

Civil Grand Jury Basics



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What Is a Civil Grand Jury?



- The San Mateo County Civil Grand Jury is an independent investigative body created by the California Constitution (Article I, Section 23).
- The law governing Grand Jury formation, authority, powers and proceedings, is found in Part 2, Title 4, of the California Penal Code, Sections 888-939.91.
- Composed of nineteen citizens and impaneled to act as an "arm of the court," the Civil Grand Jury serves as a "watchdog for citizens of the county."

Role of Civil Grand Jury



- Receive and investigate complaints by individuals regarding the actions or performances of county or public officials
- Inquire into the condition and management of public prisons
- Investigate and report on “operations, accounts and records” of officers, departments or functions in the county and cities, JPAs and Special Districts in the county

Juror Selection



- US citizen, at least 18 years old, has resided in County for at least 1 year
- Applications solicited each February/March, reviewed by Grand Jury Judge
- Preference for diverse jury membership
- Jurors selected by random draw
- Holdover jurors
- Term begins July 1st

What Does the Grand Jury Do? (As a Practical Matter)



- Pre-investigation Work
- Investigations (based on “Investigation Proposals,” aka “IPs”)
- Report Writing

Job of the Civil Grand Jury



- Act as a finder of fact
- Determine if the official or entity is adhering to the laws that govern the operations of the entity
- Analyze whether entity is operating in a businesslike manner and providing public services effectively and economically

Limits on Grand Jury



- Cannot involve recommendations regarding actions to be taken by the federal or state government
- Cannot involve recommendations regarding actions to be taken by the courts
- Cannot involve purely private disputes

Powers of Grand Jury



- Can choose which governmental entities or officials to investigate
- No authority to order compliance with recommendations
- Can only issue reports, but reports can be influential
 - Reports can attract attention of media
 - Thus attracting attention of constituents of investigated officials
 - Can create public pressure to prompt implementation of recommended changes

Report Process



- GJ submits final report of its Findings and Recommendations no later than the end of its term to the Presiding Judge of the Superior Court
- Local governmental entity to which a report is directed is required to answer both the Findings and Recommendations in writing and within a specified period of time after the issuance of the final report
 - ✦ 60 days for officials or agency heads
 - ✦ 90 days for governing bodies

Response Process



- Departments provide input based on their work
- Board of Supervisors considers Grand Jury report and County response
- Response voted on during consent agenda

Providing Input to Board



- Fill out a speaker's slip located in the box on the wall in the anteroom as you enter the Board Chambers.
- If you have anything that you wish distributed to the Board and included in the official record, please hand it to the Clerk of the Board who will distribute the information to the Board members and staff.
- PLEDGE OF ALLEGIANCE
- ROLL CALL
- PUBLIC COMMENT
- This item is reserved for persons wishing to address the Board on any County-related matters that are as follows: 1) Not otherwise on this meeting agenda; 2) **Listed on the Consent Agenda**; 3) County Manager's Report on the Regular Agenda; or 4) Board Members' Reports on the Regular Agenda. Public comments on matters not listed above shall be heard at the time the matter is called.
- Speakers are customarily limited to two minutes, but an extension can be provided to you at the discretion of the Board President.

Providing Input to Board

