



THE

NEWSLETTER

GRAND JURORS ASSOCIATION OF ORANGE COUNTY

Volume 17, No. 3

10064 Sunn Circle, Fountain Valley CA 92708

August, 2003

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JOIN US FOR LUNCH
Thursday, September 4
at Phoenix Club
1340 S. Sanderson Ave. Anaheim

Speaker:

Julia R. Schoen, Esq.
Medicare Expert



A MESSAGE FROM THE PRESIDENT

Watchdog

Our county recently passed its two hundred and twenty seventh birthday, and as we should, we reflect on the freedoms we enjoy in this great country of ours. However, with the myriad of legislation emanating from our various legislative bodies, the question is, how long can our freedoms survive? It is sometimes said that one's freedoms end where another's begin. But I think that we are almost beyond that point today. The ability of grand juries to function is restricted by legislative bodies as well as court rulings. We have all heard the term, "runaway juries" when referring to some grand juries' actions. But when do you hear the term "runaway legislatures", unless you are a resident of the state of Texas where they flee the state to avoid action?

The grand jury system remains one bastion of active

citizen involvement in a participatory government. All of us have a duty to involve ourselves in knowing what our legislators are doing. We should keep watch, as our California Legislature is changing and limiting the powers of grand juries. The nineteen concerned citizens that comprise each county grand jury represent one of the last ways of being an effective governmental watchdog. Let us not allow their powers to be diminished. I think grand jurors who have served have left their year of duty with a greater understanding of the local government that serves them.

Elwood Moger, the president of the California Grand Jurors Association has extended to you an invitation, whether you are a member of the state organization or not, to attend the Association Conference in Ventura, California on October 17, and 18th, 2003. I hope to see you all at the September 4th luncheon at the Phoenix Club. I also hope to see some of you at the State Conference in October. Remember that we will only keep our freedoms if we diligently work to preserve them.

--Royal Lord, president

SEPTEMBER LUNCH PROGRAM

Think you're too young - or too old to worry about Medicare Health Insurance or Long Term Care Insurance? **Think again!**

Our speaker - Julie Schoen - is Counsel for HICAP (not hiccup). This valuable health insurance advisory program is going on in Orange County right now. Whatever age you claim, you want to hear this speaker.

LUNCH WITHOUT PRIOR RESERVATIONS

As many of our members have become cavalier about making reservations for lunch at our Grand Jury lunch meetings at the Phoenix Club, we have had to change the "walk-ins" policy. Due to the Banquet Department at the Phoenix Club's complaint that they cannot continue to accommodate additional meals without proper notice, the following change has been made.

Starting immediately the price of lunch will be increased from the current \$15.00 per person to \$20.00 per person should an individual not hold a prior reservation for a specific number of guests and members. Lunch reservations and/or cancellations must be made by the Monday before the lunch.

The standing policy of charging for lunch if a reservation is not cancelled by the cut-off date (see above) will remain in force.

The Board of Directors has determined that this is a fair and equitable policy based in part on the fact that the Association has been subsidizing a portion of the Phoenix Club's charge for several years.



JUNE SPEAKER - THE HONORABLE DAVID O. CARTER

On June 5, our luncheon speaker was U.S. District Judge David O. Carter, an old friend of the Orange County Grand Jury. Carter took us into the dark and brutal world of the "Mexican Mafia" as he shared with us the situation surrounding a 2001 death penalty case over which he presided.

The Mexican Mafia is made up of disciplined, highly organized street gangs, many of which are controlled from prison where racism is a major factor. The Black gangs (Crips and Bloods), the Aryan Brotherhood, and the Hispanics are engaged in a constant violent war in California penitentiaries: The famous "gladiator" confrontations arranged by the guards at Corcoran State Prison in the 1990s were based on predictable racial hatred patterns.

We were told of an inmate serving a life sentence at Pelican Bay, Benjamin Peters, who acted as so-called godfather of Los Angeles Hispanic gangs and set "tax" rates for street criminals in order to bankroll his operations. At the time, Los Angeles streets were under his control.

Carter told of the traffic in narcotics inside penal institutions. Prisoners can demand ten to fifteen times the street price of drugs in the slammer. We learned of

inmates hiding narcotics and their "shanks" (knifelike weapons) in body cavities, and of keeping a handcuff key hidden in a nostril. We heard audiotapes of conversations between gang members during a jailhouse killing.

A strict code of conformity and obedience is strong in the Mexican Mafia. And settling of scores is swift and vicious. Criminals pass through county jails en route to Pelican Bay, San Quentin, and Folsom. At any stop along the way there can be a sudden dispensation of gang justice.

Carter, a Superior Court judge for 18 years at the Santa Ana courthouse, told us that he feels a great warmth and respect for the Orange County Grand Jury. The feeling is mutual. Or as the Mexican Mafia would put it, we're *muy simpatico!* Thanks, David, for the entertaining and enlightening talk.

LEGISLATIVE UPDATES

- AB312 (Spitzer) - removes responsibility to respond to Grand Jury reports unless GJ breaches confidentiality.* On hold (2 year bill). "Substantive hearings" promised for this summer not on horizon - anywhere. Spitzer had AB1055 passed and signed. The new statute restricts the DA's so-called "slush funds" to proper uses for civil and procedural work only. Size of the funds to be determined on a county by county basis.

- SB307 (Ackerman) - (change Grand Jury powers and composition). On hold (2 year bill) ...no action promised until spring.

- SB653 (Florez) - Amends §929PC and §829 WIC to authorize GJ to inspect juvenile case files. (2 year bill) Deserves our support.

NOTES MISCELLANEOUS

TREASURERS REPORT

As of July 31, 2003
Checking account balance:
\$5,766.15
Custom Time Deposit:
\$3,360.66
Total Reserves:
\$9,126.81
Joe Quiros, Treasurer

ROCKY HEWITT RETIRES

The organizing committee has extended an invitation to all O.C. grand jurors, past and present, to attend a retirement party for Dr. John Rocky Hewitt, Assistant Sheriff, who is ending his 36-year career with the Sheriff's Department. The event will be held on October 16 at the Hyatt Regency in Irvine. Refreshments will be available 5-6 pm; dinner will be served 6-7 pm. The cost is \$35 per person.

For reservations, please call Community Programs at (714) 647-4133, or you can mail your check to The Retirement Fund, P.O. Box 28, Santa Ana, CA 92702.

Kudos to our Legislative Chairman, Bob Geiss who has been selected to serve as a director on the CGJA.

Providing information to members at quarterly luncheons requires approval. Contact a Board member with your request to distribute hand-out material or to speak.

IN MEMORIAM

Claire Duffié
1992-93 Grand Jury

22nd ANNUAL CONFERENCE

October 17 and 18 -
Ventura, California

All GJAOC members are invited and encouraged to attend the State Annual Conference. A variety of topics will be presented by knowledgeable speakers. The opportunity to learn what other California counties do that is different from Orange County will enable you to appreciate our process and environment.

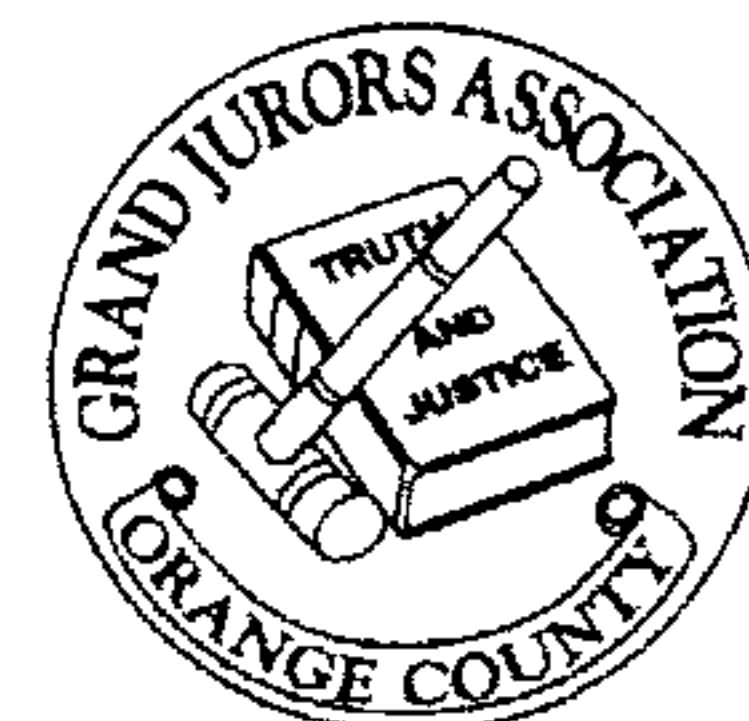
September 1st is the registration deadline. Please call Rose Moreno for more information at (714) 846-3219

GJAOC BOARD ELECTION

Jim Nolan, Chairman of the Nominating Committee, will present a slate of six regular members for election to the Board of Directors at the September Regular Meeting. At that time, with the prior consent of the nominee, candidates may also be nominated from the floor. The cutoff date for nominations by mail is August 15th so, by the time you read this, it will be too late to nominate by mail.

According to the Bylaws of the Association, regular meetings of the Association are held on the first Thursday of March, June, September and December. At the present time these luncheon meetings are held at the Phoenix Club in Anaheim at 11:45 AM.

The Board of Directors meet at 9:00 AM the first Thursday of January, February, April, May, August, October and November. These meetings, currently, are held at the Orange County Credit Union on Ross Street in Santa Ana. The Board meetings are open to Regular Members of the Association. If you are interested in attending a Board meeting please contact any member of the Board of Directors for address and directions.



THE 2003/04 ORANGE COUNTY GRAND JURY

On May 14, the next Grand Jury was selected by drawing in Department C1 of the Central Justice Center in Santa Ana. The 19-member panel resulted from a recruitment drive that encompassed 3,017 applications mailed to prospective jurors. In addition there were flyers, speakers at civic organizations including Spanish- and Vietnamese-speaking groups. Notices were published in newspapers and public service spots on radio and television were prepared and broadcast.

As a result, the new panel is made up of sixteen Caucasians, two Asians and one Black. There are 13 males and 6 females. Age ranges from 32 to 79, with an average of 65.

After a brief training program the new Orange County Grand Jury began its one-year term on July 1, 2003 at 10:00 am when it took the oath of office in Dept. C1.

We congratulate the 2003-04 Grand Jury and wish them God-speed.

The members are:

Marlene Arnold
Warren Benson
Nancy Blaes
Monique Conyers
Alan Friedman
George Fukihara
S. Robert Greenberg
Jan Hagan
David Kalb
Michael Maertzweiler
James McMullen
Larry Means
Joe Moreland
Eiko Nomura
Barbara Parks
Frederick Schreiber
Tom Staple (foreman)
Stephen Turner, Jr.
Eva Van Ginneken

FINAL REPORTS OF THE 2002 - 03 GRAND JURY

All of the following reports of the 2002-03 Orange County Grand Jury are available on the internet in Adobe Acrobat (.pdf) format. To download them go to <http://occourts.org/grandjury/gjreports.asp>

2002-2003 Reports, in order of release (latest reports listed first)

Declaration: More on Continuity
Orange County Government - In Transition
Who Represents Orange County Taxpayers?
The State of Orange County Jails
Medical Resources at Juvenile Facilities
A Shortfall in Proposition 36 Support?
Response to Proposition 36 Support - Anaheim
Response to Proposition 36 Support - Fullerton
John Wayne Airport Security
Cost Saving Opportunities for County Information Technology
Questionable Contract Management
Centerline Redux
Circuits are Busy at the Registrar of Voters
Unresolved County Harassment Complaints
Drug and Mental Health Court Support for the Criminal Offender
Response to Drug and Mental Health Court Support for the Criminal Offender
Into Safe Arms
Proposition 10 Spotlight: Healthy Children - Strong Families
Response From Children and Families Commission of Orange County
Wood Roofs Are Dangerous
Responses to Wood Roofs Are Dangerous
Reversing Juvenile Recidivism
Tracking the Implementation of Grand Jury Recommendations
Response from Orange County Interim CEO

MEASURE M

The lucky lottery winners for the Measure M Oversight Committee are:

| | |
|--------------|------------------|
| 1st District | Jeff Haspell |
| 2nd District | Robert Wahlstrom |
| 4th District | Ernie Nishii |

Congratulations and thanks to all who applied. This 3 year term for Oversight is more important than ever.

PAID MEMBERSHIP

To date we have 195 members for the year 2003. This includes 17 members of the 2002/2003 panel who have been given honorary memberships for the balance of the year.

Of the 178 members from prior years, 71 are women and 107 are men. These represent 32 juries (as early as 1964). The largest number from any one panel is 13 from both 1988/89 and 2000/01.