Policies and Procedures Manual

The Sonoma County Civil Grand Jury

Policies and Procedures Manual

2019-2020

PO Box 5109, Santa Rosa, CA 95402
Phone/Fax: 707.565.6330
eMail: GJURY@SONOMA-COUNTY.ORG
www.sonomasuperiorcourt.com

Revised April 2019
## Table of Contents

Table of Contents ................................................................. 2  

**INTRODUCTION** ............................................................. 7  

**GRAND JURY OVERVIEW** .................................................. 8  
- Oath of Grand Jurors ........................................................... 8  
- Laws Governing the Grand Jury ............................................. 8  
- Confidential Proceedings ................................................... 9  
- Grand Jury Jurisdiction ...................................................... 10  
- Conflict of Interest and Impartiality ..................................... 10  
- Conduct and Responsibility .................................................. 11  
- Code of Collegiality ........................................................... 12  

**OPERATIONS AND ORGANIZATION** ..................................... 13  
- Orientation and Initial Meetings .......................................... 13  
- Training .................................................................................. 13  
- Holdovers .............................................................................. 13  
- CGJA’s “Role of the Holdover” ............................................... 14  
- Attendance ............................................................................. 15  
- Compensation and Reimbursement ........................................ 15  
- Communicating by E-Mail ..................................................... 16  
- Facilities .................................................................................. 16  
- Suggested Rules of Order ...................................................... 17  
- Officers and their Duties ....................................................... 18  
  - Foreperson ........................................................................... 18  
  - Pro Tem ................................................................................ 19  
  - Recording Secretary .......................................................... 20  
  - Information Technology Liaison ......................................... 21  
  - Corresponding Secretary .................................................... 22  
  - Sergeant at Arms ............................................................... 23  
  - Treasurer ............................................................................ 24  
  - Treasurer related tasks: ...................................................... 25  
    - Form Completion for Jurors ............................................... 25  
    - Expense Reports .............................................................. 26  
- Advisors to the Grand Jury .................................................... 28  
  - Superior Court Judge .......................................................... 29  
  - County Counsel .................................................................. 29  
  - District Attorney ............................................................... 29  
  - Attorney General .............................................................. 29  
  - Private Counsel .................................................................... 30  
- Parliamentary Rules .............................................................. 30  
- Committees ............................................................................ 30  
- Selection and Membership .................................................... 30  

Revised April 2019 2
Policies and Procedures Manual

R-3 (Legal Action): ........................................................................................................... 62
R-4 (Time Constraints at End of Year): ............................................................................ 63
R-5 (Lack of Detail): ......................................................................................................... 63
R-6 (Matters Before the Court): ...................................................................................... 63
R-7 (Jurisdictional): .......................................................................................................... 63
R-8 (Resolution): ................................................................................................................ 63
R-9 (Second Presentation): .............................................................................................. 63
R-9X (Persistent Complainant) ........................................................................................ 63
R-10 (Refusal after Preliminary Inquiries): ..................................................................... 63
R-11 (Civil Grand Jury/No Criminal Investigations): ....................................................... 63
R-12 (Referral to Other Agency) ......................................................................................... 64
C-Letter (Courtesy Notice on Close of Investigation) ......................................................... 64
Modification of Standard Letters ..................................................................................... 64

Committee Forms: .............................................................................................................. 65
Committee Preferences ...................................................................................................... 65
Ballot for Election of Officers .......................................................................................... 65

Meeting Forms: ................................................................................................................ 66
Sample Agenda .................................................................................................................. 66

Investigation Forms: .......................................................................................................... 66
Request for Investigation (RFI) .......................................................................................... 66
Request for R-Letter ........................................................................................................... 68
Oath and Secrecy Obligation Statement ........................................................................... 70
Witnesses Right to Counsel ............................................................................................ 71
Waivers of Rights .............................................................................................................. 71

District Attorney Waiver Form Signed by Complainant ................................................... 71
Waiver: District Attorney Information Request ................................................................. 72
Waiver: Juvenile Dependency Information from Department of Human Services ........ 73

Petition for Section 827 Juvenile Record Disclosure ......................................................... 74
FORMAL WRITING – A Style Guide ................................................................................ 75
Notification to Department Head for Exit Interview ......................................................... 78
Notice to Recipient of Grand Jury Report ......................................................................... 79
Response to Grand Jury Report Form ............................................................................... 82
Penal Code §§933 and 933.05 Excerpts ............................................................................. 83
Acknowledgment of Receipt of Final Report ................................................................... 85
Letter Regarding Failure to Respond to Final Report ....................................................... 86
Response Report Distribution List ..................................................................................... 86

APPENDIX B: GRAND JURY RESOURCES ...................................................................... 88
Fax Cover Sheet: Grand Jury Press Release ....................................................................... 88
Information Technology Services to the Grand Jury ......................................................... 89
HELP DESK 565-2030 ....................................................................................................... 89

For help with computer issues not covered in this manual, please see the directory “Grand Jury Technology Training Materials Walkthroughs” for assistance. ..................................................... 89
Computers and Devices Connected to the Network .......................................................... 89

Revised April 2019
# Policies and Procedures Manual

- Voice Over Internet Protocol (VoIP) .......................................................... 89
- Email ........................................................................................................... 89
- Passwords ................................................................................................. 90
- Wireless Access Points ........................................................................... 90
- E-Discovery ............................................................................................... 90
- Shared Drive ............................................................................................. 90
- Responsibilities ......................................................................................... 90
  - County Administrator ........................................................................... 90
  - Grand Jury ............................................................................................. 90
- Information Systems .................................................................................. 90
- Active Directory / Email Accounts ............................................................ 90
  - Desktop modernization program ......................................................... 90
  - Virtual Private Network for SharePoint ............................................. 91
- Training Provided ...................................................................................... 91
- Training Specifics ...................................................................................... 91
- Network Policies (as applicable.) ............................................................ 91
- Outlook Web Access .................................................................................. 91
- Mobile Devices .......................................................................................... 92
- Map to Los Guilicos Facility .................................................................... 93
- Map to the Sonoma County Complex ..................................................... 94
- Grand Juror Exit Form ............................................................................. 96
- Link to the Penal Code ............................................................................. 97
- Index ........................................................................................................ 98
Policies and Procedures Manual

Introduction

The purpose of the Policies and Procedures Manual is to provide written orientation for Jurors concerning the fundamentals of the Grand Jury and the laws applicable to Grand Jury proceedings. It furnishes incoming Jurors with information relevant to their roles and is a guideline for conduct throughout the phases of a Grand Jury term. The sitting Grand Jury should adopt this manual by a supermajority vote of 12.

The information and materials in this manual are a compilation of prior Grand Jury Manuals for Sonoma County and about the methods employed by each Jury. This specific manual reflects the basic best practices of the 2018-2019 Sonoma County Grand Jury. The policies and procedures noted have been updated through each successive term, and Jurors are encouraged to note policies that should be revised to reflect developments in technology and changes in the law. During the Grand Jury term, proposed revisions shall be noted in a log maintained by the Corresponding Secretary.

In addition to being a guideline for conduct throughout the phases of a Grand Jury’s term, the manual also serves as an historical document, presenting ways prior Juries have addressed critical decisions. Each Jury may adapt procedures that meet their specific needs and also ensure consistency in following the penal code.
Policies and Procedures Manual

Grand Jury Overview

The Civil Grand Jury is an independent institution that investigates the legislative and administrative agencies and departments that make up county, city and special district government in each of the 58 counties in California. The State Constitution has granted this power since 1850 to help ensure that these agencies are efficient, honest, and dedicated to serving the public.

The Sonoma County Civil Grand Jury is composed of 19 members, selected annually under the supervision of the Presiding Judge of the Sonoma County Superior Court, with the assistance of the Court’s Administrative Office. By law, a Grand Juror must be a U.S. citizen 18 years of age or older; be a resident of Sonoma County for at least one year; have knowledge of the English language; and have no convictions for malfeasance in office, any felony, or any other high crime. In addition to meeting the statutory requirements, a Juror will be most effective by committing 15 to 20 hours per week, with potentially more time required from Officers and Committee Chairs. Grand Jurors need to demonstrate the ability to work cooperatively with others, be tolerant of all views and opinions, and have a genuine interest in having a positive impact on community affairs through local governance.

Oath of Grand Jurors

*I do solemnly swear (affirm) that I will support the Constitution of the United States and of the State of California and all laws made pursuant to and in conformity therewith, will diligently inquire into, and true presentment make, of all investigations carried on by the Grand Jury, of which the Grand Jury shall have or can obtain legal evidence. Further, I will not disclose any evidence brought before the Grand Jury, nor anything which I or any other Grand Juror may say, or the manner in which I or any other Grand Juror may have voted on any matter before the Grand Jury. I will keep the charge that will be given to me by the court.*

Note: The 2018-2019 oath as led by the Presiding Judge was considerably longer than the above, but we do not have the text.

Laws Governing the Grand Jury

For a complete list of the laws governing the existence and operation of the Grand Jury, see the *Compendium of California Grand Jury Law*, a copy of which is in the Jury library.

The Jury is required to submit a Final Report of its findings and recommendations to the Presiding Judge of the Superior Court. By law, departments or agencies that are the focus of such reports must respond, either to agree or disagree with the findings, comply with the recommendations or explain why no action or only partial action will be taken.

The Jury can function lawfully only as a body. Jurors may not as individuals conduct Grand Jury business or individually interview persons regarding Grand Jury matters.
Decisions are made by a majority vote. A quorum is necessary for voting. In the Sonoma County Civil Grand Jury, a quorum is defined as 12. A supermajority vote (12 Jurors) is required for passage of all motions other than adjournment and non-business-related decisions.

Confidential Proceedings

The importance of maintaining the confidentiality of Grand Jury proceedings cannot be overemphasized. Confidentiality protects the interests of the public, those being investigated, and the Jurors themselves. The rules of secrecy must be strictly observed.

A strong tradition of secrecy has historically shielded the investigations and deliberations of Grand Juries. This tradition serves to guard the Jury’s independence of action and freedom of deliberation. Secrecy protects witnesses called before the Grand Jury and encourages their full disclosure. Secrecy also serves to protect the reputations of individuals and institutions investigated in matters for which the Grand Jury does not accuse or report.

Except under limited circumstances, proceedings before the Grand Jury must be conducted in utmost secrecy. Only members of the Jury, witnesses actually being examined, and those persons specifically permitted by law may be present. The District Attorney or his/her deputy may be present at Jury sessions for the purpose of giving information or advice, and to interrogate witnesses whenever the District Attorney deems it necessary. The Presiding Judge of the Superior Court or County Counsel may attend only by invitation when their advice is sought upon matters under consideration by the Grand Jury. An interpreter, if needed, may be present during the examination of witnesses.

Except when ordered to do so by the Court, a Juror must not disclose any evidence received by the Grand Jury, what any Juror has said, or in what manner any Juror has voted on a matter before the Grand Jury. The law, however, creates more than a moral imperative. Penal Code §924 provides:

“Every Grand Juror who, except when required by a court, willfully discloses any evidence adduced before the Grand Jury, or anything which he himself or any other member of the Grand Jury has said, or in what manner he or any other Grand Juror has voted on a matter before them, is guilty of a misdemeanor.”

To assist Jurors in carrying out their duty of secrecy, Penal Code §924 provides Jurors the privilege not to be questioned concerning Grand Jury matters. That section states:

“A Grand Juror cannot be questioned concerning Grand Jury matters including votes or matters pending before the Grand Jury.”

Email messaging between individual Jurors regarding Grand Jury business is essential. Use of an encrypted email service will protect Grand Jury security. All such email shall include the following statement in the body of the message:

CONFIDENTIALITY NOTICE: This communication with its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review,
Policies and Procedures Manual

use or disclosure is prohibited and may violate applicable laws including
the Electronic Communications Privacy Act. If you are not the intended
recipient, please contact the sender and destroy all copies of the
communication.

Grand Jury Jurisdiction

While priority should be given to investigating citizen complaints, the Grand Jury spends
most of its time examining all aspects of County and city governments and special
districts, school districts, community colleges, joint powers agencies, and Local Agency
Formation Commission (LAFCO). Penal Code §919 requires that the Grand Jury inquire
annually into conditions of county jails and detention centers.

The Grand Jury may also:

● Inspect and audit books, records, and financial expenditures to ensure that
  public funds are properly accounted for and legally spent.

● Inquire into charges of willful misconduct by public officials or employees.

● Study reports of previous Grand Jurors and review their recommendations for
  changes in County government. Follow-up on responses by agencies to Jury
  recommendations in order to verify that promised implementation of
  recommendations is carried out.

There is no requirement that an investigation be undertaken or a report be published on
every issue brought before the Jury. The Jury as a whole (the Plenary) hears a preliminary
report on each complaint or potential investigation from a committee, and then votes on
which issues are to be examined.

Conflict of Interest and Impartiality

In accordance with Sonoma County’s adopted Conflict of Interest Code, Jurors are
required to complete a Statement of Economic interests (Form 700) at the beginning of
their service, at the beginning of a new calendar year, and upon termination of service.
Jurors are prohibited from using their official positions to influence decisions in which
they have a financial interest, an organizational responsibility, or where they have a
personal relationship that would constitute a conflict of interest. Jurors should avoid
taking any action that could create the appearance of using their position for personal
gain, or to promote personal interests or businesses.

When a real or potential conflict of interest occurs, Jurors have an obligation to inform the
Foreperson and excuse themselves from voting or participating in related proceedings or
deliberations.

Jurors must also guard against bias, defined as a prejudgment of essential facts which
prevents a member of the Grand Jury from considering the issue on its merits, or a
publicly expressed support or opposition to specific aspects of a matter before the Jury.
Having an educated opinion on an issue should not be considered the same as having a
bias. The same procedures that apply to potential conflict of interest shall apply to bias.
Members of the Grand Jury shall not accept gratuities except token gifts or mementos given to visitors as a matter of standard procedure. Transportation or moderately-priced meals are not considered gifts if they are deemed necessary to facilitate conducting business in the field.

**Conduct and Responsibility**

The Grand Jury is a judicial body of the Court. Jurors may act only through the Grand Jury as a body. Individually, Jurors have no official standing, power, or authority.

A Juror should:

- Participate in developing common goals early in his or her term and work cooperatively to meet them.
- Seek to establish a bond of trust and confidence with fellow Jurors.
- Exercise discretion and diligence in conducting the business of the Grand Jury.
- Use the power of the Grand Jury only in the interest of the citizens of the County, not as a means of self-aggrandizement, gratification, or self-gain.
- Treat his/her fellow Jurors with courtesy and respect. (See below on page 12, Code of Collegiality)

A Juror should NOT:

- Make public statements concerning Grand Jury matters.
- Discuss Grand Jury matters with anyone outside of the Jury.
- Exert undue pressure on other Jurors to change their minds on matters pending before the Jury.
- Monopolize deliberations.
- Reach a conclusion on a matter until all sides of the question have been fairly considered.
- Jurors must exercise caution in identifying themselves as Jurors in matters other than those directly connected with Grand Jury matters. This includes wearing Jury badges inappropriately.

A Juror may take no action without the prior explicit approval and authorization of the entire Jury. Unilateral action by a single Juror can result in serious misperceptions by the public of the intentions and activities of the Jury. A careless or reckless Juror may harm the reputation of the entire Jury. A Juror may be removed by the Presiding Judge upon recommendation of a supermajority vote of the Plenary, or the Presiding Judge may initiate the action. The Jurors may form individual opinions about matters pending before the Jury. However, the Jury as a deliberative body must operate by consensus and express a collective opinion in its reports. Once consensus has been reached, all members shall support the decision.
Only the Foreperson may act as official spokesperson for the Grand Jury. No other Juror is permitted to make public statements about Jury business, or operate as an individual in conducting Grand Jury business.

Because of their extraordinary powers, privileges, and responsibilities, Jurors have a special obligation to exercise their authority and carry out their duties in a proper and responsible manner within the boundaries of the law. Jurors must never exploit or otherwise abuse their office.

**Code of Collegiality**
- Assume goodwill.
- Listen aggressively.
- Speak thoughtfully.
- Prepare diligently.
- Show up promptly.
- Collaborate respectfully.
- Prevail graciously.
- Concede cheerfully.
- Strive for synergy and consensus.
- Follow the rules of order.
Policies and Procedures Manual
Operations and Organization

Orientation and Initial Meetings

Initially, the incoming Grand Jury will meet as often as needed for training in the functions, duties, and responsibilities of a Grand Jury, and to discuss and adopt procedures under which it will operate.

During the first days of the term, the Foreperson assigns members to standing committees and selects temporary Committee Chairs. At the conclusion of orientation and training, Officers are selected in Plenary. The Policies and Procedures Manual shall be reviewed and accepted by the incoming Jurors at an early meeting.

The incoming Jury should decide on operational practices such as whether the minutes should reflect a Juror’s absence by name or simply note the number of Jurors in attendance; whether to have a snack rotation; or whether to collect petty cash to replenish water, coffee and paper goods.

Training

Training sessions are arranged through the California Grand Jury Association (CGJA) by the outgoing and incoming Foreperson. In the past, other options included training conducted by the previous term’s Foreperson, the current term’s Foreperson (who is chosen by the Presiding Judge), holdover Jurors from the prior year, or other former Grand Jurors through the Sonoma County Grand Jury Association.

The Information Systems Department (ISD) may be called on to provide special training on services and tools provided by ISD such as e-mail accounts on the County network server, usage of shared storage and Webex.

Besides the CGJA (GJ broad concepts) and ISD (facility tools) training, there may be additional specific software training to assure uniform skills in MS Word, MS Word’s Tools (change tracking, Compare), file naming conventions, control of editing changes, and writing style.

Holdovers

Under Penal Code § 901, the Presiding Judge may name up to 10 jurors who served on the previous jury and who consent to serve for a second year. Such jurors are called holdovers, and because of their prior service, provide valuable guidance to the newly seated jury. Historically, in Sonoma County, the Presiding Judge has limited the numbers of holdovers to four.

To facilitate the identity and selection of holdovers, in or about March, the Foreperson should discuss the process with the Jury and invite jurors who are interested in serving another term to inform the Foreperson of their interest. Thereafter, the Foreperson should observe the would-be holdovers to assess their commitment to the Grand Jury, their individual service to the Jury, and their ability to work with others, respectfully and productively.
Policies and Procedures Manual

By early May, the Foreperson should identify which of the would-be holdovers has the characteristics and temperament (and the available time) necessary to lead the Jury as Foreperson, and should determine whether that person is interested in serving in that role. These decisions should remain private until early June, at which time the Foreperson should contact the Presiding Judge (by email or, if the Judge prefers, through a meeting at court) to briefly describe each holdover and his/her strengths, and to recommend the holdover who will be the next Foreperson.

CGJA’s “Role of the Holdover”

(NOTE: from the California Grand Jury Association Legislative and Legal Resources Committee.)

The authority for allowing the superior court to appoint a grand juror to serve a second term on the succeeding grand jury is in Penal Code section 901. That section allows the Presiding Judge to name up to 10 sitting jurors to serve a second consecutive term. While some do not, most courts do appoint holdover jurors.

The former juror can bring to the new jury a wealth of knowledge and experience. How that knowledge and experience are utilized may have a significant impact upon the success of the succeeding grand jury. The holdover juror has been through the process before and can be of great assistance to fellow jurors on the succeeding grand jury. A familiarity with local government operations and the procedure for scheduling and holding interviews, conducting investigations, and writing, reviewing, and releasing reports can give the new grand jury a head-start on the work at hand.

On occasion, however, a former juror can be disruptive and impede the effectiveness of the new grand jury. Such disruption may occur if the former juror attempts, alone or in concert with other holdovers, to dictate how the jury should operate or what the jury should investigate. Former jurors have no more, and no less, authority than the newly impaneled jurors. Former jurors must understand that deliberations in last year’s grand jury remains confidential and cannot be revealed to the new grand jury.

Problems can arise when a grand jury has voted to pass on to the succeeding grand jury an investigation file pursuant to Penal Code section 924.4. Even then, the holdover juror remains bound by Penal Code section 911 (the oath of confidentiality) and Penal Code section 924.1 (the confidentiality statute) not to disclose to the new grand jury the substance of any discussion, vote, or evidence adduced by the prior grand jury that is not contained within the investigative file.

A holdover juror must not try to “take ownership” of any investigation that was initiated by the preceding grand jury. While an investigative file may have been passed forward, the new jury has no obligation to initiate its own investigation in connection with the issues raised within that investigative file. While that information is likely to be substantial, Penal Code section 939.9 requires that “A grand jury shall make no report, declaration, or recommendation on any matter except on the basis of its own investigation of the matter by such grand jury.” Accordingly, all investigative material must be reviewed by the new grand jury, and all interviews deemed necessary to the investigation must be undertaken by the new grand jury before they are able to write a report with their own findings and recommendations.
Policies and Procedures Manual

The role of the holdover grand jurors can be beneficial or detrimental. It is up to them and the other members of the new grand jury to work together to reap the benefit of the experience that the holdover jurors bring to the table.

Usually, the Presiding Judge, and the Court Administrator, will want to meet with the incoming Foreperson to begin to establish a working relationship. After the Judge and the Court Administrator have been informed, the Foreperson may announce these new assignments to the Jury. NOTE: neither the Judge nor Court Administrator is asked to approve the Foreperson’s decisions; they are merely to be informed.

Attendance

Attendance for each Grand Juror must be regular and punctual. A Juror must advise the Foreperson in advance when he/she is unable to attend a scheduled Jury meeting or activity. An unexpected lack of a quorum may cause considerable inconvenience. The Plenary may wish to consider its rules for attendance early in the term. The limits on consecutive absences and/or total absences should be discussed and agreed upon. Extended absences due to medical or personal needs can be dealt with by the Plenary to decide if a member should be asked to resign.

The Sonoma County Civil Grand Jury’s practice has been to meet weekly—on Tuesdays. In addition to attending general meetings of the Plenary, each Juror will be a member of one or more committees. These committees will meet as needed. Each committee will be assigned a meeting room by the Foreperson on the Grand Jury campus.

If a Juror cannot or will not participate in the activities of the Jury, the Plenary can recommend his or her removal. The Foreperson will notify the Presiding Judge of the Superior Court and the Judge will determine whether an Alternate Juror will be appointed. Alternate Jurors who are appointed to fill vacancies may review any previously collected information, and may vote on any Jury issues.

Compensation and Reimbursement

Meetings are defined in several ways. General Grand Jury meetings, committee meetings, tours, inspections, and interviews are defined as meetings for the purpose of expense claims. Jurors’ expense reports for per diem, mileage, and reimbursement claims are processed on a monthly basis. The Treasurer will collect the reports at the first meeting of each month and submit them to the County for payment. Currently, each Juror in attendance receives a per diem of $15.00 per General meeting and $12.50 per committee meeting.

No more than one General meeting and one committee meeting ($27.50) or two committee meetings ($25) may be claimed per day.

To claim per diem for a committee meeting, a majority of the committee members must be in attendance. For committees of four or five, this means at least three members.

Investigation interviews and meetings, tours of County and city departments, attendance at public meetings (e.g., Board of Supervisors), and relevant classes are reported on the Juror’s expense report as a committee meeting, provided a majority of the committee
members are in attendance, or as Grand Jury business if fewer than a majority of the committee members are in attendance (in which case only mileage can be claimed).

Jurors are paid mileage for the use of their personal vehicles while performing Grand Jury business. The rate of reimbursement is determined each year. Miscellaneous expenditures submitted for reimbursement on the monthly expense report must be pre-authorized by the Foreperson and include original receipts. Any out of County trips and related expenses are only reimbursable if advance approval was obtained from the Foreperson. Before purchasing any office or computer supplies, Jurors should check with the Sergeant at Arms for local availability of required items.

**Communicating by E-Mail**

Much of the Grand Jury communication is handled through email using the county’s Outlook system and a protected log-in. Jurors will need to become adept at this system so that they can receive/send documents and participate in dialogues that occur through email.

**Facilities**

The Sonoma County Grand Jury meeting room is located in the Los Guilicos compound located at 155 N. Pythian Road, Unit K, Santa Rosa. The mailing address is P0 Box 5109, Santa Rosa, CA 95402. Three rooms are reserved for Jury use (Appendix B, Map to Los Guilicos Facility).

The main phone number at Los Guicilos for the Grand Jury is (707) 565-6330. The Jury room is equipped with a speakerphone system for incoming/outgoing calls. The Grand Jury office fax number is (707) 565-6328.

There is ample parking outside the facilities at Los Guicilos. Each Juror will be issued a parking permit to place in his/her car when visiting the County complex on any type of official County business. The permit allows parking only in the designated parking area.

The Grand Jury rooms, cabinets, and files are to be kept locked when the facility is unoccupied. Each Juror is provided a key to the facility and other keys as needed, which must be returned at the conclusion of the Juror’s term. No member of the public is allowed in the copier room or the computer room unless a Juror is present.

The last Juror to leave the building is responsible to see that all doors are locked, and to ensure that the building is left in secure condition. Following are the recommendations for security of the Jury meeting rooms:

**Copier room:**

- File cabinets are closed and locked
- Copier main switch is off
- Shredder is off and emptied if needed
- All windows are closed and locked
- The vertical blinds are closed
Policies and Procedures Manual

- Thermostat is in the off position
- Lights are turned off
- The door between copier room and computer room is closed and dead bolted.

Computer room:
- The coffee pots are cleaned and unplugged
- All windows are closed and locked and the vertical blinds are closed
- Lights are turned off
- The door between the computer room and main room is closed
- Garbage and recycle bins are placed in the main room.
- Keys are lock box and the box is locked

Main room:
- All windows are closed and locked
- Thermostat is in the off position
- Lights are turned off
- The outside door is closed.

Suggested Rules of Order

Each Grand Jury is free to adopt its own rules of order.

Following are some suggested rules of order for conducting meetings:

- The Foreperson shall preserve order, may speak on points of order in response to members' inquiries, and shall rule on questions of order. Generally, the Jury will decide to conduct meetings “informally.” In parliamentary procedures, “informally” means that the Foreperson may speak at will on the question being considered without stepping down from the Chair, provided that he/she does not attempt to dominate the discussion.

- For formal matters, the 2018-2019 Grand Jury adopted the CGJA Rules of Order Adapted for Grand Jurors, which can be found in the online GJ Reference folder.

- When speaking, members shall address the Jury and confine their remarks to the question under discussion.

- When a question is under debate, no other motion or proposal shall be received except a motion to adjourn, to table, to postpone to a certain time, to refer to a committee, to amend, or to postpone indefinitely.

If questions should arise that are not covered by agreement, then the CGJA Rules of Order Adapted for Grand Jurors will prevail.
Policies and Procedures Manual

Officers and their Duties

At the time of Jury selection, the Presiding Judge of Superior Court appoints a Foreperson for the upcoming term. The other officers are usually assigned in the process of determining holdovers from the previous term.

Foreperson

In general, the foreperson is to ensure that the jury as a whole, functions effectively and efficiently. To this end, the foreperson should be in regular consultation with the Committee Chairs. The foreperson can vote on all matters, and has the determining vote in a tie.

The foreperson represents and acts as the spokesperson for the jury to all outside persons and entities. The foreperson also has duties related to indictments and the accusation function, which the District Attorney would discuss with the foreperson if the need arises.

Some foreperson duties are found in the Penal Code. See the Appendix for specific laws in the Penal Code and the Government Code that apply to the foreperson.

The foreperson:

- Oversees all activities of the grand jury and makes sure the jury conforms to all Penal Code requirements
- Prepares agendas for and presides at Plenary sessions and executive committee meetings
- As the official spokesperson for the grand jury, handles media contacts and publicly represents the grand jury
- Monitors juror recusals to ensure that jurors with conflicts take no part in the investigation and report in question
- Serves as ex officio member of all committees
- Monitors progress of committees as they conduct investigations and draft reports to ensure all work is conducted in a timely manner in order to complete the final consolidated report by term’s end
- Ensures that jurors receive adequate training and orientation
- May place witnesses (interviewees) under oath
- Signs all grand jury reports and accusations (with prior approval of the supermajority)
- Signs correspondence and, with the court’s approval, issues press releases
- Monitors jury expenditures to stay within budgeted funding: consults with county budget representatives if the budget needs to be increased or modified
- Consults with the judge, County Counsel, and District Attorney on administrative or legal issues; may be accompanied to meetings with these officials by the Pro-Tem
- Reviews complaints with the grand jury for rejection or referral for initial review to the appropriate investigative committee
• Participates in the resolution of personal differences between jurors
• Initiates request to the court for removal of any jurors for excessive absences or other good cause
• Orient Alternate Juror called to serve
• Remains available for 45 days after the term’s end, to clarify recommendations made in the final report
• Remains available for consultation to the incoming foreperson for two months into the new term
• Except for duties required by the Penal Code, the foreperson may choose a designee or delegate duties to other officers when appropriate

**Penal Code that applies to the foreperson responsibilities:**

PC 916 “Each grand jury shall choose its officers, except for the foreman…”

PC 932 “…the grand jury may order the District Attorney…to institute suit to recover money…due the county. (The order must) be certified by the foreman…”

PC 933(a) “For 45 days after the end of the term, the foreperson and his or her designees shall upon reasonable notice, be available to clarify the recommendations of the report.”

PC 933.05(e) This section provides that, upon request of the foreperson, the court may determine a meeting with the subject of an investigation would be detrimental and, on that basis, waive the requirement to have the meeting.

PC 939.1 This section provides that the grand jury, through its foreperson and the Attorney General or District Attorney, may request the judge to permit public hearings into the alleged corruption or misconduct of public officials.

PC 939.4 This section allows the foreperson to administer an oath to witnesses. The Pro Tem may administer the oath in the foreperson's absence.

Government Code 3062 provides that an accusation must be presented to the District Attorney by the foreperson.

Government Code 3073 provides that an accusation against the District Attorney must be delivered by the foreperson to the clerk of the court for delivery to the judge.

**Pro Tem**

The Pro Tem assists and advises the foreperson as needed. The primary responsibility of the pro tem is to be able to step in and assume all the functions of the presiding officer when the foreperson is absent or recuses. In case of prolonged or permanent disability of the foreperson, the pro tem acts as foreperson until a new foreperson is appointed by the Presiding Judge.

The pro tem shall be fully informed and engaged in all functions of the foreperson duties in order to effectively assume those responsibilities as needed. The foreperson must ensure that the pro tem can rise to the occasion. It is best for the foreperson and pro tem
develop a strong collaborative working relationship. The foreperson shall keep the pro tem informed of administrative and personnel matters. They work closely together, allowing them to leverage their skills and knowledge.

Specific tasks of the pro tem are best established based on those skills and knowledge that each individual brings to the group leadership. Possible duties specific to the pro tem shall be decided in that discussion. Those duties may include any or all of the following but is not limited to these duties:

- Chair a Chairpersons’ Committee. Facilitate regularly scheduled meetings with the chairs of all investigative, and ad hoc committees. In addition to a deeper discussion of procedural items also relevant to all Grand Jurors, topics such as smoothing inter-committee issues, solving interpersonal issues, managing group tasks, and identifying committee member skills and abilities are possibilities for this function.
- Serve as liaison with the local Grand Jurors’ Association.
- Chair the Continuity Committee. Ensure that all responses received by the court be made available to the grand jury. Finalize the report for early release.
- Be well versed on all sections of the Penal Code, which relate to the Grand Jury’s function. For purposes of reference he/she shall have all such provisions available and in possession at all general meetings.
- Provide trainings and/or co-teach as requested by the foreperson.

**Recording Secretary**

The Recording Secretary shall keep minutes of every Grand Jury general meeting. The minutes should show:

- The time of convening, and the names of absent jurors or, alternatively, the number of jurors present and absent.
- The time of adjournment.
- The time of recessing and of re-convening when anyone other than a grand juror attends or visits a meeting. (Refraining from conducting grand jury business when others are present is preferred to allowing others to be present under admonishment).
- The time of arrival and departure of any jurors to or from the jury room during deliberation (as in early or late arrivals/departures). Jurors leaving for brief periods for personal comfort need not be recorded.
- That at least 12 jurors were present during any deliberations or voting. The Foreperson should be informed if there are fewer than 12 jurors present.
- That if a juror attends a meeting via speaker-phone, it is noted in the minutes.
A record of all motions made, and the action taken on the motions. No names shall be recorded. In bold, use **M/S/A** (motion, second, approval), or **M/S/F** (motion, second, failed) to signify.

A record of RFIs, complaints and other matters brought to the Grand Jury, discussions concerning issues before the Grand Jury, and actions taken by the Grand Jury.

Familiarity with the operant Grand Jury Rules of Order is also important, both for awareness whenever the Foreperson moves to formal proceedings for particular agenda items as well as for providing back-up to the Juror anointed as the Parliamentarian.

The Recording Secretary shall maintain a folder in the share file under Plenary/Minutes, and maintain it as the official record for the Grand Jury. It is advisable to save the minutes from each meeting in a word document and once approved, as a pdf. The Recording Secretary shall make every effort to provide each member of the Grand Jury with an electronic copy of the minutes of each meeting within 2-3 days of the meeting so that jurors have ample time to read them before the next meeting.

Meeting minutes are formally approved at the following meeting. If needed, additions or corrections to the minutes, as determined at the following meeting, are inserted prior to permanently filing the pdf minutes in the Plenary/Minutes share folder.

**Information Technology Liaison**

The IT liaison is responsible for coordination with the primary County ISD and the assigned ISD employees that work directly with the Courts and their website.

ISD Grand Jury – Anita Suyeyoshi, Information Technology Analyst;

Phone: 565-3943

There may be a need for an Ad Hoc support team (See Information Technology & Training Ad Hoc Committee).

Some examples of essential job functions are:

- Coordinating ISD services with the Foreperson.
- Coordinating the GJ plans with the Court’s Website support.
- Be willing to provide technical support to other jurors.
- Familiarity with VPN and other “from home” usage issues.

Helpful skills/experience:

- Familiarity with advanced Word features such as mail merge, tracking changes, and large document layout.
Policies and Procedures Manual

- Website controls on tagging the GJ reports so people can find them. Knowledge of single sign on. Familiarity with Enterprise Windows networks, basic security, password reset, file retention, and basic Windows troubleshooting.
- Familiarity with Windows 10 and MS Office.
- Knowledge of directory structure and maintenance on both a local drive and a network drive.

Corresponding Secretary

The Corresponding Secretary is the primary assistant to the Foreperson in providing administrative support to the Grand Jury. The Corresponding Secretary is responsible for the receipt of mail addressed to the Sonoma County Civil Grand Jury, writing letters as directed by the Plenary or the Foreperson, and obtaining the Foreperson’s signature on all correspondence before mailing.

Some examples of essential job functions are:

- Check the Grand Jury phone for messages each weekday.
- Weekly mail pickup from the Santa Rosa Main Post Office.
- Date stamp, assign a number, and record all complaints. File complaints in the Complaint Binder located in the locked file.
- Scan the complaint into a PDF file and store that in the /complaints folder in the shared area.
- Numbers are assigned as month, year and the number starting with 000. For example, July 2016, Case #1 would be assigned as 0716-001. An R would be appended to rollover complaints.
- Maintain the Master Calendar of Investigations.
- File original complaints according to the three-digit case number.
- Date stamp all other mail received i.e., agendas, minutes, and announcements, and deliver to the appropriate Committee Chairperson.
- Summarize the complaint for the Plenary and assign it to the appropriate committee.
- Write letters of receipt and disposition of complaints as directed by the Plenary.
- File a copy of the R-letters sent to complainants with the original complaint.
- Purchase stamps as necessary for mailings and obtain reimbursement.
- Maintain a log of proposed revisions to the Policies and Procedures Manual.

Requisite skills:

- Proficiency in Word and Excel.
- Ability to design documents and work with templates.
Policies and Procedures Manual

- Ability to organize documents and file systems.
- Understanding of data management systems.

Helpful skills/experience:
- Familiarity with advanced Word features such as mail merge, tracking changes, and large document layout.
- Ability to design Excel spreadsheets.
- Previous Grand Jury experience.

There may be other duties or skills required, and flexibility is necessary.

Sergeant at Arms

The Sergeant at Arms arrives early on meeting days to open doors, turn on lights, copier, and heat or air conditioning. At the request of the Foreperson, the Sergeant at Arms assembles the Jurors for general meetings.

Other duties include:
- Ensure that no unauthorized persons are present in the Jury room during general sessions, deliberations, voting, and interviews.
- Set up power strips and electrical cords for plenary laptop connections.
- Answer the door during general meetings.
- Issue keys to Jury members, maintaining a record of who was issued keys for files, doors, and mailboxes by number with the Juror’s signature confirmation.
- Additional duties relating to hospitality: Set up a rotating schedule for refreshments at break. Members will take turns providing snacks for the Tuesday Plenary sessions. Monitor and update the snack roster and post in the Grand Jury kitchen.
- At the conclusion of the Tuesday plenary: empty and wash coffee pots, clean kitchen area, empty garbage, maintain refrigerator (old/expired items) and secure power strips and electrical cords.
- Collect all keys and parking passes at the close of the Jury term and pass on to one of the holdover jurors. Keys and parking passes to be given to the new Sergeant at Arms by the holdover juror.
- Maintain the Grand Jury key lockbox. Duties include:
  - changing the batteries as required
  - changing the combination
  - maintaining the lockbox key (in case combination is lost)
  - securing the lockbox at close of plenary
Policies and Procedures Manual

- passing on the lockbox key and instruction manual to the next Sergeant at Arms

- Collect all County issued laptop computers from the plenary at the close of their term and return to the County I.T. office (2615 Palin Drive, Santa Rosa)

- Buy kitchen supplies: coffee, filters, water, and paper/plastic serving supplies with petty cash collected from the Jurors.

- Maintain office equipment and the Grand Jury office space, including lights, heating, and telephone. Arrange for cleaning and maintenance as necessary. Contact County Administrator’s Office for repair of items, and meet repair/service personnel at Grand Jury facility, if necessary.

- Order and pick-up office supplies (copy paper, staples, pens, etc.) Contact County administrator’s Office for support (575 Administration Drive, suite 104A, Santa Rosa, CA.) Phone 707-565-1269. Alternately Ms. Nicky Berrocal, phone 707-565-3085. When the order is ready she will notify by E-mail or phone call.

- Juror resignation: The Sergeant at Arms will collect keys, parking passes and county laptops from the resigning jurors. Keys and parking passes will be held and issued to replacement jurors. Computers to be returned to county I.T. unless otherwise directed.

- Adding new jurors: Keys and parking permits to be issued to new jurors per above.

Treasurer

The Treasurer is responsible for organizing, auditing, tracking, reporting and delivery of various financial transactions and documents. Some of the activities include: obtaining form signatures, collecting and hand delivery of CA 700 forms, vendor forms and payment option forms to designated Accounting Analyst; collecting approved paper copies of monthly expense claims, auditing for accuracy and forwarding electronic versions for payment; obtaining; reviewing and discussing budgets with Foreperson and maintaining back-up files as needed.

At the beginning of the term, the Treasurer should make an appointment to introduce him/herself to the Accounting Analyst with whom you will be working closely with over the coming year.

Obtain an Excel spreadsheet from the Foreperson of all jurors with contact information and personal email addresses. Add columns for tracking CA 700 forms (x3), Vendor Request, Deposit Request, Payee Data Form, and monthly expense claims. This will help track all required forms but takes some attention as jurors withdraw and alternates are added.

It is strongly recommended that the Treasurer have a basic knowledge of spreadsheets and experience using Excel software. This will help in maintaining and providing the Foreperson any requested data.
Policies and Procedures Manual

Treasurer related tasks:

Form Completion for Jurors

Caution: Juror information is confidential - Do not share information with anyone other than the designated Accounting Analyst and always file in a secure location

CA 700 Forms (Compliance Issue)

At the beginning of each term, receive an electronic package of the current version (2017-2018) of CA 700, Attachments A-E and instructions. Each juror MUST complete and sign a paper copy of the CA 700 form and any appropriate attachment(s).

Note: (1) Use the P.O. Box address and phone number as seen on the sample – NOT the juror’s personal address, (2) Use the Sonoma County email address – NOT the juror’s personal email address.

The Treasurer will collect, review for accuracy, request corrections from jurors, enter completed forms in the tracking spreadsheet and scan to an electronic version back-up file. Enter date of submission into tracking spreadsheet. Retain a copy in the jury room office file (3rd drawer). Hand carry the forms to the designated Accounting Analyst as soon as possible. Notify the Foreperson of any individual who fails to comply with this requirement.

Any juror who is seated as a replacement must complete the CA 700 with the date they assumed their role. The Accounting Analyst should mail all forms to the new juror with a cc to the Treasurer. Contact the analyst if not received. The Treasurer may give blank forms to the juror in order to expedite completion but work closely with Accounting Analyst to avoid duplication.

Any juror leaving jury service before the end of the term (regardless of reason) must complete another CA 700 form. The Accounting Analyst will email the form to the ex-juror. Let Foreperson know of any difficulties.

The CA 700 completion process will repeat at the end of the calendar year (about February) using the updated form versions (2018-2019) and again at the end of the jury term. Prepare blank CA 700 forms for signature and collection on the last meeting day of the jury term.

Supplier Request Form (See sample and instructions)

All jurors must complete a Supplier Request Form at the beginning of the term in order to receive payment for expenses. Each juror will receive a unique number and once a number is issued, the Accounting Analyst will email the juror and cc the Treasurer with the number and a copy of each individual expense claim form. Enter date of submission and the number into tracking spreadsheet. Retain a copy in the jury room office file (3rd drawer)

Payee Data Record (See sample and instructions)
Policies and Procedures Manual

All jurors must complete a Payee Data Record form at the beginning of the term. Enter date of submission and the number into tracking spreadsheet. Retain a copy in the jury room office file (3rd drawer)

Request for Direct Deposit

Any juror who would like to have direct deposit of their expense reimbursement must complete ACH Vendor/Payment Enrollment Form. A voided, cancelled check must be attached. Collect, log and hand carry the forms to the Accounting Analyst. Make a notation of any juror who does not want to use direct deposit. This is important as these individuals will not have “ACH” in front of their supplier number on the Expense Report.

Expense Reports

The Treasurer has the duty of monitoring expenses and informing the Foreperson of the state of the budget. These two Officers should consult quarterly at a minimum.

The Treasurer must give the Foreperson timely warning of possible budget deficiencies.

The grand jury shall not spend money or incur obligations in excess of the amount budgeted for its investigative activities pursuant to this chapter by the county board of supervisors unless the proposed expenditure is approved in advance by the Presiding Judge of the superior court after the board of supervisors has been advised of the request. (Penal Code §914)

When the Treasurer takes office, he/she needs to prepare a 1” binder with tabs for each calendar month and place it in the small jury office filing cabinet (3rd drawer). DO NOT CLOSE THE DRAWEB. In addition, set up individual monthly folders by calendar year on the Shared Drive/2018/2019 Grand Jury/Expense Reports (on the Main Menu) so jurors can place their e-version of the expense report for review and submission. Recommendation: add a sub-folder to move expense reports to as they are submitted to Accounting for payment. This helps to avoid duplicate submissions.

At the first meeting day of each month, the Treasurer collects a hard copy expense report from each juror for expenses in the previous month. The Treasurer verifies that the form has the Juror’s original signature, has been signed by the appropriate Committee Chair or the Foreperson (the Treasurer signs the Foreperson’s report) and that the expenses presented are accurate as follows:

Stipends:

General Meetings: ($15.00 ea.) This stipend includes any meeting after the swearing in where the majority (consensus) of the jurors are present at the following: each day of initial training, plenary meetings, tours, report writing class, jury picture, cleaning of jury office, incoming jury orientation, new jury swearing-in, etc.
Committee Meetings: ($12.50 ea.) This stipend includes any meeting where there is a majority (consensus) of committee members in attendance such as any working committee meeting, investigation interviews, a tour involving committee members only, etc... In addition, any meeting in the general category may be converted to a Committee meeting stipend due to a lower number of participants with the approval of the Foreperson.

Maximum - Only two stipends per day (in any combination) are reimbursable: 2 general ($30.00), 1 general and 1 committee ($27.50), or 2 committee ($25.00).

Important: When a third meeting takes place on the same calendar day, only the mileage associated with the third meeting (if any) is reimbursable.

Caution: When investigation interviews begin, DO NOT include the name of the person being interviewed on the expense claim. Enter the line item as “Committee Meeting-Interview(s).”

Obtain a listing of the members of each committee from the Foreperson. This will allow the Treasurer to compare stipend quantities and dates of meetings across multiple expense claims. Be sure to keep the list updated as jurors leave, are added and/or move from committee to committee.

Mileage:

A juror’s normal round-trip mileage is from their home to the primary plenary meeting location. It is important to recognize that this is where many errors are noted. When the Plenary meeting location changes or there is an additional meeting on the same day at a different location, only the additional mileage is compensable not multiple round trips. Notate the typical round-trip mileage of each juror on the tracking spreadsheet for future reference.

At the beginning of the term, the per-mile allowance will be entered on the individual expense claim form (2018 = $0.545/mile.) by the Accounting Analyst. The per-mile charge will change at the beginning of the following year. The Treasurer will be notified by the Accounting Analyst or may need to call for verification. Types of errors: Example 1- Claim submission with incorrect per mileage charge especially after the year changes. Example 2 - The first day of training is at IT and the other two are out at the regular meeting location, 1 out of 3 round-trip mileage numbers should be different. Example 3 – Location of Plenary meeting changes.

Other:

Expenses in this category may include but not limited to: lunch at the report writing class, restocking of office supplies, postage, post office box annual rental, lodging, printing, conference fees, etc. All expenses in this category MUST be pre-approved by the Foreperson and receipts must be provided in order to receive reimbursement.

Note - If the juror does not want to submit expense claims for reimbursement, obtain the “donation” in writing and keep in the Treasurer’s file binder.
Expenses related to the coffee, morning snacks, etc. are paid out of the money donated by the jury members and monitored by the Sergeant-at-Arms. They are not the responsibility of the Treasurer.

Each juror places an electronic Excel version of their expense report in the Shared Drive folder (2018/2019 Grand Jury/Expense Reports/by month of expense not month submitted.) The Treasurer also verifies that electronic versions of the expense reports match the paper copy and must be in the form of Excel spreadsheets. No PDF or other software is acceptable. If any receipts have been filed with the hard copy reports, scan and include with the reports in the form of PDFs. The Treasurer then electronically transmits all of expense reports and scanned receipts to the appropriate official (Accounting Analyst.) Following transmission, place approved hard copy expense forms and original receipts in alphabetical order by month in the jury office binder.

Errors on previously submitted expense reports:
If an error is discovered on a previously paid expense report, discuss immediately with the Accounting Analyst.
If an expense was omitted from the previously submitted expense claim, add the omission to the next expense report if it is in the same calendar year. If in the previous year, create an additional expense claim and label it at the top “ADDENDUM.”

If the error resulted in an overpayment, create a claim with the one line item that was incorrect, label the top “CORRECTION”, enter the dollar value that it to be taken back with a minus sign at the front. For example: A Plenary meeting was submitted at $15.00 but it should have been a committee meeting at $12.50. Use the correct date and description but use the money difference -2.50

End of Year 1099
On or before January 31 in the New Year, Sonoma County will issue a 1099 form to any juror who received reimbursement in an amount greater than $600 in the previous year. There will be no 1099s for jurors with amounts less than $600 but should inform their tax preparer of the amount received.

Advisors to the Grand Jury
In the performance of its duties, the Grand Jury may at any time ask for legal advice from the Presiding Judge, the County Counsel, or the District Attorney. All formal requests for opinions or assistance shall be made by the Foreperson. No Juror acting alone should contact any advisor with individual requests unless delegated to do so by the Foreperson.

General assistance with jury matters can also be obtained from the California Grand Jurors’ Association.
Superior Court Judge

The Presiding Judge of the Superior Court in Sonoma County has traditionally been assigned to monitor and assist the Grand Jury. However, any Judge of the Superior Court could legally be assigned that function. The Judge may be present at meetings of the Jury and give advice only by invitation.

The Presiding Judge is authorized by law to withhold a Jury report from public release if it exceeds the scope of the Jury's investigative jurisdiction; therefore, the Jury must secure the Judge's review and approval of its reports prior to public release. In addition, the Judge is in a position to be especially helpful on matters involving hearing procedures and organizational and administrative issues.

County Counsel

The County Counsel is the legal advisor on civil matters to the County and all of its departments, commissions, school districts, and to a number of other special districts in the County. County Counsel acts as legal advisor to the Jury but is not the Jury's advocate. He/she is bound by the secrecy restrictions on Jury matters and the confidentiality of the attorney-client relationship. However, since County Counsel also represents the Board of Supervisors, as well as all County departments and special districts, there is an inherent risk of a conflict of interest as issues arise in which those entities are also seeking legal counsel. County Counsel will notify the Foreperson of any potential conflict.

The Jury, through the Foreperson, should contact County Counsel if it has questions regarding the legality of an investigation. Any opinion rendered by County Counsel should be secured in writing. In the unlikely event of any legal action against the Jury, County Counsel would be called upon to defend the suit. Members of County Counsel's staff also are available to the Jury and its committees to provide assistance in determining jurisdiction, drafting resolutions, preparing reports and related activities.

Any outside communication made at the direction of County Counsel by the Foreperson or a member of the Jury must be reviewed and approved by Counsel before distribution.

District Attorney

The District Attorney acts as legal advisor to the Jury in criminal matters. At any point in an investigation where it appears a subject of the investigation may have committed a criminal offense, the District Attorney should be immediately consulted. Failure to do so could jeopardize the Jury's investigation, as well as any subsequent criminal proceedings.

The District Attorney may appear before the Jury to give information or advice relative to any matter pertinent to the Jury.

Attorney General

The Attorney General of the State of California is available for advice and assistance. The Grand Jury's request for the assistance of the Attorney General is made through the Presiding Judge or by writing directly to the Attorney General's office.

Upon request by the Jury, the Attorney General may employ special counsel and special investigators to assist the Jury as provided for in the Penal Code. Moreover, the Attorney
Policies and Procedures Manual

General may direct the Jury to convene, investigate, and consider criminal matters if the public interest requires. In practice, the Jury would usually call upon the Attorney General for assistance only where both the District Attorney and the County Counsel are unavailable to serve as a legal advisor.

Private Counsel

The Penal Code provides a formal procedure whereby the Jury may retain private counsel in situations where the District Attorney, the County Counsel, and the Attorney General are all unable to assist. The Jury is not authorized to seek advice from private counsel informally (§936).

Parliamentary Rules

The purpose of motions during plenary sessions is to facilitate voting so as to make the meetings orderly and expeditious. Typical motions during Grand Jury proceedings, all of which require a supermajority to pass, are as follows:

- To accept a citizen complaint as an open investigation by having an RFI (Request for Investigation) approved,
- To start a self-initiated investigation by having an RFI approved,
- To publish a report,
- To carry over a case to the next Jury,
- To send an official letter to a citizen or to an agency official,
- To remove a Juror for cause,
- To change a standing rule of procedure,
- To object to consideration of a matter,
- To depart from the agenda.

A copy of the CGJA Rules of Order Adapted for Grand Jurors is available in the Grand Jury’s library and in the shared online reference area.

Committees

Selection and Membership

The investigative function of the Grand Jury is carried out by its committees. Generally, Jurors indicate their preference for a particular committee from a list of standing committees. (Appendix A, Committee Forms) The Foreperson assigns Jurors to committees taking into account not only the members’ expressed preference, but also the need to have a balance of skills and experience on each committee.

The Foreperson should not be appointed to a regular committee but serves as an ex-officio member of all committees. Committee Chairs can be appointed by the Foreperson or elected by committee members. Committee Chairs should be chosen for their ability and willingness to serve. It is recommended that only one holdover member be assigned to each committee in order to make holdovers’ experience available to as many
committees as possible. When committees have overlapping concerns, each Chairperson may serve as an ad hoc member of the other committee, or may designate a committee member in his/her place for liaison.

- Committees may meet more frequently than the Jury does as a whole. When matters concern more than one committee, members of the other committees may attend any committee meeting in which they are interested.

- Committee minutes are required. Each Committee Chair should designate a scribe who will take and maintain minutes of each meeting and send them out to the committee members at least two days prior to the next meeting. These minutes should be maintained in the committee folder in the share file under Committee Name/Minutes. Hard copies may also be maintained for reference, if desired.

- Each Committee Chair should designate a scribe who will take and maintain minutes of each meeting.

- Prior to an interview, the committee should agree to a list of questions to be asked. The varying tasks may be distributed among the members, to include introductions of members to the interviewee, administering the admonishment, etc.

- It should be decided prior to the interview how the questions will be asked. A single juror, or any and all jurors may ask questions.

- Committee members must keep written notes of their interviews. These accounts will be a valuable aid in the preparation of a report if one is written.

- The interviews may be recorded and these recordings kept in the committee folder in the share file under Investigations.

- In addition to written notes of an interview, a recording may be made. Written notes and recordings should be stored on the shared drive, along with the other materials (questions, research, etc.) pertinent to that specific interview.

- Each committee should review reports of previous Grand Juries and, if possible, relevant reports from other county Grand Juries. Committee members should also review responses to previous Jury reports.

**Committee Chair**

The duties of a Committee Chair include:

- Prepare agendas and preside over meetings.

- Work with the committee scribe to ensure accurate and complete minutes of all meetings.

- Prepare or guide in the preparation of a Request for Investigation, (Appendix A, RFI) as decided on by the Committee for Plenary approval.

- Ensure that investigations maintain the focus approved by the Plenary.
Policies and Procedures Manual

- Request the appropriate R-letter for plenary approval from the recommended case closure letters (Appendix A, Case Closure Letters).
- Report at regular plenary meetings about the work of the committee.
- Work with the Editorial Committee or assign the principal report writer to review and edit reports for publication.
- Consult with the Foreperson about any problems that might impede committee work.
- Coordinate appointments for interviews with witnesses and schedule time and location for interviews.

Standing Committees

Cities and Special Districts Committee

This committee concerns itself with the operations of incorporated cities, special districts, and joint-power organizations which do not fall under other committees. When possible, random attendance at those organizations’ meetings may help ensure that the interest of the public is being served, and that government codes regarding open meetings are being followed.

Examples of Cities Subjects

- City Administrator
- City Manager
- Local Agency Commissions
- City Clerks
- City Planners
- City Engineers
- City Councils
- Fire Districts
- Recreation and Parks
- City Elections
- Mayors

Examples of Special Districts Subjects

- Air Pollution Control
- Fire Protection
- Memorial Buildings
- Community Service
- Sanitation
- Waste Water
- Ambulance Service
- Mosquito Abatement
- Reclamation
- Public Works
- School Districts
- Sonoma County Open Space
- Cemetery
- Lighting
- Health Care
- Public Utility

Continuity Committee

This committee collects and records the responses that are due back from the previous year’s Grand Jury reports. The responses are analyzed for compliance, non-compliance, or insufficient response. The Plenary may wish the committee to write a report in order to inform the community and public agencies of the results and highlight the attention that is paid to a previous Grand Jury’s recommendations on a continuing basis. The media can be an important ally in this effort. Publication of the report in the late fall is an option that will keep the Grand Jury in the public’s minds. Starting in 2018-19 the column in the forms summarizing the responses to recommendations showing the Grand Jury’s response acknowledgement was used not just as a check box, but as an opportunity to comment on the response.
Responses are due back from the previous Grand Jury report in as little as 60 – 90 days after empanelment of the current Grand Jury. This is a committee that should be organized and functioning by September.

**County Agencies Committee**

All offices of County government are within the purview of this committee. It reviews agendas and notices of public hearings, and when possible, attends those meetings to ensure that the interest of the public is being served, and that government codes regarding open meetings are being followed. Past practice has been to assist with County election result certification.

**Examples of County Subjects**

- Water Agency
- Board of Supervisors
- Data Processing
- Auditor-Controller
- County Commissions
- County Administrator
- County Clerk-Elections
- Agriculture Commission
- Economic Development

**Human Services Committee**

The Human Services Committee is a sub-committee within the County Committee since Human Services is also within county governance. This committee examines social services operating in Sonoma County.

**Examples of Human Services Subjects**

- Public Health
- Human Resources-Civil Service
- Fairgrounds
- Weights & Measures
- Non-Profit Corporations
- County Library
- Housing & Community Development
- Parks & Recreation
- Mental Health Services
- Child Protective Services
- County Hospital
- County Hospital
- Veterans Services
- Human Services
- Animal Services

**Law and Justice Committee**

This committee considers all matters concerning public safety, the criminal justice system and penal institutions, detention facilities, the District Attorney, municipal public safety offices, probation, the Public Defender, and the Sheriff-Coroner.
Examples of Law & Justice Subjects

<table>
<thead>
<tr>
<th>County Counsel</th>
<th>Detention Facilities</th>
<th>District Attorney</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jury Commissioner</td>
<td>Police Departments</td>
<td>Sheriff-Coroner</td>
</tr>
<tr>
<td>Juvenile Detention Facilities</td>
<td>Critical Incidents</td>
<td>Safety Coordination</td>
</tr>
<tr>
<td>Public Defender</td>
<td>Probation Department</td>
<td>County Morgue</td>
</tr>
</tbody>
</table>

Editorial Committee

The Editorial Committee has three major responsibilities:

1) Review, edit, and, when appropriate, approve all reports submitted by the Investigative Committees prior to acceptance by the Plenary.

2) Coordinate and manage the publication of the Grand Jury’s Final Report. This is sometimes organized as an adjunct team (See Publications Ad Hoc Team).

3) Review and, when appropriate, update the Grand Jury’s Policies and Procedures Manual with the goal of providing continuity from one Grand Jury to the next.

The experience of former Grand Juries strongly suggests that the members of the Editorial Committee not be appointed until after the sitting Grand Jury has been in office for several months. Selection of committee members should be made from those Jurors who have demonstrated an understanding of the principles of report writing and have exhibited skills in writing or editing. Jurors selected for the Editorial Committee are required to attend a one-day Editorial workshop taught by the California Grand Jury Association. The Grand Jury will pay tuition for these individuals. Historically, the Editorial Committee consists of five members, with at least one representative from each of the Investigative Committees. This committee needs sufficient number of members to provide coverage necessary to thoroughly review committee reports and allow for absences and resignations. The Foreperson will appoint one of the Committee members as Chair. Jurors interested in serving on the Editorial Committee are cautioned that during the report period (i.e., from mid-January through mid-May), they can expect to devote approximately an additional 12–15 hours per week in report review and meetings, in excess of regular Grand Jury requirements.

Reports

So as to provide consistency of style for the reports, the Editorial Committee selects and proposes a writing style for use in all reports, [e.g., The Chicago Manual of Style or the MLA (Modern Language Association of America) Handbook for Writers of Research Paper]; selects and proposes fonts, formats, and software to be used in the reports; and provides templates for the writers to use. (See also Formal Writing – A Style Guide, Page 70.)

The Plenary must approve these style recommendations.
Policies and Procedures Manual

With the approval of the plenary, the Editorial Committee selects a current juror who has the necessary skills and experience in design and publication to be the Grand Jury’s Designer of the Final Report. If no current Juror has the necessary skills and experience, the Editorial Committee must select another source to design and print the Final Report.

The Editorial Committee works closely with the Designer to establish timelines for approval and publication of the Final Report and to ensure that the timelines are met (Appendix B, Editorial Timeline).

In early January, the Editorial Committee presents to the Plenary a series of training sessions concerning the proper formats and templates; the difference between, and importance of, findings and recommendations; the importance of verifying information from the investigations; and, finally, persuasive writing rules and techniques.

Also, in January, the Investigative Committees should submit rough drafts of their proposed reports to the Editorial Committee for review and editorial suggestions. The CGJA recommends developing clear statements of Facts and Findings.

As the report writing continues, Investigative Committees will submit more polished reports to the Editors, who will review each draft for adherence to the agreed-upon format; completeness; clarity; logic; and mechanical problems (formatting, sequence; organization, word usage, grammar, spelling and punctuation). Editors are also responsible for providing feedback to the authors about the effectiveness of the report from the perspective of the intended audience. This may include questions on various aspects of the underlying investigations, triangulation of sources, and evidentiary basis of conclusions. The Editors should not make any changes that will alter the meaning of the report without the consent of the committee that prepared the report. At these review sessions, either the author of the report or an informed member of that committee must be in attendance.

Ad Hoc Committees

Ad hoc committees are formed for special purposes, with members appointed by the Foreperson with the approval of the Plenary. Once it has concluded the assigned tasks, the Committee is disbanded.

Publications Ad Hoc Team

A Publications team may be created to handle a single early report and/or the final report. This team may be needed during the third or fourth quarter depending on the needs of Outreach and Editorial Committees. The team interfaces with counsel, courts, publishers and the newspapers. Relationships, plans and procedures need to be worked out long in advance of June. Pictures can be gathered during the investigations. Coordination with Outreach and Editorial could start in January.

Editorial Committee must budget for and retain a third party to perform these tasks. For the Summary the PD can accept Word or PDF copy and will perform layout tasks as part of their printing service. The PD Staff person who does this work has, in the past, offered her services to do the layout of the full report. The Gazette is also a resource for publication tasks.
Policies and Procedures Manual

Report Publishing PD Contacts

Some Juries integrate publishing within Editorial. The issues with publishing, however, are very different than the purely editorial ones of content, writing style, and impact. Publishing issues are along visual lines rather than text related. Editorial will tend to run to the last possible moment in editing and revising final reports. The two approaches could be run concurrently in the last few months.

The summary report is printed by Sonoma Media/Press Democrat and distributed with the Press Democrat, its affiliated papers and several North County papers published by Sonoma Media.

Both charge for the service. Sonoma Media’s charges also include ‘sponsored content’ links on their website for a limited duration. Sonoma Media Contract is attached.

Press Democrat
Micaelyn Richmeier
Account Executive
427 Mendocino Ave. Santa Rosa, CA 95401
p. 707.526.8531, c. 925-858-2939
Micaelyn.Richmeier@Pressdemocrat.com

Sonoma County Gazette
Vesta Copestakes
6490 Front Street, # 3427
Forestville, CA 95436
707-604-7145
Graphic artist, layout of print
Insert into Gazette (35,000)

The Juror who takes responsibility for coordinating publication and distribution should make contact with PD in January to begin the process and to establish a timeline. In general, they need FINAL PRINT READY copy not later than 14 days prior to the distribution date. Transforming raw reports in word or PDF format into professional looking presentation will take two weeks minimum.

Ideally all reports will be finalized, approved by County Counsel and Presiding Judge and ready for layout no later than ONE MONTH PRIOR to release date. Plan accordingly!

Information Technology & Training Ad Hoc Committee

A successful team is usually one that encourages training throughout their term of tenure. Education and knowledge are keys to efficiency, clarity and significant results.

An IT team in support of the IT Liaison (See Information Technology Liaison) may be created, depending on the skill set composure of the Grand Jury. Training, committee support, and special projects might fall under its purview.

The FY 2018-19 Jury had available to it, Dell laptops running Windows 10 with MSOffice 2013. The Jury also had access to ISD-supported shared storage and WebEX.

Having committed to MSWord, there will need to be additional training needed to maximize this resource. Jurors may need training on features such as: Hyperlinks, Compare and Change Tracking.

A basic part of the ISD training is log on for e-mail, and now to access shared storage.
Alternate call-ups will need an orientation training [about 2-4 hours] which should be in place to help them come up-to-speed time minimal.

**Outreach: Community, Media Relations, and Recruitment**

In 2018-19 the Local California Grand Jurors Association was relied upon to perform recruitment activities (this included a rare mid-term recruitment); they achieved very good results and freed the sitting Grand Jury for investigative matters. The court, of course, interacts only with the sitting Grand Jury, so coordination remains in the hands of the sitting Grand Jury.

The Grand Jury provides oversight for all levels of County government, their agencies and departments on behalf of the county’s residents. With a goal of strengthening government efficiency and accountability, its effectiveness is optimized through clear and open communication with the public. To this end, a strong relationship with local media is important to building community awareness.

**Objectives:**

- Build a strong awareness for the Grand Jury’s role in the community.
- Maintain a positive public image of Grand Jury contributions within the community.
- Establish personal contacts with applicable news and editorial personnel in the local print and broadcast media, in order that they may be called upon to provide the public with information relating to the Grand Jury’s activities.
- Provide the media with timely knowledge of new investigative reports, as well as local government’s responses to these reports.
- Coordinate the execution of Grand Jury outreach efforts for the purpose of recruiting future Jurors.
- Coordinate with the Court Executive Officer.
- Maintain communication with the Local California Grand Jurors’ Association.

**Structure:**

The Foreperson or designated representative makes requests to and provides coordination with the Local California Grand Jurors Association.
Policies and Procedures Manual

Investigations

Receiving Complaints

All complaints, except those originating from the District Attorney or the Court, should be in writing, preferably on the standard complaint form, to make it easier for the Plenary to decide a course of action. The complaint should include a return address, phone number, and e-mail (if available) and be signed by the complainant, but this is not legally required for a Jury to start an investigation. Standard complaint forms are available in English and Spanish (Appendix A, Complaint Forms).

Complaints cannot be accepted over the telephone. Complainants should provide their name and address and be mailed a complaint form by the Corresponding Secretary. They may also be advised that the form is available on the web at http://sonoma.courts.ca.gov.

Original complaints and supporting documents should never be removed from the Corresponding Secretary’s complaint binder. Committee members are provided with copies to use unless the materials are so voluminous as to make this impractical. Members are responsible for safeguarding copies as confidential documents.

The Corresponding Secretary should also check the Complainant Master List to determine if the particular citizen complaint was filed on prior occasions with that Grand Jury or prior Grand Juries. If so, an appropriate R-Letter may be considered by the Plenary.

Citizen Complaints

Some of the questions the Plenary should try to answer in its investigations are:

- Is the department in compliance with applicable governing laws and regulations?
- Is the department achieving acceptable cost-efficiency in its operations?
- Is the department meeting the needs of the public?
- Does this department interact cooperatively with other departments?
- Is the department employing appropriate financial & accounting procedures?

Every Grand Jury receives communications from citizens relating grievances. Although the Penal Code does not specifically assign the Jury duties as to complaints, the Jury frequently investigates citizen complaints as part of its watchdog duties. Complaints are handled in strict confidence to protect the complainant’s identity. Complainants must be assured of confidentiality and not be concerned about breaches of secrecy.

Discussions and Assignment

All complaints are discussed with the Plenary. While all complaints will be addressed, not all complaints will lead to investigations or reports. The Plenary is not required to accept or act on all complaints. Complaints can be refused for a variety of reasons including, but not limited to, lack of jurisdiction, pending legal action, and the priority of other complaints that are more time-sensitive. Complaints received near the end of a Jury’s
Policies and Procedures Manual

term may be carried over to the next year by plenary vote. A complainant can refuse to be interviewed and, in that instance, the Plenary must decide whether to continue with an investigation.

All correspondence and files of the Jury are exempt from laws requiring disclosure to the public, notwithstanding Freedom of Information laws. However, persons sending letters to or receiving letters from the Jury may make such correspondence public. All correspondence regarding citizen complaints that is not in one of the forms prescribed in appendix (R-Letters) must be approved by the County Counsel before being sent to the public. The Plenary must understand that the contents of the letter may be made public by the recipient.

Upon receipt of a complaint, the Corresponding Secretary date stamps it, assigns a case number, and logs it into the master log of investigations. The Corresponding Secretary may, in consultation with the Foreperson, assign cases to the appropriate committee. The complaint and any attachments are copied for the committee, and the originals are placed in the complaint file. At the next plenary meeting, new case complaint summaries are presented by the Corresponding Secretary and the associated documents are distributed to the Chair of the assigned committee.

Anonymous letters can be treated as complaints under special circumstances and with due discretion by the Jury. If the matter is not to be investigated further, the letters are filed pending additional information or a signed complaint. If nothing is received, the unsigned letters are destroyed at the end of the Jury’s term.

Complaints, whether or not acted upon, frequently assist the Jury in identifying areas of County government in which citizens have concerns. One complaint investigation can discover other additional issues. The appropriate committee should look into such concerns when a particular governmental office is under scrutiny.

Initial Committee Review

The first step to start a preliminary investigation is for the Committee Chair to review the complaint with all members of the Committee and discuss whether, for time management, a lead committee member should be assigned. Discussion within the Committee may lead to one particular member with knowledge or background of the particular issue raised in the complaint.

Preliminary research by the Committee is not only a helpful tool, but one that can highlight early issues that must be reviewed, for example:

- Does the Grand Jury have jurisdiction over the government body at issue?
- What policy and procedures of the government body are available for immediate review to better understand the complaint?
- Who are the government personnel mentioned in the complaint and where are they identified in the personnel roster of the government body?
- Is a discreet date of an event identified in the complaint, or are there ongoing or multiple complaint allegations?
Who is the complainant and what relation may that person have with the underlying allegations in the complaint?

To answer some of the questions identified in the initial complaint review, compose a preliminary list of information to retrieve. The majority of information may be available online. Some suggestions for research resources are:

- Internet search engines (i.e., Google)
- State statutes and local ordinances
- Organization charts, job descriptions, budgets, and manuals of procedure
- Recent news coverage (i.e., archives of The Press Democrat)
- Web sites of Grand Juries in other counties and the California Grand Juror’s Association
- Web sites of County agencies and boards (agendas, minutes, videos)
- Prior Grand Jury reports, Sonoma and other counties
- The Grand Jury library
- Public Meetings a committee member can attend as a private citizen.

For each complaint the committee is working on, create a list of potential interviewees and the order in which they should be interviewed. If the case originated with a citizen complaint, the first interview may be with the complainant. On occasion, a complainant may refuse to be interviewed, which is a legal right. In such cases it may be best to begin by interviewing the department or agency head. The committee may also determine that further documents from the complainant or the government body are required to prepare for interviews or evaluate the complaint (Appendix B, How to Organize a Grand Jury Investigative File).

The Request for Investigation (RFI)

After the committee has reviewed the available information to evaluate the complaint and create an investigation plan, the committee must come to the Plenary for approval to continue with a full investigation. The committee may determine at the onset to interview the complainant before submitting an RFI to Plenary, however, it is recommended that an RFI come before Plenary first.

The RFI is the investigative roadmap. The RFI communicates to the Plenary the nature of the complaint, the initial scope of the investigation, and the investigative plan. It further informs the Plenary of the investigative goals of the committee, opening a dialogue between Plenary and the committee that continues throughout the Grand Jury term. A supermajority of 12 Jurors must vote to approve further investigation based on the RFI. As the committee investigation proceeds, any substantial changes in the investigative plan must be brought back to Plenary for review (Appendix A, Request for Investigation).
Interview Procedures

Having identified the person to be interviewed, search Google and LinkedIn for biographical information. Before you interview an organization, Google it as well. Access their Website, which often has a lot of information you may need or want when going into the interview.

Before the Interview

There must be a quorum of the committee present at all interviews. Attendance by all members is preferable.

See the Interviews section of the California Grand Jurors’ Association Training Manual for more information on interview procedures, field investigations, and employment of experts.

Initial contact with the complainant should be via email or telephone to set up the preliminary interview. Should further preliminary communication be required, email is preferred so that a written communication record is created. Phone conversations with complainant after an investigation has started should be limited to interview scheduling or housekeeping matters such as requesting further documentation.

Government agency personnel, when contacted to set-up their interview, will often request to know the nature of the investigation. The committee should be prepared to compose a short, concise statement of the discreet area of inquiry without any references to the complainant. During the telephone conversation or email exchange, advise the interviewee that all aspects of the Grand Jury’s inquiry are confidential and that he/she will be so admonished during their interview. A written follow-up communication by email will confirm this admonishment for the complaint file.

The committee should meet to develop the interview questions in advance. One committee member should be designated as the lead interviewer. The duties of the lead interviewer can be alternated as the committee chooses. After each interview, committee members are encouraged to debrief and compare notes to ensure that details of the interview are accurately captured. One committee member may write up the responses to coincide with the pre-discussed questions and distribute to the remainder of the committee for their records.

During the Interview

The lead interviewer or Committee Chair should introduce the committee members and state the purpose of the interview. The witness should be asked if they have participated in the Sonoma County Civil Grand Jury process before. Explain that statements made during the interview will be kept strictly confidential, as the Grand Jurors are sworn to secrecy. It is also helpful to explain the Grand Jury’s function (see California Grand Jurors’ Association materials). The lead interviewer or another member of the committee shall obtain the interviewee’s signature on two Admonishment forms at the beginning of the interview (Appendix A, Admonishment). One executed copy should be retained for the investigative file, and one executed copy handed to the witness.
Past practice has been not to require witnesses to testify under oath. An oath should be administered if the Grand Jury is contemplating an accusation, the investigation may possibly uncover criminal conduct, or the jury has good reason to believe that the interviewee will be untruthful. The DA should be consulted about administering oaths in accusations or if evidence of criminal conduct is anticipated.

If an oath is administered, an admonition should also be given to the interviewee. Whereas any juror can give an admonition, the Foreperson may administer an oath to any witness appearing before the grand jury.

The committee interviewer is well served by full preparation before the interview and flexibility during the interview to adjust and add questions as necessary. If receipt of documents in advance of the interview will assist with the preparation for the interview, the interviewee should be contacted by email/writing and notified of the documents requested with as much particularity as possible. A delivery date and address for the documents must be provided, with options to use computer storage methods along with notification that an interview will be scheduled thereafter. The letter must also contain a notice that all aspects of the Grand Jury’s inquiry are confidential and that the interviewee will be so admonished at his/her interview. The interviewee should be told that the interview will be recorded but will be kept confidential.

**After the Interview**

- After each interview, committee members are encouraged to debrief and compare notes to ensure that details of the interview are accurately captured.
- One committee member should write up the responses to coincide with the pre-discussed questions and distribute to the remainder of the committee for their records.
- If a designated “scribe” compiles a synopsis of all committee-member notes, it is helpful to color-code the contributions from the various committee members.
- Some investigative teams use audio recordings as a method of assuring accuracy in the note-taking. Sometimes these are transcribed, sometimes simply listened to in order to make accurate notes from the meeting. Notes are never shared with the interviewee.
- Where there are different “takes” on what was said/meant during the interview, either the scribe or the Committee Chair should initiate contact the interviewee by voice or e-mail for clarification about the interpretations of what was said. The “rule of two” applies for phone corroboration – at least two committee members must be listening to the conversation.
- It is important to achieve 100% consensus within the committee on exactly what was said/meant during the interview.
- Committees are encouraged to keep a separate list of “facts” learned during interviews. These facts, once triangulated, will form the core of an investigative report. It is very helpful to record them consistently.
Required Interview

Penal Code §933.05 (c) requires the Grand Jury to meet with the subject of the investigation (the person who is responsible for the function you are investigating, usually the department head) unless the court determines that the meeting would be detrimental. This interview avoids later challenges after the Final Report is released. This interview is apart and distinct from any exit interview the Grand Jury or committee may later undertake.

Subpoena Protocol

During the course of an investigation, a committee might find it necessary to issue a subpoena to interview a witness or to obtain documents. However, before requesting a subpoena, an effort must be made to get voluntary compliance.

If that effort is not successful, the Committee Chair will ask the Foreperson to ask County Counsel's office to prepare a subpoena. If the subpoena is for an interview, the e-mail request should include the person’s name, title, department, and the date, time and place of the interview. If it is for documents, the specific types of documents sought should be identified. County Counsel's office will then prepare a subpoena to be signed by the Presiding Judge. Documents are to be produced at the County Counsel’s office.

County Counsel may coordinate the serving of subpoenas or the Foreperson may serve them. If possible, use of outside process servers should be minimized.

Complaint Disposition

During committee meetings throughout the term, the members will review ongoing investigative plans, interview notes and documents gathered and when appropriate, to propose a recommendation to the Plenary to close a complaint investigation. The lead committee member for the complaint or Committee Chair shall prepare and send to Plenary for review a ‘Request for R- Letter from ______ Committee’ (Appendix A, Request for an R-Letter). This Request, in many ways, tracks the Request for Investigation (RFI) previously submitted to Plenary at the beginning of an investigation. The Request states the allegations in the complaint, background information, the result of the committee’s investigation, and the committee’s conclusions to support the R-letter. The committee’s Request is placed on the Plenary Agenda for a vote after discussion between Plenary and the committee members. If the case is to be closed, a brief letter of explanation (R letter) is sent to the complainant by the Corresponding Secretary (Appendix A, Case Closure Letters).

Mandated Investigations

According to the Penal Code, the Grand Jury must investigate the following:

- The accounts and records of officers and agencies operating within the County. Each Jury has discretion as to which departments it will audit and the scope of its audit. At least one County department must be reviewed on a selective
Policies and Procedures Manual

basis as part of the ongoing process. Producing a report on the jails fulfills the Penal Code requirement of at least one County department being investigated. Every Grand Jury must perform its share of audits, so that all agencies are reviewed regularly.

- When requested by the Board of Supervisors, the need for an increase or decrease in the salaries of County elected officials.
- The condition and management of all detention facilities within the County.

NOTE: It has been the practice of most prior Sonoma County Civil Grand Juries to review Critical Incident Reports received from the District Attorney. The authority for these administrative reviews is derived from the Sonoma County “Law Enforcement Employee-Involved Fatal Incident Protocol.” At the end of each term, generally the Jury’s reports on these Critical Incidents are consolidated and included in the Final Report and labeled either “Critical Incidents” or “Fatal Incidents.” However, each Jury, at its discretion, determines whether it will continue the practice of reviewing and reporting on these Critical Incidents.

Self-Initiated Investigations

The Grand Jury’s primary role is to investigate. The fact that a department has been reviewed within the recent past does not preclude further investigations by the current Grand Jury. Jurors should refer to the Prior Complaint Matrix maintained by the Corresponding Secretary to determine the nature and scope of prior investigations. Careful consideration should be given to previous audits, reports and Responses.

Public concerns relating to agencies within the County may stimulate Grand Jury investigations. Other sources of cases are news stories and work by prior Grand Juries. Subjects of investigations carried over from previous years, or inadequate responses to prior report recommendations by an agency can be fruitful sources of new cases. If a Juror during the term requests a committee to commence an investigation, a complaint form shall be executed and submitted to the Corresponding Secretary to begin the complaint process.

Carryover Complaints

Complaints received too late in the year for adequate consideration may be referred to the next Grand Jury by issuing an R-4 letter. If any materials from the old Grand Jury are to be passed to the next Grand Jury, the plenary must vote to do so. Any such materials are to be considered only as “hearsay” evidence by the next Grand Jury, which must carry out its own investigation; the next Grand Jury may decide not to follow up, by plenary vote.

Refresher Training in Investigation Techniques

The Plenary is encouraged to participate in advanced training in investigative techniques and methods once the committees have commenced their investigations, usually in late October or November. This training can be conducted by holdover Jurors, former Jurors, or by the California Grand Jurors’ Association.
Policies and Procedures Manual

Reports

Penal Code §933(a) states that “Each grand jury shall submit to the Presiding Judge of the superior court a Final Report of its findings and recommendations that pertain to county government matters during the fiscal or calendar year. Final reports on any appropriate subject may be submitted to the presiding judge of the superior court at any time during the term of service of a grand jury.”

The Grand Jury is reminded that Penal Code §939.9 states that it cannot make a report on any matter “except on the basis of its own investigation of the matter...” It cannot adopt on its own “the recommendation of another grand jury unless, the grand jury adopting such recommendation does so after its own investigation of the matter as to which the recommendation is made.”

Comprehensive training is provided at the beginning of each Jury's term, along with a training manual containing valuable information on subjects such as report writing and releases.

Generally, there are two types of reports issued by a Grand Jury: an early release of a single report and the Final Report, also referred to as the Consolidated Final Report. Their purpose is to make the Jury's findings and recommendations known to the public. A supermajority of 12 jurors must approve each report. County Counsel and the Presiding Judge must review all reports for liability and conformity with all applicable law (Appendix A, Report Release Checklist).

Early Release of a Single Report

An early release of a single report may be made to the media and to the Jury web site at any time during the term. County Counsel and the Presiding Judge, using the same procedures as for a Consolidated Final Report, must review and approve the report prior to publication. An early released report must be incorporated into the Consolidated Final Report. The clock for responses starts ticking when the Consolidated Final Report is delivered to the respondents, e.g., 48 hours before the report is released to the public.

The main advantages of an early release report are timeliness for accomplishing the desired actions and greater attention from the public.

Consolidated Final Report

The Final Report should be ready for printing by late May of the Jury’s term. By midterm the Editorial Committee should create a schedule for the Final Report; this schedule must be approved by the Jury. The schedule provides the deadlines used by the committees when submitting their reports to the Editorial Committee. Although the Editorial Committee has responsibility for guiding and editing the reports, all Jurors are responsible for their preparation and approval.

Titles for Final Reports

The Editorial Committee will suggest function titles for each report and may wish to also utilize “catchier” sub-titles for reports.
Format for Final Reports

The Editorial Committee will suggest the Plenary adopt a style guide and report format for all reports, providing consistency in the published Final Report. Here is a listing of typical sections and the general purpose of each. See also: `\\Win\data\GJY\2019-2020 Grand Jury\Forms\cgja_sample_report_template_2018_.dotx`

**Summary**

This synopsis of the entire report is meant to give the reader a brief overview of the reason for and conduct of the investigation, as well as the Grand Jury’s findings, conclusions, and recommendations. Since only the summary will be published in the local newspaper, special attention must be given to its completeness.

County Counsel says, "So long as the Report Summaries to be published as an insert in local newspapers are simply shorter versions of the Summary section of the Final Report, with no substantive changes, especially as to Findings and Recommendations, County Counsel does not have to review them."

**Glossary**

This section is optional and may appear at the beginning or the end of the report.

**Background**

This section is intended to be a brief summary of the events that led up to the complaint and the subject of the investigation. This information should give the reader a foundation to understand the rest of the report. It is written in past tense and answers the question, “Why was this investigation done?”

**Methodology**

This section describes the methods used in the investigation, such as documents reviewed and persons interviewed (by title or description, never the individual’s name). This section tells the reader that the Jurors researched the issue and can verify the facts and findings in the Report. Lengthy lists that may interfere with the flow of the report can be summarized here, with the complete list of documents placed in a reference list at the end of the report.

**Discussion**

This section constitutes the bulk of the report. It covers the events that led up to the investigation. This information should give the reader a factual foundation to understand the report’s findings and recommendations, by outlining the specific evidence that was discovered during the investigation. The evidence or facts described must be objective and verifiable. Facts are not hearsay, rumor, innuendo, or opinion. They are real and demonstrable. They have been determined by analyzing the evidence and weighing the credibility of the sources of that evidence, and have been verified by several sources (triangulation). Raw evidence is unverified information the Grand Jury has not triangulated and is improper to place in the Final Report.
Policies and Procedures Manual

Commendations
This optional section is used only if circumstances warrant, such as when an agency, group, or individual has performed in an exemplary manner.

Findings
This section bridges the gap between facts and the resulting recommendations. A finding is a one sentence conclusion or judgment based on fact(s), not just a recitation of the facts. Findings identify what needs to be fixed, improved, corrected or complimented.

Recommendations
This section states what should be done, by whom, and when. Recommendations should be specific, logical, achievable, financially feasible and within the law. Penal Code §916 requires recommendations whenever a problem or shortcoming is identified. Positive findings do not need accompanying recommendations.

Each recommendation should be directed to a specific agency or official, who will then be required to respond.

Required Responses
This section states who is required to respond and to which recommendations. Only governing boards and elected officials are required to respond to Grand Jury reports. All findings and recommendations require a response. By requiring a response to a finding or recommendation, the affected agency or official is held publicly accountable for their written commentary. The report should state explicitly the title, agency, and/or department that must respond, and the specific finding or recommendation requiring the response.

Bibliography
This section lists all of the written sources of information used to compile the report. This includes newspaper articles, books, trade journals, websites, brochures, reports and more.

Suggested Reading
This is an optional list of supporting documents, website addresses and other information for readers inclined to delve deeper into the subject. This may be used in place of or in addition to an extensive bibliography.

Appendix
This optional section is a good place to include information that is relevant and interesting but not critical to the report.

Legal Requirements for Report Content
Penal Code §§925 and 933 (a-c) require a Final Report, stating “[e]ach grand jury shall submit to the superior court a final report of its findings and recommendations that pertain to county government matters during the fiscal or calendar year ....” The Penal
Policies and Procedures Manual

Code requires responses within a specific time frame and prescribes the format for the responses.

The Penal Code mandates that a Final Report have “findings and recommendations.” A finding is a conclusion or judgment based on fact or facts, not just a recitation of facts. Penal Code §916 states that all findings must be “supported by documented evidence” and a recommendation must be based on at least one finding.

This code section further mandates recommendations whenever problems or shortcomings have been identified. The Grand Jury should keep in mind that the recommendations should be specific (who is to do what and by when), logically related to the problem, achievable, financially feasible, and not in violation of any laws.

The law does not further define the report content. However, experience and practicality suggest that Final Reports should also:

1. Explain the purpose and scope of the investigation;
2. Describe how the investigation was conducted; and
3. Discuss the information that has been developed.

When describing “how” the investigation was conducted, neither individual names nor titles should be listed. Penal Code §929 requires that reports of the grand jury not contain the name of any person, or facts leading to the identity of any person who provides information to the Grand Jury.

After reviewing a report, County Counsel will provide a written opinion. The Jury is under no obligation to follow this advice, but it is strongly recommended that it be solicited and considered.

Final Verification—the Exit Interview

Each investigating committee may conduct final exit interviews to verify the accuracy of the findings before publication of its report. Exit interviews are not mandatory, but are a tool to be sure the findings are factually accurate so the report cannot be challenged once it is officially released. Penal Code §933.05(d) states that the exit interview consists of reading and discussing ONLY the findings in the report to the affected department or agency.

The exit interviewee should again be admonished as to confidentiality. The full written report is not to be disclosed or read. If the Final Consolidated Report requires revision, the committee undertaking an exit interview is reminded that adequate time must be available in the term for report revisions, review by Editorial, and vote again by Plenary.

An exit interview should not be conducted if the Court, either on its own determination or upon request of the Foreperson, determines that such a meeting would be detrimental. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to its publication. See California Grand Jurors’ Association Training manual for suggested guidelines. In the fall, as the jurors become familiar with the responsibilities of the Jury, and have begun their investigations, together they should propose a timeline by which all tasks should be accomplished, with the goal being the
Policies and Procedures Manual

publication of the Final Report. This timeline will need to be revised as the year progresses, but it is a constant reminder to the Jury of their goals.

By the middle of March, the Foreperson, or the Chair of the Editorial Committee, or the Jury’s designee for overseeing printing of the Report, should send copies of the timeline to the Presiding Judge, County Counsel (currently, Jeff Berk), and the Court Administrator (Arlene Junior), so they all are aware of the Jury’s schedule and expectations. All three will play an important part in meeting the Jury’s publishing schedule. To that end, the timeline should include dates by which County Counsel and the Presiding Judge must approve the reports in order to meet the printer’s timelines, and deadlines for the Jury to forward the reports to each of them.

Usually, the Foreperson sends copies of each report (with line numbers) as approved by the Plenary to County Counsel by email. This report version should be finalized to the point of including any charts, graphs or photos that will be included in the final published report. County Counsel returns each report, by email, with his comments, corrections, or suggestions.

Although the Jury is not obligated to incorporate the suggestions, unless of course they concern legal issues, the Jury would be wise to consider the suggestions carefully; he has considerable experience in this process, and knows what works. The Jury returns to County Counsel the revised report, without lines, and in a form marked FINAL. If County Counsel approves, the Court Administrator then sends the report to the Judge, with an accompanying letter of approval, by U.S. Mail.

This back and forth process can take time, so plan accordingly. In addition, the Judge’s trial calendar may be full and the Judge may take several (or more) days to review the reports. When the Judge has approved a report, a signed acknowledgement is returned to the Foreperson, along with each Final report. Occasionally, because of vacations or other absences by County Counsel or the Judge, the approval process goes off the track. In those instances, it is necessary that the Foreperson have a strong relationship with one of the clerks at the court. Don’t leave anything to chance, keep the communications open, and be flexible.

Suggested Procedure for Issuing Reports

1. The investigating committee writes the first draft of the report and submits it to the Editorial Committee. The initial draft should be double spaced, with line numbers, and annotations on sources to facilitate the editorial process.

2. The Editorial Committee edits the draft for grammar, punctuation, logic, and clarity. The member of the Editorial Committee representing the investigative committee that generated the report communicates these edits back to the investigative committee. The investigative committee discusses the proposed changes and makes the modifications deemed appropriate.

   If extensive corrections or changes are needed, the investigating committee rewrites the report and re-submits it to the Editorial Committee. This process is repeated until
both the Editorial Committee and the investigating committee are satisfied with the report.

3. The Editorial Committee submits the final version of the report to the Plenary at least 2 days prior to the general session at which the report will be considered. Members of the Plenary are asked to review the report prior to the session. The discussion by the Plenary covers substantive not stylistic matters.

4. The report must be approved by a supermajority of the Jury. If major substantial issues arise that cannot be addressed by changes discussed and agreed upon in the meeting, the report is returned to the Editorial Committee.

   The investigative committee works with the Editorial Committee to address the unresolved issues. The Editorial Committee then resubmits the report to the Plenary for its consideration following the procedure outlined in (3) above.

5. A member of the Editorial Committee prepares the final copy of the report as approved by the Plenary, reflecting all changes agreed upon during the plenary discussion, and sends it to the Foreperson.

6. The Foreperson sends it to County Counsel for legal review and comments. Counsel can ask questions and offer opinions but cannot force changes to a lawful report. The investigating committee may, or may not, make the recommended changes.

   If no further changes are made to the report, County Counsel sends the report to the Presiding Judge for approval. The scope of the Judge’s review is strictly confined to ensuring that reports do not extend beyond the legal boundaries of the Grand Jury’s broad reporting power, for example, a report on matters which the Grand Jury has not itself investigated or a report of a government entity not lying within the Grand Jury’s jurisdiction. Upon approval, the Judge returns the report to the Foreperson for release.

**Distribution of Reports**

**Building the Reports Packet**

The distribution of reports is a two-fold process:

- An advance copy to subject agencies and
- The public release of the report.

After approval of the Presiding Judge, and two working days prior to its public release, the Grand Jury shall provide the affected agency a copy of the portion of the Grand Jury report relating that agency. The report delivered must be the version that appears in the Final Report, with all inserted photos and charts. This is typically delivered as a printed PDF file. This PDF file is the file which has been approved by Counsel and the Presiding Judge and which is included in the Consolidated Final Report.

The report packet also contains an admonishment that the contents of the report should not be revealed until actual date of publication, a cover letter, and a copy of the applicable
Policies and Procedures Manual

penal code with response instructions for the recipient. Seal the items in a large envelope and attach the admonishment notice to the outside of the envelope.

Each committee should designate members to assemble and hand deliver the packet. (Optional: make an appointment for delivery). If the recipient is not available to take delivery, a designated agent may sign for it. Fill in the appropriate areas on the Notice. Have their office make a copy of the signed Notice or create a copy with a smart phone.

Editorial Committee drafts a press release. Investigative committees compile a reference press Q&A for the foreperson, anticipating questions likely to be asked by media.

Physical Distribution of the Reports

The Foreperson coordinates with the Community and Media Relations Committee for the general distribution of the Final Report. The report is distributed through the news media, the Superior Court website, and printed copy. The online version of the Final Report is posted by the Court. The Grand Jury should expect to print at least 200 copies of the Final Report. Copies are delivered to the Board of Supervisors as well as County officers, courts, County archives, and public libraries (See Report Distribution List below).

Final Report Distribution List

The Final Report is considered public when the Foreperson officially presents it to the Presiding Judge. The Summary Final Report is usually published in the local press later that week. "So long as the Report Summaries to be published as an insert in local newspapers are simply shorter versions of the Summary section of the Final Report, with no substantive changes, especially as to Findings and Recommendations, County Counsel does not have to review them." It's a huge time saver.

County CAO (includes department heads) 16
State and County Archives (via County Clerk) 2
Board of Supervisors 5
Courts (To CAO) 25
County Counsel: Jeff Berk, any Counsel who approved reports (Present in person or mail) 2

The preceding reports are usually hand delivered on the day following the release of the Report,

Libraries (All are delivered to the main branch, they distribute) 11
All nine (9) cities in the County* 9
(Deliver or mail to city halls or town council offices)
Current Grand Jury members (2 each) 38
Incoming Jury (new members, alternates) 29

Revised April 2019 51
Grand Jury official file for required retention period | 10
Grand Jury extras | 12
California Grand Jurors’ Association (Present at training) | 1

**Total:** 160

(Print 200)

*Cloverdale, Cotati, Healdsburg, Petaluma, Rohnert Park, Santa Rosa, Sebastopol, Sonoma, Windsor*
Final Report Timeline

July – November
Training, review of outstanding complaints, research into complaint-related or self-initiated ideas for investigation

November – December
Committees decide on their course of action; RFI submittal

Dec 1– Jan 5
Conduct ongoing investigations

Jan 5– Feb 5
Writer prepares first draft of report

Feb 5– 20
Investigating committee polishes report and checks facts

Feb 20
Investigating committee reviews and approves draft

Feb 20- Mar 20
Back and forth with Editorial Committee

Mar 20
Submit to Plenary for review and approval

Mar 25
To County Counsel for review

Apr 1
Conduct exit interviews (where appropriate)

Apr 8
Plenary approval; submit to Presiding Judge

Apr 15
Submit Final Report to printer

June 23
Send copies to affected entities with admonition that this is not yet a released report

June 25
Release Final Report
Communications and Record Management

Documents pertaining to Committees and Investigations

On the shared drive there will be a committee folder for each committee. The contents of this committee folder are accessible to the entire committee. It is most efficient if there is a computer savvy person on the committee who will help all the committee members with accessing, retrieving or saving documents to this folder when needed.

Documents pertaining to each individual investigation worked on by a committee are saved on the shared drive. This allows access to investigative documents by all Jurors, but is especially valuable in allowing committee members to share the resource material collected as well as interview notes, email containing links to on-line material, working versions of reports, etc...

The contents of the committee folder can vary, but must contain a sub-folder marked INVESTIGATIONS. The committee folder should have a folder for the Minutes and might also contain a folder for each member to store their own material, in effect acting as a back-up for documents created on the laptop. General research documents could be stored here as well. The committee is free to structure this space for their convenience, with the warning that too many files, especially if not named well to facilitate retrieval, can result in chaos.

Inside the INVESTIGATIONS folder there must be a subfolder for each investigation undertaken by the committee. The documents that need to be saved to a specific investigation folder include:

- The RFI
- A subfolder for each person interviewed. This subfolder will contain any email pertinent to the individual, each member’s interview notes, research pertaining to that person or his position, the questions asked during interview, and a copy of the signed admonition for the interview. Recordings, if made, are stored here as well. If more than one interview is conducted with the same person, it is recommended that there be a subfolder for each interview.
- A subfolder for the report, if one is to be written.
- Email pertinent to the general investigation.

It is highly recommended that duplicate copies of the same document not be kept in the committee folder. While different versions of a report might be in the report folder, once a final report is completed and filed, the working versions should be removed.

Please see documents on the shared drive in the Grand Jury Technology Training Material or Important Documents for Jurors folders for guidance on other technology issues. Included is this file created during this jury year:
Policies and Procedures Manual

Housekeeping at the End of the Grand Jury Term

Document Retention Policy

At the end of the year, all materials will be removed from committee online shared folders and paper documentation will be shredded, unless a committee gives good reason for keeping the material. These exceptions must be approved by a super majority vote of the Plenary. Please see the document under “/reference/legal consult/document retention” summarizing input from the California Grand Juror’s Association legal counsel and our own Sonoma County Counsel for detailed arguments concerning this policy.

The default policy is to destroy all investigation files, both paper and electronic, as well as all agendas and minutes. The 2018-19 Grand Jury asked for guidance on record retention, both from the California Grand Jury Association legal team and County Counsel. All committee files will be copied to a thumb drive and retained by County Counsel for the judge’s use. These files will then be deleted from the shared folder.

Most of the files in the /plenary area of the shared file system are not of a confidential nature, and will serve the next Grand Jury well. The Agendas, Minutes, information on the Grand Jury members, and other items not pure Grand Jury supporting information shall also be expunged. The foreperson will oversee this work.

The Master Calendar of Investigations is one of the core documents of the Grand Jury. It is, indeed, confidential, but must be passed on to the next Grand Jury.

The current Grand Jury has begun an investigation, not written a report, but deems it important enough to recommend for further action to the next Grand Jury. In this case the material shall be copied to a “memory stick” for the next Foreperson. That will be the only surviving copy.

Housekeeping Steps

1. Sort the contents of each committee drawer to determine which files to prepare documents for shredding:
   - Remove paper and binder clips.
   - Remove papers from binders.
   - Discard damaged binders and place reusable binders on the bookcase.
   - Leave papers inside paper or cardboard file folders
   - Put all paper into boxes for shredding.

2. The Foreperson will arrange for shredding of all material scheduled for destruction.

3. The retention of any confidential material, either paper or electronic, must be approved by plenary vote.

4. Retain 5-10 copies of the Sonoma County Final Report on the bookcase. (It has been the practice to keep up to 15 years of history).
5. Ensure that 2-3 copies of the bound Response Reports (Continuity Report) for the current year are filed on the bookcase. (It has been the practice to keep up to 15 years of history).

6. Destroy all meeting minutes and agendas.

7. Replace the *Chicago Manual of Style* and the office *Thesaurus* to the bookcase.

8. The outgoing Foreperson works with the incoming Foreperson to set up the new set of folders on the shared drive for the new Grand Jury session or oversees the task.

**Checklist for individual Jurors**

- Fill out the final form 700.

- Fill out the Grand Juror Exit Form (see Appendix B)
Policies and Procedures Manual

Appendix A: Resources and Blank Forms

Complaint Forms
English Complaint Form

The Sonoma County Civil Grand Jury

PO Box 5109 · Santa Rosa · California · 95402 · (707) 565-6330
www.sonomagrandjury.org

Citizen Complaint Form – Confidential

The Sonoma County Civil Grand Jury is an investigative body that deals with complaints falling within its jurisdiction. The Grand Jury may examine all aspects of county and city government, public schools, redevelopment agencies and special districts.

Person filing complaint

Name: ________________________________________________

Date: ________________________________________________

Address: ________________________________________________

Phone: ________________________________________________

City/State/Zip: ________________________________________________

Email: ________________________________________________

Describe Your Complaint

Identify the person(s) and/or the county or city government, school, redevelopment agency, or special district that is the subject of this complaint. The complaint should clearly state specific and verifiable facts. (Include all names, dates, places, etc.)

Note: All information will be held in the strictest confidence.

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________
What other agencies, officials or persons have you contacted about this matter? What was (has been) their response to you? (Give names, addresses, phone numbers, contacts, dates.)

__________________________________________________________

__________________________________________________________

__________________________________________________________

__________________________________________________________

__________________________________________________________

Is the subject matter of your compliant currently involved in litigation?  NO  YES

__________________________________________________________

__________________________________________________________

What action are you expecting from the Sonoma County Civil Grand Jury?

__________________________________________________________

__________________________________________________________

__________________________________________________________

__________________________________________________________

__________________________________________________________

__________________________________________________________

__________________________________________________________

__________________________________________________________

__________________________________________________________

__________________________________________________________

__________________________________________________________

It is a crime to knowingly make a false report to the Grand Jury that a felony or misdemeanor has been committed. (CA Penal Code No 148.5.d).

Attach copies of all pertinent documents and correspondence. Use additional sheets if necessary.

Signature: __________________________ Date: __________________

Please Note: signed submissions are more likely to be considered.

Mail this completed form to:
The Sonoma County Civil Grand Jury
PO Box5109
Santa Rosa, California 95402

or Email to: gjury@sonoma-county.org
El Gran Jurado Civil del Condado De Sonoma

PO Box 5109 · Santa Rosa · California · 95402 · (707) 565-6330
www.sonomagrandjury.org

Formulario de Reclamo del Ciudadano – Confidencial

El Gran Jurado Civil del Condado De Sonoma es una entidad que investiga los reclamos bajo su autoridad. El Gran Jurado puede examinar todo aspecto del gobierno del Condado y de la Ciudad, las escuelas publicas, las agencias de desarrollo de la comunidad, y distritos especiales.

La Persona que Registra el Reclamo

Nombre: ____________________________________________________________
Fecha: _____________________________________________________________
Dirección: __________________________________________________________
Teléfono: ___________________________________________________________
Ciudad/Estado/Zona Postal: ___________________________________________
Email: _____________________________________________________________

Describa Claramente su Reclamo

Identifique la(s) persona(s) y/o el gobierno de la Ciudad o del Condado, la escuela, la agencia de desarrollo de la comunidad, o el distrito especial que forma la base de su reclamo. El reclamo debe de presentar claramente los hechos específicos que se puedan verificar. (Incluya nombres, fechas, lugares, etc.)

Nota: Toda información se considera estrictamente confidencial.
¿Cuáles otras agencias, oficiales, o personas ha contactado usted sobre este asunto?  
Qué fue la respuesta que recibió? (Da los nombres, direcciones, teléfonos, y fechas de contacto.)

________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________

¿El asunto que es la base de su reclamo está siendo litigado actualmente?  NO  SÍ

________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________

¿Qué acciones espera del Gran Jurado del Condado de Sonoma?

________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________
________________________________

Es un delito dar a sabiendas un reporte falso de una felonia o delito menor al Gran Jurado (Código Penal de CA No 148.5.d).

Incluya copias de todos documentos o correspondencia pertinente. Use hojas adicionales si le es necesario.

Firma: ___________________________ Fecha: ________________

Por favor tome en cuenta que las formularios firmados tienen mejor posibilidad de ser considerados.

Mande este formular a:
The Sonoma County Civil Grand Jury
PO Box 5109
Santa Rosa, California 95402

Email to: gjury@sonoma-county.org
Acknowledgment of Complaint Letter

All complaints must be acknowledged on the same day that they are received in the following manner:

General Acknowledgement Letter:
Your complaint dated ______________ has been received by the Sonoma County Civil Grand Jury and assigned to the appropriate committee for study. Please be aware that the Grand Jury is prohibited by law from disclosing any aspect of their inquiries during an investigation.

The Grand Jury is a deliberative body that fosters good government, including those improvements that may follow from citizen complaints such as yours and corresponding investigations conducted by the Grand Jury. The Grand Jury does not attempt to resolve individual problems but may use them in a confidential manner to assist in their investigations, and to inform findings, recommendations, and reports. The Grand Jury’s final report is usually released in June of each year. If the Grand Jury chooses to take action on your complaint, it may not be until then that you learn what the Grand Jury has determined.

We appreciate your initiative in bringing this matter to our attention.

Case Closure Letters

R-1 (Elected Officials Recommendation):
The matter you have raised in your complaint dated ______________ involving an elected official is already the subject of general public knowledge. Any remedy may lie within the electoral process. Accordingly, the Grand Jury is taking no further action.

R-2 (Legal Counsel Recommendation):
The Sonoma County Civil Grand Jury suggests that you may wish to consult with counsel as to your legal rights and remedies in the matter contained in your complaint dated __________.

Therefore, the Jury will take no action at this time.

R-3 (Legal Action):
As a matter of policy, the Sonoma County Civil Grand Jury conducts no investigations when legal proceedings involving parties to the complaint are ongoing. Therefore, the Jury will take no action on your complaint of __________ at this time.
Policies and Procedures Manual

R-4 (Time Constraints at End of Year):
The Sonoma County Civil Grand Jury has received your complaint dated _______.
Due to time constraints, the information gathered to date is being forwarded to the next Jury, being empaneled in July, for their consideration.

R-5 (Lack of Detail):
Your complaint dated _______________ contains insufficient evidence to warrant study by the Sonoma County Civil Grand Jury. Unless you can support your allegations with more specific information, the Grand Jury will take no further action at this time.

R-6 (Matters Before the Court):
In response to your complaint dated_________, the Sonoma County Civil Grand Jury has no jurisdiction over matters before courts. Where there have been perceived irregularities in court proceedings, the aggrieved party has access to other procedures within the court system.
At this time, the Jury will take no action on your complaint.

R-7 (Jurisdictional):
The topic of your complaint dated ________ is not within the jurisdiction of the Sonoma County Civil Grand Jury. Therefore, the Jury will take no further action on this matter.

R-8 (Resolution):
It is the understanding of the Sonoma County Civil Grand Jury that the matter referred to in your complaint of__________ has been resolved. Accordingly, the Jury will take no further action.

R-9 (Second Presentation):
The matter referred to in your complaint dated________ was presented to a previous Grand Jury and following consideration, the case was closed.
Unless you can furnish evidence of a more recent occurrence and/or new data, this case will not be reopened.

R-9X (Persistent Complainant)
Add to R-9: No further correspondence from you will be acknowledged.

R-10 (Refusal after Preliminary Inquiries):
The Sonoma County Civil Grand Jury has made (preliminary) inquiries into the circumstances relating to your complaint dated_______ and concluded that no further action by the Jury is warranted.

R-11 (Civil Grand Jury/No Criminal Investigations):
Your complaint dated ________ contains allegations of criminal wrongdoing. Please understand that the Sonoma County Civil Grand Jury is responsible for investigating civil matters. Because your complaint raises criminal rather than civil issues, the Sonoma
Policies and Procedures Manual

County Civil Grand Jury suggests that you may wish to contact your local law enforcement agency.

Therefore, the Grand Jury will take no further action on your complaint.

**R-12 (Referral to Other Agency)**

The topic of your complaint dated ________ is not within the purview of the Sonoma County Civil Grand Jury. Therefore the Jury will take no further action on the matter at this time.

From the information submitted, you may wish to consider directing your complaint to ________.

**C-Letter (Courtesy Notice on Close of Investigation)**

The Sonoma County Civil Grand Jury has completed its inquiry into the ________ and determined that no further action is required at this time. If new information is received, further investigation may be conducted at that time.

Thank you for assistance and cooperation with this matter.

**Modification of Standard Letters**

In the event that a committee of the Grand Jury encounters circumstances which require the use of a more customized letter to the complainant, please note the following:

Any changes to the language contained in Case Closure Letters must be approved in writing by County Counsel. Careful consideration should be given to requests to change the language with the advisement that the recipient may later refer to, make public, or consider the R-Letter as “advice” or “legal opinion” rendered by the Grand Jury. Therefore, the R-Letters should not contain language that may be misconstrued and as such, they should avoid making referrals to other agencies, making apologies, agreeing or disagreeing with the complainant, divulging any part of the deliberations of the Jury, or generally stating more than absolutely necessary regarding the Grand Jury’s decision to take no further action. R-Letters should be succinct and to the point.
Committee Forms:

Committee Preferences

Print Name: ______________________________________

Please indicate below, your first, second and third choice of Standing Committee preference and optional Ad Hoc Committee. Your committee selection(s) will enable you to participate in a particular area of government that you are most interested in (see description of the committees in the Policies and Procedures Manual).

_____ Cities and Special Districts          Editorial____

_____ County                              Outreach____

_____ Human Services                      Ad hoc Committees – Publications____

_____ Law and Justice                      IT and Training____

_____ Continuity

Ballot for Election of Officers

Please indicate below your vote for each Grand Jury Officer:

_________________________ Pro Tem

_________________________ Corresponding Secretary

_________________________ Recording Secretary

_________________________ Treasurer

_________________________ Sergeant at Arms
Meeting Forms:
Sample Agenda

Sonoma County Civil Grand Jury
Agenda
DATE

10:00  Review and Approve (MMM DD) Meeting Minutes .................................. All
10:03  Announcements ......................................................................................... All
10:07  Officer Reports ......................................................................................... Officers
10:30  Committee Reports
      • Law & Justice .................................................................................. Chair
      • Cities ................................................................................................. Chair
      • County ............................................................................................... Chair
      • Human Services .................................................................................. Chair
      • Editorial ............................................................................................. Chair
11:00  Break......................................................................................................... All
11:20  Old Business ............................................................................................ All
11:30  New Business............................................................................................ All
12:00  Adjourn

Next Meeting: 10:00AM, Tuesday, MMM DD, YYYY

Deadline if applicable

XX

Investigation Forms:
Request for Investigation (RFI)

REQUEST FOR APPROVAL OF INVESTIGATION
Policies and Procedures Manual

To: YYY1-YYY2 Grand Jury

From: (Committee and Source i.e. citizen complaint, self-initiated)

Date:

Investigation Title:

Issue: (Brief overview of what is to be investigated.)

Background: (Short background on the subject, government and department. Any history of complaints or past GJ investigations.)

Objective: (What is the intention of the investigation and how is it expected to support positive change within Sonoma County.)

Subjects to Probe: (List of the subject areas to be researched and probed during all stages of the investigation).
Request for R-Letter

To: YEAR Grand Jury

From: (Committee)

Date:

Complaint #:

Complainant:

Allegations:

Findings:

Recommendation:
Admonishment

Notice to Grand Jury Witness

Your appearance before the Grand Jury is governed by the California Penal Code, which includes strict requirements of secrecy.

You are admonished not to reveal to any person, except as directed by the court, which questions were asked or what responses were given or any other matters concerning the nature or subject of the Grand Jury’s investigation which you learned during your appearance before the Grand Jury, unless and until such time as a transcript (if any), or a Final Report, of this Grand Jury proceeding is made public or until authorized by this Grand Jury or the court to disclose such matters. A violation of this admonishment is punishable as contempt of court.

The Grand Jury recognizes and appreciates your assistance and cooperation.

I have read and understand this notice.

Witness: ___________________________ Date: _______________

Printed Name: ________________________________

Agency Name: ________________________________

Committee Chair: ___________________________ Date: _______________
Sonoma County Civil Grand Jury

Oath and Secrecy Obligation Statement

Oath of Truthfulness

(Issued before the interview leader begins the questioning. Must be administered by the Foreperson.)

For the record please state your name: ________________________________

Agency Name: ________________________________

Please raise your right hand.

Do you solemnly swear (or affirm) that the testimony you are about to give is the truth, the whole truth and nothing but the truth (so help you God).

Answer: ________________

Witness Signature: ________________________________ Date: ________________________________

Printed Name: ________________________________

Grand Juror Signature: ________________________________

Grand Juror Printed Name: ________________________________
Witnesses Right to Counsel

Effective January 1, 2017, any witness who is called to give testimony under oath may not have counsel present while he/she is testifying.

Waivers of Rights

In some cases complainants may waive their rights to privacy in order to enable the Grand Jury to investigate their complaint. In such cases they must formally instruct the appropriate entities to allow Grand Jury access to what would otherwise be protected information. The following forms (Pages 64-66) should be used in such cases.

District Attorney Waiver Form Signed by Complainant

NAME
Sonoma County District Attorney
600 Administration Drive, Rm. 212J
Santa Rosa, CA 95402

Dear NAME:

Please allow members of the 201X-201X Sonoma County Civil Grand Jury to inspect and make copies of all documents in your Family Support Division file #:

_____________________________________________________

which I would be allowed to inspect and copy. My Social Security number is:

_____________________________________________________

Sincerely,
(COMPLAINANT)

Note: The Family Support Division no longer reports to the D.A. as of 2002.
Waiver: District Attorney Information Request

(After receipt of signed waiver above)

NAME
Sonoma County District Attorney
600 Administration Drive, Rm. 212J
Santa Rosa, CA 95402

Dear NAME:

Re: Release of records to Sonoma County Civil Grand Jury

Please provide payment history for the amount of

FSD#: ........................................................................
File #: ........................................................................
Social Security Number: ...............................................
For the period of: ..........................................................

Enclosed is a letter signed by COMPLAINANT authorizing release of information from his/her file.

The payment history should include the dates each payment was received and credited, the month to which each payment was applied, each monthly obligation, any unpaid balances, any interest generated by an unpaid balance, and the source of each payment, e.g. attachment, garnishment, direct payment by ________________________.

For the Sonoma County Grand Jury

NAME, Foreperson
This is to certify that I, ___________________________ (print name) have contacted the Sonoma County Grand Jury regarding the processing of my juvenile dependency case by the Sonoma County Department of Human Services. By signing this Waiver I am hereby authorizing the Grand Jury to reveal my identity to the Department of Human Services, and if necessary, to the Juvenile Court and other parties to the dependency case.

To facilitate this investigation, I hereby authorize the Human Services Department to share information with the Grand Jury from the Department's file related to my role in the dependency proceedings as well as to my specific concerns. I understand that I can only waive information that is directly related to me. By signing this Waiver, I further understand that in agreeing to release confidential information, such information may include my psychological evaluation and the allegations contained in the Juvenile Dependency Petition.

Nothing contained in this Waiver expands or alters my right to review Human Service Department records. I have read and understand the above waiver and have had an opportunity to discuss it with my attorney.

Signature: ______________________________________ Date: _____________________
The Sonoma County Civil Grand Jury

PO Box 5109 Santa Rosa, California 95402
(707) 565-6330
http://sonoma.courts.ca.gov

Re: Juvenile Dependencies of: ____________________________________________
Sonoma County Juvenile Court Case Number: _______________________________

Dear Judge ____________,

The 2014-2015 Sonoma County Grand Jury is investigating allegations concerning Child Protective Services (CPS). The jury received a citizen complaint alleging that CPS did not ________________________________

In order to investigate and evaluate the validity of this allegation, in accordance with its duty to investigate complaints about County agencies, the jury finds it necessary to examine CPS records relating to the case of:

__________________________________________

Specifically, the jury needs to review the

__________________________________________

Therefore, the Sonoma County Grand Jury petitions to examine the above-mentioned records pursuant to Section 827 of the State Welfare and Institutions Code. The jury believes that in this case the needs of the jury outweigh the minimal effect on the children's privacy rights. The jury will follow its code of strict secrecy to protect the children's privacy.

Sincerely,

Foreperson
Sonoma County Civil Grand Jury
FORMAL WRITING – A Style Guide

1. **Age terms** – p. 375: a three-year-old child; a forty-eight-year-old male; she is thirty-seven; eight years old

2. **Capitalization** - p. 403, et seq.: Board of Supervisors; the state of California; the county of Sonoma; Sonoma County; the State; the County; Special Districts (?); lowercase for generic references: federal, county, state, city

3. **Compounds/Hyphens** – p. 375 et seq.: one-half; one twenty-fifth; a quarter-cent increase; NOTE – use the Dictionary for currently accepted compound/hyphenated words. History favors union – See, on line, on-line, online

4. **Commas** – p. 311: the smallest break in sentence structure, as in a light pause; the serial comma is preferred; “Effective use of the comma involves good judgment, with ease of reading the end in view.”

5. **Dates** – p. 475: May 22, 2016; July 2016; August ninth; (all-numeral styles of writing dates, e.g., 12/25/16, are not used in formal writing (exception – 9/11)

6. **Dashes (en and em)** - pp. 331 et seq.: used instead of commas, parentheses, or colons; hyphen is-; en is--; em is ---; to connect numbers, words, dates, and times

7. **Fiscal Years** – p. 340: fiscal years 2005/6-2009/10; FY 2015-16

8. **Money** – p. 472: per general principle, spell out whole numbers of one hundred or less; seventy-five cents; fifteen dollars; eighty-three dollars was quickly spent (NOTE singular verb). Sums of money more than one hundred dollars are usually expressed by numerals or, for numbers of a million or more, by a mixture of numerals and spelled-out numbers; an offer of $1,000; a ten-year, $250 million contract; an additional $7.3 billion
9. **Numbers** – p. 464: in nontechnical contexts, i.e., formal writing, spell out whole numbers from zero through one hundred; thirty-two children; ninety-nine-year lease; 103 years old; parking for 540 more cars; the population now stands at 5,893; the population grew from just under 30,000 in 1850 to nearly 1.7 million by 1990; whole numbers followed by hundred, thousand, or hundred thousand are usually spelled out: three million; three hundred million; seven hundred spectators; one thousand years; cardinal = 5/ordinal = fifth; 
NOTE: be consistent in text

10. **_percents** - p. 470: usually expressed in numerals, and in nontechnical contexts, the word percent is used; 3 percent; 75 percent; 5.9 percent

11. **Publications** - p. 716: facts of publication – place, publisher, date etc.; in the text, usually italicize the titles of books or reports

12. **Quotations** - p. 623: quotes are either run-in to surrounding text and enclosed in quotation marks, or set off as a block quotation. Short quotations should be run-in. Block quotations do not use quotation marks and always start a new line; they are either indented, or set in smaller type or a different font, as decided by the publisher. Quotations of a hundred words or more (usually six to eight lines) are generally block quotations, are generally preceded by a period, rather than a colon, and begin with a capital letter. If the text that follows a block quotation is a continuation of the paragraph, it begins flush left.

13. **Time** – p. 477: usually spelled out; with o’clock, the number is always spelled out; we begin at five o’clock; the meeting continued until half past five; we will resume at ten thirty; however, use numerals when exact times are emphasized, with lowercase a.m. and p.m.; 2:54 p.m.; 11:00 a.m.


15. **Shortened citations** – p. 667: “Ibid.” refers to a single work cited in the immediately preceding text; “Id.” is disfavored and rarely used.
Policies and Procedures Manual

16. **Word usage** - Strunk & White, p. 59: “that” and “which”: “That” is the defining or restrictive pronoun – The lawn mower that is broken is in the garage. “Which” is the nondefining, nonrestricting pronoun – The lawnmower, which is broken, is in the garage.

17. **Bibliographies** – p. 684 et seq.: a single, alphabetical list by author or if no author, by title or keyword that readers are most likely to seek; also, many pages of representative bibliographies

18. **Editing** – pp. 70, 93: Substantive editing deals with organization and presentation of content; Proofreading is the process of reviewing the “final” text to find and correct errors

Resources: *The Chicago Manual of Style, Sixteenth Edition*

*The Elements of Style, Strunk and White, Fourth Edition*

*The American Heritage Dictionary, Third Edition*
Notification to Department Head for Exit Interview

The Sonoma County Civil Grand Jury
PO Box 5109 Santa Rosa, California 95402
(707) 565-6330
http://sonoma.courts.ca.gov

(Used only if the Grand Jury decides to meet with the target agency head prior to publication of the Final Report)

DATE

Dear NAME,

The YYY1–YYY2 Sonoma County Civil Grand Jury anticipates issuing a report involving your department. The California Penal Code § 933 allows the Grand Jury to meet with the subject of any investigation prior to the report being issued in order to review and discuss the contents of the report.

Accordingly, the Grand Jury requests that you call the undersigned at (707) 565-6330 to set a mutually agreeable appointment date to meet with the members of the jury. We anticipate the meeting to be less than an hour.

For the Sonoma County Grand Jury,

NAME, Foreperson
DATE

Name and Title
Department Name
Address
City, State, Zip

RE: Hand Delivery of Sonoma County Civil Grand Jury Final Report

Dear NAME,

The YYY1–YYY2 Sonoma County Civil Grand Jury has issued the enclosed Final Report, which includes issues under your jurisdiction. We provide you a copy in advance of publication pursuant to Penal Code § 933.05(f). Please note and adhere to the last sentence of this section of the Code: “...No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.”

The Grand Jury recognizes and appreciates your assistance and cooperation.

Sincerely,

NAME, Foreperson
Sonoma County Civil Grand Jury

I have read and understand this notice.

Signed: ___________________________ Date: ___________________
Printed Name: ___________________________
Agency/Department: ___________________________
Grand Juror Signature: ___________________________
Grand Juror Printed Name: ___________________________
Dear NAME,

RE: NAME OF THE REPORT

Enclosed please find a copy of the above report issued by the Sonoma County Civil Grand Jury, which includes issues under your jurisdiction.

We provide you a copy in advance of publication pursuant to Penal Code § 933.05(f). Please note that the Penal Code specifically prohibits any disclosure of the contents of this report by a public agency or its officers or governing body prior to its release to the public, which will occur two (2) days after the date of this letter.

The Grand Jury requests that you respond in writing to the Findings and Recommendations as requested or required in the report pursuant to Penal Code § 933.05 (copy enclosed). Penal Code Sections 933.05(a) and 933.05(b) are specific as to the format of responses. A response report form is included.

The Penal Code is also specific about the deadline for responses. You are required to submit your responses to the Presiding Judge within sixty (60) days. Governing bodies such as the Board of Supervisors, elected officials, and City Councils have an additional thirty (30) days to submit responses.

Your responses should be submitted within the appropriate timeframe in hard copy, to the Honorable NAME, Presiding Judge of the Superior Court and the Foreperson of the Sonoma County Civil Grand Jury. We ask that you respond in separate letters if you are a required respondent in more than one of this year’s Grand Jury reports.
Policies and Procedures Manual

Hard copy to: The Honorable NAME
Presiding Superior Court Judge
Hall of Justice
600 Administration Drive
Santa Rosa CA 95403

Hard copy to: Foreperson
Sonoma County Civil Grand Jury
PO Box 5109
Santa Rosa CA 95402

Responses are public records. The clerk of the public agency affected must maintain a copy of your response. Should you have any questions, please contact me at (707)565-6330 or at the above address.

Sincerely,

NAME, Foreperson
Sonoma County Civil Grand Jury

Enclosures: Grand Jury Final Report
Response to Grand Jury Report Form
Penal
Penal Code Sections 933 and 933.05 excerpts
Policies and Procedures Manual

Response to Grand Jury Report Form

Report Title: ________________________________________________________________

Report Date: __________________________________________________________________

Response by: __________________________ Title: _________________________________

Agency/Department Name: ______________________________________________________

FINDINGS:

I (we) agree with the findings numbered: ________________________________________

I (we) disagree wholly or partially with the findings numbered: ______________________

(Attach a statement specifying any portions of the findings that are disputed with an
explanation of the reasons.)

RECOMMENDATIONS:

Recommendations numbered: ____________________________________________________

have been implemented.
(Attach a summary describing the implemented actions.)

Recommendations numbered: ____________________________________________________

have not yet been implemented, but will be implemented in the future.
(Attach a timeframe for the implementation.)

Recommendations numbered: ____________________________________________________

require further analysis. _______________________________________________________

(Attach an explanation and the scope and parameters of an analysis or study, and a
timeframe for the matter to be prepared for discussion by the officer or director of the
agency or department being investigated or reviewed, including the governing body of the
public agency when applicable. This timeframe shall not exceed six months from the date
of publication of the Grand Jury report.)

Recommendations numbered: ____________________________________________________

will not be implemented because they are not warranted or are not reasonable.
(Attach an explanation.)

Date: ___________________________ Signed: _________________________________

Number of pages attached: _____________________
Penal Code §§933 and 933.05 Excerpts

Following are pertinent excerpts from the California Penal Code concerning responses to Civil Grand Jury reports:

Section 933(c): “No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the Presiding Judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor shall also comment on the findings and recommendations. All of these comments and reports shall forthwith be submitted to the presiding judge of the superior court who empaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency and the office of the county clerk, or the mayor when applicable, and shall remain on file in those offices. One copy shall be placed on file with the applicable grand jury final report by, and in control of the currently Empaneled grand jury, where it shall be maintained for a minimum of five years.”

Section 933.05(a): “For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:

1. The respondent agrees with the finding.
2. The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.”

Section 933.05(b): “For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

3. The recommendation has been implemented, with a summary regarding the implemented action.
4. The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
5. The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.
6. The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.”
Section 933.05(c): “However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.”

Section 933.05(f): “A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the Presiding Judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.”

Section 933(a) provides in part that “For 45 days after the end of the [grand jury] term, the foreperson and his or her designees shall, upon reasonable notice, be available to clarify the recommendations of the report.”
I acknowledge having received ______ copy(ies), by hand delivery, of the 2014-2015 Sonoma County Civil Grand Jury Final Report intended for reference and retention by the

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

Signature: ________________________________________________________________
Printed Name: _____________________________________________________________
Agency/Department Name: ___________________________________________________
Date: _____________________________________________________________________

To be mailed back to the Grand Jury office at the address above after complete.
DATE

Dear: NAME,

Your (AGENCY, DEPARTMENT, DISTRICT, POLICE DEPTS., ETC.) was issued a copy of the Final Report of the 2017-2018 Sonoma County Civil Grand Jury.

California Penal Code Xs 933 and 933.05 set forth the requirements for responding to that report. Penal Code § 933.05 also stipulates response language and required content. Heads of the agency, department or district, elected or appointed, are required to respond to the Presiding Judge of the Superior Court within sixty (60) days of the issuance of the Final Report, which was (insert date). Governing bodies such as the Board of Supervisors have an additional thirty (30) days, which is (insert date).

Our records show that your response was due on DATE. We anticipate your prompt attention to this matter.

If you have any questions please call the Grand Jury office at the number listed below.

For the Sonoma County Grand Jury,

NAME, Foreperson

Response Report Distribution List

<table>
<thead>
<tr>
<th>Distribution</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grand Jury Office</td>
<td>2</td>
</tr>
<tr>
<td>Grand Jury File</td>
<td>1</td>
</tr>
<tr>
<td>Court CAO</td>
<td>1</td>
</tr>
<tr>
<td>Presiding Judge</td>
<td>1</td>
</tr>
<tr>
<td>All County Libraries</td>
<td>11</td>
</tr>
<tr>
<td>Sheriff</td>
<td>1</td>
</tr>
<tr>
<td>Probation Department</td>
<td>1</td>
</tr>
</tbody>
</table>
Policies and Procedures Manual

Foreperson 1
County Administrative Officer 1
Board of Supervisors 5

Total: 25

NOTE: This list is provided for information only. Distribution is handled by the Court.
Appendix B: Grand Jury Resources

Fax Cover Sheet: Grand Jury Press Release

The Sonoma County Civil Grand Jury

FAX
GRAND JURY
PRESS RELEASE
FOR IMMEDIATE RELEASE
Policies and Procedures Manual

Information Technology Services to the Grand Jury

HELP DESK 565-2030

For help with computer issues not covered in this manual, please see the directory “Grand Jury Technology Training Materials Walkthroughs” for assistance.

Computers and Devices Connected to the Network

In the Grand Jury office there is one desktop. All laptops (19) provided to grand jurors and the office computer are running Windows 10. Office was downgraded to Version 2010 and additionally “tweaked” by ISD for security purposes.

The desktop (SN#2SYR8Y1) is scheduled to be replaced in FY 18-19.

There is one printer on the network in the grand jury offices.

All devices are fully supported by ISD. Grand jurors’ laptops will be either serviced and fixed by ISD or replaced with another laptop.

The County Network is accessible from county offices and most areas of the Los Guilicos complex. Away from the County Network you can access the Network thru VPN (Virtual Private Network).

Voice Over Internet Protocol (VoIP)

In April, one Cisco 8945 IP Phone was installed for extension 6330 and attached to the VoIP network. The fax line 6328 remained analog. Both Cisco Jabber for instant messaging and presence were installed. Cisco My Phone was installed on the desktop as a shortcut to set speed dials and other features.

Email

Email accounts were created for the Grand Jury members and are available via Outlook on their county computers. Email sent through the County network is encrypted. Email regarding any Grand Jury matter should only be sent via the County network or Outlook Web Access. Jurors are encouraged to create archive folders to save their emails as the County policy is “emails are automatically deleted at 60 days” if in the inbox or folders NOT in Managed Folders/Archive. Specific instruction to create archive folders is in the Technical Training directory on the shared drive. Emails are deleted at the end of the term when the accounts are deleted.

Each juror has been provided an Active Directory (AD) account (required for a mailbox) and email account for Outlook Web Access only. In addition, the Grand Jury has a generic mailbox grand.jury@sonoma-county.org account. The AD account is gjury.

Many jurors sync their Smart Phone and other mobile devices with County email. These devices should only be used for Grand Jury business if they are password protected.

OWA works on Internet Explorer 9, 10, 11 and 13. It also works with Google Chrome and Safari.
Policies and Procedures Manual

Passwords
The County requires a password that contains at least 8 characters and includes complex passwords. Following County policy, we are required to update our passwords every three months.

Wireless Access Points
County wireless is available in all Grand Jury offices. The SSID for public wireless “SONOMA” was made available which no longer requires a password for access to the wireless network.

E-Discovery
Jeff Berk, Counsel, advised that since the Grand Jury is a confidential body, their email is not subject to e-discovery.

Shared Drive
County email size is restricted to 30 MB inbound/outbound. The Grand Jury has a confidential, shared file system on the County server.

Responsibilities
County Administrator
1. Review Computer Use Policy with incoming Foreperson.

Grand Jury
3. Provide names of new Jurors and changes to Juror roster with committee affiliation.
4. The “gjury” mailbox password will be changed annually with each new Foreperson.
5. Coordinate annual Grand Jury training with ISD manager.

Information Systems
Active Directory / Email Accounts
6. Submit annual changes on behalf of customer via the Online Security Authorization Form.
7. Disable prior year’s AD / Email accounts.
8. Create new AD / Email accounts.
9. Request changes to distribution lists.

Desktop modernization program
11. Identify any devices scheduled for replacement and assist, if needed, with procurement process.
Virtual Private Network for SharePoint

13. Request new VPN Accounts on behalf of customer.

In order for jurors to access Outlook Web Access while connected to VPN, NIT needs to update the VPN access control list to allow traffic destined for OWA to traverse the VPN tunnel. Typically, the VPN tunnel only allows traffic for access to specific resources (SharePoint, Remote Desktop, etc).

Training Provided

15. Provide annual training to the full body.
16. Provide training to any alternates, as needed.
17. Develop documentation as needed.
18. Provide hands on training.
19. At the time of training, new users will be asked to log in the first time to a networked computer in order to change their password (forced password reset.)

Training Specifics

Network Policies (as applicable.)

20. Email encryption (county vs. personal email addresses)
21. 60-Day email retention policy
22. Complex password policy
23. Lock out policy

Outlook Web Access

24. Logging in to OWA (Handout)
25. Password Unknown/Locked Account /Incorrect Message
26. Create a New Mail
27. Attach a document
28. Global Address List
29. Create a signature & confidentiality clause
30. Log Off
31. Create an archive folder – archive email using OWA. (Handout)
32. Create a Rule to Auto Move Messages to a Managed (Archive) Folder Using OWA (Handout)
Mobile Devices

33. Configure email.
155 N Pythian Road, Santa Rosa, California

Driving Directions

From Santa Rosa:
Head SOUTH on Hwy 12.
About 7 miles from Calistoga Road, turn LEFT at Pythian Road stoplight.
Bear LEFT into Los Guilicos complex.
Take immediate RIGHT at Casa Manana onto a long driveway to large open parking lot.
Building K is on the LEFT, next to Firing Range.

From Sonoma
Head NORTH on Hwy 12.
About a mile NORTH of Lawndale Road, RIGHT at Pythian Road stoplight.
Bear LEFT into Los Guilicos complex.
Take immediate RIGHT at Casa Manana onto a long driveway to large open parking lot.
Building K is on the LEFT, next to Firing Range.
Policies and Procedures Manual

Map to the Sonoma County Complex
This form is to be completed by each Sonoma County Grand Juror at the conclusion of service due to resignation, termination or expiration of term.

I hereby certify that I have performed the following:

1. Destroyed all personal notes, computer files, and recordings relating to any confidential grand jury study or investigation.

2. Returned computer with case, mouse, power cord, and any borrowed cables.

2. Returned to the Grand Jury Room any reference materials or unused supplies.

3. Returned to the Foreperson all Grand Jury door and file keys.

I hereby certify that I shall keep secret whatever any other grand juror or I have said, and in what manner any other grand juror or I have voted on a matter before the Sonoma County Grand Jury.

Name: ___________________________  Key #: __________

Signature: ________________________  Date: __________

Accepted by Foreperson: ____________

Foreperson signature: _________________  Date: __________
Link to the Penal Code

http://leginfo.legislature.ca.gov/faces/codes.xhtml
Policies and Procedures Manual

Index

Alternate Juror .............................. 15, 19
Attorney General .......................... 19, 29, 30
Committee Chair 8, 13, 18, 22, 26, 30, 31, 39, 41, 42, 43
complaints .............................. 10, 18, 21, 22, 38, 39, 44, 49, 62, 67, 74
Consolidated Final Report ............... 45, 50
Corresponding Secretary .............. 7, 22, 38, 39, 43, 44, 65
County Counsel .......................... 9, 18, 28, 29, 30, 34, 36, 39, 43, 45, 46, 48, 49, 50, 51, 55, 64
District Attorney ......................... 9, 18, 19, 28, 29, 30, 33, 34, 38, 44, 71, 72
Document Retention ...................... 55
Editorial Committee ..................... 32, 34, 35, 45, 46, 49, 50, 51
Foreperson ................................. 10, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 34, 35, 37, 39, 42, 43, 48, 49, 50, 51, 55, 70, 73, 74, 78, 79, 80, 81, 86, 87
holdover .................................... 13, 14, 30, 44
Information Technology Liaison ......... 21
ISD ................................ .......... 13, 21, 36, 89, 90
Master Calendar .......................... 22, 38, 55
Plenary ................................. 10, 11, 13, 15, 18, 22, 23, 26, 27, 28, 30, 31, 32, 34, 35, 38, 39, 40, 43, 44, 46, 48, 49, 50, 55
Presiding Judge ......................... 8, 9, 11, 13, 14, 15, 18, 26, 28, 29, 36, 43, 45, 49, 50, 51, 80, 83, 84, 86
private counsel .......................... 30
Pro Tem ..................................... 18, 19, 65
Recording Secretary ................... 20, 21, 65
Sergeant at Arms .......................... 16, 23, 24, 65
Training ................................. 13, 18, 26, 27, 35, 36, 41, 44, 45, 48, 89, 90, 91
Treasurer .................................. 15, 24, 25, 26, 27, 28, 33, 65