



CGJA NEWS

*To promote, preserve, and support the grand jury system
through training, education, and outreach*

SB 1292 Update

June 2016

CGJA wants to update our members and the grand juries about the status of SB 1292. The bill "went into suspense" (was tabled) in the Senate Appropriations Committee and will not progress through the Legislature this session, although its sponsor, the California Special Districts Association (CSDA), might choose to reintroduce it next year.

SB 1292 would have amended PC 933.05 with regard to exit interviews and "preliminary responses" to grand jury reports. The bill was tabled because of the committee's concerns that the costs associated with the additional exit interviews required by the bill would result in an "unfunded mandate" that the California Constitution would require the state to reimburse.

As described in the most recent edition of CGJA News, the Board of Directors decided earlier this year that we would negotiate with CSDA as to the bill's language, rather than simply oppose the bill. This was because of our concern that the 1000-district-member CSDA, which has a number of friends in the Legislature, might have been able to get SB 1292 passed as introduced despite our opposition. This proved to be a productive strategy -- and due to our involvement, the content of the bill was improved considerably as it moved forward.

In its filings with the Legislature, CSDA explained the rationale for SB 1292's mandatory exit interview as follows: "While the majority of grand jury reports are accurate, there are reports that are made public that contain inaccurate or incomplete information. Many times this is because the grand jury did not conduct an exit interview with the investigated subject..."

CSDA shared with us the results of its survey of the districts it represents: 194 responded that they were the subject of a grand jury report and 53% of those districts stated that the report contained inaccuracies; 77% said the grand jury did not conduct an exit interview; and of the districts that stated that an exit interview was conducted, 47% said that inaccuracies were discovered during that process.

While the results of the survey may be open to dispute or interpretation, they do support the recommendation of CGJA's training team that grand juries should routinely conduct exit interviews. An exit interview allows the grand jury to review the report's findings with the official who is the subject of the investigation, thereby helping to ensure that the findings are accurate.

We have been informed that CSDA will decide by November whether to reintroduce the bill. If it

does, we hope that CSDA will again contact us to seek our input. In any event, CGJA's Board would need to decide what position to take on any such legislation.

I want to thank CGJA's Executive Committee (Marsha Caranci, Jim Ragan, Lloyd Bell, and Medsie Bolin), LLRC Chair, Larry Johnson, and our consultant, Bob Hoffman, for their insight, direction, and support during this process. Additional thanks go to the Grand Jurors' Association of Orange County for its assistance in analyzing the bill.

Karen Jahr
President

STAY CONNECTED

