



Grand Jurors' Journal

cgja.org

Volume 22, No. 1

February 2021

CGJA Has a New President – Jim Ragan

Jim was a member of the 2002-03 San Luis Obispo County Grand Jury and has been a member of CGJA since 2009. He was president of the San Luis Obispo chapter of CGJA for five years, initiating the chapter's annual program to interview grand jury applicants on behalf of the court.

Jim has participated as chair or member of most of the CGJA committees. He currently chairs two committees: Public Relations and Membership and Community Relations. He was a board member and secretary for six years. He has been a grand juror trainer for seven years. He is the current lead trainer in report writing and collegiality.

A Southern California native who exited the state after college to live in Honolulu, Washington DC, Barcelona, Bonn, and New York City, Jim and his family returned to SoCal in 1970. He was a public involvement consultant to federal, state, and local agencies on water development and flood control projects in California and Arizona for the next 32 years. He retired to Cambria in 2000 to start his satisfying career as a public service volunteer.



See listing of past presidents on page 7.

Grand Jury Awareness Month

by Jerry Lewi

Declaring February as Grand Jury Awareness month has been a tradition, sometimes at the state level and more often at the county or even a city level. The month is consistent with the typical starting time for recruiting grand jurors for the year starting in July.

The earliest record of this is in our [February 2008 Grand Jurors' Journal](#). An article from the San Luis Obispo chapter stated that this was the 7th year of the practice. Inspired by this knowledge, we lobbied Governor Arnold Schwarzenegger to issue a proclamation establishing February 2009 as Grand Jury Awareness Month. He did.

Governor Brown preferred the legislature to take such actions, so in March 2016, working with our Sutter County chapter, we were able to have their Assemblyman James Gallagher sponsor a concurrent legislative proclamation of March of 2016 as [Grand Jury Awareness Month](#).

Encouraged by the state's action, many chapters and some grand juries have persuaded their county to follow suit every year. Due to the present circumstances where new juries are being seated at different times, we acknowledge a consistent practice is now unlikely. Nevertheless, we are always interested in hearing of any county or city that takes this action at any time.

Inside

- Zoom training
- Thank you, donors
- Giving Special Recognition
- Continuity reporting
- Reflecting on the website
- New members
- News from Madera
- Ask the Trainer

CGJA and Grand Juries Enter a Virtual World

from the CGJA Training Committee

Zooming – a new way of providing grand jury training

Since COVID-19 shut down our in-person training program last spring, we have switched to mostly remote training. Between July 1 of 2020 and June 30, 2021, we will have trained over 800 new jurors and alternates, using a licensed Zoom account. We will have also conducted six Foreperson and Pro Tem Workshops, three Legal Advisor Workshops, and at least twenty Report Writing Workshops remotely.

We have learned a lot, and are happy to share some of our experiences and some feedback from jurors we have trained.

There are a lot of good things about training by Zoom for both the trainers and the trainees. We are able to avoid travel and all of its aggravations that would be even worse under today's environment; we are able to provide training to people from different areas of the state at the same time; and we don't have to be away from our families and homes.

Here are some others advantages we have experienced:

- We can all see and hear each other.
- Closer eye contact seems to enable better engagement.
- We don't have to repeat questions, because everyone can hear them.
- Everyone can see the power point slides.
- Through the break-out room capability of Zoom, we can easily hold small group break-out sessions.

We have learned some things that help our remote training programs and will help your grand jury if you are holding virtual meetings or conducting virtual interviews:

- Always use a computer or tablet with a camera and microphone – cell phones don't work as well and should only be used when there is no alternative.
- Check the position and lighting for your camera and microphone.
- Keep your camera on so people know you are actually present.
- Stay in "gallery" view in order to see the group with whom you are engaging.
- Agree on a method of recognizing those who wish to speak – we have found that raising a physical hand in front of the camera works quite well. But your grand jury might instead decide to use the digital hand-raising method. Either way, you should insist on raising a hand to be recognized as more than one person speaking at a time means no one can understand what's being said.
- Keep yourself muted when not speaking, but remember to unmute yourself a few seconds before it is your turn to speak to avoid any delay.
- Turn off other internet devices in your home while on a virtual meeting so as not to soak up needed bandwidth.
- Keep your Zoom or other software updated (in the Zoom app, click on your initials on the sign-in screen and then on "check for update").
- Allow time for stretch breaks.

Continued on next page

From preceding page – Zooming

Using a virtual meeting platform to conduct grand jury work

Whether your grand jury is using Zoom, Microsoft Teams, Google Meet, or some other platform, we recommend that you follow these guidelines:

- Develop your own rules to ensure a smooth experience (such as staying muted except when speaking, raising your hand to be recognized for speaking, keeping all cameras on, and turning off other devices).
- Get to know each other by conducting some icebreaker exercises like those demonstrated in the CGJA workshops.
- Attend the virtual meeting from a private room in your home or office where the grand jury's business cannot be overheard, and use earphones if family members or co-workers are likely to enter the room.
- Be an active listener, and clarify and confirm anything you are not sure you understand
- Actively participate, but don't dominate.
- Use breakout rooms to tackle specific issues.
- Any jurors who must recuse due to an actual or perceived bias or conflict of interest should leave the meeting when the topic in question is discussed; they can either be assigned by the meeting host to a digital breakout room or waiting room or they can leave the meeting and return once notified by text or phone that it is okay to do so.
- Use screen sharing for tasks like creating a list of interview questions and reviewing documents.
- Periodically review the rules to remind everyone what they contain and amend them as needed.

For grand jury interviews, follow the same procedures, and make the interviewee aware of the "meeting rules."

Use an oral admonition, but consider sending a written version by email after the interview. Consider recording the interview, with the interviewee's permission. The recording must be password protected and not shared outside of the grand jury in order to maintain confidentiality.

Make every effort to be assured that the person being interviewed is alone in a private setting and is not recording the interview themselves. And remember the rule of two; one advantage of virtual interviews is that all committee members can be present for the interview without overwhelming the interviewee.

We hope these helpful hints will be useful in using today's technology to conduct grand jury business to the best of your ability as we continue to navigate the pandemic.

Please let us know if we can help by answering any questions. You may contact us at cgjatraining@cgja.org.

Spring Report Writing Workshops
Sign up now! See [schedule](#).

Good Example of Continuity Reporting (Riverside County)

by Jerry Lewi and Bob Finlayson

Experienced readers of the Journal might recall that we have frequently written about the value of grand juries’ establishing continuity committees. A continuity or implementation committee follows up on responses to reports to determine whether the respondents met the relevant legal timeline requirements, demonstrated a clear understanding of each recommendation and submitted a legally compliant response. The committee may recommend that the jury open a new investigation to follow up implementation of the agreed-upon recommendations.

This past term, the Riverside County Civil Grand Jury issued its first continuity report. We believe it is an excellent example of what such a report can offer. The content outlines its purpose, describes some of the challenges (such as new jurors not being familiar with the subject) and makes several recommendations.

The members constructed two general matrices to identify and tabulate the relevant information over a three-year period (2017-19). One matrix states the number of findings and recommendations and the timeliness and nature of each response. The second matrix summarizes each recommendation for each report and notes the specifics of selected responses (see examples).

SUMMARY OF RESPONSES	NUMBER OF REPORTS		NUMBER OF FINDINGS		NUMBER OF RECOMMENDATIONS					
	14	76			76					
	AGREE WITH FINDINGS	DISAGREE PARTIALLY WITH FINDINGS	DISAGREE WITH FINDINGS	DID NOT RESPOND	AGREE	WILL IMPLEMENT	FURTHER STUDY NEEDED	FUNDING NEEDED	DO NOT AGREE	WILL NOT IMPLEMENT
Riverside County Sheriff's Corrections Division Inmate Welfare Fund	15	1	14		15	4	4	1	13	13
Coachella Valley Cemetery	8	6	1	1	8	8	5	3	1	
City of Banning	7	6		1	7	7	4	3		

They found that the grand juries had issued 22 reports and made 120 recommendations for improvement of county operations. County officials responded positively to 60 of the recommendations (indicating that they had or would be implemented). Download the full report (PDF) [2019 – 2020 Civil Grand Jury - Continuity Brings Accountability](#).

performing similar tasks – Los Angeles, Mendocino, Orange, and San Francisco. CGJA’s own investigation found additional examples from a number of other counties and that grand juries in at least 34 counties are performing some form of continuity review.

CGJA recognizes that there is no legal requirement to conduct continuity studies and respects those grand juries that decide to use their resources to conduct other investigations rather than looking back at prior reports and responses. However, it is our recommended best practice that continuity/implementation reports be conducted when possible.

RCCGJ 2017-2018 Reports: Findings	AGREE WITH FINDINGS	DISAGREE PARTIALLY WITH FINDINGS	DISAGREE WITH FINDINGS	DO NOT RESPOND	RCCGJ 2017-2018 Reports: Recommendations	AGREE	WILL IMPLEMENT	IMPLEMENTED	FURTHER STUDY NEEDED	FUNDING NEEDED	DO NOT AGREE	WILL NOT IMPLEMENT	Notes on Responses
RCCGJ2017-2018.08 Riverside University Health System Behavioral Health Needs (Report issued:06/13/2018)													
F1: Lack of acute care mental health beds "At the recommended rate of one bed per 2,000 people, Riverside County should have available 1,211 acute care mental health beds...[it] has a total of 365 such beds."				X	R-1: "BOS in conjunction with Riverside County Behavioral Health, works with appropriate sources to obtain adequate and continuous funding"								[The RCCGJ has no record that the BOS or RUHS-Behavioral Health ever responded to this report.]
F2: Insufficient staff "[C]urrently 60 of the 140 [staff psychiatrist] positions remain unfilled."				X	R-2: "Riverside County seeks ways to ensure competitive salaries and benefits exist for filling its vacant psychiatrist positions."								
RCCGJ2017-2018.09 Riverside County Sheriff's Corrections Division Coroner Office Independent Autopsy Reviews (Report issued:06/14/2018)													
F1: Autopsy Agreement California law allows the Coroner to permit adjacent counties to perform autopsies in cases of in-custody death, but there has been no new agreement in 13 years.		X			R-1: "The RCSD Coroner...negotiate an agreement [regarding reciprocal in-custody death autopsies] to ensure... Coroner's review are fair, unbiased"				X				R1: RCSD states: "The recommendation requires further analysis" and "it is anticipated that the analysis would be completed by December 2018."
RCCGJ2017-2018.10 CAL FIRE/Riverside County Fire Department Palo Verde Valley Fire Protection Issues (Report issued:06/14/2018)													
F1: Riverside County Fire Station #42 (Blythe) is unable to sufficiently support the vehicles and equipment assigned there.	X				R-1: "The Board of Supervisors...(and) RCFD, should...relocate Station #43, or close it."	X	X						[The BOS response is scored here.] R2: CalFire/RVFD will work with the Board [Y2019-2020 budget] and make a recommendation.
[F2 is directed to the City of Blythe; no response required from BOS or CalFire/RCFD] F1: The city of Blythe Fire Dept. cannot provide Advance Life Support (ALS) measures, if needed, and has old equipment.					[R2 is directed to the City of Blythe; no response required from BOS or CalFire/RCFD] R2: The city of Blythe review the quality of service which they can provide with a volunteer service...if the County were to deactivate...Station								BOS stated for F2 & R2: "N/A [Concerns Blythe F.D.]"

REFLECTING ON THE WEBSITE

by Larry Herbst, Webmaster

November 2017 saw the launch of the newly revamped CGJA website, the first major overhaul since 2011. The redesign adopted new visual styles and improved navigation with logical page groupings, while preserving content.

In addition to improved automation of routine processes (e.g., membership renewals), the website provides relevant and current information for use by empaneled grand juries, announcements of grand jury training seminars and workshops, information and registration for our annual conference.

Participants can register for any of the following **workshops**: Training, Foreperson and Pro tem, Report Writing, and Legal Advisors. This replaces the manual approach that required spreadsheets and extensive email and phone exchanges with participants. Evaluation forms are now online allowing seminar and workshop attendees to provide feedback at their leisure after the session is completed.

In 2019 and again in 2020, the CGJA annual election of directors was conducted primarily through the website. In addition to being expedient for our members, it saved printing and mailing costs for the association (we provide paper ballots on request). The Tellers Committee tabulation and verification process remains basically the same. We continue to use feedback from the tellers to improve the operation of e-voting.

While the COVID-19 pandemic spread across California, CGJA used the website to provide guidance to counties, courts and grand juries. We suggested ways to keep the operation of our unique civil grand jury system moving forward while minimizing the effects of social distancing with regard to grand jury meetings and impaneling new grand juries. As the effects of the pandemic on impaneled grand juries occurred the last few months of their fiscal term, suggestions addressed completing investigations and issuing reports. The website offered help with using Zoom and guidance for conducting virtual meetings.

As the courts were beginning to plan their 2020-21 grand jury impanelment, suggested alternatives were consistent with the Penal Code but offered flexibility for courts and counties to either remain on the fiscal year approach as usual, delay impaneling by three to six months, or convert to a calendar year. A summary document, ***Coping with Covid***, covering all the above plus additional considerations, has proven to be a valuable tool.

Here are some website usage statistics:

420 average website visits per month

220 average unique visitors per month

Top three pages visited: Grand Juror Resources, Sample Documents, Training General Info

Top three downloads: *Grand Jurors' Journal*, Juror Recruitment, Procedure Manual Examples

My webmaster work is a labor of love. I am gratified to provide value to website visitors. Please check back to the website frequently as there is always something new. It will help you keep up with the fast-paced cycles of grand jury work.



new MEMBERS

Welcome!

Glad to have you aboard.

County	Name
Contra Costa	Charles Cerjan
Fresno	Sandra Silva
Marin	Alicia Levin
Merced	Teri Marcum
Napa	William Goss
Placer	Carol Witten
Riverside	Mike Anzis
Sacramento	Paul Rieschick
"	Rachel Kaldor
"	Kenneth Smith
"	Tina Bonilla
"	Deanna Hanson
San Luis Obispo	Tom Beams
" " "	Kaye Riggs
Santa Clara	Maria Goretty Alonso-Amigo
" "	Andrew Stewart
Stanislaus	Patricia Brown

Past CGJA Presidents

Name	County	Year	Name	County	Year
Larry Herbst	San Luis Obispo	2018-20	Jack Zepp	Marin	2000-02
Andi Winters	El Dorado	2016-18	Les Daye	Trinity	1998-00
Karen Jahr	Shasta	2014-16	Dan Taranto*	Humboldt	1996-98
Beate Boultinghouse	San Francisco	2013-14	Pat Yeomans	Los Angeles	1994-96
Bill Trautman	Napa	2012-13	Harry Heye	Alameda	1992-94
Keath North	Humboldt	2010-12	Frances Jansen	San Diego	1990-92
Tony Noce	Kern	2008-10	Jesse Robinson	Los Angeles	1988-90
Judi Lazenby	Santa Cruz	2006-08	William Engel	Riverside	1986-88
Jerry Lewi	Ventura	2004-06	Angelo Rolando	San Francisco	1984-86
Elwood Moger	El Dorado	2002-04	Val Cavey	San Diego	1982-84

* Former President Dan Taranto (Humboldt) died January 30. A resume of his life will be in the next journal.

News from Around the State

from Madera

Publicizing grand jury reports has been markedly reduced by today's low newspaper circulation. To extend the reach of its final report, the 2018-2019 Madera County Grand Jury under the leadership of Foreperson, Robyn Gracey, decided on a mail campaign.

A number of steps were involved: contact with the local U.S. Postal Service Bulk Mailer Specialist, filing an application for the authorization of Nonprofit Standard Mail, selection of an effective mailer size (they chose a postcard), securing a substantial number of mailing addresses for residents and businesses in the county and coordinating with the local printer.

The cooperation of the Madera County Grand Jury Association led by President Leanne Thomson was essential. Their non-profit status allowed educational materials (grand jury reports qualify) to be mailed at a rate of roughly 8 cents per item.



Nota Bene: To get the bulk mail non-profit price, it was necessary to secure a Non-Profit Standard Mail price authorization from the U.S. Postal Service. The Pricing and Classification Service Center in New York serves the entire nation.

It took three months to obtain non-profit status approval.

The final design included a QR code, secured from the Madera County Information Technology Department, that provides mobile devices with direct access to the report. The printer coordinated the mailing payment with the post office.

The total cost of the project was \$9,000. It covered the card stock, full-color printing and postage for 49,000 postcards.

Thanks to Nina Mize (2018-19 Madera County GJ member and 2019-2020 foreperson) for providing the above information.

Ask the Trainer by Marsha Caranci, CGJA Training Chair



This regular column allows the CGJA training team to share with Journal readers our responses to questions we receive from grand jurors. Please remember: Do not take any response as legal advice, and contact your local legal advisors to answer any question that might divulge confidential information.

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

Q. When members of our grand jury are recused from an investigation due to a perceived conflict of interest, we know they must leave our meeting when this topic is being discussed; do we also need to limit their access to the digital records kept on our shared drive for this investigation, including minutes, draft reports, etc.?

A. The purpose of the recusal is to make sure that a juror that might have a bias (or a perceived bias) is not influencing the grand jury in its investigating and reporting on that matter. If that recused juror happens to see minutes or other documents but does not comment on what they see to any other juror, there is probably no harm done.

However, we think it would be a best practice to ask jurors to refrain from reading any documents in the shared drive that have to do with the topic from which they are recused. It should be emphasized that this is an ethical obligation and that you trust them to do the right thing.

Q. Can our grand jury consider investigating a complaint from someone who does not live within the county, the city, or the special district they are complaining about?

A. There is no requirement in the law that the grand jury must limit its consideration of complaints to those submitted by persons who reside in or own property within the boundaries of the county, city, or district that is the focus of the complaint. The grand jury may, upon a supermajority vote, approve an investigation of any local government entity within its jurisdiction whether based upon a complaint or not. The jury should judge any idea for a possible investigation topic based on its merits, irrespective of the source.

Q. Can our grand jury interview a member of a previous grand jury? We are conducting a new investigation on a topic that was reported on last year and think that the chair of the investigating committee might have useful information for us.

A. While we normally say that the grand jury can interview anyone, our best practice advice in this case would be not to interview former jurors about an investigation they were involved in. It would put them in a very difficult position as they could answer very few of your questions without breaching confidentiality and their oath. They could only state what was included in the report, which you already have access to. If the previous grand jury voted to pass forward their investigative file on this matter, you can review that information but cannot ask a juror about anything not found in those records. Your grand jury needs to conduct a complete and thorough investigation on its own before writing and releasing a report on this topic, without relying on the information from a previous grand jury.

Recent Board Actions

Board Meeting, January 26, 2021

Renamed asset account number 1056 to the **Ron Miguel & Audrey Lynberg Training Scholarship Fund**.

Transferred funds in the amount of \$30,000 from the General Fund to the Rainy Day Fund.

Approved updated CGJA history for posting on the website.

Executive Committee Meeting, January 26, 2021

Rescheduled the **annual conference** from 2021 to 2022.

All approved board meeting minutes are available on the CGJA [website](#).

NOTE: We encourage members to attend meetings of the board of directors. They are held on the fourth Tuesday of the month via Zoom (no meetings in July and rarely in December). The agenda along with Zoom information is available a week before the meeting. [Read more](#).

Keep us Posted

Send us your chapter or association news and accomplishments. Format articles in Word and send as email attachments to Barbara Sommer editor@cgja.org. For more details see [How to submit an article](#).

DEADLINE for submitting articles for publication in the next issue

March 22, 2021

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

The mission of the CGJA is to promote, preserve, and support the grand jury system through training, education, and outreach.

Contacts: [Officers and directors](#), chapter and association [presidents](#).

CONNECT!



Visit our website

Editor: [Barbara Sommer](#). Publications support: CGJA Public Relations Committee.

The views expressed in the *Grand Jurors' Journal* are those of the writers unless otherwise stated. The CGJA Board of Directors disclaims any liability arising from errors or omissions. The Editor has the right to accept, edit or reject submitted articles.

©2021 All rights reserved.