



March 2016

There is a new bill in the state Legislature related to grand juries, SB 1292, that we want our members and chapters, and the sitting grand juries, to be aware of.

SB 1292 is sponsored by the California Special Districts Association (CSDA) and was introduced on February 19 by Senator Jeff Stone (Riverside). This legislation would amend Penal Code section 933.05 with regard to exit interviews, the report-releasing process, and the distribution of entity comments to reports.

CGJA opposed the bill as introduced. Since then, we have worked closely with CSDA to develop compromise language, which is reflected in the March 28 amendment of the bill. We are satisfied that the new language meets our concerns. [Click here](#) for the text of the bill.

If enacted as currently amended, the bill would mandate exit interviews (they are now discretionary). It would allow the jury to discuss the facts as well as its findings with the exit interviewee; and with the court's permission, the jury could give the exit interviewee a copy of the draft findings and allow for written comments.

The bill would also require the grand jury to provide a copy of the final report to the official or entity six (rather than the current two) working days before its public release, and during that time, the official or entity would be allowed to submit a preliminary response to the report; if it did so, the jury would be required to post the preliminary response on its website and reference the website in printed copies of the report. A governing board that wanted to submit comments or preliminary responses could prepare them in closed session during the six day period, but the formal responses (the ones due within 90 days) would still need to be considered and approved in open session.

The bill will not take effect until July 2017, so it will have no impact on current juries.

The March 28 amendment of SB 1292 is a substantial improvement over the original version of the bill. CGJA believes that the bill as currently worded will lessen the chance of a report containing inaccurate or incomplete information because grand juries would always conduct exit interviews, during which the findings and, in the jury's discretion, the supporting facts, would be discussed with the subject of the investigation.

This bill has been assigned to the Senate Committee on Public Safety. We have met with the staff of the senators who are members of that committee. Larry Johnson, chair of our Legal and Legislative Resources Committee, will be speaking on our behalf at the committee hearing which is currently set for April 12.

We will continue to monitor SB 1292, communicate with legislators and committee staff, and attend committee and floor hearings as needed to protect the interests of the grand jury. We welcome your comments and we will keep you informed of developments.

Karen Jahr  
President