



Grand Jurors' Journal

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History of the Los Angeles Chapter and the formation of CGJA

By Patricia Yeomans

The Los Angeles County Grand Jurors' Association was formed in 1955 to follow up on grand jury recommendations. During the years, many of the Association's recommendations were adopted. In 1956 their recommendation that Juvenile Hall be administered by the Probation Department rather than by nine (9) politically appointed people was passed. In 1957, the Red Cross and LACGJ asked that TB x-ray health checks be given to all prisoners to segregate them from others. Later LACGJ kept the pressure to recommend state law for annual county inspection and licensing of board and care homes for foster children and the aged.

In 1963, the Economy & Efficiency Committee was formed and met once a week to review grand jury recommendations with the preceding year GJ foreman as a member.

In 1965, the presiding judge placed grand juries under the Courts instead of the District Attorney. That was the first year Los Angeles County would be choosing twenty three (23) jurors to serve instead of the nineteen (19). The purpose was to allow six (6) members to specialize on county civil matters while seventeen (17) could hear indictment matters. However, it didn't work out that way. All twenty three (23) members met three days a week to hear about thirty four (34) indictment cases; they also visited main jails and county offices. It was the year of the Watts Riots in August and judges in both Superior and Municipal Courts worked together for preliminary hearings. County and city health departments were consolidated. Committees for jail inspection and juvenile halls met early or on Mondays or Fridays. The

grand jury's final report had the County seal on the cover, listed an index and was sent to all city and county libraries. Separating the civil and criminal grand juries was endorsed. Although approved in 1971 this was not implemented because there was a question about who had the authority to call the second grand jury, the Court or the District Attorney. This was finally decided by state legislation after the Hawkins decision which challenged indictments by an elite grand jury (not chosen from petit jury pools) against municipal court preliminary hearings.

This jury met annually (January 1) but recommended a change to the fiscal year, which was implemented in 1973-1974. In that year, the emphasis was placed on Juvenile Justice. The 1971 earthquake demolished Sylmar Juvenile Hall and Central Juvenile Hall needed retrofitting. The LAGJA recommended separating hard-core offenders from those who could be rehabilitated.

In March 1, 1977, the Los Angeles County Board of Supervisors passed a resolution authorizing LA County GJA to monitor the status of recommendations made by the county grand jury that affected County departments.

Statewide Grand Jurors Association Formation:

In 1977, Angelo Rolando of San Francisco visited the LA County GJA with the suggestion of forming a Statewide Grand Jurors Association (December 1977). However, the formation didn't happen until 1982.

In 1979, Dr. Richard Lillard, foreman of LA County Grand Jury saw the need for grand jury training in civil functions. He requested a grant of \$20,000 from the California Council for Humanities in Public Policy and the Victor Gruen Center for Environmental Studies. Because his term was over June 30, he asked LA County GJA to sponsor the event. Pat Yeomans was President and the meeting was held at Occidental College, Los Angeles on August 23-25. Half scholarships were provided to attend and it attracted 200 grand jurors from 25 counties " to explore the Grand Jury: An Institution in Transition."

Five (5) training seminars were held at Occidental College between 1985-1989. Between 40-81 jurors from 7 counties participated in the training seminars. Speakers such as Sherman Block, LA County Sheriff on "Gangs" participated and SCAG videos on regional problems were presented. Anne Murphy became a legislative advocate for CGJA in Sacramento. Ruth Gouedy of Los Angeles County GJA made videos for Public Service Television on "What is a Grand Jury; Crisis in Child Care; When Public Agencies go Private; Mediation; CRA Increment Tax Proposals and Elder Care Options."

Angelo Rolando again proposed forming a California Grand Jurors' Association. Fran Jansen, a former LA County Deputy Sheriff and a member of San Diego County GJA, took the lead by sending letters to all 58 counties to plan for the formation of CGJA, 22 counties responded. Over the next two years, several Associations sent representatives to San Diego to discuss a constitution and bylaws. In May 1, 1982, E.E. Binger, San Diego, chaired the conference held at the Kona Kai Club, Shelter Island. A Constitution and Bylaws were adopted that established the only former Grand Jurors State Association in the United States. Val Cavey was elected CGJA President with Fran Jansen Executive Secretary. Twenty four (24) members from seven (7) counties signed as charter members. The sustained objectives were: To provide a compilation of grand jury recommendations - resulting in a common objective for the purpose of legislation. To achieve changes in legislation which affect the grand jury system. To provide an educational program (brochures, films etc.) about grand jury system for general consumption. To achieve stronger similarities of grand jury procedures throughout the state where possible. To expand the scope of the CGJA to include members representing all 58 counties. And to preserve the grand jury system. The membership voted to have a State President and Treasurer but to divide the Association into two regions, North and South, in order to promote more participation and reduce travel to the Association's quarterly meetings.

During the first year, CGJA received incorporation papers and non-profit status. Southern region held quarterly meetings every year between 1982-1990, rotating among San Diego, Orange, Los Angeles,

Riverside and San Bernardino counties. Ventura and Kern also participated. Midwinter meetings were held at Bishop, Inyo County and Santa Barbara to assist grand jurors and study reactivating grand jury indictment privileges.

In 1989 State Senators Ed Royce, San Diego and later Quentin Kopp, supported codifying grand jury law to require specific replies to grand jury recommendations. In 1991, seventeen (17) counties replied to a survey about the use of lottery money for education. LA County approved A, B, C ratings for food establishments and training for inspectors. In 1994, in response to small counties such as Inyo, CGJA assisted changing the law for counties under 20,000 populations to impanel eleven (11) instead of nineteen (19) jurors. Orange County GJA made a training video and taped several "Perspective" Television programs.

Ginger Reed, of Orange County, began GRIP codification of Grand Jury recommendations. A plan to send annual county grand jury reports to the State Archives in Sacramento begun.

CGJA sponsored training sessions begun in north and south in 2000.

I congratulate all the presidents who followed my term in 1994-1996 and the ones before me. With Dan Taranto as President in 1997, and Les Daye in 1999, bylaws were changed to have three regions: north, south and central. Board meetings were held by telephone conference. A 10-point statement of purposes was issued. A Publications Committee became active and a first Board training session was held at Phillips Ranch near Modesto. Action committees were formed. A training session at La Verne Law School was videotaped. Board retreats were held prior to Annual Conference at Costa Mesa in 2001, San Rafael in 2002 and Ventura in 2003. Legislation has closely being followed and under the leadership of presidents Jack Zepp and Elwood Moger CGJA has made advances to encourage membership and active participation. CGJA has become more effective.

Editor's note: Pat Yeomans served on the 1965 Los Angeles County Grand Jury. I 1979 she served as President of the Los Angeles Grand Jurors' Association and is one of the founding members of the California Grand Jurors' Association. She was elected CGJA President in 1994.

Summary of Board Actions

The CGJA Board of Directors took the following actions at their July 29, 2004 Board meeting:

- The Board passed the following resolution: "The Board of Directors of CGJA concurs in the belief expressed by the Diepenbrook Law Firm that the most reasonable construction of the 2001 Bylaws is that they extended the term limits of the Directors elected in 1998 (and after) and that these Directors could serve up to 10 years."
- A motion to instruct the President to form or refer to a committee the task of studying the issue of Directors' and Officers' liability insurance passed. Director Baker volunteered to be on the committee.
- Authorization to hold a 2004 Board of Directors Retreat was approved. The 2004 Board retreat will be open to Directors of record on October 13 and all director nominees for 2004-2006 board offices. Board retreat is for planning and open exchange of ideas and no formal actions of the Board will be taken.
- The President proposed and the Training Committee Chair agreed that the request for the training committee to establish a "concise set of board policies addressing experienced and novice trainers." will be presented to the Training Committee for their evaluation with a report back to the Board.

2004 Excellence-in-Reporting Awards

The following awards were presented at the CGJA Annual Conference on October 14, 2004.

1. Certificate of Merit: 2001/02, 2002/03, and 2003/04 Solano County Grand Juries for their serial investigations and reports on the Solano County Water Agency's inadequate provision of flood control along Sweeney Creek.
2. Certificate of Appreciation: The Vacaville Reporter for its interest in and articles on the causes and impact of the recurrent Sweeney Creek flooding.
3. Certificate of Merit: 2003 Madera County Grand Jury for its perseverance in bringing to light the \$5-20 million in uncollected court fees.
4. Certificate of Appreciation: The Merced Tribune for its articles on the Grand Jury's investigation into the court fees and the officials' responses.
5. Certificate of Merit: Joint award to the 2003/04 Ventura County Grand Jury and to the Ventura Star for their informative and broad-ranging newspaper insert of 1/12/04 on the varied grand jury experience.
6. Certificate of Merit: 2003/04 Lake County Grand Jury for its extensive newspaper article on the history and function of grand juries that was published on 3/31/04.
7. Certificate of Appreciation: The Lake County Record-Bee for working closely with the Grand Jury to display their article in an eye-catching feature.

Committee Reports

Operations

Jerry Lewi, Chair

Elsewhere in this issue, you will find a report on the recently concluded Training Seminars. Members of the Operations Committee participated in several ways. Your chairman and Beverly Hill conducted the Continuity Workshop at Visalia and Sacramento. Linda Baker and Jeanne Forbes, between them, staffed the Publications desk at all four locations and sold many documents, the most significant one being the Compendium of Grand Jury Law available only to sitting Grand Jurors.

By the time you read this Journal, I will have given my Operations Committee annual report at the Annual Conference. My complete report will be in the next Journal. I will highlight our achievements of the past year that include a new and expanded Grand Jury Index Project (GRIP) report, reinstated Excellence in Reporting awards, a new survey of Grand Juries, an improved website, a new Journal format, and an updated list of available Publications both in hard copy and downloadable from the website.

Most of our committee goals for 2004 have been achieved. All members of this committee have contributed to these various projects, for which I express my thanks as we approach the end of our program year.

Membership

Clif Poole, Chair

Here we are again, getting ready for our 23rd Annual Conference & Meeting which is scheduled for October 14 -15, 2004. By the time you receive this Journal it will be over and all reports given. For those of you unable to attend, I will briefly cover some of the high points of our year to date.

We have over 2400 past Grand Jurors and supporters in our contact list (a new record). Let us not forget our relationships with different independent Grand Jury Associations such as Kern, Tulare, Orange and San Diego Counties, just to mention a few, who have hundreds more in their lists.

We have over 340 paid members as of this writing (also a new record). The highest we have ever had at this time in prior years was about 270.

We have three new chapters; Nevada, San Francisco and San Luis Obispo, with other counties trying to form chapters. We have started a new Chapter. Representatives teleconference to better serve our members and to explain actions we are taking and we constantly try to involve more members on our work committees.

Our Legal Committee has kept us informed about new Grand Jury legislation and keeps us advised of impacts on our Grand Jury system. You have let your government representatives know of your displeasure and legislation has been changed or abandoned.

We have managed to educate more new Grand Jurors throughout the state than ever before. We have had Judges and Court Executives attend our training sessions.

With your continued support through your membership and talents, we will ensure an effective Grand Jury System continues to exist in the future.

Training

Sherry Chesny Chair

Our 2004 regional training seminars set many new “highs” for our training program:

We trained a total of 472 jurors, up from 408 last year. Originally, we had expected a decrease in attendance due to the statewide budget cut backs.

Forty counties sent jurors to our seminars. This is the most counties we have had. Many new counties attended for the first time. We were very pleased to see jurors from Calaveras Co., Kings Co., Los Angeles Co., Siskiyou Co. and Tehama Co. at the seminars.

We added a new seminar in Redding (Shasta Co.), doubling our seminar sites from two in 2000 to four in 2004.

We added a new, 5-hour workshop to the Sacramento seminar, to offer more comprehensive leadership training specifically for the forepersons and pro tems. Again, our original projected attendance of 20-25 forepersons and pro tems was greatly exceeded by the actual attendance of 45 from 32 counties.

We also had a record for the most jurors sent by a single county. Sutter County sent 30 jurors and alternates to the Sacramento Seminar.

Experiencing this kind of growth in a tight budget year is a result of the hard work and many hours of time put into the CGJA Regional Training Seminars by the members of the CGJA Training Committee; our Sub-Committees; our team of CGJA trainers who conduct the five core subject workshops at each seminar. Our volunteer groups who provide the support staff for each seminar; and our many guest speakers who willingly share their knowledge to benefit new jurors. This cooperative effort of many, many people is responsible for CGJA’s reputation of providing quality training for new jurors.

Our training program is too large of a topic to cover in one article so for this issue I will only cover our new regional seminar and our wonderful volunteer support staff.

Our new regional training seminar

The new Redding Training Seminar was very successful thanks to a group of former jurors and the Shasta County Counsel who volunteered their help. These volunteers led by Duane Mason, a past Foreman of Shasta Co., helped CGJA find a seminar site, developed and implemented a plan to encourage the northern counties to attend, helped us find guest speakers and they also provided the volunteer support during the two day seminar. Helping Duane were former jurors: Bert Aarsen, Leslie Allen, Marsh Caranci, Bill Estes, Janet Fisk. Peggy Hale, Hal Ibson, Karen Jahr (County Counsel for Shasta County), John Long, Jacque Mainstone, Jo Moyer, Jim Patten, Marv Picard, Angela Thomas and Norma Taylor. Redding had a total attendance of 69 jurors from 10 northern counties. This is very high for a first time seminar. The team of trainers consisted of Jack Zepp (Law); Ron Miguel (Investigations); Marsha Caranci (Interviewing); Stuart Brown (Report Writing) and Ted Freeman (G.J. Continuity & Independence).

Guest speakers were: Karen Jahr, Shasta County Counsel, speaking on “Untangling the Maze of Local Government”; Mike Warren, City Manager of Redding, speaking on “City Government”; Neil McCormick, Asst. Director of California Special Districts Association speaking on “Special Districts” and Jerry Read, a past foreman of the Yuba Co. Grand Jury and a current facilities inspector for the California Board of Corrections, speaking on “How to Do Jail and Juvenile Facility Inspections”. Our CGJA staff joined together to provide a panel discussion on “GJ Pitfalls and How to Avoid Them” which is open-ended and provides the jurors an opportunity to bring up a variety of questions.

The scores on the evaluation summaries were very, very good. On a rating scale of 1 to 5 (excellent) the scores for the various presentations ranged from 3.7 to 4.7 with an overall average program score of 4.3.

Following are a few written comments from the jurors who attended the Redding Seminar:

“I can’t imagine being a respectable grand juror without the information you all have provided. Thank you.”

“Everyone did a wonderful job with this seminar. Everyone was very friendly and helpful with any questions that needed an answer. Thank you for a great seminar.”

“Like a little sponge I soaked up as much as possible. Good use of handouts. Certainly glad to see this close to home.”

Our volunteer support staff at the other seminars

At all of our regional seminars, we have been very fortunate to have a group of local volunteers (past jurors) who provide a variety of support services:

Greeting the new jurors’

Helping with registration, distributing the name badges, program schedules, evaluation forms and training manuals to each juror’

Help direct jurors to their assigned meeting rooms or with other questions’

Serving as a room assistant for a presenter, helping to pass out materials or other assistance as needed.

Serving as a timer using cue cards to let the presenter know how they are doing time wise so that all presentations adhere to the timed program schedule.

Setting up a display table with the final reports and other items brought by each county.

At the end of the seminar, distributing the Certificate of Completion to each juror and collecting their completed evaluation forms and name badge holders.

This year the Tulare County Grand Jurors Association provided the volunteers for the Visalia Seminar. Phyllis Webster served as Volunteer Coordinator and was in charge of organizing the volunteers and assigning the various tasks. Helping Phyllis, were former Tulare Co. jurors: Fern Allen, Johnny Eager, Jerry Guevara, Patricia Hopson, Bill Kane, Sharon Lamagno, Joan Mann, Loretta Miller, Frank Palmer, Peg Stolz, and Barbara Waldron. Louise Whittle, a former juror currently employed as Staff Secretary for the Tulare Co. Grand Jury also helped. CGJA Board Member, Jeannie Forbes was there in her duty of

Glenn		X	X	X	X	X		
Humboldt	X	X	X	X	X	X	X	X
Imperial								
Inyo								
Kern		X	X		X		X	X
Kings			X					
Lake				X	X	X		
Lassen		X	X	X	X	X	X	
Los Angeles								
Madera		X	X	X	X	X		
Marin	X		X	X	X	X	X	X
Mariposa								
Mendocino			X	X	X	X		
Merced						X		
Modoc								
Mono								
Monterey	X	X	X	X	X	X	X	
Napa			X	X	X	X	X	
Nevada				X	X	X	X	
Orange			X	X	X	X	X	X
Placer								
Plumas			X	X	X	X	X	X
Riverside					X	X		
Sacramento			X	X	X	X	X	
San Benito				X	X	X	X	
San Bernadine			X	X	X	X	X	X
San Diego				X	X	X	X	
San Francisco			X	X	X	X	X	
San Joaquin								
San Luis Obispo			X	X	X	X	X	X
San Mateo				X	X	X	X	
Santa Barbara			X	X	X	X		
Santa Clara	X	X		X	X	X		
Santa Cruz			X	X	X	X		
Shasta			X	X		X	X	
Sierra		X	X	X	X	X	X	
Siskiyou			X	X	X	X		
Solano	X	X	X	X	X	X		
Sonoma			X	X	X	X	X	X
Stanislaus			X				X	X
Sutter			X	X		X		
Tehama							X	X
Trinity		X	X			X	X	
Tulare								
Tuolumne			X					
Ventura			X	X	X	X		
Yolo			X		X		X	X
Yuba	X	X	X	X	X	X	X	
Totals (out of 58)	7	14	36	34	36	38	27	13

Heard Round About

The Board of Directors granted recognition of the Former Grand Jurors Association of San Luis Obispo County as a CGJA Chapter. Chapter President is Don Blythe, who can be reached at LDBlyth@tcsn.net

The 2004 Madera County Grand Jury announced the creation of their website

<http://www.maderagrandjury.org/>

With this new website, the Madera Grand Jury will be able to provide timely release of information on issues important to all of the citizens of Madera County. Grand Jury Final Reports, complaint forms, and questionnaire from citizens wishing to serve on a future Grand Jury will also be available on the website.

Court Decisions Available Online

Now everyone can search for the published decisions of the California Court of Appeal and Supreme Court on their computer and FREE! The California Judicial System has made available to all the same search engines lawyers have used, for a fee, for years. It can be found at

<http://www.lexisnexis.com/clients/CACourts/>. To give it a spin, agree to the terms, then select "CA Published Cases, Combined" and enter a word search. For example the following words will bring up the leading cases involving the accusation: grand jury AND accusation. The California Courts are to be commended for making this service available.

Email used by Grand Juries

By Jack Zepp

A question that seems to arise frequently during our training programs is whether email can be used to transmit material among grand jury members.

There is clearly no legal prohibition, but then there is no express prohibition on use of telephones, briefcases to transport files or use of snail mail (mine was stolen a few months ago).

I should think the decision whether or not to use email would depend on consideration of such factors as: The need for out-of-office communication at all. At least one grand jury has a computer for each member in the grand jury room, equipped to communicate with the other jurors' computers in the room, but not linked to the outside world. A different computer is used for Internet access. That grand jury meets almost daily and does all its work within its rooms. It has essentially no need for out-of-office communication.

Alternative methods for out-of-office communication. Land line phones are probably somewhat more secure than email (where the computer, not the line, may be what is "tapped") and cell phones are probably less secure. Does mail in your county get delivered next day or sporadically? Can you meet in a secure room frequently or must most drafting, collaboration and other interactive work be done off site?

The nature of the information being communicated. Clearly, an all-juror email rescheduling a meeting is not confidential (though some may think their email address is, but that's not a grand jury matter), whereas circulating a transcript of a whistle-blower's testimony is. Drafts of final reports fall in the middle: on the one hand they will eventually be public anyway; on the other the drafts may reflect witness identities or, by their changes, the deliberations of the jury, etc.

Lastly, some have mentioned that, regardless of the means of transmitting information, if it is created or stored on a computer with access to the outside world it is not secure. I'm no expert, but I should think that email is no more or less secure than the drive(s) in a computer with internet access. Of course, care must be taken if you share email access with, for example, other family members. In such a case, you would want a separate password for grand jury. Perhaps the answer is to use great care when using email

both as to the content of the message and the certainty of the recipient (email not infrequently gets mis-addressed when the wrong button is hit in haste). If email is your best means of communication, even for sensitive materials, perhaps you should get your county to acquire an encryption program for the grand jury's email.

There are a number of options listed at:

<http://www.google.com/search?hl=en&ie=UTF-8&q=email+encryption>