



General Information

What is a County Grand Jury?

What is a county grand jury and what does it do?

In California, the grand jury system consists of 58 separate grand juries—one in each county—that are convened on an annual basis by the Superior Court to carry out three functions:

Investigating and reporting on the operations of local government (which is known as the “watchdog” function—a civil, rather than criminal function),

Issuing criminal indictments to require defendants to go to trial on felony charges, and

Investigating allegations of a public official’s corrupt or willful misconduct in office, and when warranted, filing an “accusation” against that official to remove him or her from office. The accusation process is considered to be “quasi-criminal” in nature.

With regard to its watchdog authority, the grand jury is well suited to the effective investigation of local governments because it is an independent body, operationally separate from the entities and officials it investigates. It conducts its investigations under the auspices of the Superior Court and has broad access to public officials, employees, records and information.

The grand jury’s fact-finding efforts result in written reports which contain specific recommendations aimed at identifying problems and offering recommendations for improving government operations and enhancing responsiveness. In this way, the grand jury acts as a representative of county residents in promoting government accountability.

In some counties, the regular grand jury issues indictments. In others, the Superior Court, at the request of the District Attorney, impanels a separate “criminal grand jury” to hear evidence in support of an indictment. Accusations, which are also filed and taken to trial by the District Attorney, are filed infrequently. Overall, grand juries throughout the state spend considerably more time on investigating and reporting on local government operations than they do on criminal matters. CGJA does not get involved in the any criminal indictment matters

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Constitutional and Statutory Authorization

Grand juries have existed in this state since the adoption of California’s original Constitution in 1849-50. Section 23 of Article 1 of the state Constitution requires that a grand jury “be drawn and summoned at least once a year in each county.”

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This Constitutional mandate is supported by statutory provisions found primarily in sections 888 through 939.91 of the California Penal Code. Those code sections relate to the selection and impanelling of grand jurors and to the grand jury's watchdog and indictment functions. Government Code sections 3060 through 3075 cover the grand jury's accusation process.

Many of the statutory provisions relative to the grand jury have been reviewed and interpreted by the California Supreme Court and the Courts of Appeal. Their written opinions, known as "case law," clarify the powers and duties of the grand jury.

Because of the complexity of state law, the legislature has provided legal assistants for each county grand jury—a judge of the Superior Court, the District Attorney, the County Counsel and, under certain circumstances, the state Attorney General. In addition, the law requires the Superior Court to ensure that each incoming grand jury receives training to help it understand these laws; this training also provides practical advice on conducting watchdog investigations and writing grand jury reports. Most grand juries are given a local orientation program in addition to attending training provided by CGJA.

For more information on the laws related to the grand jury, go to CA Codes.

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Investigations and Reports

As a truly independent body, each grand jury is free to choose which local governmental entities or public officials to investigate. With very limited exceptions, no one outside the grand jury can direct it to conduct an investigation.

Ideas for investigations generally come by way of three avenues: citizen complaints, matters raised by the members of the grand jury, and referrals from the preceding grand jury.

During its investigations, the grand jury acts as a finder of fact. In addition to determining if the official or entity under investigation is adhering to the laws that govern the operations of that entity, the jury analyzes whether the entity is operating in a businesslike manner and providing public services effectively and economically.

While it has no authority to order or otherwise compel compliance with its recommendations, it is through its reports that the grand jury wields its power. Those reports are influential because they attract the attention of the media, and subsequently, the voting constituencies of the investigated officials. The resulting public pressure often prompts the implementation of the recommended changes.

Typically, there are about 900 reports issued each year by California's 58 county grand juries. To see the impact of grand jury reports, go to Grand Jury Achievement Report.

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Additional Requirements

The Penal Code requires the Grand Jury to:

- inquire into the condition and management of the detention facilities within the County
- investigate and report on the operations, accounts and records of county and other local public agencies, officers, departments or functions
- inquire into the willful or corrupt misconduct in office of public officers, and,
- submit a final report of its Findings and Recommendations no later than the end of its term to the Presiding Judge of the Superior Court.

The local governmental entity to which a report is directed is required to answer both the Findings and Recommendations in writing and within a specified period of time after the issuance of the final report (60 days for officials or agency heads; 90 days for governing bodies).

CGJA recommends that juries follow up on entity responses to be sure they are in compliance with the law.

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Who Are Grand Jurors?

Who serves on county grand juries?

Civic-minded citizens who have chosen to give back to their communities by collaborating with a diverse group of like-minded persons over a one-year period to evaluate the operations of local governmental entities and the conduct of public officials, and to develop practical innovative recommendations for improving government operations.

Grand jurors are agents of change in their communities. They come from all walks of life. They bring with them a broad range of interests, talents and life experiences, but they share a dedication to democratic ideals and a willingness to devote their time and energies to matters of civic importance.

Drawing from the life experiences of these citizens, “...(a) grand jury is a short-lived, representative, non-political body of citizens functioning without hope of personal aggrandizement. It comes from the citizens at large and soon disappears into its anonymity without individual recognition or personal reward...” (Noah Weinstein and William J. Shaw, *Grand Jury Reports—A Safeguard of Democracy*, 1962, Wash. U.L.Q., 191,191.)

The California Grand Jurors’ Association supports efforts to encourage diversity within county grand juries. All qualified persons are encouraged and welcome to apply for grand jury service. Statutory qualifications are listed under Requirements below.

For information on how to join your own county’s grand jury, go to Local Grand Jury Contact Information on our Home page and connect to your grand jury’s website.

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Requirements

You are probably eligible to be a grand juror. Penal Code section 893 states that a person is qualified to be a grand juror if he or she:

Is a citizen of the United States

Is at least 18 years old,

Has been a resident of the county for at least one year immediately prior to selection,

Possesses ordinary intelligence, sound judgment, and good character, and

Possesses a sufficient knowledge of the English language to communicate both orally and in writing.

There are only four disqualifiers. A person is ineligible to act as a grand juror if he or she is serving as a trial juror in a state court at the time of selection, has been discharged from grand jury service within the preceding year, has been convicted of malfeasance in office or any felony or other high crime, or is serving as an elected public officer.

No particular background, training or experience is necessary to be a grand juror. In fact, it is the diversity of its members that is one of the grand jury's greatest strengths.

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Why Californians Should Care

Why should Californians care about and support the local grand jury system?

Because grand juries work. They can do what no other group or individual can do—thoroughly, systematically and without bias delve into the actions and policies of local governmental entities and officials to evaluate their effectiveness in providing services to the people they are supposed to serve. And if corruption or willful misconduct is uncovered, the grand jury can take steps that can lead to an official's removal from office.

Californians need what grand juries provide: an objective, non-partisan analysis of what works, and what doesn't work, in local government. Once the facts are uncovered, the electorate, using its political power, can make sure that their elected representatives modify their operations for the better.

Citizens need to understand the role of grand juries so they can follow the work of grand juries in their county, read the media reports of the results, understand the process so they may file citizen complaints more likely to result in investigations, and generally use it as a tool for fulfilling citizen responsibility to be aware of what goes on in local government.

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To see how effective grand juries can be, go to our [Grand Jury Achievement Report](#) .

The reasons grand juries are important are effectively presented in our video, Agents of Change.

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How You Can Help Educate Others

A significant role of CGJA is to find ways to educate the general public of California about the role of grand juries in their civil oversight function. By clicking on the above link, you will be directed to a package of information that will help you help us in this important part of our mission statement.

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Get Involved

There are three ways for you to promote the work of the grand jury.

Join Your County Grand Jury. If you can make the time commitment, apply to be a member of the grand jury. To get an application, contact your local Superior Court's Jury Commissioner or Jury Services Officer. In addition, most grand juries have applications available on their websites. To find your grand jury's website address, go to "Local Grand Jury Contact Information" on our Home page. Grand jury service might be the right volunteer opportunity for you.

Join CGJA. Another way to promote California's grand jury system is to join the California Grand Jurors' Association. We are an all-volunteer nonprofit public benefit corporation. Our goals are simple:

To provide comprehensive and practical training to incoming grand jurors in California's 58 counties each year, and

To increase public awareness of this unique system, its importance, its potential and the opportunities it provides for volunteerism and public service.

To learn more about being a member, [Click here](#).

Make a Donation to CGJA. Your tax-deductible donation will go far in helping CGJA in its efforts to promote and improve the California grand jury system through its public education and juror training programs.

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