether or not the alleged bias exists.

Grand Jury's Responsibility and Liability

The term "defamation" refers to conduct defined as "libel" or "slander" in the California Statutes. Libel is false written material which exposes an individual to hatred, contempt, or ridicule, or which causes a person to be shunned or avoided, or which has a tendency to injure a person in his or her occupation. Slander is a false oral statement to another that has substantially the same effect.

The California Legislature has specifically stated that if a grand jury comments upon a person or official who has not been indicted by the grand jury, any oral or written comment falling within the above definitions can be the basis for a suit against a grand juror as an individual or the grand jury as a whole. While some states absolutely forbid criticism of non-indicted individuals in a grand jury investigatory report, other states, such as California, permit derogatory statements by a grand jury about non-indicted individuals. Recognizing that a grand jury's report "is at once an accusation and final condemnation," with potential for harm which is incalculable, the California Legislature and Courts have declined to insulate grand jurors from liability for statements made in grand jury reports.

The grand jury should, accordingly, act prudently in verifying information that serves as a basis for its findings, fully consider input from legal counsel and the Supervising Judge, and be aware of the risk of a suit alleging defamation when it considers whether to make unfavorable statements concerning non-indicted individuals. If a jury decides to disregard the advice of County legal counsel or the Supervising Judge, individual jurors may be subject to civil penalties. In summary, California juries should be prudent but never fear telling the truth. Jurors should remember that the truth cannot be libelous or slanderous. (Penal Code §§ 924.1, 924.2, 929, 930)

Grand jury records are retained by the grand jury for varying periods of time as needed to document the grand jury's research, investigations, and good faith should this become necessary for court proceedings in the event of a lawsuit for libel. There is no statutory requirement in California regarding retention of grand jury records other than the provision of Penal Code § 924.4 authorizing the passing of records to the succeeding grand jury. Each grand jury should ascertain its county's requirements for records retention. Investigation files documenting highly sensitive matters may be stored by County Counsel at the discretion of the foreperson and County Counsel.

The Document Retention Table in Appendix A sets forth general retention guidelines. At the end of each year, current committee chairs work with the archives, office and complaint committee to discard retained documents that have reached their discard date. This leaves space to store the current documents.

Expense Reimbursement

Grand jurors are entitled to payment for meetings and reimbursement for expenses related to business of the grand jury including committee meetings, formal training, interviews, site visits, special meetings, and toll calls affiliated with grand jury business.

“Unless a higher fee or rate of mileage is otherwise provided ... the fees for grand jurors are fifteen dollars a day for each day’s attendance as a grand juror, and the mileage reimbursement applicable to county employees for each mile actually traveled in attending court as a grand juror.” (Penal Code § 890)

“All expenses of the grand jurors incurred under this article shall be paid.” (Penal Code § 931)

Internal policies and the Mendocino County Policy governing grand juror meeting payments, expense reimbursement and the meal Per Diem appear in Appendix A. These policies are summarized below:

- Mendocino County grand jurors will receive a taxable payment of \$10 for each meeting, not to exceed \$25 (2.5 meetings) per day.
- Full panel meetings will be paid at the rate of \$25 per meeting regardless of length. Jurors are encouraged to use remaining time productively.
- Subject to foreperson approval, other claims for 2.5 meetings may be made after 2 or 2.5 separate sessions (by the same or different committees) or after 6 or more hours of work.
- A Meeting MINUTES Form must be submitted for each session claimed.
- Mileage will be reimbursed at the rate established for Mendocino County employees. This rate is typically, but not always the same as the Federal IRS rate and may vary during a term.
- With prior approval by the foreperson, jurors who reside 30 miles or more from Ukiah may elect to stay overnight when serving on consecutive days and will be reimbursed for overnight accommodations, not to exceed two nights per week at the rate approved for Mendocino County employees.
- Meetings typically last 2.5 to 3 hours. Lunches will be reimbursed at the County’s Per Diem rate of \$9 following a morning meeting of two hours or more.
- Dinners will only be reimbursed at the County’s per diem rate of \$15 in conjunction with an approved overnight stay.
- Receipts are required for lodging, but not for meals.

Each juror must complete an Expense Claim Form for each month’s claims, clearly printing all information and signing the form in blue ink to identify the original. The juror must record and claim only the actual miles traveled.

For timely payment, the claim for each month should be submitted on or before the first full panel meeting of the following month.

NOTE: Jurors might not receive a 1099 Miscellaneous Income Statement if meeting payments do not exceed the \$600 threshold that requires employers to distribute the form. This does not waive the responsibility of jurors to report the payments as taxable miscellaneous income. Per Diem allowances for meals and reimbursement for rooms and mileage are not included in this amount because the county does not treat them as taxable income.

To ensure compliance with the laws governing grand juries, the County of Mendocino requires jurors to complete the annual training offered by the California Grand Jurors Association (CGJA) soon after each new term begins.

Reimbursement for expenses related to the annual California Grand Jury Association (CGJA) training include mileage reimbursement, bridge tolls (with a receipt) and a fixed Per Diem for meals. The Per Diem is a fixed amount for breakfast, lunch and dinner. It varies depending on the training location. Meal receipts are not required.

Hotel rooms are reserved and paid for by the County. However, jurors are required to provide a credit card on check-in to cover incidentals and must provide a copy of the hotel receipt when submitting their training expense claim. Jurors do NOT receive meeting payments while attending CGJA training. Expense claims are submitted on a County form different from the grand jury expense claim form.

CHAPTER II

CONFIDENTIALITY

Secret Sessions

Because of the confidential nature of a grand jury's work, much of it must be conducted in closed session. Members of a grand jury are sworn to secrecy to assure that all complaints and investigations will be handled in an entirely confidential manner. Only *currently serving jurors* may be present during deliberations or voting of a grand jury. Current jurors may not discuss on-going investigations with former jurors and former jurors are obligated to refrain from eliciting such information.

Other than the content of published reports, former jurors may not discuss the grand jury business of their own terms with current jurors. Nobody can require access to grand jury minutes, nor can these records be subpoenaed. With the approval of the foreperson, jurors may share with legal counsel or the Supervising Judge details of an on-going investigation when legal guidance is needed. Access to records may be required in a criminal case when the court orders that the testimony taken before the grand jury shall be produced to determine whether the witness has committed perjury. (Penal Code §§ 891, 924.1, 924.2, 934, 939 and Appendix I)

Secrecy

The law provides that every juror must keep secret all evidence brought before the grand jury, anything said by a juror, or how any juror voted on a matter. By law, it is a misdemeanor to violate the secrecy of the grand jury room. Successful performance of the grand jury's duties depends upon the secrecy of grand jury proceedings. A grand juror must not confide any information concerning testimony of witnesses or action of the jury even to a spouse or close friends. "Leaks" concerning grand jury proceedings inevitably will impair or even destroy the effectiveness of grand jury efforts and can result in prosecution.

The importance of confidentiality is emphasized by specific limitations defined in numerous Penal Code sections provided in Appendix J. Matters explicitly addressed by these codes include: recording of deliberations, privacy of interviews, unauthorized disclosure, protection of jurors, release of information in final report, presence of legal advisors to the jury, and procedures for public sessions. In summary, under no condition may anyone except jurors attend any session during deliberations and voting and jurors must never reveal confidential information outside the jury.

Interviews are conducted to *acquire* information, not to *dispense* it. While conducting interviews or field trips jurors must be alert to not discuss or reveal to non-jurors details regarding grand jury plans or investigations.

Caution shall be exercised to avoid having cell phone conversations overheard or having e-mail viewed by unauthorized persons. E-mail may be used when it can be verified that the websites are secure and that it will be viewed only by the intended recipient. Facsimile messages regarding grand jury business may be used only when confidentiality is assured.

Legal decisions regarding secrecy are presented in Appendix I.

CHAPTER III

GETTING STARTED

During the first weeks of the grand jury term the incoming jurors should meet often to become acquainted with each other, as well as their duties. The foreperson of the outgoing jury may provide information or assistance during the first 45 days of the new term. Former committee chairs may also be consulted regarding incoming responses to published reports. Any juror may be called as a witness concerning a new or on-going investigation, but care must be taken not to involve them in any deliberations.

To ensure compliance with the laws governing grand juries, the County of Mendocino requires jurors to complete the annual training offered by the California Grand Jurors Association (CGJA) soon after each new term begins. The new panel is strongly encouraged to hold two or three full panel orientation meetings prior to this formal training to review and adopt the Procedure Manual and complete various necessary housekeeping tasks.

At the First Full Panel Meeting, following the Swearing In Ceremony

The Foreperson:

1. Distributes the meeting agenda, the Grand Jury Procedure Manual, and a copy of the consolidated final report prepared by the outgoing panel
2. Asks the jurors to introduce themselves and briefly describe their backgrounds. This information is of early importance when electing officers and forming committees
3. Briefly describes the physical facilities in the grand jury meeting area, i.e., rest rooms, mail boxes, files, phones, library, security procedures, copier procedures, etc.
4. Distributes temporary parking permits and keys and calls a short break to allow jurors to place the permits in their cars and to move them to allowable spots (2 hours or more)
5. Collects roster and vehicle information and has jurors complete the Emergency Contact and Schedule of Availability Form.¹ (Copies of all forms referred to in

¹ During the parking break, the foreperson and foreperson pro tem will review juror schedules and identify which days pose the fewest conflicts to schedule full panel meetings. This information is then used to propose a regular week day for full panel meetings. As the Board of Supervisors meets on Tuesdays, this is a poor choice for full panel meetings.

this manual appear in the Appendices and are stored in a clearly marked file on the desktop of the grand jury computer.)²

6. Has jurors sign for keys
7. Distributes Expense Claim Forms and Reimbursement Policy and has treasurer explain how to complete the form and when it must be submitted each month (Appendix A)
8. Advises jurors that they will be required to complete Form 700 Statement of Economic Interests at the beginning and end of their service³
9. Distributes and reads the Oath of Ethical Conduct and collects signed copies
10. Explains duties of grand jury officers
11. Nominates a slate of officers to serve as the executive committee of the new panel, including a foreperson pro tem, recording secretary and treasurer. The foreperson may select the foreperson pro tem, but shall allow time for discussion and nomination of alternative candidates for secretary and treasurer before calling for the vote to elect the officers.
12. Discusses the exhibit depicting the work of the grand jury and the annual workflow (Page 3 of the Procedure Manual)
13. Distributes information and collects juror forms to register for California Grand Jury Association Training (CGJA)
14. Hands out one-page descriptions of complaints and topics proposed by the outgoing jury and provides form for new jurors to suggest topics (Appendix D)
15. Obtains grand jury approval of schedule for regular full panel meetings and schedules second pre-training meeting (avoid conflict with regular Tuesday Board of Supervisor Meetings)
16. Adjourns the meeting

² Information from the availability form is used by the foreperson to identify possible weekdays for full panel meetings, subject to approval by the jurors.

³ The law requires that jurors complete this form at the beginning and end of their service. Continuing jurors also complete the form in the spring of their second term. The foreperson coordinates completion of the Form 700 with the County Clerk. Copies of the form can be found to download at: www.fppc.ca.gov. The County Clerk provides the forms and is available at the Administration Offices on Low Gap Road to provide assistance, as needed. Jurors are advised that mandatory fines are charged for failure to complete the form in a timely manner.

At The Second Full Panel Meeting the Foreperson:

1. Revisits logistics and CGJA training plans
 - Distributes draft roster and collects any corrections⁴
 - Collects Training Registration forms
2. Provides directions and schedule (previously confirmed with Sheriff's Office 463-4411) for getting photographed for identification badges at the Mendocino County Sheriff's Office—589 Low Gap Road. (Photographs cannot be taken until the Sheriff's Office has received a copy of the current roster or jurors.)
3. Proposes that the panel adopt rules of order (Robert's Rules of Order may be used as a guide)
 - The foreperson shall preserve order, speak on points of order in response to members and decide all questions of order, subject to overruling by a simple majority.
 - When members wish to speak, they shall raise their hands and, when recognized, address the foreperson, and confine their comments strictly to the topic under discussion.
 - When a motion is under debate, no other motion or proposal is received except a motion to adjourn, to table, to postpone to a certain time, to refer to a committee, to amend, or to postpone indefinitely.
 - When a motion or resolution is offered, it shall be recorded and read to the jury by the secretary prior to the vote.
 - Voting is recorded as pass or fail. Only abstentions and recusals are recorded by name.
 - If, at any time, a member doubts the decision of a voice vote, s/he may call for a roll call but only the result is recorded in the minutes, not individual names.
 - Any member may move for the reconsideration of a vote upon receipt of new information. Reconsideration of a question can only be at the first meeting after notice has been given. If, at any meeting, questions should arise that are not covered above, they shall be decided by order of the foreman subject to overrule in accordance with the adopted rules of procedure.

⁴ Corrected roster must be forwarded by the foreperson to: Sheriff's Office prior to issuance of security badges, to the Court and City of Ukiah for parking permits, to the County Clerk for preparation of Form 700, and to the CEO's Office for training registration and to set up accounting system for expense reimbursement.

4. Describes/discusses the three functions of the grand jury. These are to:
 - Investigate citizen complaints
 - Conduct inquiries
 - Write and publish reports and collect and publish responses to these reports
5. Reviews the external and internal committees as described in Chapters IV and V of this manual, and the relationship between individual committees and the full panel
6. Determines whether the current panel wishes to adopt the committee structure as it is, or revise it ⁵
7. Reviews complaint procedures (Chapter IV) and distributes summaries of any complaints held over from the preceding year. The new grand jury may choose to investigate holdover complaints but is not required to do so.
8. Reviews inquiry topics and complaints proposed for carry over from the prior panel and any topics proposed for consideration by new jurors
9. Asks each juror to submit a list rank ordering their preferences for committee assignments on the Committee Preference Form (Appendix A). Encourages jurors to serve on one internal and two external committees or on three external committees.
10. Encourages and facilitates open discussion of proposed topics and committee assignments
11. Foreperson presents proposed committee membership and a preliminary schedule based on information provided by jurors
12. The foreperson may also call for jury volunteers to attend meetings of the Board of Supervisors (BOS). When the BOS meeting agenda contains items of interest to the grand jury, one or more members should attend, collect agendas and handouts and report pertinent details to any interested committees or the full panel.
13. After discussion and revisions, the full panel votes to adopt committee membership. The foreperson is an ex-officio member of all committees and may vote, but may not initiate a motion. Because s/he is responsible for ensuring that the committees function efficiently and effectively, the foreperson may reassign committee members when necessary to achieve these ends and to meet the needs of individual jurors.

⁵ Each Grand Jury may establish its own committee structure. Any changes shall be entered as corrections to this manual and submitted for substitution in the manual maintained by County Counsel.

14. Committees meet with appointed conveners who provide leadership until each committee selects a chair and secretary. Conveners ask members to review the prior year reports related to that committee's area of interest and to familiarize themselves with the Procedure Manual prior to attending the CGJA training. Members of the special districts committee are strongly encouraged to attend the CGJA session on LAFCO (The Local Area Formation Commission).
15. Foreperson confirms training logistics, distributes maps and hotel confirmations and adjourns the meeting.

**At the Third Full Panel Meeting (may be held before or after CGJA training),
The Foreperson:**

16. Confirms juror progress toward obtaining photo-ID badges
17. Asks treasurer to collect reimbursement forms for training expenses and review them with jurors. Meal receipts are not required. Reimbursement will be for the amount allowed by the County per diem schedule applicable to the location attended. A receipt is required for reimbursement of bridge tolls.
18. Distributes committee rosters and schedules and calls for any corrections prior to approval by full panel
19. Asks Continuity-Edit (CON-ED) chair to assign to each committee responsibility to review a designated portion of the Grand Jury Manual and to be prepared to briefly review that section prior to adoption of the Procedure Manual at the next full panel meeting
20. Reminds each committee to elect its chair and secretary and submit this information to the foreperson prior to the next full panel meeting
21. Continues meeting according to the standard meeting agenda that will be used for future full panel meetings, including:
 - Review and approval of minutes from previous meeting
 - Treasurer's report
 - Foreperson's report
 - Status reports from each committee
 - Consideration of new complaints and adoption or rejection of each

The many and diverse actions of a jury require careful and complete control procedures to assure necessary compliance and progress toward completion and publication of reports in a timely manner. Monthly progress reports ensure jury awareness and effective management of time and resources.

At The First Standing Committee Meeting

The appointed convener provides leadership until the committee:

- Selects its chair and a secretary to submit meeting verification minutes and maintain an investigation file on each topic pursued by the committee. A co-chair may also be appointed. The secretary submits the names of the selected committee officers to the foreperson.
- Confirms its regular meeting time and other times that are mutually agreeable for scheduling interviews. The meeting times should not conflict with other committees on which the same members serve. The day of the week that is designated for full panel meetings is often a good choice for interviews when no full panel meeting is scheduled.
- Discusses, with members, the cost of each meeting and how to complete its work in a cost-effective manner. Meeting costs include the round-trip mileage cost for each juror, meal and lodging reimbursements and meeting compensation for each committee member. It is not unusual for a single meeting to cost \$250 to \$300. As the year progresses, meeting schedules will change. At times, a meeting may be unnecessary. At other times, such as during the group phase of report writing, it can be advantageous for a group to meet for a full day to focus on the task. A committee is empowered with considerable flexibility to use the time and resources necessary to complete its work. This flexibility comes with a responsibility to proceed with regard for the fact that the grand jury budget is funded by county taxpayers.
- Recommends that, any time that a meeting is to be cancelled or changed from the agreed-upon time, the chair or the chair's designee will contact all committee members by phone and e-mail to confirm the change. Except for last minute events such as a cancelled interview, this should be done 72 hours in advance.
- Reviews committee functions and discusses members' interests and concerns
- Commences review of related grand jury final reports and responses from at least the past three years
- Reviews Chapters VII and VIII of this Procedures Manual and discusses the content of CGJA training on how to prepare for and conduct effective grand jury investigations.

Subsequent Standing Committee Meetings

During the first few meetings, each committee refines the focus of its assigned investigation(s) and lists priorities for document requests, interviews and site visits. Members develop questions for each person to be interviewed and prepare a preliminary timeline, including proposed interview dates. Committees may find it helpful, periodically to review the Judges' *Charge to Grand Jurors* and/or Procedure Manual Chapter VII on Investigations and Chapter VIII on Report Preparation.

Absences of Jurors

Jurors are expected to devote as much time as is required to fulfill their jury duties. Within reasonable limits, jurors are excused when pressing personal or family matters require their attention. An unexpected lack of a quorum in a formal proceeding, in particular, wastes funds provided by the taxpayers and can cause significant inconvenience and lost productivity on the part of officials, witnesses, and other grand jurors. (Penal Code § 896 (a))

A juror may request in advance to be excused from a meeting by advising the foreperson or applicable chairperson. A juror who accumulates three (3) unexcused absences from regular meetings or three (3) unexcused absences from committee meetings may be evaluated by the grand jury for continuation of service.

Resignation/Termination of Jurors

Resignations of members of the grand jury shall be submitted in writing to the foreperson for consideration of the Supervising Judge. The proposed termination of any juror, for cause, shall be presented by the foreperson to the Supervising Judge for approval by the Court.

Replacement Jurors

When a vacancy occurs in the grand jury membership, the vacancy may be filled by the Court from the pool of alternate jurors. Prompt replacement is particularly important early in the year to insure voting strength throughout the year. (Penal Code § 908.1)

The foreperson shall assume responsibility, or designate another juror to be responsible, for assuring that each replacement juror is oriented into grand jury requirements, issued a Grand Jury Procedure Manual and other training aids, and briefed about juror responsibilities. Based on historic turnover, it is recommended that the foreperson coordinate with the Court and the CEO's Office to encourage and fund CGJA training for one or more alternate jurors.

Facilities and Equipment

The County provides meeting and workspace for the grand jury. Minimum facility needs include: a conference room that can seat at least 21 individuals, at least one smaller meeting space, a work space equipped with mailboxes for each juror, file space for each committee, bookshelves and secure storage space for archived materials. Equipment includes tables and desks, two desktop computers, one printer and one combined printer/scanner/copier that can be operated directly from either computer. The grand jury also benefits greatly from ready access to a laptop computer and compatible projector. The location of the grand jury chambers should

be in a location with adequate parking and where witnesses can come and go with a reasonable level of privacy.

Grand Jury Administrative Assistance

For routine operations, the Grand Jury has several sources of administrative assistance including the Court Administrator and staff in the CEO's Office, Court Accounting Office, and Information Technology Department.

The Court Executive Office is located in Room 303 of the Courthouse. The Court Executive Officer supervises the Court staff. If the grand jury has a problem with Court staff, needs special assistance from the Court staff, or has questions about administrative procedures, the foreperson contacts the Court Executive Officer. The foreperson may also consult with the Court Executive Officer about space needs for committee meetings outside Ukiah. The Court Executive staff serves as confidential advisors to the grand jury.

The County CEO Office staff provide accounting services, assist with the collection of responses, manage the grand jury website, and oversee grand jury facilities.

1. Accounting

The foreperson collects all bills and invoices and turns them in to the CEO's employee designated to handle grand jury accounting. Any supplies that need to be acquired are requested in the same manner, through the CEO staff. Budget planning is discussed with the Supervising Judge before budget requests are presented to the CEO's office and the Board of Supervisors. The CEO has the right to present to the Supervising/Presiding Judge the CEO's response to the grand jury's request for budget allocations in excess of the budget that has been approved by the Board of Supervisors.

Internal accounting for the grand jury is compiled by the treasurer and reviewed by the foreperson. The CEO's office maintains an independent accounting of all expenditures that are paid from budgeted funds and will supply a current budget expenditure report upon request of the foreperson or treasurer. Budgeted travel funds are subject to adjustment once the geographic distribution of jurors is known. All grand jury funds should be carefully monitored. If projected overruns become apparent, thorough analysis should be made and discussed with the Supervising Judge, then presented to the BOS and CEO in a timely manner.

2. Collection of County Responses to Published Reports

Designated staff in the CEO's office assist the grand jury by collecting and submitting required responses from elected officials and county employees. Although it has not been the case in recent years, if necessary, technical assistance may also be sought from the CEO staff to prepare the year-end consolidated grand jury report for printing.

3. Department of Information Technology

The chair of the CON-ED Committee works with a designated staff member in the County Department of Information Technology to post final reports and responses on the grand jury website and to prepare a CD of the Consolidated Final Report with Responses for distribution to the Court and, by the Court, to the State Archivist.

4. Department of General Services

The chair of the CON-ED Committee provides designated staff in the County Department of General Services with an electronic copy of the Consolidated Final Report and works with staff to finalize the copy prior to printing and collating of the report.

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CHAPTER IV

GRAND JURY OFFICERS AND INTERNAL COMMITTEES

Each Grand Jury shall choose its officers, except the foreperson...Penal Code §916

Each grand jury decides how to organize itself. The role of all officers is to serve and facilitate the work of the full panel. In recent years, the Mendocino County Grand Jury has operated with an executive committee composed of the foreperson, appointed by the Supervising Judge, the foreperson pro tem, nominated by the foreperson, and a treasurer and secretary who may be new jurors or returning jurors who have been nominated by the foreperson for approval by the full panel. The foreperson may also appoint experienced jurors as temporary conveners to lead new committees until chairpersons are selected. The appointed and nominated officers and conveners serve as a transition team to provide continuity between the out-going and in-coming panel of jurors. Apart from carrying out their specifically assigned responsibilities, each officer speaks and votes as an equal with all other members of the panel. Other officers such as a parliamentarian, historian or sergeant-at-arms may also be appointed.

The Rule of Two: Under Penal Code § 916, all investigatory activities must be conducted by a minimum of two jurors. It is highly recommended that other grand jury business, including seeking of legal advice and many administrative tasks, be conducted by at least two jurors. A single juror may be designated to pick up documents, schedule appointments or to observe a public meeting on behalf of the jury but information gained through conversations may not be used without independent verification. For this reason, it is best to work with at least one other juror.

Foreperson

The foreperson is appointed by the Supervising Judge at the time of the swearing in of each new panel and may or may not be continuing from the prior year. The foreperson's most important tasks are to:

- ensure that the full panel and the committees function effectively
- serve as the sole spokesperson for the grand jury
- liaison with the Court and County agencies.

The foreperson is an *ex officio* member of all committees and consults with committee chairs regularly. Any grand juror should feel free to consult the foreperson on any grand jury matter. The foreperson:

1. Prepares agendas, presides at full panel meetings and facilitates other grand jury meetings as needed. (Sample General Meeting Agenda appears in Appendix A)

2. Works with continuing jurors who have volunteered to serve as a transition team to orient new jurors and complete the following administrative tasks during the first two to three full panel meetings:
 - Distribute Grand Jury Procedure Manual for review and adoption.
 - Develop a full panel roster and distribute it to jurors, the County CEO, County Clerk and the Sheriff's Office.
 - Issue keys and temporary parking permits if required.
 - Distribute and collect signed copies of the Grand Jurors' Code of Ethical Conduct and the preliminary schedule and emergency contact information form.
 - Review schedule information and propose a day for regular full panel meetings.
 - Distribute expense reimbursement forms and clearly explain the County reimbursement ordinance and how to secure reimbursement for CGJA Training costs and on-going expenses incurred in the conduct of grand jury business.
 - Describe CGJA training program. Collect necessary registration information and forward to the CEO's Office.
 - Coordinate with jurors and Sheriff's Office to produce photo identification badges.
 - Coordinate with the Court and the City of Ukiah to secure parking passes.
 - Ensure that all jurors receive Ethics Training from County Counsel's Office within the first two months of service and complete Form 700 Statement of Economic Interest when prompted to do so by the County Clerk.
3. Makes committee assignments and changes these assignments as needed.
4. Assigns complaints accepted by the full panel to the appropriate committee.
5. Liaisons with the Court and the CEO to conduct grand jury administrative tasks and seeks legal counsel on behalf of the grand jury when questions arise.
6. Prepares and monitors the grand jury budget with the guidance of the Court and the assistance of the treasurer and reports expenditures to the CEO and BOS.
7. Reviews and forwards to the CEO any bills received through the grand jury mailbox (e.g. the post office box renewal and phone bills).
8. Updates the CEO and the BOS on projected travel costs as soon as the geographic distribution of jurors is known, and no later than August 15.
9. Consults with the Supervising Judge, District Attorney, or County Counsel on matters before the grand jury as deemed necessary by the foreperson or as directed by a vote of the full panel.
10. Prior to publication, submits to the Supervising Judge and County Counsel for their review all final reports and any documents that might establish policy for the grand jury, including changes to this Procedure Manual that have been authorized by the full panel.

11. Signs all general correspondence that represents the wishes, judgment, or response of the grand jury and reviews correspondence to be signed by committee chairs regarding on-going investigations.
12. Approves and signs reimbursement forms for jurors and the combined reimbursement statements and purchase orders after they are prepared by the treasurer.
13. Pre-approves requests for up to two overnight stays per week by jurors who reside more than 30 miles from the grand jury office and are to serve in Ukiah on consecutive days.
14. Reviews committee schedules and investigation plans and encourages committees to operate in an efficient and cost-effective manner.
15. Is the official public spokesperson for decisions or statements of the grand jury. Speaks to media contacts and to interested groups, on request, and authorizes press releases. The foreperson may delegate specific speaking assignments to a member of the panel.
16. Signs all grand jury reports, responses to requests for investigation, and Accusations with prior approval of 12 members of the grand jury. (Penal Code § 916)
17. Administers oaths to subpoenaed witnesses and other witnesses when appropriate. (Witness Oaths are included in Appendix D)
18. Collects keys, Grand Jury Procedure Manuals and Completion of Service Forms from out-going jurors. (Form appears in Appendix A)
19. Is available, on reasonable notice, for 45 days after the end of the term to respond to questions by the current foreperson and to clarify recommendations of the final report.

Foreperson Pro Tem

1. Is nominated by the foreperson and attends the CGJA training for forepersons and forepersons pro tem on the Sunday preceding juror training.
2. Assumes the foreperson's responsibilities and powers in the absence of or at the request of the foreperson.
3. Serves on the transition team at the end of the term to ensure continuity between out-going and in-coming panels.

4. Acts as the foreperson, in the event of a vacancy in the office of the foreperson, until the Supervising Judge officially selects a replacement.
5. When asked, the foreperson pro tem assists the foreperson with matters of administrative procedure, committee responsibilities, personality issues, morale, and in any other way the foreperson might request. (Penal Code § 916.1)

Secretary

1. Prepares the minutes of grand jury full panel meetings and distributes them for approval by the full panel.
2. Records attendance at full panel meetings and places attendance sheet into foreperson's file for signature. Indicates on the attendance sheet the times of each juror's arrival and departure, if other than the full interval of the meeting.
3. Records times of arrival and departure of non-jurors during any part of a meeting. Non-jury members are not permitted in meetings during deliberations or voting. (Penal Code § 939)
4. Records all motions and seconds to motions. Reads the motion to the jurors before a vote is taken.
5. Records the vote on all motions only as pass or fail. Abstentions and recusals will be recorded by name.
6. Coordinates with the Archives/Office and Complaints Committee (AOC) to maintain files of correspondence received by the grand jury and outgoing correspondence signed by the foreperson.⁶
7. Coordinates with AOC to prepare acknowledgments of all letters and complaints, for foreperson's signature, and to prepare other correspondence requested by foreperson.
8. Distributes full panel handouts into the mailboxes of absent jurors.

Treasurer

1. Presents a year-to-date grand jury budget report at each full panel meeting.
2. Works with the foreperson to estimate juror travel expenses based on the geographic distribution of the panel and estimated travel to complete approved investigations.

⁶ Each grand jury foreperson may organize the assignment of clerical tasks in whatever manner ensures their timely and accurate completion.

3. Ensures the accuracy of grand jurors' reimbursement claims and submits them, along with a combined reimbursement statement to the foreperson to sign and submit to the CEO for payment.

Internal Administrative Committees

Internal committees carry out the jury's administrative tasks. The 2008-09 Mendocino County Grand Jury operated with three internal committees, the: *Executive Committee, Archives, Office and Complaints (AOC)* and *Continuity/Edit (CON-ED)*.

The Executive Committee

The Executive Committee is composed of the foreperson, foreperson pro tem, secretary and treasurer who are charged with responsibility for providing leadership and ensuring the smooth operation of the grand jury. Officers are appointed to serve, not to control the jury. Each one votes and expresses individual view points on matters before the jury that carry no greater weight than any other member.

Archives, Office and Complaints (AOC)

AOC is a small internal committee of three or four members who assume responsibility for:

- the smooth operation of the Grand Jury office
- maintaining the Grand Jury files, archives and reference materials and renewing the supply of forms, as needed, by printing them from the grand jury computer
- receiving and tracking citizen complaints

At least one member of the committee should be readily available in Ukiah to pick up and distribute phone messages and collect and distribute the grand jury mail several times each week. All mail must be date stamped before distribution.

Routine AOC office and archive duties are described in detail in the AOC manual that is kept in the grand jury work area. Complaint procedures are described below.

Complaints

Any individual may file a complaint with the grand jury about the conduct of local or county units of government, public officials, whether elected or appointed or non-profit agencies that receive public funds and act on behalf of a public entity. Anyone may ask for an investigation of alleged misconduct. The procedure is to file with the grand jury a completed Complaint Form. Filings may be made by mail or e-mail. Filing the Complaint Form initiates the complaint process. Complaints may be filed anonymously and may be accepted even though not in proper format. The Penal Code does not define grand jury duties as to complaints, but the jury can, and frequently does, look into complaints as part of its oversight responsibilities. Complaints must be handled in strict confidence to protect the complainants' identities.

UNDER NO CIRCUMSTANCES should action be initiated by the grand jury on a verbal complaint. To protect confidentiality, initial complaints should not be taken or discussed over the telephone. Callers should be encouraged to submit their complaints in writing. Telephones may be used for follow up discussions.

Criteria for Complaints

- Must be in writing
- Should be e-mailed or mailed with signature and date, but anonymous complaints may be reviewed for possible investigation
- Shall be retained for one year
- Shall remain confidential and secured

Some complaints will be without merit and others will concern matters over which the grand jury has no jurisdiction. When there appears to be a legitimate complaint and the grand jury has jurisdiction, the jury may make inquiries to determine the validity of the complaint and, if valid, proceed to investigate and develop a final report.

If a person wants to write a letter to the grand jury, but cannot because of a disability, s/he may call and ask for assistance through a field interview by at least two members of the grand jury (in accordance with the "Rule of Two"). The foreperson and complaint committee (AOC) will select two members of the grand jury to assist the complainant. After the requesting party approves the letter, it will be treated as a regular complaint letter.

If a person requires an interpreter, that interpreter may be present with the jurors during the interview. (Penal Code § 937)

Care must be exercised to identify and reject complaints that are under litigation and those that are frivolous, trivial or misdirected. The jury should be reluctant to accept complaints that:

- involve issues associated with an election campaign in progress
- appear to require the complainant to seek legal advice or use the courts to accomplish his/her ends
- suggest that the complainant has ulterior motives

THE GRAND JURY IS NOT REQUIRED BY LAW TO ACCEPT OR ACT ON ANY COMPLAINT. THE JURY CAN REFUSE A COMPLAINT FOR ANY REASON, INCLUDING MORE URGENT PRIORITIES FOR ITS TIME.

Complaints, whether or not acted upon, frequently aid the jury in identifying areas of government about which citizens have concerns. The appropriate committee should look into such concerns when the particular government office is under scrutiny.

All correspondence and files of the grand jury are exempt from laws requiring public disclosure. Persons sending letters to or receiving letters from the grand jury may make such correspondence public. The grand jury, however, shall not release a letter from any individual.

Jurors shall not enter into discussions with complainants by telephone, e-mail or personal meetings except when initiated by the committee. JURORS SHALL NOT CONDUCT ANY INTERVIEW WITH A COMPLAINANT UNLESS AT LEAST ONE OTHER JUROR IS PRESENT. At every stage in the procedure, complaints are handled in strict confidence to protect the complainant's identity.

Complaint Procedure

Once a completed Complaint Form is received and date stamped, the complaint process follows a disciplined pattern:

- The complaint is placed in the AOC chairperson's mailbox.
- The AOC Committee enters the complaint in the Complaint Log with a tracking number, the date received, the name of the complainant (if known) and the date scheduled for review by the full panel. (Complaint-related forms and sample response letters are included in Appendix B and in the clearly labeled folder on the grand jury computer "desktop")
- Committee members review the complaint, write a summary and distribute copies of the summary and the original complaint to all jurors. At the next full panel meeting jurors review the complaint and vote to either accept or decline it. They further decide whether to act on an accepted complaint or recommend it for consideration in the following year.
- If the complaint is accepted for immediate investigation the foreperson assigns it to an appropriate committee or sub-committee. Late in the year, a referral form may be prepared for consideration by the incoming panel.
- The disposition of the complaint is noted in the Complaint Log.
- Following each full panel meeting, the AOC prepares appropriate form letters for the foreperson's signature to acknowledge complaints that were reviewed. Complaint form letters appear in Appendix B. They have been approved by County Counsel and should not be altered. The Attorney General's Office has issued an opinion that no information may be given to the complainant as to why a complaint was not accepted because such information could be considered legal advice and is strictly prohibited.

Handling Accepted Complaints

As with all investigations, witnesses are interviewed under strict confidentiality. Documents are gathered and analyzed. Information and statements are crosschecked and verified. When the committee completes its investigation, the chair reports back to the full panel of jurors whether or not the findings justify a written report. Investigations and reports written in response to a complaint follow the same procedures and approval process as those initiated internally.

As with all investigations, all information received by the grand jury must be kept in strict confidence. The only information a juror may ever disclose is a written and approved final report. It is a misdemeanor for a grand juror to disclose evidence presented to the grand jury or conversations and votes of the jurors.
(Penal Code § 924.1)

Always maintaining confidentiality preserves the integrity of the grand jury process. This reassures individuals that they can disclose freely, during a grand jury investigation, any and all relevant information without fear of retribution.

Complaint Forms are available in the grand jury office. Jurors may mail, e-mail or hand deliver Complaint Forms when they are requested. Forms may also be downloaded from: <http://www.co.mendocino.ca.us/grandjury>.

Continuity/Edit Committee (CON-ED)

1. Maintains and updates the spreadsheet documenting the history of published reports that is discussed in Appendix D and kept in a labeled notebook with other grand jury reference documents.
2. Works with the CEO's Office to ensure that adequate responses to the prior year's reports are collected pursuant to Penal Code § 933 and initiates the response collection process as new reports are released during the year.
3. Works with CEO's Office and Information Technology Department (IT) to:
 - ensure that all of the prior year's published reports have been posted on the grand jury website
 - post all required responses to the prior year's reports on the grand jury website no later than November 1 and prepare and submit to the Court, a CD containing the prior year's *Consolidated Final Grand Jury Report with Responses* for filing with the State Archivist
 - post current year reports in a timely manner after transmittals have been sent to the required respondents

- To the extent possible, CON-ED submits information to IT as clearly labeled identified e-mail attachments. When necessary, original documents may be scanned on the grand jury printer and forwarded as PDF files. (This is discouraged because of the much larger size of scanned documents relative to original electronic files.)
4. Updates the Mendocino County roster and the Grand Jury Media, ListServ and Library Contact List annually and replaces these pages in the Procedure Manual for incoming jurors. (The media list appears in Appendix G.)
 5. Prepares and distributes timely press releases to inform the media when individual final reports and the consolidated year-end *Final Grand Jury Report with Responses* have been posted on the website.
 6. Distributes the Grand Jury Style Guide and coaches investigative committees in use of the guide and electronic template for preparation of new reports. The Style Guide is included in Appendix D.
 7. Meets with at least two representatives of each investigative team to review and edit each report for clarity and consistency with the *Associated Press Style Manual*.
 8. Ensures that each report submitted to CON-ED is accompanied by a completed Evidence Documentation Form and an accurate and legible contact list with names, title, address, e-mail and phone number for each individual required or requested to respond. The contact list also indicates the date of each interview. These forms appear in Appendix D and can be printed directly from the Forms Folder on the grand jury computer desktop.
 9. Forwards edited reports to the foreperson for review by the full panel.
 10. Following full panel approval, makes any required changes and forwards the final text to the foreperson, who e-mails it to County Counsel and to the Supervising Judge for their review and approval.
 11. CON-ED promptly forwards all court-approved reports to the grand jury contact in the CEO's Office and to *non-county* employees who are required or requested to respond. The CEO's Office distributes reports and collects responses from elected and appointed Mendocino County officials. CON-ED is responsible for distributing reports and collecting responses from individuals who are not employed by the County. The Transmittal Packet used to distribute reports and collect responses has been approved by County Counsel. It appears in Appendix E.
 12. At the time of distribution, CON-ED enters the release date under the Title at the top of each report. Elected and appointed county officials and agency heads are required to respond within 60 days after the release date. The governing body of

any public entity is required to respond within 90 days. (Penal Code §§ 933 and 933.05)

13. Those required to respond to grand jury reports receive a response transmittal package that includes the report, a response form, and a copy of Penal Code §§ 933 and 933.05 that specify response requirements.
14. Reports are to be posted online and then released to the press in a timely manner, but no sooner than two working days after they are sent to the respondents. Courtesy copies may also be sent at this time.
15. With the foreperson's approval, the summary section of any finalized report, together with standardized grand jury contact information, may serve as the press release without further review by the full panel. (A standard press release appears in Appendix E and a Media, ListServ and Library Contact List appears in Appendix G)
16. By January, CON-ED confers with the contact in the CEO's Office and sets up a system for collecting responses to the current year's reports as they are released. CON-ED works with an assigned Information Technology contact to post responses received before the end of the term.
17. To ensure continuity, it is advisable for the chair of the out-going CON-ED Committee to meet with the new CON-ED chair to explain the process for collecting and posting outstanding responses to the published reports. If the new chair is not a continuing juror, this meeting should take place shortly after the swearing in ceremony and no later than August.
18. By December, members of the CON-ED Committee are advised to meet with the foreperson to prepare a plan for posting new reports and responses to the website and preparing and printing the *Consolidated Final Grand Jury Report* and the *Consolidated Final Grand Jury Report with Responses*. Questions to be addressed include:
 - How many hard copies will be printed and what funds are required for this purpose⁷
 - Who will receive hard copies and/or electronic copies distributed by e-mail or on CDs
 - Who will be responsible for collecting finalized reports and compiling the final electronic document
 - Who will be responsible for printing the document and preparing the CD and who will coordinate with these individuals

⁷ The budget for hard copies has been repeatedly reduced, however, it is recommended that a minimum of 75 hard copies be produced for distribution to: the Court (2 hard copies and two copies of the CD version of the Compiled Final Report with Responses), out-going and in-coming jurors, each newspaper, each public library and private libraries in Covelo and Mendocino, each department, agency or school that is the subject of a report. Post cards and e-mails may also be used to inform interested parties that reports and responses have been published to the grand jury website.

- What tasks are involved in print and electronic publishing and where does each task fit on a timeline that will lead to publication no later than June 15
19. No later than May, CON-ED will review any *substantive* changes to the Procedure Manual and prepare them for consideration by the full panel. The foreperson will present approved changes to County Counsel for review. To maintain continuity and avoid confusion, the CGJA strongly recommends that only truly substantive changes be introduced to local procedure manuals. These might include changes in laws related to the grand jury or necessary changes in rosters or in the protocols for accomplishing administrative tasks. Each jury has considerable flexibility in organizing its work.
 20. CON-ED participates with other members of the transition team to identify desired and necessary changes to the Procedure Manual and ensure that clean, updated copies are prepared for distribution to the in-coming panel. Administrative changes to the manual, such as replacing out-dated rosters, updating the media contact sheet, and making address corrections may be undertaken as a routine administrative task. All substantive changes to the Procedure Manual must be approved by the full panel and reviewed by County Counsel. Copies of the revised pages should be submitted to Counsel and to the Supervising Judge to update their copies of the document.
 21. As soon as the year's reports are complete, work can begin to assemble the consolidated final report. The individual reports are combined into a single document and the cover art, Table of Contents and Letter to the Judge are prepared. After CON-ED reviews the resulting document, it is highly advisable to make 2-3 copies of the complete report and collect editorial input from 2 or more additional jurors who volunteer to provide technical editing. At this stage, content changes may not be made, but identifying typos and fine tuning the format will result in a more accurate and consistent document.
 22. No later than mid-June, a CD should be delivered to the County printing office in General Services (463-4293) with both the MS-Word and PDF versions of the combined final report. It is wise to call even earlier to establish a timeline that will result in having the report printed and available prior to the Swearing In of the new panel. A copy of the same CD should be provided to the designated website staff members to post the consolidated report on the website. (See examples from recent years.)

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CHAPTER V

EXTERNAL INVESTIGATIVE COMMITTEES

The accomplishments of any grand jury depend on the work of its committees. County juries select various committee structures. The CGJA 2004 survey of California grand juries found the number of committees appointed by juries to meet their needs varied from four to ten. In recent years, the Mendocino County Grand Jury has had the three internal committees described in Chapter IV and six external (investigative) standing committees as described below. Varying numbers of sub-committees and Ad Hoc committees are established, as needed.

External committees are responsible for conducting investigations and writing reports. In recent years, the Mendocino County Grand Jury standing committees have been:

- *Administration—investigates complaints and topics of concern related to County Administration.*
- *Criminal Justice—investigates complaints and topics of concern related to law enforcement and animal control in Mendocino County and "...inquires into the condition and management of prisons within the county as required Penal Code § 919. The Criminal Justice Committee prepares reports on its oversight visits when warranted by its findings.*
- *Education—investigates complaints and topics of concern and conducts public school oversight inquiries, rotating among school districts throughout the county.*
- *Emergency Services—investigates complaints and topics of concern related to the capacity of the county to respond to emergency situations and natural disasters.*
- *Health and Human Services—investigates complaints and topics of concern related to county programs and county funded non-profit agencies that provide a wide range of services including mental and physical health, substance abuse, senior centers, subsidized housing and animal protection.*
- *Special Districts—investigates complaints and topics of concern related to the numerous special districts that operate under the auspices of LAFCO to provide fire protection, water, sewer, cemetery and other public services to the citizens of the county. Prospective members of the Special Districts Committee are strongly encouraged to participate in the LAFCO workshop offered during the CGJA training.*

- *Sub-Committees and Ad-Hoc Committees—may be formed as needed to carry out the work of the grand jury in an efficient and cost-effective manner. Groups of two to four jurors may be assigned to conduct preliminary inquiries into a complaint, carry out a specific set of investigative tasks, or to conduct an entire investigation. Groups smaller than three are not recommended to ensure that the required minimum of two members will be available when needed. In some situations, a committee may be formed of members who live in close proximity in order to reduce travel time and costs. At other times, geographic distribution may be desirable to avoid a perception of bias. Sub-committees report first to their committees and then to the full panel. Ad Hoc committees present their work directly to the full panel.*

Organizing the Committees

Upon appointment by the Supervising Judge, the new foreperson identifies a foreperson pro tem and may also nominate candidates for secretary and/or treasurer and temporary committee conveners. Officers may or may not be elected from among the continuing jurors who have served as the transition team, but if a continuing juror has been trained to assume the duties of treasurer, this would be a wise choice for that position.

Transition team members will have elicited and summarized potential complaint and investigation topics that the out-going jurors agreed to recommend to the new panel. They prepare presentations to describe these topics and, also, the roles that each committee played during the prior term, understanding that the new panel may choose to organize itself in a different manner.

During one of the first full panel meetings, the foreperson asks each juror to submit a personal calendar showing their availability to meet and to state their preferences for committee assignments. Jurors are also asked to consider topics recommended by the prior year's jury and to write up any other suggestions they may have for grand jury inquiries. A Proposed Inquiry Form is provided in Appendix A for this purpose.

The foreperson is responsible for reviewing juror input and for making committee assignments. The foreperson will consider each juror's interests, background and expertise and the need to distribute experienced jurors across the new committees.

Every juror is expected to serve on at least two external committees. Several will also serve on one of the internal committees. Jurors are strongly discouraged from serving on more than three investigative committees at the beginning of the term. Starting the year with a limited number of assignments allows jurors to join Ad Hoc committees that form later in the year. Committee working groups of more than 6-7 people often become unwieldy.

Committee Officers

At the beginning of the term, the appointed committee convener provides temporary leadership and helps to orient members of each new committee until officers can be selected by its members. A convener may or may not continue as an officer or even as a member of the committee.

Committee Chair

1. Schedules, prepares agendas for, and presides over meetings of the committee.
2. E-mails meeting reminders when possible and appoints a member who has e-mail and who resides near the grand jury chambers to see that this message is distributed by phone and/or hard copy to any members who do not regularly receive e-mail.
3. Drafts outgoing letters, e.g. to confirm appointments or request documents, to be approved by the committee and the foreperson.
4. Makes necessary calls to schedule and confirm interviews (preferably with a second juror present).
5. Reports committee progress to the full panel.
6. Oversees the report-writing process, including selection of one or two committee members to prepare an initial draft, review and approval of the revised draft by the full committee, and presentation of the approved draft to the edit committee and then to the full panel.

A committee co-chair may be appointed to assist the committee chair and perform chair duties in the absence of the committee chair or the secretary can fulfill this role.

Committee Secretary

1. Records meeting attendance and briefly describes actions taken on the Minutes Form and submits the form, with the chair's signature, to foreperson. This form is used to verify juror expense reimbursement claims.
2. Records action items and delegated tasks and distributes copies of these Minutes to members' mail boxes and or e-mail addresses before the next meeting.
3. Maintains a master file of all committee agendas, minutes, interview notes and public documents.
4. Completes and e-mails a Finding Documentation Form and Contact Report to the edit committee chair with each committee-approved report draft. (Both forms

appear in Appendix D and may be printed directly from the Forms folder on the desktop of the grand jury computer.)

5. Collects and clearly labels committee records at the end of the term, in accordance with county document and retention schedule.

Duties of External Standing and Ad Hoc Committees Authorized by the Full Panel:

1. Conduct preliminary investigations of complaints. The jury is not required by law to investigate every complaint but it is customary, within time limitations, to investigate all cases it deems valid.
2. Develop and conduct full complaint investigations when authorized by the full panel.
3. Develop and conduct oversight inquiries into the county's departments, schools, prisons, special districts and other public and non-profit agencies that receive taxpayer funds for their operations.
4. Provide a status update of each active investigation at each full panel meeting.
5. Write a final report, when indicated, for full panel approval.
6. It is strongly recommended that the final report be written promptly at the conclusion of each investigation and that it be published promptly upon review by County Counsel and final approval by the Supervising Judge.

Guiding Rules of Committees:

1. Each committee shall perform the duties assigned and referred by the full panel. Close contact shall be maintained with the entire grand jury through regular progress reports.
2. Although committee meetings usually are more informal than those of the entire grand jury, the committee chair shall conduct them with sufficient rules of order to insure efficient progress.
3. Grand jury investigative teams function most effectively and economically with no more than six or seven members. Larger committees may elect to form sub-committees to complete part or all of an on-going investigation.
4. Committees shall advise the entire jury of their meeting schedule and invite all jurors to attend. No meeting is a closed meeting.

5. While every committee meeting is open to any member of the grand jury who wishes to attend, compensation for committee meeting attendance by non-member jurors is subject to approval by the foreperson and may be limited by budget constraints.
6. During the planning phase of an investigation, a committee may invite the chair of the previous year's committee to brief members concerning the findings and recommendations contained in a published final report. Former jurors may be called as witnesses. Only sitting jurors may participate in deliberations about the new or on-going investigation.
7. Each committee should study the final reports of previous grand juries with particular attention to the responses received. These are an important aid in determining what to investigate or review and how to proceed.
8. Plans for inspections, tours, interview lists and questions must be agreed upon by the committee. Grand jury meeting space for interviews must be reserved in advance to avoid conflicts with other committees.
9. All investigations of complaints and other topics of interest to the committee must be authorized by the committee and conducted by at least two grand jurors. (Penal Code § 916)
10. Written and/or taped records should be kept of all inspections, tours, and interviews. Each member is to take notes, which the committee will discuss and summarize promptly to ensure accuracy and agreement on key points. A finding may not be verified on the basis of one individual's notes.
11. Findings must be based on input from multiple individuals and must not reflect the personal bias of any single interviewee, juror or group of jurors.
12. The "Rule of Two" requires that all findings be verified by at least two individuals and/or published documents.
13. If an investigation has revealed deficiencies, it may be useful to schedule a conference with the department or agency head to discuss the perceived deficiencies. This often leads to correction before the jury's term is completed. These corrections may be included in the final report. Penal Code § 933.05(d)
14. Further guidance is provided in Chapters VII and VIII on Planning and Conducting investigations and preparing final reports.

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CHAPTER VI

DUTIES AND POWERS OF THE GRAND JURY*

Civil Responsibilities

Penal Code § 916 is the source of the grand jury's power to decide for itself what it wants to do, how to do it, and how much energy to invest in doing it. The grand jury's civil powers can be summarized as follows:

Juror Identified Public Offenses

A member of a grand jury who knows, or has reason to believe, that a public offense, triable within the county, has been committed, may declare it to his fellow jurors, who may thereupon investigate it. (Penal Code § 918)

Removal of Public Officers

Inquire into willful or corrupt misconduct including malfeasance, misfeasance, and nonfeasance. (Penal Code §§ 919(c), 922 and Government Code § 3060)

Government operations

Inquire and report on county government operations to be assured that the responsibilities are being fulfilled efficiently, honestly, and in the best interest of the public. (Penal Code §§ 925, 928, 933.1)

Final report

Issue a consolidated final report on the needs and operation of county departments as stated by law. Individual reports may be issued during the term and do not necessarily have to wait until the final report. (Penal Code § 933(a))

County records and accounts

Audit books, records, and accounts of all county offices; contract for an auditor to conduct such audits. (Penal Code §§ 925, 926)

City records and accounts

Examine the books and records of any incorporated city, investigating and reporting upon the fiscal matters of any such city, and making recommendations regarding such fiscal matters. (Penal Code §§ 925a, 926)

Special district records and accounts

Examine the books and records of any special-purpose assessing or taxing district located wholly or partly in the county and investigating and reporting on the method and system of performing the duties of such district. (Penal Code §§ 925a, 933.1, 933.5)

Government audit

Report and make recommendations on its own audit of county records and accounts and report on county officials' records and accounts as ex-officio officers of any district. (Penal Code § 925)

Special Counsel and Special Investigators

Employ special counsel and investigators as requested by the grand jury and approved by the Supervising Judge. (Penal Code § 936.5)

Return of money due

Order the district attorney or county counsel to sue for money that the jury believes is due and owing to the county. (Penal Code § 932)

Salaries of elected officials

May investigate and report on the need for increase or decrease in salaries of county elected officials and transmit the report to the Board of Supervisors. (Penal Code § 927)

Response follow up

Study the report of the previous grand jury and review the recommendations of recent grand juries for improvements. (Penal Code §§ 924.4, 939.9)

Ombudsman

Act as an ombudsman, receiving all letters from citizens or agencies and making inquiries and/or recommendations as to those matters referred to the jury.

Un-indicted prisoners

Inquire into the case of every person imprisoned in the jail of the county on a criminal charge and not indicted. (Penal Code § 919a)

Inspect jails

Inquire into the condition and management of the public prisons within the county. (Penal Code §§ 919b, 921)

Land transfers

Investigate and inquire into all sales and transfers of land and into the ownership of land which under the State laws might escheat to the State. (Penal Code § 920)

Welfare and institutions

Inquire into welfare records pertaining to the investigation, supervision, relief, and rehabilitation of welfare recipients. (Government Code § 17006)

Non-Profit Corporations

Investigate any non-profit corporation established by or operating on behalf of a public entity. (Penal Code § 933.6)

*This section excerpted from the manual published by the California Grand Jurors' Association www.cgja.org

CHAPTER VII

INVESTIGATION PROCEDURES

Overview of the Investigation Process

Committees, or the grand jury as a whole, interview complainants or invite witnesses to testify during an investigation. Jurors also perform field inspections and site visits, arranged in advance or unannounced. They examine public documents and school and agency websites. They may seek expert advice and legal counsel. Reviewing documents and websites is often a helpful first step to gain background information, decide on the number and order of interviews and draft productive questions.

Asking the same questions of several people makes it possible to validate responses and capture different perspectives.

In arranging and conducting interviews, jurors should be careful not to abuse the power of the grand jury and to treat all those interviewed with respect. It is normally advisable for the committee chair to phone prospective interviewees to coordinate the interview time and place and then to send a follow up letter or e-mail with specific details, blind copying all committee members. Document requests may be discussed by phone but should be confirmed by a dated letter or e-mail specifying the agreed-upon time for response. Document request letters to county employees should usually be addressed to the respective department head unless confidentiality of the complainant is a factor. Likewise, the district superintendent or school principal may be asked to schedule staff interviews within an agreed-upon interval so long as confidentiality of a complainant is not a factor.

Most testimony and records are provided voluntarily. When testimony or records are not provided voluntarily, subpoena powers may be employed. (Penal Code §§ 939.2, 939.3)

When investigating public agencies, jurors must always be alert to the requirements for public agencies to conduct their operations and deliberations openly. Those requirements are defined in Government Code §§ 54950-54963, commonly called the *Brown Act*.

It is generally recommended that persons come to the grand jury chambers to be interviewed. In certain situations, it may be desirable for the foreperson to swear in the interviewee.

Special district interviews may be conducted in conjunction with a facility inspection. Most routine school-related interviews are also conducted during scheduled site

visits. The principal may be asked to designate a private space for these interviews and to schedule teacher interviews so as to minimize classroom disruption.

If the committee wishes to interview an employee in the employee's work area, the chair may contact the department head or section head to make that arrangement. Determine in advance if the meeting will be restricted to the individual or may include other staff members. All meetings must be conducted in a private area. With rare exceptions, it is best to interview one person at a time to protect witness anonymity and maintain confidentiality. Avoid having other individuals waiting outside for one interview to end and the next to begin.

Letters requesting persons to appear before a committee or the grand jury to give testimony in connection with an investigation will be signed by the foreperson or by the committee chair with the foreperson's approval and shall contain the following statement:

You are requested not to discuss the fact that you are to appear before the grand jury or the substance of your testimony with any person not a grand jury member. Comments to co-workers may lead to faulty conclusions and embarrass innocent individuals.

Requiring a witness to swear an oath is at the option of the grand jury. (Penal Code § 939.4) The Witness Oaths used for grand jury purposes are provided in Appendix D. Also contained in Appendix D is a Mendocino County Grand Jury *Admonition of Confidentiality* that each interviewee is asked to sign at the beginning of the interview. In the rare event that an individual refuses to sign the Admonition of Confidentiality, s/he should be informed that this does not relieve them of the legal responsibility to conform to the Admonition and to hold the content of the interview as secret and privileged information.

The grand jury may, acting through its foreperson, ask the advice of the court, the judge thereof, the county counsel, the district attorney, or the attorney general. Unless such advice is asked, the judge of the court, or county counsel as to civil matters, shall not be present during the sessions of the grand jury. While the district attorney may be present during sessions dealing with criminal matters, only sitting grand jurors may be present during deliberations and voting. (Penal Code §§ 934, 939) Interviewees may not be accompanied to the interview by attorneys or other persons.

The grand jury must take great care to ensure that records, transcripts of testimony, identity of witnesses, and actions of the grand jury be kept secret at all times. A civil investigation is only made public in the form of an approved grand jury report.

Interview Procedures

- No fewer than two jurors may conduct an interview. (Penal Code § 916)

- The committee, or grand jury, should prepare pertinent questions in advance. It is useful for each member to carry a clipboard with a copy of the questions to facilitate note-taking during the interview. Normally, one designated member will ask the prepared questions and follow-up questions to clarify incomplete or confusing responses. All members are encouraged to ask additional questions at the appropriate time.
- The chair should introduce all parties to each other.
- If the interview is to be taped, the chair informs the interviewee of this fact. After starting the tape, the chair states the date, time and place of the interview, the names those present, and confirms with the interviewee that the recording is being made with his/her knowledge. Interview tapes should be retained with the investigation file for an appropriate period of time.
- The chair asks that the Admonition of Confidentiality be signed and collects contact information, including e-mail addresses, for use in collecting required responses. Collecting and stapling a business card to the form ensures accuracy of the contact information used to issue response transmittal packages.
- If appropriate, the Witness Oath may be administered by the foreperson.
- The chair proceeds with questions in a courteous, respectful manner. A neutral tone is advised to avoid influencing responses.
- Jurors must not offer suggestions, answers, or opinions to the interviewee that would imply they have preconceived opinions of the situation under investigation.
- Jurors may never commit themselves or the grand jury to do, or not to do, anything as a result of an interview.
- Jurors should not discuss the subject among themselves in front of the interviewee.
- When questioning is complete, the chair asks the interviewee for any further comments or questions they may wish to discuss.
- When the interview is complete, the chair and members thank the interviewee. When appropriate, the chair may state that the jury may recall him/her for additional information and/or that findings will be reviewed with the head of the agency prior to publication of any report that results from the investigation.
- The chair reminds all present of the importance of maintaining confidentiality.
- Immediately after each interview or inspection has taken place, the committee should discuss and document the information gained. This documentation is added to the investigative file maintained by the chair and the committee secretary. Committees report their progress at regular full panel meetings to keep all jurors informed.

Field Inspections/Site Visits

Courtesy and practicality dictate that most field inspections and site visits be coordinated in advance. However, unannounced inspections may be deemed advantageous in special situations.

Grand Jury Legal and Investigative Resources

The grand jury has a number of resources available for research, advice and counsel. Jurors consult these resources when they face a situation they cannot readily resolve and when questions arise that require a legal opinion or other professional expertise. The grand jury has three main advisors for legal and procedural matters: the Supervising Judge, County Counsel and the District Attorney. The advisory role may be delegated to a staff attorney.

The Supervising Judge is appointed by the Presiding Judge of the Superior Court to oversee the grand jury and is responsible for ensuring that the grand jury operates according to the Penal Code. The Supervising Judge interviews prospective jurors, oversees the selection of jurors, by lot, from among the applicants, and appoints the foreperson. The grand jury submits its reports and procedures to the Supervising Judge for review and gives full consideration to accepting any recommended changes.

If a juror believes that the grand jury needs to consult the Supervising Judge, s/he presents these concerns to the foreperson. The foreperson may consult the Supervising Judge at any time. The full panel may request the Supervising Judge to meet with the full panel. Any approach to the Supervising Judge by the full panel is made through the foreperson. A juror may write a letter to the Supervising Judge as a personal statement, but not as a representative of the panel.

Either the District Attorney or the Supervising Judge can issue subpoenas on behalf of the grand jury.

Responses to the individual final reports are sent to the Supervising Judge, as well as to the grand jury and to the CEO office staff who retains a copy. When all responses have been collected to the prior year's reports, the grand jury publishes the consolidated year-end report with responses on the website and prepares a CD for the Court to submit to the State Archivist.

If responses are not forthcoming after reasonable reminders, the grand jury may write a letter to the Supervising Judge for each missing response asking that the Court contact the official(s) who have not responded to remind them of their legal obligation to do so.

In the event that 12 members of the grand jury find that the foreperson is a cause for concern, you may write to the Supervising Judge or request an appointment. If the

Supervising Judge grants your request, the foreperson will be present during your meeting with the Supervising Judge.

County Counsel can render legal opinions, will review any contracts the grand jury wants to set up with experts, and reviews all grand jury reports to ensure that they conform to the law and contain no libelous or potentially libelous references to individuals. The County Counsel's office is located in the County Administration Center at 501 Low Gap Road. Because the County Counsel is employed and legally represents the Board of Supervisors (BOS), issues under consideration by the grand jury that pertain to the BOS will require recusal by County Counsel. If the Supervising Judge (and the grand jury) is not receiving proper or timely responses to the previous term's Final Report, the Supervising Judge may direct the foreperson to have the grand jury request that County Counsel write the officials who are not responding. County Counsel will remind the officials of their legal requirement to respond. If the officials do not respond to the County Counsel's admonition, County Counsel, with the Supervising Judge's consent, can begin Contempt of Court proceedings against the officials.

The District Attorney (DA) is a legal advisor to the grand jury. The DA can issue and serve subpoenas at the grand jury's request. The DA may also appear before the grand jury to present subjects for investigation.

Nothing prevents the grand jury from consulting both the District Attorney and County Counsel on any legal matter, but requests for opinions should always be presented through the foreperson and care should be taken to avoid "opinion shopping."

Law Library

The Mendocino County Law Library stocks all legal codes. Any grand jury member or any member of the public may use the Law Library for legal research. The Law Library staff will gladly assist with grand jury research. Any copying charges must be paid in cash and will not be reimbursed, however, State Codes are available online.

California Grand Jurors Association

The California Grand Jurors Association (CGJA) is a statewide group of current and former grand jurors who retain an interest in the grand jury process. Mendocino County currently has no local chapter. Through its training seminars, newsletters, and website, the CGJA provides information to help grand jurors perform their duties more effectively.

Grand jurors are encouraged to join the CGJA and participate in their activities. The CGJA website is: www.cgja.org/

Employment of Other Experts

The grand jury may, *after obtaining court approval*, employ a professional auditor, appraiser, stenographer or interpreter for specific purposes. (Penal Code § 926)

These costly services should only be used when other avenues have been exhausted and expert assistance is essential to move the investigation forward. If professionals are present during grand jury proceedings, the foreperson must first administer the appropriate oath (Appendix D).

Chart of Prior Investigations

The CON-ED committee maintains an on-going record of completed Mendocino County Grand Jury investigations. This document is maintained by the AOC committee and is shelved with other grand jury reference materials. It should be reviewed by each new full panel when deciding what investigations to undertake and by each committee as background to current investigations.

CHAPTER VIII

REPORT PREPARATION

Each grand jury shall submit to the presiding judge of the superior court the final reports of its findings and recommendations on each topic investigated. Final reports on any appropriate subject may be submitted to the presiding judge of the superior court at any time during the term of service of a grand jury. Penal Code § 933 (a)

Each grand jury report proceeds through the following stages:

- Collection and assessment of information obtained from documents, interview notes, recordings and site visits during the investigation
- Group discussion of the evidence and identification of key findings and conclusions
- Preparation of a draft by one or two designated “scribes”
- Review, refinement and adoption of the draft by the committee
- Verification of findings with one or more of the subject(s) of the investigation
- Review and approval by the edit committee
- Review and approval by the full panel
- Review by County Counsel and the Supervising Judge
- Release to those who are required or requested to respond
- Publication of report on the grand jury website and release it to the media at least two working days after release to respondents
- Collection and posting of responses on the grand jury website

Near the end of the term, all finalized reports are compiled into one consolidated document and distributed in print and electronically on the grand jury website. The succeeding jury panel is responsible for collecting all responses to the published reports, posting them on the website, and working with county staff to produce a CD of the consolidated report with responses. This CD is used to backup the website and a copy is given to the Court to be forwarded to the State Archivist.

Report Format

Each county’s grand jury decides how it will organize its final reports. Adopting a common format and style guide for individual final reports ensures consistency in the consolidated final report. Because portions of grand jury reports are often reproduced in local media, the 2007-08 Mendocino County Grand Jury adopted the *Associated Press Style Guide* as its primary resource for addressing questions of style and grammar. A Report Style Guide appears in Appendix D to show the report outline and headings, margins, tabs and type styles used in recent years.

All grand jury reports must include evidentiary support and a statement of findings and recommendations. *Findings* are statements of fact and conclusions derived from facts. *Recommendations* are actions suggested to address one or more of the

findings. To present the strongest possible case to the public, the jury should carefully identify facts discovered in the investigation. Penal Code § 916

In addition to reporting findings and recommendations, it has been traditional for Mendocino County Grand Jury final reports to also provide a concise summary, suitable for use as a press release, a brief background statement including the purpose and scope of the investigation, a description of the methods used to conduct the investigation, and a discussion of the information developed. Optional sections that meet the needs of more complex investigations may be appropriate.

Writing the Report

Each grand jury investigation and final report requires a significant investment of time and resources from grand jurors, their advisors and those who are investigated. Not all investigations end in a final written report. For example, the grand jury is required to look into the state of the County jails and juvenile facilities, but annual written reports on the individual sites are *not* required. A final report is not always required to address a complaint or achieve a beneficial outcome. The process of investigating may, in and of itself, lead to corrective action.

Some reports shed light on problematic behavior or situations and call for public intervention; some reveal positive examples of individuals or agencies that are providing exemplary service; other reports are written simply to describe or explain a service, process or agency that is of public interest or create a carefully verified historic record. In the latter case, it may be particularly useful to obtain key documents, footnote them in the report, and post copies as backup documents with the report on the grand jury website.

Whatever its purpose, useful reports result from thorough objective investigations that include a review of relevant public documents and websites, documented observations and thoughtfully structured interviews based on carefully prepared questions.

It is useful to keep the following questions in mind from the beginning of an investigation, and to review them before drafting a report:

- *What was the reason for this investigation?*
- *How might the public benefit from a written report?*
- *Who will have a stake or an interest in this report?*
- *Who might be affected by it, and how?*
- *What might be different as a result of this work?*
- *Are any unintended negative consequences likely to result?*

Report writing begins when the group debriefs from an interview and collects, in writing, the key points revealed during the interview, how the new information relates to what was already known, and any follow up that is required.

Early in the investigation, the committee will benefit from delegating one or two “scribes” to capture the thoughts that are expressed by group members as the process evolves. These may be recorded, without judgment, as a series of short statements. Not everyone is comfortable writing a report, but everyone can contribute their observations and analysis during this discussion phase. The goal at this stage is a respectful exchange of ideas, NOT consensus!

Members of the investigating committee compile and review all gathered information that is relevant to the findings and recommendations and share in identifying key points. The scribe then takes this information and uses it to prepare a draft which is distributed to all committee members so that they can review it individually.

Committee members then meet, equipped with their edited drafts, personal notes and backup documents to refine the draft, shape recommendations, and document the source(s) of factual support for each finding.

It is extremely helpful at this stage to have a scribe equipped with a laptop and an LCD projector so that the draft can be projected on the wall and edits can be made while all members are able to see and comment on the same text. This individual may be a member of the committee or may be a member of the CON-ED committee who is willing to provide technical support.

Technical Tips for Report Writing

- Write for the press and the general public as well as the subject agency or official. Assume that your reader is a high school graduate without specific knowledge of the topic of the report.
- Date each revision of the report draft to avoid confusion. E-Mail each dated revision to other committee members with secure computers to ensure backup.
- Draft a brief summary statement or outline at the beginning. Refine it as you work until it has become a concise and engaging description of your investigation and key findings.
- Begin the final Summary with an engaging opening sentence and keep it to a single page (no more than 350 words) so that it can be excerpted as a press release when the report is approved.
- Define acronyms and technical terms the first time they are used. Add a Glossary if the report contains many such terms.
- Insert reference footnotes as needed for clarification or to direct readers to supplementary information; include links to electronic resources or to backup documents that will be posted with the report on the grand jury website.

- Write in a clear concise style with a logical sequence, i.e., chronological, geographical, etc. After drafting findings, re-arrange them in an orderly sequence to tell the story. Find your “narrative arc.”
- Write in the active voice. Vary verbs. Use, but do not depend on Spell Check and Grammar Check. Run readability stats and revise the draft to keep passive sentences to fewer than 20-25%.
- Number findings and recommendations for accurate referencing.
- Make findings succinct and clear and confine recommendations to actions that may, realistically, begin or be fully accomplished within six months.
- Be prepared to list each finding with the source of supporting documents or similar statements from multiple interviews prior to submitting the report to CON-ED.
- Support each recommendation by one or more finding(s). A finding may support more than one recommendation. (Penal Code § 916)
- Use the *Discussion* section for analysis, to emphasize key points, or to include information that is pertinent but somewhat subjective.
- Identify all agencies affected by the report that will be required or requested to respond under Required Responses and Requested Responses at the end of the report. Provide CON-ED with accurate contact information, including e-mail addresses for required responders wherever possible.

Verification of Findings

Before submitting the draft report to the CON-ED committee two or more grand jurors review and verify the findings with the subject(s) of the report. It is helpful to copy and paste only the findings into a separate document for this purpose. Make copies for each person who will review the findings and for each juror who will be present so they can take notes.

Correct any factual errors and update data where appropriate. Attempt to resolve any differences of opinion, but understand that the purpose of the report is to inform the public, not necessarily to please the object of the investigation. Do not leave copies of the draft findings with the agency. Make clear that the material is in draft form and not yet approved by the grand jury. (Penal Code § 933.05(d))

When reviewing findings, confirm contact information, including e-mail addresses (get a business card, if possible). This is essential for use in requesting responses and sending out courtesy copies of the report.

CON-ED Committee Review

After findings have been verified and necessary changes have been made and approved by the committee, the report is submitted to the edit committee.

Submit the report to edit committee chair with a completed Contact Information Sheet and a completed Finding Documentation Form (Appendix D).

The edit committee serves an important quality control function. However, the committee has no authority to change the substance of reports. To avoid misunderstandings in the editorial process, two members of the submitting investigative committee should participate with the edit committee to provide any necessary clarification during editorial review.

The edit committee will review the report draft to ascertain that:

- Report writing is clear, logical, and well organized
- The Summary is engaging, brief and suitable for use as a press release
- The findings derive from the facts, as documented on the Findings Documentation Form submitted with the report
- Recommendations follow logically from correctly identified findings
- There are no typos or spelling errors, and punctuation is accurately applied and consistent with the Associated Press Style Manual.
- The approved report format is used
- A contact sheet is submitted, preferably electronically, to facilitate distribution of response transmittal information to those required or requested to respond.
- Responses may only be required from elected boards and individual elected and appointed officials and others in comparable positions in schools, special districts, cities and other agencies that have been investigated. No responses may be requested from the Courts.

If necessary, due to extensive changes, the chair of the investigating committee reviews the edited report draft with the full committee, and then re-submits it to CON-ED. This process is repeated until a majority on both committees vote to approve the report. The CON-ED chair then provides the foreperson with the approved draft to distribute to all jurors for consideration at the next full panel meeting.

Each grand jury member should read the report carefully and provide comments, corrections, or objections before or during the full panel session. At that session, the grand jury decides what action to take on the report. At least 12 of the 19 grand jurors must approve each final report, as specified by Penal Code § 940.

If minor changes are required, the full panel may authorize the edit committee to make the appropriate revisions. It is helpful, though not essential, for the scribe to use a laptop and LCD projector to allow the group to see and approve any such changes. Significant or disputed changes may require a return to committee and resubmission for approval by CON-ED and the full panel.

Review by County Counsel

County Counsel review of reports prior to release, although not required by law, is prudent and desirable. County Counsel has no authority to change the report but should be encouraged to make recommendations regarding apparent errors and/or potential liability or other legal issues. The grand jury should always consider input provided by its legal counsel, but the full panel must formally approve any changes to its reports. Failure to act on revisions recommended by legal counsel may expose individual jurors to liability.

Judicial Review

The Supervising Judge reviews the report for compliance with the law. Penal Code § 933 (a). The Judge has no authority to change the report but may make recommendations regarding legal issues. The full panel should carefully consider any such recommendations and must formally vote to accept or reject them. Twelve votes are required to approve any changes.

Releasing the Report

After County Counsel and the Supervising Judge have reviewed a report and any proposed changes have been addressed by the full panel, the finalized report is ready for release. This occurs in three stages, as fully described in Chapter IX.

- An Adobe PDF copy of the report is sent to the Required Respondents with a Transmittal Packet that includes a copy of Penal Code § 933.05(f) and clear instructions for submitting a response.
- After two days have elapsed, the report is posted on the grand jury website and a press release is sent to those on the grand jury media contact list.
- The report is merged with other final reports and published in the year-end consolidated report.
- Responses are collected and published on the grand jury website by the current and subsequent grand jury
- When all responses have been collected, the Final Consolidated Report with Responses is published on a CD and two copies are sent to the Supervising Judge. The Court will forward one copy to the State Archivist to fulfill the requirements of Penal Code §933(b)

CHAPTER IX

RELEASING AND PUBLISHING FINAL REPORTS

After the Supervising Judge and County Counsel have reviewed the report, the CON-ED committee:

- enters the release date on the report and commences the process of delivering it to those who are required to respond. The date of delivery to the listed respondents must be at least two working days before release of the report to the press and general public. (Penal Code § 933.05(f))
- works with the CEO's Office to deliver response transmittal packages and collect responses from the heads of county departments, boards and agencies. The committee is directly responsible for collecting responses from non-county agencies such as public schools, special districts and non-profit corporations.
- prepares a transmittal letter over the name of the foreperson for each responsible officer, agency, or department asked to respond. This letter will either be prepared and sent to the respondent by the committee or by the designated staff member in the CEO's office. Transmittals may be mailed or e-mailed together with a copy of the approved report in an Adobe Acrobat PDF format. Only the designated staff member in the CEO's office receives the report in both PDF and MS Word formats.
- includes copies of the report and of Penal Code § 933(c) and 933.05 with each response transmittal packet whether it is sent by the committee or the CEO office staff. Grand jury responses are required by law and this information must be conveyed to the required respondents.
- notes in the form transmittal letter that individual elected officials have 60 days from the report release date to respond. Elected members of boards (e.g. school boards and the board of supervisors) and all other individuals have 90 days to submit their responses. (Penal Code § 933.05)
- works with the designated contact in Information Technology to post each report on the grand jury web site two or more working days after its release to the respondents and prior to its release to the press. Any back-up documents referenced in the report are also posted at this time.
- assumes responsibility for collecting and posting responses to reports published by the previous jury. All responses are due no later than October 1. When all are posted, a CD is cut of the combined report with responses. Copies of this CD are provided to the Court to be forward to the State Archivist. (Penal Code § 933(b))
- at the end of each term, communicates to the incoming jury about the system for collecting outstanding responses.

Benefits of Issuing Reports As They Are Completed

Although all reports must be published in the consolidated final report, prior grand jury experience suggests that the release of each report as completed throughout the year is advisable for the following reasons:

- Immediate attention of county officials, the public, and the news media is focused on the grand jury findings, especially if the matter has current public interest.
- The individual report will receive greater attention than it would as a portion of the end of term consolidated final report.
- Jurors learn, early in the year, the requirements of report writing and publication so that subsequent reports are more easily developed.
- The seated grand jury may collect responses to its reports and monitor the actions taken by the county in response to report recommendations during the remainder of its term. Additional comments may, therefore, be appropriate in the consolidated final report.
- The news media can provide more detailed coverage of individual reports.
- Due to enhanced publicity, midyear reports give citizens a greater awareness of the fact that the grand jury is working throughout the year to seek out inefficiencies or misconduct.
- Reports published in the spring may be useful in making prospective jurors aware of this important opportunity for public service.

Releasing Reports to the Public

The effectiveness of grand jury investigations derives primarily from public support. Copies are placed in public libraries through the county and are posted online, but to maximize its impact the grand jury depends on maintaining a positive working relationship with local media. The foreperson is the grand jury's media contact. Others may confer with the media only with the foreperson's explicit approval and only concerning information as it appears in previously published reports.

Since 2007-08 the Mendocino County Grand Jury has adopted the policy that the summary of an approved report can be added to standard press release language, and forwarded to the media by CON-ED with the foreperson's contact information without further full panel review. Standard press release language and a sample press release are provided in Appendix E.

The Grand Jury Website

The Mendocino County Grand Jury website is located on the county website at: www.co.mendocino.ca.us/grandjury. The site contains public information on the Grand Jury, including background, contact information, juror applications and complaint forms. The CON-ED committee chair works with a contact in the county Information Technology (IT) Department to maintain the website and post new information.

Approved grand jury final reports may be posted on the website two days after they are released to those required to respond. Background documents that are too long

to include in the hard copy of reports may be posted with the electronic copy and referenced in the report. A link to the report is included with all press releases. Many communities have “ListServs” through which local citizens sign up to receive e-mails of general interest. Posting links to grand jury reports on local ListServs will reach these individuals.

Responses are added to the website as they are received. When all responses have been posted, the foreperson and CON-ED chair review the website postings to ensure that they are accurate and complete and then requests that a CD be cut to archive the prior year’s Grand Jury Consolidated Report with Responses. One copy of this CD is downloaded to the grand jury computer and secured in the archives and another is provided to the Judge to be submitted to the State Archivist.

Press Releases and Community ListServ Posting

The effectiveness of grand jury investigations derives primarily from public support. To maximize that effect the grand jury should develop a working relationship with local media. The foreperson is the grand jury’s media contact. Others may confer with the media only with the foreperson’s explicit approval.

Text for a suggested press release is provided in Appendix E. It may be sent as a hard copy or copied from the MS Word files on the grand jury computer desktop and pasted into an e-mail for distribution to the Media Contact List (Appendix G). When pasting the text into an e-mail, it will be necessary to make minor formatting corrections.

Attach the Adobe PDF of the complete report to the e-mail only if you are confident that the addressee has access to high-speed internet service. *Always* include the link to the report on the grand jury website. If posting on a community ListServ, provide the website link but do not attach the report. Most ListServs limit the size of documents that may be posted and will block any message that includes an attachment.

Press releases must not be sent until at least two days following release of a report to the required respondents and should not be sent until the CON-ED Committee chair has confirmed that the report and any background documents have been posted on the grand jury website.

Consolidated Final Report

Members of CON-ED (combined continuity and edit committees) collect all individual final reports into a consolidated final report at the end of the term. Members may correct minor typos and spelling errors that have been overlooked, but content changes to finalized individual reports are not permitted without full panel review. Any juror may wish to suggest an image for use on the cover of the consolidated report and CON-ED should present such suggestions to the full panel.

Careful editing and somewhat sophisticated word-processing skills are essential when merging multiple reports into a single document and preparing the required cover, foreperson's letter and table of contents. It is important that the foreperson identify individuals who are willing and able to assume these tasks and make this assignment no later than February or March when individual final reports are being reviewed. If the requisite skills are not readily available among current jurors, staff in the CEO's office may be called upon for word-processing assistance. However, adequate time must be allowed so that the final copy can be presented to the county print office no later than mid-June.

Updates may be added to early reports but any update is subject to the same review process as the original report. Any responses received to individual reports are posted electronically and may be noted in the consolidated final report if desired.

The grand jury should ensure that procedures are established for distribution of the consolidated final report to the affected agencies, libraries within the county, major news outlets, the Court, and the California Grand Jury Association. Individual jurors may be recruited to hand deliver copies of the report to their local libraries and media outlets. Additional copies are required for out-going and incoming jurors and the grand jury archives. At least 75 printed copies are required to meet minimal demand.

Consolidated Final Report with Responses

The law requires that *...One copy of each final report, together with the responses thereto ... shall be placed on file with the clerk of the court and remain on file....The clerk shall immediately forward a true copy of the report and responses to the State Archivist who shall retain the report and all responses in perpetuity.* (Penal Code § 933(b))

At times in the past, the Mendocino County Grand Jury published its entire consolidated report with responses as a newspaper supplement. More recently, it has complied with this law by publishing reports and responses on the grand jury website.

As a matter of budgetary necessity, the 2008-09 jury will produce and submit to the Court two hard copies of the consolidated final report at the time of publication. When responses have been collected, a CD will be produced that includes the consolidated final report and each of the individual final reports, with backup documents and responses, as posted on the grand jury website. Two copies of this CD will be provided to the Court and one will be maintained in the grand jury archives. These tasks were completed by the 2008-09 jury responsible for the 2007-08 reports and should be completed by each incoming jury for the prior year's reports no later than November 1 of each year until and unless other procedures are adopted.

CHAPTER X

CLOSING THE JURY

The work of each seated grand jury panel peaks with the release of all approved individual final reports and the year-end consolidated grand jury report, but even then it is incomplete. The following steps remain to “Close the Jury:”

1. Send response transmittal packets to all respondents from whom responses are required or requested.
2. Send courtesy copies of approved reports to those who have requested them.
3. Post all approved reports to the grand jury website a minimum of two *working* days after they have been released to the respondents.
4. Prepare and send press releases and ListServ postings.
5. Carefully analyze complaints that arrive late in the term. Those that are not accepted by the full panel should be answered accordingly. Complaints that may have merit should be retained and forwarded to the incoming jury. A standard receipt acknowledgment letter should be sent to the sender.
6. Write-up any inquiry topics that the full panel votes to recommend to the incoming jurors. (Proposed Topic Inquiry Form appears in Appendix D)
7. Committee chairs:
 - admonish committee members to dispose properly of all electronic and print materials related to their grand jury work.
 - label and file all records of meetings and investigations for use by subsequent juries as authorized by Penal Code § 924.4. Chairs collect investigation documents to be retained and store them, with a copy of the report, clearly labeled with directions for how long to retain (and when to discard) them.
8. The new foreperson, when known, and the transition team of continuing jurors restock supplies, prepare materials and ready the Grand Jury room for the first meeting of the incoming panel.
9. Each juror completes a completed Completion of Service Certificate (Appendix A) and submits it together with keys to the grand jury facilities and any grand jury reference materials.

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APPENDIX A

ADMINISTRATIVE FORMS

- **Full Panel Meeting Agenda**
- **Letterhead Template**
- **Return Address Label Template**
- **Vehicle Information Form**
- **Availability and Emergency Contact Form**
- **Meeting Minutes Form**
- **Expense Claim Form**
- **Service Completion Certificate**
- **Document Retention Table**

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FULL PANEL MEETING AGENDA

Mendocino County Grand Jury

Date _____

Call to Order

Pledge of Allegiance

Roll Call

Reading and Approval of Previous Meeting Minutes

Changes and Approval of Agenda

Review of Correspondence

Committee Reports

Old Business

New Business

Calendar Announcements

Adjournment

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County of Mendocino
Grand Jury
www.co.mendocino.ca.us/grandjury

grandjury@co.mendocino.ca.us
Post Office Box 629
Ukiah, CA 95482

This template is available in the Forms Folder on the grand jury computer. It may only be used to prepare internal forms and official grand jury correspondence that is either signed or approved by the foreperson

The Return Address Label template is also available in the Forms Folder on the grand jury computer. Out-going grand jury mail is placed in the “Out Box” in the Court Administrator’s Office, but it MUST show the grand jury return address in order to be metered and mailed by office staff.



County of Mendocino
Grand Jury
www.co.mendocino.ca.us/grandjury

grandjury@co.mendocino.ca.us
Post Office Box 629
Ukiah, CA 95482

CONTACT AND VEHICLE INFORMATION

Please provide all the applicable information in the spaces below.

Your name, as a Grand Juror, is a matter of public record. The other information is confidential to the Grand Jury and the Court. This form will be submitted to the City of Ukiah to procure a Parking Pass for you so you don't have to pay for parking while on Grand Jury business in downtown Ukiah.

Name: _____

Mailing Address: _____

City/State: _____ Zip Code _____

Telephone: _____

Cell Phone: _____

E-Mail: _____

Vehicle Information

If you will use your parking permit in more than one vehicle, list them all.

License Plate #	Year	Make	Model	Color

To avoid a ticket, park ONLY in 2-Hour or 5-Hour Zones. Permit MUST be visible to parking attendant.

Availability and Emergency Contact Information

Juror Name: _____ **Received Keys** _____

Most Grand Jurors invest many hours to committee and full panel work. Jurors are expected to serve on at least three committees and attend all meetings of the full panel. Most committees meet weekly and require additional time for interviews, document review and writing.

Work loads vary throughout the year. Monthly full panel meetings are typically held during the first week of each month on a day selected by mutual agreement. The foreperson may call additional full panel meetings as needed. The Board of Supervisors meets on Tuesdays, so this is a poor choice for the full panel day.

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
						OK to Call? Y or N	
AM							
PM							

- If possible, I prefer to schedule two regular meetings on the same day
- If possible, I prefer to schedule regular meetings on different days

Please do not call my home before _____ or after _____.

Each committee typically meets one day a week for 2-3 hours during either the morning or afternoon.

Please fill in all of the above time slots for Monday thru Friday and indicate whether you are comfortable receiving phone calls on weekends.

- Enter A-OK for the all time slots that would be equally preferable
- Enter OK for any other times that you would be willing to accept
- Enter NA for any time slots that would be impossible or unacceptable

IN THE EVENT OF A MEDICAL EMERGENCY

Please contact: _____

Phone: _____ Cell phone: _____

Relationship: _____

If you have a known condition likely to lead to a medical emergency, please provide any additional information you wish to share on the back of this form.

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EXPENSE REIMBURSEMENT POLICY

Payments to grand jurors for meeting attendance and reimbursement for travel related costs are governed by a combination of formal Mendocino County Policies and internal policies that are voluntarily adopted by the grand jury for purposes of clarification and to contain costs.

ORDINANCE AMENDING MENDOCINO COUNTY CODE CHAPTER 2.14.010 AUTHORIZING EXPENSE REIMBURSEMENT FOR GRAND JURORS

A. Pursuant to authority contained in the Penal Code § 890, the fees for Grand Jurors are twenty-five dollars (\$25.00) for each full panel meeting and ten dollars (\$10.00) for each committee or investigative meeting not to exceed twenty-five dollars per day. Mileage shall be reimbursed according to mileage reimbursement rates established for County employees, for each mile actually traveled in attending Grand Jury business. Grand Jurors conducting official business in the County seat and who reside more than thirty (30) miles from the County seat may elect to stay overnight rather than drive back and forth to their residences and will be reimbursed for lodging and dinner costs incurred for no more than two nights per week exclusive of the State Grand Jury Training. Lodging shall not exceed the established local government hotel rate and dinner shall be reimbursed at rates set for County employees. Grand Jurors will be entitled to reimbursement for lunch at rates set for County employees only after a Grand Juror has attended a minimum of two (2) hours of full panel or committee meetings, investigative sessions or other legitimate activities such as orientation or training sessions. All meal and mileage reimbursement and fees for attendance shall be payable to Grand Jurors for committee meetings, investigative sessions by less than the full Grand Jury or other legitimate activities such as orientation sessions and training sessions, subject to budget limitations imposed by the Board of Supervisors and in accordance with the County Travel Policy. Any expenditure that exceeds the authorized budget must be approved in advance by the Presiding Judge of the Superior Court after the Board of Supervisors has been advised of the request. The Chief Executive Officer shall make a recommendation to the Board of Supervisors and the Presiding Judge prior to consideration by the Presiding Judge.

INTERNAL POLICIES

- Meeting payments must be verified by a completed and signed MINUTES form.
- Jurors must complete an Expense Claim Form, clearly printing all information and signing in blue ink to identify the original. For timely payment, the form and any hotel receipts must be submitted no later than the first full panel meeting of each month. Per Diem payments for meals are fixed (\$9 for lunch/ \$15 for dinner). Receipts are not required.
- Meetings are typically of 2-3 hours duration either in the morning or afternoon.
- Each morning, evening or afternoon session counts as one meeting or .5 meeting whether held by the same or different committees in a single day. All-day sessions, including site visits lasting for more than six hours may be claimed as 2.5 meetings.
- Most “meetings” consist of two or more jurors. However, with the foreperson’s approval, a single juror may claim meeting payment for necessary independent work conducted on behalf of the whole grand jury such as managing the monthly expense claims or compiling the final report.
- A single juror may also claim meeting payment when delegated by a committee or the full panel to attend sessions of the Board of Supervisors or other public meetings of direct relevance to current work of the grand jury. Such meeting attendance should be pre-approved and minutes and other handouts must be collected and a report made on any substantive meeting content.

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**(INSERT YEAR) MENDOCINO COUNTY GRAND JURY
SERVICE COMPLETION CERTIFICATE**

This form is to be completed by each grand juror when keys are returned at the conclusion of service on the grand jury due to resignation, termination, or expiration of term.

I hereby certify that I have completed the following responsibilities:

- Returned the issued Grand Jury Manual to the foreperson*
- Destroyed all personal notes relating to any confidential grand jury study or investigation and all personal e-mails and electronic files
- Completed and returned Financial Conflict of Interest Form 700 to the County Clerk (501 Low Gap Road, Ukiah 95482)*
- Returned any reference materials and unused supplies to the Grand Jury Room
- Returned all issued grand jury door and file keys to the foreperson*

I hereby certify that I shall keep secret whatever I or any other grand juror has said or in what manner I or any other grand juror has voted on any matter before the grand jury. I shall refrain from eliciting information from any seated grand juror or commenting on the confidential business of a seated grand jury.

Date: _____

- Retiring juror
- Continuing juror

(Signature)

*Not applicable to jurors who will carry over to the next term

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DOCUMENT RETENTION TABLE		
Document Type	# Years to Hold	# Hard Copies to Hold
Consolidated Year-End Final Reports	Permanently as Hard Copy and Web Archive	Keep 2 File Copies permanently and multiple copies of recent reports for distribution for up to 5 years
Responses	Permanently as Hard copy and Web Archive	1 Hard Copy
Labeled and Dated Investigation Files*	Retain files for non-controversial reports for 2 years. Retain files for sensitive reports as recommended by County Counsel and directed by investigating committee	1 original file With approval of the foreperson, highly sensitive files may be delivered to County Counsel's office for retention
Revised Training Manuals as Approved by County Counsel	Each grand jury conveys copies of it's the procedure manual to the new panel and ensures that revisions, including routine updates, have been forwarded to County Counsel	20
Budget Documents	1	1
Law Books & CGJA Compendium	Until New Edition	1
Complaints and Log	Log-Permanent Complaints-2 years	1
Internal Communications	2	2

*When each report is complete, the investigating committee shall cull its notes and documents and clearly label the remaining file with the report name and release date and a recommended period for retention based on the complexity of the report and the likelihood of future follow up and/or the potential for legal action. Also at year end, each committee reviews and discards files retained by former members of the committee according to recommended retention periods. (**Grand Jury Procedure Manual Appendix A_ 5_19_09**)

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APPENDIX B

COMPLAINT-RELATED LETTERS AND FORMS

- **Complaint Form**
- **Complaint Summary Form**
- **Complaint Log**
- **Complaint Response Letters**

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County of Mendocino
Grand Jury
www.co.mendocino.ca.us/grandjury

grandjury@co.mendocino.ca.us
Post Office Box 629
Ukiah, CA 95482

COMPLAINT FORM

Please complete this form and return to:

**Mendocino County Grand Jury
P.O. Box 629
Ukiah, CA 95482**

THE GRAND JURY WILL KEEP ALL INFORMATION ON THIS FORM STRICTLY CONFIDENTIAL

Date: _____

Name: _____

Mailing Address: _____

Preferred Phone: _____ E-Mail: _____

To the best of my knowledge, the information herein is true and correct.

Signatures of Complainant(s)

1. Briefly describe the problem, as you understand it, including dates of events. Attach additional pages as needed.

2. List the names of employees or officials of the County Department, Board, Commission, Joint Powers Agency, Redevelopment Agency, Special District, School District, City Government or Public Corporation about which this complaint is made.

Name	Address	Phone/e-mail

3. List others you have contacted or who have direct knowledge of this matter.

4. What action do you want the Grand Jury to take?

5. Please list any supporting documents, correspondence, references, etc. and enclose copies.

6. Please attach any additional comments regarding this problem.

COMPLAINT COMMITTEE SUMMARY AND TRANSMITTAL FORM

LOG NUMBER: _____

DATE RECEIVED: _____

COMPLAINANT NAME: _____

SUBJECT: _____

SUMMARY OF COMPLAINT: _____

ACTION
REQUESTED: _____

POSSIBLE
INTERVIEWEES: _____

NOTES: _____

Complaint Response Form Letters

THESE FORM LETTERS HAVE BEEN REVIEWED BY COUNTY COUNSEL AND
SHOULD NOT BE ALTERED WITHOUT FURTHER REVIEW

Acknowledgment of Complaint Received

(Date)

(Complainant Name)

(Address)

(Address)

Dear (Name):

The Mendocino County Grand Jury has received your complaint dated (date).

We appreciate your concern for the well being of our County.

Sincerely

(Name)

Foreperson

2008/2009 Mendocino County Grand Jury

Complaint Not Accepted

(Date)

(Complainant Name)

(Address)

(Address)

Dear (Name):

The Mendocino County Grand Jury has received your complaint dated (date).

The Panel has decided not to accept your complaint.

We appreciate your concern for the well being of our County.

Sincerely

(Name)

Foreperson

2008/2009 Mendocino County Grand Jury

Complaint Received Too Late for Consideration by Current Jury

(Date)

(Complainant Name)

(Address)

(Address)

Dear (Name):

The Mendocino County Grand Jury has received your complaint dated (date).
Your complaint was received too late in our term to be considered by the current Grand Jury.
We have forwarded your complaint to the next Grand Jury for consideration.

We appreciate your concern for the well being of our County.

Sincerely

(Name)

Foreperson

2008/2009 Mendocino County Grand Jury

Complaint Received But Not Within Grand Jury’s Jurisdiction

Date

Address

Address

Dear (Name):

The Mendocino County Grand Jury has received your complaint dated (month/day/year). The Panel determined that your complaint is not within our jurisdiction and therefore will not be considered.

We appreciate your concern for the well being of our County.

Sincerely

(Name)

Foreperson

2008/2009 Mendocino County Grand Jury

APPENDIX C

FINAL REPORTS SUBJECT INDEX

The grand jury is required to oversee county and city agencies, schools, prisons and non-profit agencies within the county. To fulfill this broad requirement, the grand jury maintains an index of past reports and archives the reports with their responses on the grand jury website. Jurors review the index and responses to recent reports when determining what investigations to undertake and when preparing to embark on a new investigation.

The index is updated annually by the Archives, Office and Complaint Committee. The updated index is then kept with other grand jury reference materials. To conserve space, the index is not included in full in this procedure manual.

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APPENDIX D

REPORT-RELATED FORMS

- **Proposed Inquiry Topic Form**
- **Admonition of Confidentiality**
- **Witness Oaths**
- **Style Guide for Preparing Reports**
- **Investigation Contact List**
- **Finding Documentation Form**

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County of Mendocino
Grand Jury
www.co.mendocino.ca.us/grandjury

grandjury@co.mendocino.ca.us
Post Office Box 629
Ukiah, CA 95482

Proposed Inquiry Topic or forwarded complaint:

Forwarded Complaint # (if applicable) _____

Briefly describe the agency or situation recommended for a Grand Jury investigation and respond to the following questions. Attach additional pages as needed:

- 1. What agency or public figure is the focus of the proposed inquiry?**
- 2. What specific action, situation or event is of concern?**
- 3. What do you see as the purpose and/or likely outcome(s) of a Grand Jury inquiry into this matter?**
- 4. Who might be affected by this report and how might they be impacted?**

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County of Mendocino
Grand Jury
www.co.mendocino.ca.us/grandjury

Post Office Box 629
Ukiah, CA 95482
707 463-4320

ADMONITION OF CONFIDENTIALITY

You are admonished not to reveal to any person, except as directed by the court, which questions were asked or what responses were given or any other matters concerning the nature or subject of the Grand Jury's investigation which you learned during your appearance before the Grand Jury, unless and until such time as a transcript (if any), or a final report of this Grand Jury proceeding is made public or until authorized by this Grand Jury or the Court to disclose such matters. A violation of this admonition is punishable as contempt of court.

I have received a copy and acknowledge this admonition on _____
(Date)

Signed: _____

Print Name: _____

Address: _____

Phone: _____ E-Mail: _____

Please check box if you wish to receive a copy of any published report on this topic

(Please attach a business card if available)

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WITNESS OATH

“The foreman may administer an oath to any witness appearing before the grand jury.”
(Penal Code § 939.4)

Oath to Witness

“Do you swear (or affirm) under penalty of perjury that the testimony you are about to give is the truth, the whole truth, and nothing but the truth and that these grand jury proceedings and the testimony and information you are about to provide this body shall remain secret and confidential, except as otherwise provided by law?”

Oath to Court Recorder

“You do solemnly swear (or affirm) that you will support the Constitution of the United States and the Constitution of the State of California, and that you will faithfully perform the duties of stenographic reporter for the grand jury, and that you will well and truly report the proceedings had before this grand jury, and when called upon so to do, will furnish a full, true, and correct transcript of your notes within the time provided by law, and that you will not divulge any of the matters concerning which the grand jury is conducting an investigation, the names of any witnesses, or the testimony given by the same, until you have been ordered to do so by this grand jury.”

Oath to Court Interpreter

“Do you solemnly swear (or affirm) that you will make a true and correct interpretation of the English language into _____ language and the _____ language into English language to the best of your ability and that you will not divulge any of the matters concerning which the grand jury is conducting an investigation, the names of any witnesses, or the testimony given by the same, until you have been ordered to do so by this grand jury?”

Oath to Deputy Sheriff (Bailiff)

“You do solemnly swear (or affirm) that you will support the Constitution of the United States and the Constitution of the State of California, and that you will faithfully perform the duties of deputy sheriff (or bailiff) for this grand jury, and that you will not divulge any of the matters concerning which the grand jury is conducting an investigation, the names of any witnesses, or the testimony given by the same, until you have been ordered to do so by this grand jury.”

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MENDOCINO COUNTY GRAND JURY REPORT STYLE GUIDE

REPORT TITLE ALL CAPS-ARIAL BOLD 12

Subtitle, If Any, in Title Case-Arial Bold 12

Date Report Approved by Judge- Arial 12

Summary (Each Section and Sub-Section Title is Arial Bold Italics 12)

A Grand Jury Report includes the following sections in order of occurrence: Page Header-Page Footer, Report Title, Subtitle (if any), Summary, Methods, Background, Findings, Recommendations; Discussion; Required Responses; and Requested Responses. This is a sample report including details of section contents with technical specifications of font and spacing for each.⁴

The behind-the-scenes information of any report or, in this case, data on page headers, page footers, margins, and the report development process itself will be in the ***Background*** section.

The ***Summary*** section is just that: a summary of the report's most important, salient findings. This brief report summary of approximately 300 words may serve as a press release by the Grand Jury or as the core of a news article.

Methods

The Grand Jury reviewed documents, conducted site visits and interviews. This is the foundation of all investigations and the report findings. While it is necessary to triangulate all findings and to provide complete backup documentation to the Edit Committee, it is not necessary in the ***Methods*** section to enumerate each and every document, visit or interview that was conducted.⁵

Background

The ***Background*** section contains the history on the process or period that is being investigated. In this section, you bring the reader up-to-date before launching into your findings. You may also want to highlight some of your findings by repeating them in the background.

⁴ Footnotes are in Arial Narrow 10 pt font. The guidelines herein were adopted for use by the 2007-08 Grand Jury.

⁵ Two forms are available for this purpose and attached hereto: Report of Contacts and Report of Facts and Evidence.

The Page Header does not appear in the published reports, but is used during the development period to track report progress and differentiate versions as the report goes through its many drafts. Initially a report is drafted by one member of the investigating committee. The committee then shapes and hones the report into a final draft to present to the Edit Committee, which may require that the investigating committee rework the report or approve the report with or without modification. Once approved by the Edit Committee, the report is forwarded to the Full Panel which may, as in the case of the Edit Committee, remand the report for reworking by the originating committee or modify and approve. Full Panel approval requires assent of at least 12 jurors. From Full Panel, an approved report is sent to County Counsel and to the presiding Judge for final review. After final approval by the court, the report is distributed to the affected parties without a page header.

Overall margins of the report document are:

- Left Margin 1.25"
- Right Margin 1.0"
- Top Margin 1.0"
- Bottom Margin 1.0"
- Header .5"
- Footer .5"
- NOTE that bullets and quotations are inset one degree and in 11 pt. Arial
- Section Headings, Subsection Headings and Finding Numbers are all flush to the left hand margin

Overall spacing of the report document:

- Single space within narrative sections, between bullets and numbered findings
- Double space between titles and subtitles, between titles/subtitles and text
- Double space between paragraphs (no indent)
- Double space before and after quotation/bullet blocks
- Double space between the **Recommendations**
- Double space between the names of **Required/Requested** respondents

The Page Footer contains any footnotes (in 10 pt Arial Narrow) and the page number of the individual report (centered Arial 12-See Below). In the bound, published version of the reports, the page numbers are continuous throughout. The publication date (as distinguished from the approval date in the title) is added to the footer.

Findings

General Findings (about ***)**

1. All findings are numbered consecutively even if the findings are divided into sections for general findings about the sites or agencies investigated and specific findings for each individual agency/site.
2. After the first reference to an agency or program that will be cited frequently in the report, establish an acronym and/or short form name to substitute for the full agency/program name, for example, Round Valley Unified School District (the District, RVUSD).
3. Quotation/bullet blocks are indented, in 11 pt. Arial, and double spaced before and after the block:
 - point A,
 - point B.
4. Short quotations within a finding may be set off by italics and/or quotation marks “...*indivisible, with liberty and justice for all.*”⁶

Findings about *****

5. Numbering is continuous throughout sections and sub-sections.
6. Section Headings, Subsection Headings and Finding Numbers are all flush to the left hand margin.
7. Single space between numbered findings; double space between sections.

Recommendations

The Grand Jury recommends that:

1. Each recommendation must list the findings on which it is based. Every recommendation must have at least one foundational finding. (Findings 1-2, 4)
2. Double space between recommendations. (Findings 24-25, 70, 74)

Discussion

The **Discussion** section allows the Grand Jury to tie together all the report sections and to make “editorial” remarks based on the investigation. This is the place where speculation or congratulatory comments can properly be included, separated from purely factual content.

Required Responses

List the Agency and position, but not the name of the individual who is to respond.

⁶ Excerpted from the Pledge of Allegiance

Specify the finding and recommendation numbers to which he/she must respond (Findings 1-6; All Recommendations)

The Grand Jury may ONLY require responses from department heads and elected officials subject to its jurisdiction. Responses may not be required from employees within a department who may have contributed to the report. We may not require or request a response from the Courts. We may request, but may not require a response from a Tribal organization or from state or federal officials.

The Grand Jury may only investigate and require responses from a non-profit organization that receives public funds and was established and/or operates on behalf of a public entity, e.g., to perform a County function (Penal Code § 933.6).

The name, title and complete contact information for each required and requested respondent MUST be entered electronically into the Report Contact Sheet, double-checked for accuracy, and presented to CON-ED prior to the committees review of a report. Handwritten Contact Lists are unacceptable because they result in mis-directed response transmittal packets.

Agency Head (Findings 3, 5, 7; Recommendation 2)

Requested Responses

List agencies that you cannot compel to respond, e.g. state, federal or private, but would like to respond (Findings 1-3; Recommendation 1)

REPORT CONTACTS & MAILING LIST
 (Provide carefully proof read electronic copy to CON-ED Chair with each submitted report)

COMMITTEE: _____

REPORT TITLE: _____ *DATE:* _____

Please list all contacts for this report. Indicate whether they are **required** or **requested** to respond or are simply to receive a courtesy copy. This contact list will be used to distribute the report and collect responses. Include e-mail addresses whenever possible and double check accuracy of all information.

CONTACT NAME & TITLE	ADDRESS	PHONE	E-MAIL	INTERVIEW DATE	RESPONSE REQUIRED	RESPONSE REQUESTED	COURTESY COPY

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APPENDIX E

RELEASING AND PUBLISHING FINAL REPORTS

- **Response Transmittal Packets for Required and Requested Respondents**
- **Cover Messages for E-Mail Transmittal to Required and Requested Respondents**
- **Report Transmittal to CEO's Office**
- **Report Transmittal for Website posting**
- **Press Release**

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**Grand Jury Report Transmittal
(with Instructions and Response Form for Required
Respondents)**

Xxx
Xxx
xxx

Date: xxxxxx

RE: Report Titled: xxxxxxxxxxxxxx

Dated: (Release Date)

Your response to the attached report by the 2008/2009 Mendocino County Civil Grand Jury is required pursuant to Penal Code §933.05 (enclosed). Penal Code §933.05 also requires that your response to the Findings and Recommendations contained in the report be in writing and be submitted within **60 days for individual responses from elected officials or agency heads** or within **90 days for governing bodies** (including such entities as school boards, city councils and the Board of Supervisors).

Penal Code §933.05(f) specifically prohibits disclosure of the contents of this report by a public agency or its officers or governing body prior to the release to the public. The report will be released to the public and posted on the grand jury website two (2) or more days after the date of this letter.

The Penal Code is specific as to the format of responses. Complete and sign the enclosed Response Form and attach any additional comments as required.

Should you have any questions after reviewing the enclosures, please contact me at **grandjury@co.mendocino.ca.us** or at the address above.

Sincerely,

(name)
(date) Foreperson
Mendocino County Grand Jury

For Your Information

SUMMARY OF PENAL CODE 933.05

Penal Code § 933.05 provides for only two (2) acceptable responses with which agencies and/or departments (respondents) may respond with respect to the **findings** of a Grand Jury report :

1. The respondent agrees with the finding.
2. The respondent disagrees wholly or partially with the findings, *in which case the respondent shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.*

Penal Code § 933.05 provides for only four (4) acceptable responses with which agencies and/or departments (respondents) may respond with in respect to the **recommendations** of the Grand Jury.

1. The recommendation has been implemented, with a summary regarding the implemented action.
2. The recommendation has not yet been implemented, but will be in the future, with a timeframe for implementation.
3. The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis, with a timeframe for the matter to be prepared for discussion by the officer or head of the agency/department being investigated or reviewed, including the governing body of the public agency when applicable. *This timeframe shall not exceed six (6) months from the date of publication of the Grand Jury Report.*
4. The recommendation will not be implemented because it is not warranted or is not reasonable, with a detailed explanation therefore.

However, If a finding and/or recommendation of the Grand Jury addresses **budgetary** or **personnel** matters of a county agency/department head and the Board of Supervisors shall respond if requested by the Grand Jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address **all** aspects of the findings or recommendations affecting his or her agency/department.

Grand Jury Report

RESPONSE FORM

Grand Jury Report Title : Xxx

Report Dated : Xxx

Response Form Submitted By:

Xxx

Xxx

Xxx (use address block as inserted on first page)

xxx

Response MUST be submitted, per Penal Code §933.05, no later than:

Xxx

I have reviewed the report and submit my responses to the FINDINGS portion of the report as follows:

- I (we) agree with the Findings numbered:

- I (we) disagree wholly or partially with the Findings numbered below, and have **attached, as required**, a statement specifying any portion of the Finding that are disputed with an explanation of the reasons therefore.

I have reviewed the report and submit my responses to the RECOMMENDATIONS portion of the report as follows:

- The following Recommendation(s) have have been implemented and **attached, as required**, is a summary describing the implemented actions:

- The following Recommendation(s) have not yet been implemented, but will be implemented in the future, **attached, as required** is a time frame for implementation:

- The following Recommendation(s) require further analysis, and **attached as required**, is an explanation and the scope and parameters of the planned analysis, and a time frame for the matter to be prepared, discussed and approved by the officer and/or director of the agency or department being investigated or reviewed: (This time frame shall not exceed six (6) months from the date of publication of the Grand Jury Report)
-

- The following Recommendations will NOT be implemented because they are not warranted and/or are not deemed reasonable, **attached, as required** is an explanation therefore:
-

I have completed the above responses, and have attached, as required the following number of pages to this response form:

Number of Pages attached: _____

I understand that responses to Grand Jury Reports are public records. They will be posted on the Grand Jury website: www.co.mendocino.ca.us/grandjury. The clerk of the responding agency is required to maintain a copy of the response.

I understand that I must submit this signed response form and any attachments as follows:

First Step: E-mail (word documents or scanned pdf file format) to:

- The Grand Jury Foreperson at: grandjury@co.mendocino.ca.us
- The Presiding Judge: grandjury@mendocino.courts.ca.gov
- The County's Executive Office: ceo@co.mendocino.ca.us

Second Step: Mail all originals to:

Mendocino County Grand Jury
P.O. Box 629
Ukiah, CA 95482

Printed Name: _____

Title: _____

Signed: _____ Date: _____

County of Mendocino
Grand Jury
www.co.mendocino.ca.us/grandjury



Post Office Box 629
Ukiah, CA 95482
grandjury@co.mendocino.ca.us

**Grand Jury Report Transmittal
(with Instructions and Response Form for Requested
Respondents)**

Name
Address
Address
Address

E-Mailed to: (if applicable)

Date:

RE: Report Titled:

The 2008/2009 Mendocino County Civil Grand Jury REQUESTS your response to the above report. Your response is NOT REQUIRED under Penal Code §933.05, but could be useful in presenting the full picture to the public. Should you choose to respond, you are asked to do so within 60 days so that the complete report with responses can be posted on the Grand Jury website in a timely manner.

Penal Code §933.05(f) specifically prohibits disclosure of the contents of this report by a public agency or its officers or governing body prior to the release to the public. The report will be released to the public and posted on the grand jury website two (2) or more days after the date of this letter.

The Penal Code is specific as to the format of responses. Complete and sign the enclosed Response Form and attach any additional comments as required.

Should you have any questions after reviewing the enclosures, please contact me at **grandjury@co.mendocino.ca.us** or at the address above.

Sincerely,

(name)
(year) Foreperson
Mendocino County Grand Jury

Grand Jury Report
REQUESTED RESPONSE FORM

Grand Jury Report Title :

Report Dated :

Response Form Submitted By:

(Copy from front page)

Your Response is REQUESTED no later than:

I have reviewed the report and submit my responses to the FINDINGS portion of the report as follows:

- I (we) agree with the Findings numbered:

- I (we) disagree wholly or partially with the Findings numbered below, and have *attached* a statement specifying any portion of the Finding that are disputed with an explanation of the reasons therefore.

- I (we) disagree wholly or partially with the Findings numbered below, and have *attached*, a statement specifying any portion of the Finding that are disputed with an explanation of the reasons therefore.

I have reviewed the report and submit my responses to the RECOMMENDATIONS portion of the report as follows:

- The following Recommendation(s) have have been implemented and **attached, as required**, is a summary describing the implemented actions:

- The following Recommendation(s) have not yet been implemented, but will be implemented in the future, **attached, as required** is a time frame for implementation:

- The following Recommendation(s) require further analysis, and **attached as required**, is an explanation and the scope and parameters of the planned analysis, and a time frame for the matter to be prepared, discussed and approved by the officer and/or director of the agency or department being investigated or reviewed: (This time frame shall not exceed six (6) months from the date of publication of the Grand Jury Report)
- _____

- The following Recommendations will NOT be implemented because they are not warranted and/or are not deemed reasonable, **attached, as required** is an explanation therefore:
- _____

I have completed the above responses, and have attached, as required the following number of pages to this response form:

Number of Pages attached: _____

I understand that responses to Grand Jury Reports are public records. They will be posted on the Grand Jury website: www.co.mendocino.ca.us/grandjury. The clerk of the responding agency is required to maintain a copy of the response.

I understand that I must submit this signed response form and any attachments as follows:

First Step: E-mail (word documents or scanned pdf file format) to:

- The Grand Jury Foreperson at: grandjury@co.mendocino.ca.us
- The Presiding Judge: grandjury@mendocino.courts.ca.gov
- The County's Executive Office: ceo@co.mendocino.ca.us

Second Step: Mail all originals to:

Mendocino County Grand Jury
P.O. Box 629
Ukiah, CA 95482

Printed Name: _____

Title: _____

Signed: _____ Date: _____

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Cover E-Mails for Transmittals

E-mail Cover for Transmittal to Required Respondent:

Attached are two documents:

1. A copy of the Grand Jury report titled:
2. A Transmittal Packet which describes the process for submitting your required response.

Your response is required under Penal Code 933 (c). If you have questions concerning the response procedure, please direct them to the Grand Jury Foreperson: (enter preferred phone number and/or e-mail address).

Thank you for your cooperation.

(name)
(year) Mendocino County Grand Jury
Continuity Chair

E-mail Cover for Transmittal to Requested Respondent:

Attached are two documents:

1. A copy of the Grand Jury report titled:
2. A Transmittal Packet which describes the process for submitting your required response.

Your response is not required. However, it would be helpful to ensure that all viewpoints are fully expressed. If you have questions concerning the response procedure, please direct them to the Grand Jury Foreperson: (enter preferred phone number and/or e-mail address).

Thank you for your cooperation.

(name)
(year) Mendocino County Grand Jury
Continuity Chair

E-mail Cover for Transmittal Report to Staff in the CEO's Office When County Responses are Required:

Attached is the (year) Grand Jury Report Titled:

The report is attached in both PDF and MS-Word formats to facilitate collection of responses from the following Mendocino County Officials.

(list officials who are required to respond, by name and title, and indicate when responses are due from each)

Please let me know when the response transmittals have been sent so that I can post the report to the Grand Jury website, release it to the press, and send courtesy copies to those who have requested them.

Thank you,
(year) Mendocino County Grand Jury
Continuity Committee Chair

E-mail Cover for Transmittal of Report PDF to Staff in the CEO's Office When No County Responses are Required:

Attached is a PDF of the (year) Grand Jury Report Titled:

No County responses are required to this report. It has been posted to the Grand Jury website and released to the press.

Thank you,
(year) Mendocino County Grand Jury
Continuity Committee Chair

E-mail Cover for Transmittal of Report PDF to Assigned Information Technology Staff for posting on the Grand Jury Website:*

Attached is a PDF of the (year) Grand Jury Report Titled:

Please post this report to the Grand Jury website as a (year) report, using the same format that has been used in recent years.

Please notify me when this has been done so that I can inform the media.

Thank you,
(year) Mendocino County Grand Jury
Continuity Committee Chair

*Reports may not be posted until two days after Response Transmittals have been sent. Always check the website to confirm that a report or response has been correctly posted before sending press releases linked to this material.

PRESS RELEASES AND COMMUNITY LISTSERV POSTING

The following recommended report press release may be sent as a hard copy or copied from the MS Word files on the grand jury computer desktop and pasted into an e-mail for distribution to the Media Contact List (Appendix G). If pasted into an e-mail, it may be necessary to make minor formatting corrections in the resulting message.

Attach the Adobe PDF of the complete report to the e-mail only if you are certain that the recipient has access to high-speed internet service. *A/ways* include the link to the report on the Grand Jury website. If posting on a community ListServ, provide the website link but do not attach the report. Most ListSerts limit the size of documents that may be posted and will block any message that includes an attachment.

Press releases may not be sent until at least two days following release of a report to the required respondents and should not be sent until the CON-ED Committee chair has confirmed that the report and any background documents have been posted on the grand jury website.

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MENDOCINO COUNTY GRAND JURY

PRESS RELEASE

The (ENTER YEAR) Grand Jury Final Report titled: (ENTER FULL TITLE OF THE REPORT) is now available to the public on the Grand Jury website at:

www.co.mendocino.ca.us/grandjury

Prior to publication, each Grand Jury report is reviewed and approved by the full panel of seated jurors and is reviewed by Mendocino County Council and the Presiding Judge of the Superior Court.

The published summary of this report appears below. You may access the full report on the website. Please inform your readers / listeners / viewers that this new report has been published on the grand jury website and advise them of the website address.

It is a misdemeanor for individual jurors to discuss Grand Jury reports or the process through which a particular report was developed and published. Please address any inquiries to the Grand Jury Foreperson, who serves as the Jury's sole spokesperson.

Foreperson's Name
(year) Grand Jury
preferred e-mail address
preferred phone number

(PASTE SUMMARY FROM THE APPROVED REPORT)

This press release template approved by the 2008-09 grand jury May 2009

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APPENDIX F: DIRECTORIES

- **Mendocino County Officials**
(Update annually by requested electronic copy from staff in CEO's Office)
- **Internet Resources**
(Update annually with additions/corrections based on current year's work)

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MENDOCINO COUNTY DIRECTORY REV.

03/11/09

BOARD OF SUPERVISORS	SUPERVISOR	OFFICE
1 st District – Vice Chair	Carre Brown	964-4221
2 nd District	John McCowen	4221
3 rd District – Chair	John Pinches	4221
4 th District	Kendall Smith	4221
5 th District	J. David Colfax	4221
DEPARTMENT	CONTACT	OFFICE
AGRICULTURE	Tony Lineager	4208
AIR QUALITY MANAGEMENT DISTRICT	Chris Brown	4354
ASSESSOR/CLERK-RECORDER	Sue Ranochak	4376
Assessor's Office		4311
Elections Division		4371
AUDITOR-CONTROLLER	Meredith Ford	4388
Payroll	Chris Oldham	4439
CHILD SUPPORT SERVICES	Bruce Mordhorst	4216
CLERK OF THE BOARD	Kristi Furman	4221
COUNTY COUNSEL	Jeanine B. Nadel	4446
DISTRICT ATTORNEY	Meredith Lintott	4211
Fort Bragg Office		964-5624
Willits Office		459-6128
EXECUTIVE OFFICE	Tom Mitchell	4441
Emergency Services	Bill Woodworth	5667
FARM ADVISOR	John Harper	4495
GENERAL SERVICES AGENCY	Kristin McMenomey	4291
FACILITIES AND FLEET	Tim Garrison	6310
Garage		4248
Printing	Brian Miller	4293
Risk Management and Safety		6535
	Hotline-7200	4291
HUMAN RESOURCES/CIVIL SERVICES	Tom Mitchell, Interim	4261
Health Insurance/Workman's Comp/ADA		4261
Employee Assistance Program (EAP)		468-3405
HEALTH & HUMAN SERVICES AGENCY	Carmel Angelo, Director Susana Wilson, Asst. Director	2336 2333
CHILDREN & FAMILY SYSTEM OF CARE MENTAL HEALTH	Mary Elliott, Branch Director	5481
Child Welfare Services	Becky Wilson, Deputy Director	7965
Willits Office		456-3700
Mental Health Services	Zoy Kazan, Deputy Director	4303
Fort Bragg Office		964-4747
Willits Office		456-3850
COMMUNITY HEALTH SERVICES PUBLIC HEALTH	Stacey Cryer, Branch Director	472-2777
Fort Bragg Office		964-4713
Willits Office		456-3800
Alcohol and Other Drugs	Trish Guntly, Deputy Director	472-2607
Animal Care & Control	Bliss Fisher, Division Admin	4654
Environmental Health/Sanitation	John Morley, Director	4466

Nursing Programs	Gloria Gutfeld	472-2707	
ADULT & OLDER ADULT SYSTEM OF CARE SOCIAL SERVICES	Susan Era, Branch Director	7724	
Adult and Older Adult System of Care	MaryLou Leonard, Deputy Director	462-7755	
Fort Bragg Office		962-1000	
Willits Office		456-3740	
DEPARTMENT	CONTACT	OFFICE	
Adult Mental Health Recovery Services	Diana Chambers, Deputy Director	4303	
Public Guardian/Administrator	Jack Bauman	7907	
Veterans Services	Carl Stenberg	4226	
Employment and Financial Assistance	Sandi Brown, Deputy Director	7788	
Fort Bragg Office		962-1000	
Willits Office		456-3760	
LIBRARY	Melanie Lightbody	467-2590	
Ukiah Main Branch	John Bishop, Asst Librarian	4490	
Coast Community Branch	Terra Black	882-3114	
Fort Bragg Branch	Judith Kayser	964-2020	
Round Valley Branch	Georgina Wright-Pete	983-6736	
Willits Branch	Donna Kerr	459-5908	
Bookmobile	Bruce Loberg	4694	
MUSEUM	Herb Pruett	459-2736	
PLANNING & BUILDING SERVICES	Nash Gonzalez	4281	
Fort Bragg Office		964-5379	
Planning Team		467-2569	
PROBATION	Wes Forman	4271	
Juvenile Hall	Buck Ganter	4434	
PUBLIC DEFENDER	Wesley Hamilton	5433	
Fort Bragg Office		964-0606	
Willits Office		459-7885	
Alternate Defender	Berry Robinson	467-2580	
SHERIFF-CORONER	Thomas Allman	4411	
Mendocino County Jail	Tim Pearce	4423	
Fort Bragg Substation		964-6308	
Willits Substation		459-6111	
TRANSPORTATION	Howard Dashiell	4363	
Roads & Shop	Kent Stanley / Tom Mohr	4363 / 4367	
Solid Waste	Scott Miller	4342	
Surveyor	Art Colvin	4074	
TREASURER-TAX COLLECTOR	Shari Schapmire	4321	
WATER AGENCY	Roland Sanford	4589	
COURTS Benjamin Stough, Court Executive Officer	463-4481		OFFICE
Civil/Family Matters	467-6437		
Criminal	463-4661		
County Law Library	463-4201		
Traffic	463-4486		
Ten Mile Court	964-3192		
Willits Court	459-3192		
Grand Jury	463-4320		

INTERNET RESOURCES

Websites of local interest should be added by each panel of grand jurors.

www.cgja.org	California Grand Jurors' Association website. Information important to grand jurors and links to websites of interest.
www.cicg.org	California Institute for County Government
www.law.com/jsp/ca/index.jsp	California's Legal News Source
www.leginfo.ca.gov/calaw.html	California's 29 Codes, State Constitution, and Statutes
www.caag.state.ca.us/publications/2003_Intro_BrownAct.pdf	The Brown Act Intro.
www.caag.state.ca.us/resources.htm	Provides links to all state agencies
www.caag.state.ca.us	Office of Attorney General
www.fppc.ca.gov	California Fair Political Practices Commission
www.rulesonline.com	Robert's Rules of Order
www.csda.net/spcldist.htm	California Special Districts Association
www.calafco.org	California Association of Local Agency Formation Commissions (LAFCO) Click on the "LAFCO Directory" link to get information by county
www.mendolafco.org	Mendocino County LAFCO information
www.oes.ca.gov	Office of Emergency Preparedness
www.co.mendocino.ca.us	Mendocino County information
www.co.mendocino.ca.us/grandjury	Mendocino County Grand Jury
www.mcoe.us/	Mendocino County Office of Education

www.cde.ca.gov/	California Department of Education. All official school data and information on policies, State Standards, No Child Left Behind, the Williams Act, etc.
www.coastal.ca.gov	California Coastal Commission

APPENDIX G

MEDIA AND LIBRARY CONTACT LIST

Confirm and update this information frequently

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**MENDOCINO COUNTY GRAND JURY WEBSITE
MEDIA AND LIBRARY CONTACT LIST**

******Confirm and update contacts annually before sending first press release******

Name of Organization: Ukiah Daily Journal E-Mail: udjcm@pacific.net

Address: 590 South School Street—Ukiah 95482

Contact Name: K.C. Meadows, Editor

Phone #: 468-3526

Send press releases and hand deliver one hard copy of final report

Name of Organization: Willits News

E-Mail: editorial@willitsnews.com

dmmckee@willitsnews.com

madair@willitsnews.com (Mike Adair)

williams@willitsnews.com (Linda Williams)

Editor: Dan McKee

Address: P.O. Box 628—Willits, CA 95490 (77 W. Commercial St.)

Send press releases and deliver one hard copy of final report

Phone #: 459-4643

Name of Organization: Fort Bragg Advocate News and Mendocino Beacon

E-Mail: advocateneews@mcn.org and beacon@mcn.org

Address: 450 North Franklin St.—Fort Bragg, CA 95437

Contact Name: Katherine Lee, Editor

Phone #: 964-5642

Connie Korbelt and Frank Hartzell, Writers

Send press releases and deliver one hard copy of final report

Name of Organization: Mendocino County Observer E-Mail: observer@pacific.net

Address: P.O. Box 490—Laytonville, CA 95454 (50 Ramsey Road)

Contact Name: Jim Shields, Editor

Phone #: 984-6223

Send press releases

Name of Organization: Round Valley News **E-Mail: roundvalley@saber.net**

Address: P.O. Box 1070—Covelo, CA 95428 (76351 Covelo Road)

Contact Name: Cindy Swan, Editor Phone #: 983-8380

Send Press Releases with electronic report

Name of Organization: Press Democrat **E-Mail: dougwilks@pressdemocrat.com**

Address:

Contact Name: Doug Wilks Phone #:

Send Press Releases with electronic report

Name of Organization: KWINE Radio **E-Mail: sherox@kwine.com**

Address:

Contact Name: Phone #:

Send Press Releases with electronic report

Name of Organization: KMFB Radio **E-Mail: general_mail@kmfb-fm.com**

Address:

Contact Name: Phone #:

Send Press Releases with electronic report

Name of Organization: KOZT Radio **E-Mail: Thecoast@kozt.com**

Address:

Contact Name: Phone #:

Send Press Releases with electronic report

Name of Organization: KZYX & Z Radio **E-Mail:** annie@kzyx.org
louisbigfoot@saber.net
paul@kzyx.org

Address: Box 1—Philo, CA 95466

Contact Names: Louis Bigfoot (reporter) and Paul Phone #: 895-2324
Hanson (news director)

E-mail reports as released and hand deliver a hard
copy of the final consolidated report.

Name of Organization: Anderson Valley Advertiser **E-Mail:** ava@pacific.net

Address:

Contact Name: Mark Scaramella Phone #: 707 895-3016

E-mail reports as released and hand deliver a hard
Copy of the final consolidated report.

Community ListSers

mendocino@lists.mcn.org
fortbragg@lists.mcn.org
albion@lists.mcn.org
littleliver@lists.mcn.org
pointarena@lists.mcn.org
manchester@lists.mcn.org

Send press releases with link to published reports.
Do NOT attach the report as a document. It will be too large and will be screened
out by the site administrator
One must subscribe to each list in order to send mail to that list. To do so, send a
message to: mendocino-request@lists.mcn.org
(type the different towns in place of Mendocino to join other lists).
In the Subject line, type *Subscribe*.

Name of Organization:

Address:

Contact Name: _____ Phone #: _____

MENDOCINO COUNTY LIBRARIES
 (Mail or deliver two copies of each compiled Grand Jury Final Report)

Ukiah Library* 105 N. Main Street Ukiah, CA 95482 Ref. 463-4493 E-Mail: mendoref@co.mendocino.ca.us	Fort Bragg Library 499 Laurel Street Fort Bragg, CA 95437 Ph. 964-2020
Willits Library* 390 E. Commercial Street Willits, CA 95490 Ph. 459-5908	Coast Community Library 225 Main Street Point Arena, CA 95468 Ph. 882-3114
Round Valley Library P.O. Box 620 Covelo, CA 95428 Ph. 983-6736	Mendocino Community Library

*Willits and Ukiah Libraries are the most complete sources for back reports

APPENDIX H

HISTORY OF THE GRAND JURY SYSTEM

**This Appendix is excerpted from the
Procedure Manual Template provided by the California Grand Jury Association**

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APPENDIX H

HISTORY OF THE GRAND JURY SYSTEM

One of the earliest concepts of the grand jury dates back to ancient Greece where the Athenians used an accusatory body. Others claim the Saxons initiated the grand jury system; for example, in the years 978 to 1016, one of the Dooms (laws) stated that for each 100 men, 12 shall be named to act as an accusing body and “they shall not accuse an innocent man nor spare a guilty one.”

The origin of the grand jury can also be traced back to the time of the Norman conquest of England in 1066. There is evidence that the courts of that time summoned a body of sworn neighbors to present crimes which had come to their knowledge. The members of that accusing jury were selected from small jurisdictions; thus it was natural and indeed expected that the members would present accusations based on their personal knowledge.

Generally, historians agree that one group, the Assize of Clarendon, in 1166 was the genesis of our present grand jury system. During the reign of Henry II (1154-1189), in an effort to regain for the crown powers usurped by Thomas Becket, Chancellor of England, twelve “good and lawful” men in each village were assembled to reveal the names of those suspected of crimes. It was during this same period that juries were divided into two types: civil and criminal, with the development of each influencing the other...”

By the year 1290, we find that the accusing jury was given the authority to inquire into the maintenance of bridges and highways, the defects of jails, and whether the sheriff had kept in jail anyone who should have been brought before justices.

Le grand inquest evolved during the reign of Edward II (1368) when the accusatory jury was increased in number from 12 to 23, with a majority vote necessary to indict one accused of crime.

The Massachusetts Bay Colony impaneled its first grand jury in 1635 to consider cases of murder, robbery, and wife beating. As early as 1700, the value of the grand jury was recognized in opposing the Royalists. Some colonial grand juries expressed their independence by refusing to indict leaders of the Stamp Act (1765), and a Boston grand jury refused to bring libel charges against the editors of the *Boston Gazette* (1765). A union with other colonies to oppose British taxes was supported by a Philadelphia grand jury in 1770.

By the end of the colonial period the grand jury had become an indispensable adjunct of government: “... they proposed new laws, protested against abuses in

government, and wielded tremendous authority in their power to determine who should and who should not face trial.”

Originally, the Constitution of the United States made no provision for a grand jury; however, the Fifth Amendment ratified in 1791 guaranteed that:

“...no person shall be held to answer to a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger...”

Public support for grand juries, sustained through the Revolutionary Period, began to wane in the early 1800's. Adoption of the Fourteenth Amendment in 1868 made it illegal to “deprive any person of life, liberty or property without due process of law.” As interpreted by some states, this amendment no longer required prosecution of crimes by grand jury indictment or prohibited direct accusation by the prosecutor. California was one of the states to allow prosecution by either indictment or preliminary hearing.

The first California Penal Codes contained statutes providing for a grand jury to be impaneled quarterly, at the same time trial jurors were drawn. Early grand juries investigated local prisons, conducted audits of county books, and pursued matters of community interest.

As cited, the role of the grand jury in California is unique in that statutes passed in 1880 added duties to include investigation of county government by a grand jury beyond alleged misconduct of public officials. Only California and Nevada mandate that grand juries be impaneled annually to function specifically as a "watchdog" over county government. It is interesting to note that while the grand jury was abolished in England in 1933, it has established itself as an essential part of our judicial system.

As constituted today, the grand jury is a part of the judicial branch of government, an “arm of the court.” It does not have the functions of either the legislative or administrative branches and is not a police agency. It is an inquisitorial and investigative body and is part of the machinery of government with the objectives of detection and correction of flaws in government.

Many grand juries in the past had a greater number of functions than does the California grand jury today. As citizens moved westward, before an area gained statehood, the grand jury was often the most important governmental voice available to those frontiersmen.

In the late 19th Century a movement grew up to abolish the grand jury system throughout much of the United States and also in Britain. Many felt that the grand

jury was a relic of the past, was no longer necessary in light of having attained “democratic” government, and was too expensive. A large number of states did away with their grand jury system as did England in 1933. In California in 1902 there was a proposal to greatly limit grand juries. This failed due to the fact that California grand juries had proven their worth in exposing governmental corruption and wrongdoing.

Political Basis and Role

Although all states and the federal government have criminal grand jury systems, California is one of only two states that still have “regular” grand juries, which have both civil and criminal authority. Many other states do have special commissions set up to look at particular problems. “Little Hoover” commissions, which were set up to look at state governments, also exist. Only California mandates formation of regular annual grand juries in every county with the discretion to examine virtually all aspects of local government. Nevada has a somewhat similar but more limited system.

California’s governmental system is similar to that of the national government, having three independent branches, i.e. executive, legislative and judicial, but differs in some ways. For example, each statewide officer is elected separately and is responsible only to the voters, not the governor. Also, unlike the national government, the justices of the State Supreme Court and most other judges are elected and/or confirmed periodically by the voters.

The fact that each of the 58 California counties has grand juries with authority to be the watchdog on local government and the ombudsman for the ordinary citizen adds another level of protection for the citizen.

A regular grand jury is made up of 19 persons (in most California counties) who are chosen for a specific period of time and have the discretion to set up their own agenda. That is, within the laws setting up and defining grand juries, they are free to investigate and report on whatever local government agencies they determine need to be investigated. It should also be pointed out that California grand juries have the authority to issue indictments on their own (without going through the district attorney) though this is rarely done.

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APPENDIX I

SECRECY

**This Appendix is excerpted from the
Procedure Manual Template provided by the California Grand Jury
Association**

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APPENDIX I

SECRECY

The following court order, though not specifically binding on any current grand jury, indicates past court interpretation of law regarding secrecy of investigations by grand juries and their individual committees.

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF FRESNO

STANDING ORDER ON SECRECY OF GRAND JURY COMMITTEE PROCEEDINGS

Miscellaneous standing order pursuant to California Code of Civil Procedure, section 128 (a) (2) and (3).

I. A CIVIL GRAND JURY IS A JUDICIAL BODY UNDER THE CONTROL OF THE SUPERIOR COURT.

California Code of Civil Procedure, section 128(a)(2) authorizes the court to enforce order before persons empowered to conduct a judicial investigation under the court's authority. Section 128(a)(3) of the same Code authorizes a court to provide for the orderly conduct of the proceedings before it, or its officers. A grand jury is a judicial body with powers to weigh criminal charges and determine whether indictments should be returned (Penal Code 917); to weigh allegations of misconduct against public officials and determine whether to present formal accusations requesting their removal from office (Penal Code 992); and to act as the public's "watchdog" by investigating and reporting on the affairs of local government (e. g. Penal Code 919, 925, et seq.) McClatchy Newspapers v. Superior Court (1998) 44 Cal.3d 1162, 1170; Irwin v Murphy 1933 129 Cal. App. 713.716; In re Gannon 1886) 69 Cal. 541; Penal Code 888. The grand jury is part of the court by which it is convened and is under that court's control. People v. Superior Court (1973) 13 Cal.3d 430, 438. Grand Jurors are officers of the court. Irwin at 716.

II. THE SECRECY OF THE CIVIL WATCHDOG INVESTIGATION IS ESSENTIAL TO THE PERFORMANCE OF THE GRAND JURY'S STATUTORY DUTIES UNDER PENAL CODE, SECTIONS 919, 925, ET SEQ.

The Legislature's intention to incorporate the well-established common law heritage of secrecy into the present grand jury is plainly and amply shown in the governing provisions of the Penal Code (e. g. Penal Code 915, 939, 924.1, 924.2). McClatchy Newspapers v. Superior Court (1988) 44 Cal.3d 1162, 1173-1174. The encouragement of candid testimony and the protection of witnesses and their reputations through the secrecy of grand jury proceedings are best achieved when

secrecy is maintained. McClatchy at 1174-1175, quoting Douglas Oil Co. v. Petrol Stops Northwest (1979) 441 U. S. 211, 219, 9 S. Ct. 1667; United States v. Sells Engineering, Inc. (1983) 463 U. S. 418, 428, 103 S. Ct. 3133. The importance of secrecy, which is well established in the context of the grand jury's criminal indictment function, is equally vital when the grand jury conducts a watchdog investigation of local government operations. McClatchy at 1175. See, also, Farnow v. Superior Court (1990) 226 Cal.App3d 481, 488-489.

III. THE SUPERIOR COURT HAS THE AUTHORITY TO IMPOSE AN ORDER OF SECRECY ON ALL WITNESSES WHO APPEAR BEFORE A COMMITTEE OF THE GRAND JURY, ARE SWORN, AND GIVE TESTIMONY IN A CIVIL WATCHDOG INVESTIGATION.

A California grand jury has authority to admonish a witness appearing before it not to reveal what questions were asked or responses given or other matters concerning the nature or subject of the grand jury's investigation which the witness learned during his or her grand jury appearance unless and until such time as the grand jury transcript is made public or except as directed by the court. 66 Ops.Cal.Atty.Gen. 85 (1983). Penal Code, section 916 authorizes the grand jury to choose its officers, except the foreman, and to determine the rules of proceedings. A grand jury's rules of proceeding includes the establishment of committees of its members to whom matters cognizable by the grand jury may be referred for investigation and report back to the grand jury. 67 Ops.Cal.Atty.Gen. 58, 60 (1984). The grand jury's inherent and implied power to appoint committees for the purpose of obtaining evidence and reporting back to the full grand jury is analogous to the inherent and implied power of the legislature and each house thereof to appoint committees for the purpose of obtaining information concerning proposed legislation and reporting back their findings to the body appointing them. Special Assembly Interim Committee v. Southard (1939) 13 Cal.2d 497, 503. Further support for the grand jury committee system is found in its long-accepted use in California. See, Clinton v. Superior Court (1937) 23 Cal.App.2d 342, 344; Gillete, etc. v. Kemple (1978) 83 Cal.App.3d 214, 218; 9 San.Diego L. Rev. 134, 162.

Code of civil Procedures, Section 128, subsection (a)(2) gives this Court authority to enforce order in the proceedings before persons empowered to conduct a judicial investigation under its authority. Section (a)(3) gives this Court authority to provide for the orderly conduct of proceedings before this Court or its officers. When a committee of the grand jury takes evidence from a sworn witness in the grand jury room for the purposes of turning over the evidence to the full grand jury, the grand jurors are acting as officers of the Court. Also, the Court has inherent power to control judicial proceedings in order to insure the orderly administration of justice. People v. Smith (1970) 13 Cal.App.3d 897, 907. Preservation of the secrecy of a closed, investigative proceeding before a committee of the grand jury, the evidence of which will be turned over to the full grand jury, is in the interest of the administration of justice. See, McClatchy, supra, at 1173 – 1176; 66 Ops.Cal.Atty.Gen. 85 (1983); 67 Ops. Cal. Atty.Gen. 58, 60 (1984). An order by this Court to a witness appearing before a grand jury committee not to disclose what

questions were asked or what responses were given or any other matters concerning the nature or the subject of the grand jury's investigation learned during the witness' appearance before the grand jury does not violate the First Amendment provided this order would expire of its own terms when the 1997 – 1998 Fresno Grand Jury's term has ended, i. e., one year after it had been empaneled pursuant to Penal Code section 901(a). See, Butterworth v. Smith (1990) 110 S.Ct. 1376.

IV. ADMONITION OF A SWORN WITNESS BEFORE A GRAND JURY COMMITTEE

Provided that the grand jury committee has been approved by the full grand jury pursuant to its statutory authority to determine its rules of proceeding under Penal Code section 916; provided that the grand jury committee is conducting its civil watchdog investigation in the grand jury's private room pursuant to Penal Code section 915; and provided that the witness has been sworn by the foreman or fore-person pursuant to Penal Code section 929.4, this Court orders that each witness who appears before said grand jury committee be admonished by grand jury foreman or fore-person or the chairman or chair-person of said grand jury committee as follows:

YOU ARE ADMONISHED NOT TO REVEAL TO ANY PERSON, EXCEPT AS DIRECTED BY THE COURT, WHAT QUESTIONS WERE ASKED OR WHAT RESPONSES WERE GIVEN OR ANY OTHER MATTERS CONCERNING THE NATURE OR SUBJECT OF THE GRAND JURY'S INVESTIGATION WHICH YOU LEARNED DURING YOUR APPEARANCE BEFORE THE GRAND JURY UNLESS AND UNTIL SUCH TIME AS THE TRANSCRIPT (IF ANY) OF THIS GRAND JURY PROCEEDING IS MADE PUBLIC, OR UNTIL AUTHORIZED BY THE GRAND JURY OR A JUDGE OF THE SUPERIOR COURT TO DISCUSS OR IMPART SUCH MATTERS. THIS ADMONITION DOES NOT PRECLUDE YOU FROM CONFIDENTIALLY DISCUSSING YOUR LEGAL RIGHTS WITH AN ATTORNEY. THIS ADMONITORY ORDER WILL EXPIRE BY ITS OWN TERMS AT THE EXPIRATION OF THE TERM OF THE 1997 – 1998 FRESNO GRAND JURY PURSUANT TO PENAL CODE SECTION 901(A).

A violation of this admonitory order by a grand jury witness is punishable as a contempt of court.

Dated this _____ day of June 1997.

HON. STEPHAN J. KANE
Presiding Judge
Fresno County Superior Court

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APPENDIX J

PENAL CODES RELATED TO THE GRAND JURY

**This Appendix is excerpted from the
Procedure Manual Template provided by the California Grand Jury
Association**

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APPENDIX J

PENAL AND GOVERNMENT CODES

Throughout this Manual are references to various sections of the California Codes. The Penal Code, for the most part, provides for the creation and activities of the grand jury. Selected portions of the Government, Evidence, Revenue and Tax, and other codes impact the grand jury's functioning as well. These codes are available at the law library in county courts and may be available in local public or college libraries. The internet is also a source for this information at www.leginfo.ca.gov/calaw.html.

Commencing in 2005, the CGJA will distribute a copy of its Compendium to each grand jury. It will be up-dated or replaced annually to insure the most recent statutes and cases area available to current grand jurors. The Compendium is organized around the sections of the California Codes applicable to grand juries. At the end of each code section in the Compendium are reference materials and cases which further discuss that code section. While including complete statutes and the Codes in this Manual is not practical, Title 4 Penal Code sections and descriptive titles, as well as other code sections relevant to grand jury investigations are identified below.

CALIFORNIA PENAL CODE

SECTION	DESCRIPTION
888	Establishes authority of county grand juries
888.2	Defines number of jurors required
889	Defines indictment
890	Establishes minimum per diem and mileage for counties to reimburse jurors
890.1	Prescribes payment procedures for grand jurors
891	Prohibits secret recording or observing of jury deliberations or voting
893 - 913	Provides court procedures, directive upon the court, for selection and empanelment of jurors
894	Specifies excuses to relieve a person of liability to serve as a grand juror
901	Provides presiding judge authority to name up to ten consenting jurors

	to serve a second year
908.1	Prohibits replacement jurors from voting on evidence taken prior to their selection
914	Requires jurors to be charged by the court as to their duties and the court to insure the grand jury receives appropriate training
914.1	Establishes additional requirements of the judge to instruct jurors
914.5	Limits jury expenditures beyond budget unless approved by the court
915	Requires private room for grand jury sessions
916	Requires each grand jury to <ul style="list-style-type: none"> • select its officers, except the foreman, and its rules of proceeding • conduct all interviews attended by two or more jurors • support all findings with evidence and provide suggested solutions
916.1	Provides authority to jury to select a foreman pro tempore
917	Provides authority to investigate public offenses and present them to the court by indictment
918	Authorizes any juror to report a public offense to the grand jury, which may decide to investigate
919	Authorizes the jury to inquire into any case of a person imprisoned on a criminal charge and not indicted Requires the jury to inquire into the condition and management of prisons within the county Requires the jury to inquire into willful misconduct of public officers
920	Authorizes the jury to investigate sales and ownership of land which might escheat to the State
921	Entitles the jury to free access to public prisons and, without charge, to all public records
922	Provides the power and duty to remove district, county, or city officers.
923	Authorizes the Attorney General power to direct a county grand jury to convene an investigation
924	Defines disclosure of information or indictment before arrest of the defendant as a misdemeanor
924.1	Establishes disclosure of information, evidence, or voting as a

	misdemeanor
924.2	Establishes secrecy requirements of jurors for deliberations and testimony
924.3	Limits questioning a juror for anything said or voted except for possible perjury
924.4	Authorizes a succeeding jury to be provided information acquired in civil investigations
924.6	Authorizes court to release testimony in criminal trial
925	Requires the grand jury to selectively investigate officers and functions of the county
925a	Authorizes the jury to investigate any incorporated city or joint powers agency in the county
926	Authorizes the jury to employ experts after approval of court or supervisors for compensation
927	Authorizes the grand jury to, when requested by the Board of Supervisors, investigate salaries of county elected officials
928	Authorizes the grand jury to investigate the needs of all county officers
929	Authorizes the release of any information, not privileged, relied upon for the final report
930	Establishes that comments upon persons not indicted are not deemed privileged.
931	Requires the county to reimburse all juror expenses incurred toward investigations.
932	Authority for the jury to order the district attorney to institute suit to recover money due the county

933	Establishes procedures for <ul style="list-style-type: none"> • grand jury submitting final reports • Court and State filing of the final reports • public agencies and officials to respond to reports • grand jury retention of reports
933.05	Directs specific wording or responses to grand jury findings and recommendations Authorizes the grand jury to discuss and validate findings with the subject of a report before release Requires the subject of a report be given a copy after presiding judge approval and two days before public release
933.06	Provides conditions for adopting a grand jury report when jury membership is reduced
933.1	Authorizes the grand jury to investigate redevelopment agency and other agencies
933.5	Authorizes the grand jury to investigate special districts or commissions
933.6	Authorizes the jury to investigate nonprofit corporations that receive public funds and/or operate on behalf of public entities
934	Prohibits presence of a judge or counsel during jury sessions except for legal advice
935	Limits presence of district attorney during jury sessions
936	Provides procedures for the grand jury to have Attorney General employ special counsel or investigators for an investigation
936.5	Provides procedures for presiding judge to employ special counsel or investigators at the request of the grand jury
936.7	Provides procedures for Sacramento County to employ special counsel
937	Provides procedures to subpoena and compensate an interpreter
938	Requires stenographic reporter appointment for criminal cases
938.1	Establishes requirements for stenographic reporter's transcript

939	Defines who may be present during criminal sessions. Prohibits anyone, other than jurors, being present during deliberations and voting in criminal and civil matters
939.1	Prescribes procedures for public sessions of the grand jury
939.11	Provides procedures for employing an interpreter for a disabled juror
939.2	Authorizes grand jury to request a subpoena of a witness for an investigation
939.21	Establishes requirements for an underage prosecution witness
939.3	Authorizes granting of immunity to a witness who wants to avoid self-incrimination
939.4	Provides authority for the foreman to administer an oath to any witness
939.5 - 939.91	Establishes requirements for criminal investigations
939.9	Prohibits a grand jury from making a report or recommendation except on its own investigation
940	Establishes number of jurors required to concur on all public actions (see Section 916)

APPLICABLE GOVERNMENT CODE

3060	Establishes procedures for removal of district, county, and city officers
17006	Requires the Controller to list each business day the number and amount of warrants drawn
24054	Establishes personal liability of any officer authorizing payments in violation of law
26525	Requires district attorney to recover unauthorized payment