



*Sonoma County  
2006-2007*

*Grand Jury Final Report  
June 28, 2007*



### **2006-2007 Sonoma County Grand Jury**

**Back Row**,(L to R) Joe Yiakis, Sonoma; John Coverdale, Windsor, Bob Kinsey, Sonoma  
Doug Gow, Santa Rosa; John Martin, Santa Rosa

**Middle Row**,(L to R) Presiding Judge Robert S. Boyd; Barbara Cogbill, Windsor  
Don Osborn, Healdsburg; Bob Anchicks, Santa Rosa; Joe Browne, Sonoma  
Suzanne White, Graton; Kimber Height, Santa Rosa

#### **Officers**

**Middle Row**, (1<sup>st</sup> from Right) Jerry Bagger, Kenwood, **Foreperson**  
**Seated**, (L to R) Linda Cudlin, Santa Rosa, **Foreperson Pro Tem**  
Don Johnson, Rohnert Park, **Sergeant at Arms**; Eric Tengbergen, Petaluma, **Treasurer**  
Joan Marsala, Santa Rosa and Adam Reyes, Santa Rosa, **Correspondence Secretaries**  
Not Pictured: Rachel Moran, Petaluma, **Recording Secretary**

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## **Grand Jury Charter**

### ***The Sonoma County Civil Grand Jury***

Under California law, the civil grand jury is an independent institution that oversees all aspects of the legislative and administrative departments that make up county, city and special district governments. The civil grand jury has the power to investigate them to ensure that they are efficient, honest, fair and dedicated to serving the public and individual citizens. The civil grand jury is an arm of the court and has subpoena powers.

Investigations are begun on the basis of citizen complaints or by the jury acting on its own initiative. The Sonoma County grand jury has a membership of 19 citizens who have been screened, interviewed individually by Superior Court Judges, and then selected at random from the 30 best-qualified applicants. A minimum of 12 of the 19 grand jurors must authorize the undertaking of an investigation. The grand jury has four standing committees that carry out authorized investigations: Law and Justice, Human Services, County, and Cities and Special Districts. Ad hoc committees may be formed for special investigations.

By law, grand jurors may not disclose the evidence obtained in their investigations or reveal the names of complainants or witnesses. Similarly, witnesses are prohibited from disclosing any proceedings of the grand jury.

The results of major investigations are contained in reports that set forth findings concerning the problems investigated and make recommendations for solutions. These documents are published either as Interim Reports during the year or in a Final Report at the expiration of the grand jury's term of office. Sonoma County civil grand jury reports are distributed to the public through the Press Democrat and copies are sent to all branches of the Sonoma County Library.

Any individual who feels unfairly treated by the county, city or special district, or who believes that any agency, officer or employee thereof, is acting improperly may file a written complaint with the Sonoma County civil grand jury. All complaints are in strict confidence.

A complaint form is at the back of this report or one may be obtained by calling the grand jury at (707) 565-6330. Completed forms should be mailed to:

Sonoma County Civil Grand Jury  
P. O. Box 5109  
Santa Rosa, CA 95402.



## The Sonoma County Grand Jury

June 28, 2007

To the citizens of Sonoma County and the Honorable Judge Boyd:

It is with great pride and in accordance with California Penal Code, Section 933, that I present this final report of the 2006-2007 Sonoma County Grand Jury. This report represents the dedication and diligence of a jury charged with reviewing all aspects of city and county governments as well as other public sectors under our jurisdiction.

These reports are a culmination of efforts not only on the part of the grand jury but also as a result of a vital, concerned citizenry who initiated complaints and inquiries about issues meaningful not only to themselves but to all those who pay taxes and who benefit from taxes. I regret that we were not able to report on all of the many subjects and issues that came to our attention. Many of them have great merit but not all can be investigated. I encourage the citizens of the county to continue to voice cares and concerns about issues that in some way affect us all.

As you will see, an unintended focus of our report topics led us to the inevitable conclusion that the children of Sonoma County are of paramount importance when considering and reviewing decisions and policies made today. Our schools, our water, our lands and disaster plans are all essential to our future. How we address these matters today will determine who we will be and what we will become in the years ahead. It is incumbent upon all of us to keep a watchful eye on agencies, districts and government - their plans, decisions and performance on promises. Our children not only deserve the best, they are entitled to it.

Throughout our investigations we encountered many dedicated and knowledgeable employees who gave difficult but important testimony with courtesy and thoughtfulness. We would like to thank all of them for the time and resources they provided to our investigations. We listened to some eager to share their knowledge about their particular subject and heard from others who feared retaliation for speaking to us. We particularly applaud those that step forward when it's difficult to do so. In the end, there should never be a time when honest, hard working employees feel threatened. for speaking the truth.

As our term comes to an end and we return to our 'civilian' roles, we do so with a greater knowledge of and respect for the workings of city and county government, schools and special districts. The issues they face are complex and convoluted, often mired in bureaucratic inertia and bound by constraints of law and policy rather than being readily approachable through rational thinking and pragmatic solutions. We do not live in an ideal world yet we must look to our leaders to find voice and

strength to initiate timely, compelling solutions that address the essence of critical issues regardless of potential hardship or adversity. Action and inertia are not comfortable bedfellows and this jury looks to all of our public officers for those qualities that will put Sonoma County in high regard and set model standards throughout the state and the nation.

"Today, the eyes of all people are truly upon us, and our governments, in every branch, at every level, national, state and local, must be as a city upon a hill, constructed and inhabited by men aware of their grave trust and their great responsibilities." *John F. Kennedy*

The Grand Jury can have a significant impact on the quality of life for Sonoma County residents. Success depends on a committed response to this report by all the various affected agencies and on citizen involvement to hold officials accountable to these recommendations. Official responses to these reports will be available in print and on website sometime in January 2008 and we encourage all of you to review these to see how our officials respond to the concerns of their constituents.

I would like to personally thank my fellow jurors for the careful research, the thousands of hours given to the people of Sonoma County and the mutual respect shown each other given differing points of view, sharp interactions, varying degrees of involvement, and specific sensitivities. The diverse knowledge and backgrounds of jurors lent a stable foundation to our efforts and investigations and offered broad based perspectives that are invaluable in assessing complex issues. Also, a heartfelt thanks to Greg Dion, Deputy County Counsel, for his vigor, responsiveness and great communication ability in guiding the jury through the tight spots.

It has been a privilege to serve as foreperson for the 2006-2007 grand jury. The journey has been a satisfying, and rewarding experience and there should never be a lack of citizens to fill the seats in the jury box. I call upon all Sonoma County residents, business and organizations to promote involvement in local government and particular, the grand jury, to entice vital, eager, inquisitive minds to keep the people of the county informed and keep a sharp focus on today's decisions that shape tomorrow's future.

Respectfully submitted,



Jerel Bagger  
Foreperson

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SONOMA**

ROBERT S. BOYD  
Presiding Judge  
(707) 521-6725  
FAX (707) 521-6754

HALL OF JUSTICE  
600 Administration Drive  
Santa Rosa, California 95403



June 26, 2007

Dear Members of the Sonoma County Grand Jury:

I have reviewed your Final Report for the fiscal year 2006-2007 and find that the report complies with Penal Code section 933. I commend you for your thorough investigation of the subject matter of your report and the soundness of your findings and recommendations. Throughout the past 12 months, I have been continually impressed with your hard work and dedication to duty.

I am particularly impressed with the completeness of the report on Wastewater and the thoroughness of the historical perspective presented. This will provide our citizens with a clear understanding of the magnitude of this issue and its importance. The care and maintenance of the all-important infrastructure are too easily brushed aside by the press of more visible and/or popular civic functions and I appreciate your hard work to apprise the citizens of Sonoma County of the reality of this need to hopefully focus more attention on solutions. I also believe that your report on School Safety will bring attention to a concern about which the public has little awareness. Your report on the Open Space District brings to light public perceptions, the knowledge of which can assist the District to gain additional support for their acquisitions.

Thank you for your willingness to have contributed to the betterment of our County by your service as members of this Grand Jury. The important role of local government to provide services to local citizens is premised on a foundation of responsibility and accountability. Your role of impartial oversight is vital to ensure that the delivery of such services continues to improve. Our entire Court thanks you for your efforts and dedication to your work as members of the 2006-2007 Grand Jury.

I appreciate very much this opportunity to have been associated with your efforts as the 2006-2007 Grand Jury. I wish to particularly express my appreciation for the dedication and efforts of Jerry Bagger, your foreperson.

Congratulations on a job well done. Sonoma County is, and will be, a better place because of all the work you have done.

Very truly yours,

A handwritten signature in black ink, appearing to read "R. Boyd", written over a faint, larger version of the signature.

Robert S. Boyd, Presiding Judge  
Sonoma County Superior Court

## Why be a Grand Juror

### ***Why Be a Grand Juror?***

It is a privilege to be selected to serve on the Sonoma County civil grand jury. Each June, nineteen concerned citizens of Sonoma County are sworn in to serve a one-year term. They enter their service with interest and curiosity for learning more about the administration and operation of the government of Sonoma County. They give generously of their time for the betterment of our government.

### ***Would You Be Interested in Serving?***

Each year, applications for the new grand jury are solicited from the public for the fiscal year beginning in July. In the spring beginning around the first week in April, applicants are screened and interviewed by Superior Court Judges and 30 prospective grand jurors are selected from the applicant pool. The prospective grand jurors are summoned to appear before the Presiding Judge of the Superior court in public session. At that time, the clerk of the court draws individual names at random. They are added to the holdover members (usually up to 4) until a total of 19 is reached. The remaining names drawn are placed in "stand-by" status should any seated jurors need to leave.

Statutory requirements for service as a grand juror:

- must be a U.S. citizen at least eighteen years of age
- must be a resident of Sonoma County for at least one year
- must have a command of the English language
- must not be serving as an elected official
- must not be serving as a trial juror
- nor have felony or malfeasance convictions

In addition to the statutory requirements a grand juror should have a genuine interest in community affairs, be able to fulfill the major time commitment required to be effective, have the ability to work with others and be tolerant of their views, be free of personal agendas, have some familiarity with investigative techniques, report writing and computers.

### ***How to Apply***

Complete and mail the following application form. After mailing your application, you will receive a questionnaire. Questionnaires must be returned usually by early April. If you pass that screening you will then be asked to meet with a judge normally in May for an interview, then a background check and finally, in late June or early July names are drawn to select the new jury.

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### **Yes, I am interested in serving on the Sonoma County Grand Jury**

Please send me a Questionnaire next March so that I can apply for the Grand Jury or nominate someone else.

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
TELEPHONE: Home \_\_\_\_\_ Office \_\_\_\_\_

Mail or fax this form to:

THE SONOMA COUNTY GRAND JURY  
P. O. Box 5109, Santa Rosa CA 95402  
Tel: 707-565-6330 Fax: 707-565-6328