



# Grand Jurors Association of Orange County



## GJAOC News – Summer 2017

Summer 2017

Page 1

### *President's Message*



As we move into the last half of 2017, I want to share with you some of the accomplishments of the Grand Jurors Association, and some of our goals for the rest of this year.

We have updated our Membership roster. Helen Alberts devoted a lot of time and effort to this project, validating names and addresses so that the Association could be in contact with the membership. Helen passed away unexpectedly in May..... We will miss her.

We recently completed providing a Selection Panel to recruit, screen and recommend to the Orange County Transportation Authority persons to potentially fill vacancies on the Taxpayers Oversight Committee. This committee is an element of the Measure M and M2 transportation initiatives. The committee members are selected by the Transportation Authority. The GJAOC performs this service annually under a contract with OCTA which is negotiated every five years. The OCTA pays the GJAOC \$6000.00 annually for this service.

One of our goals was to improve the relationship between the GJAOC, the seated Jury, and the Court. We have begun that process. We have met with Judge Nakamura, the Assistant Justice for the Jury, David Yamasaki, the new Court Executive Officer, and Mr. Jeff Wertheimer, the General Counsel for the Superior Court. We introduced the Grand Jurors Association, discussed its current role, and presented some proposals to improve the process of the Grand Jury. Our discussions ranged from the use of holdover jurors, or the staggering of jury service, to improve continuity; improving follow-up on implementation of approved responses; assistance with screening Juror applications, and use of social media in Juror recruitment. I think our discussions were positive, and we established a channel for future discussions.

We have some goals for the future. We want to continue working with the current Jury and the court to improve the accountability in the Grand Jury reporting/response process by validating that proposed and approved actions actually happen. The GJAOC committee on Tracking and Implementation will be the focal point for this effort. The GJAOC Speakers Bureau will be working to improve the public education about the Grand Jury System by increasing outreach to the community, business, social, and educational groups. Hopefully this increased outreach, including the use of social media, will improve recruitment and increase support for the Jury process.

The success of the Grand Jurors Association of Orange County depends directly on the involvement of the members. We need people to join the committees to help the Board of Directors accomplish our goals,. The Association's Board of Directors is seeking applications from the membership to fill vacant Director positions. We currently have two vacant Director positions, and two more projected vacancies at the end of the year. If you are interested in joining any of the committees, or becoming a Director, please contact any of the Board Members, or me, at your convenience.

As always, if you have any ideas, suggestions. or comments, please let me know. Thank you,

Roy Baker  
President, Grand Jurors Association of Orange County

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## Reflections on Controversial Grand Jury Reports

By Paul Borczik and Michael Morris

As former members of a grand jury in Orange County, we are sure that all of you get questions from family and friends regarding new grand jury reports when they are in the news. Some of these reports are "controversial" which is one of the reasons why they are in the news. Some people love the Recommendations, others hate them. Recently we have witnessed a situation where the media spin on a report overtakes the report itself, causing polarization that might not exist if all parties were forming their opinions based on the content of the report itself.

A question has been raised to the board of directors of the Grand Jury Association of Orange County. This question is: What is the best approach for former grand jury members to discuss their opinion relative to any ongoing debate pertaining to a given report?

As we all know, grand jury civil reports provide the public with an independent taxpayer watchdog approach to address issues or concerns to our local government officials. As a result, it is not uncommon to create controversy. In fact, it may be expected especially if an agency does not welcome constructive change. The grand jury process is authorized by the California constitution to provide just this kind of check and balance over local government organizations. If the grand jury process is working well, there should be some level of controversy and resultant debate. The hope is that this debate can result in the Recommendations of the grand jury report being implemented at best, or seriously considered at worst.

So to answer the question, we do have some advice for you to consider. First of all, inform the person about the role of the grand jury to highlight issues to elected and civil servants on behalf of the public. The grand jury is an important institution that must be encouraged to continue to perform the role it has been given. Secondly, ask the individual if they actually read the grand jury report in question. News articles many capture one element of the issue, but may not do justice to a particular report in its entirety. Encourage the person to look up and read the entire report so that they can make their own informed opinion on the Findings and Recommendations. Finally, after they have read the report, then encourage them to come back to you with their thoughts. Once they have made their own mind up and have an opinion on the issue and you have made yours based on the same report, then and only then can the two of you have a constructive debate on the subject.

Democracy....isn't it great?

We hope that this helps provides you with some thoughts and approaches to address the controversies of the grand jury reports that are in the news.

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## Grand Jury Legislative Update

By Paul Borczik, GJAOC Legislative Committee Chairman

One of the key roles performed by the Grand Jury Association of Orange County (GJAOC) is to review the proposed legislation by our California legislators in an effort to preserve or improve the California constitutionally-authorized Grand Jury system. The legislative committee of our board of directors has the responsibility to monitor this activity and to recommend action to our board on behalf of its members.

This year there are two new bills which relate to the grand jury process which are working their way through the California legislature. AB 1004 introduced by Assembly Member Calderon and AB 1024 introduced by Assembly Member Kiley.

AB 1004 would require the Secretary of State to provide the name and the contact information for all elected officials in local governments. This includes city, county, school districts and special districts. The legislative committee reviewed this bill and recommended to the board that it merits our support as it would be in the best interest of future grand jurors to have easy access to contact information. In addition, the committee recommended that the bill be enhanced to include appointed officials in addition to the elected officials and to also include Joint Powers Agencies (JPAs). Last month, the board approved the recommendation and authorized its support of the bill and improvements.

AB 1024 would require the Court to disclose all or part of the testimony by a grand jury if it involves an officer-involved shooting even if no indictment is issued. The legislative committee reviewed this bill and determined that there were some elements of advantages and others of concern. The protection of the information and witnesses is a cornerstone of our grand jury process in a case in which no indictment is issued. However, since the quality of the information presented to the grand jury is the responsibility of the district attorney's office, does the public have a right to know? Second guessing the outcome of a grand jury's decision based on a "sound bite" of evidence may not be in the best interest of the grand jury system. The committee recommended no position on this bill so no action was requested nor taken by the board.

## *In Memorium*

### *Helen Aberts 1933-2017*



Helen Aberts passed away on 21 May 2017 after a brief illness.

She was our much beloved colleague, collaborator and friend who contributed a lot to the vigor of the GJAOC, and indeed the Grand Jury system in Orange County.

Helen was a valued member of the 2011-2012 Orange County Grand Jury. After her term ended she joined the GJAOC where she single handedly took over the membership rolls and used her enthusiasm to bring an increase in membership and general participation, even to the point of hosting some events at her home. Beyond the GJAOC, she was a lifelong member of Hadassah, and served as Program Chair and Chapter President, and then as Chairperson for Long Beach/Orange County area, and served as a member of the Hadassah Southern California Cabinet.

Her other interests included:

- A passion for classical music and all other art forms.
- Was trained as a lyric soprano and sang with the New York Choral Society.
- She traveled around the world and had a tremendous appetite for reading and a natural curiosity for everything.
- She wrote articles for the monthly Hadassah bulletins as well as the Floral Park quarterly Newsletter.
- She enjoyed concerts, museums, plays, reading, yoga classes, weight lifting exercise classes, and movies with her friends.
- She once said, "It is a full time job just taking care of Helen"

Anyone who spent any time with Helen came to appreciate her contagious sense of humor, her vigor, and her zest for life. The GJAOC sends its heartfelt condolences to her family and friends.

## September Election for Board of Directors:

Six seats on the Board of Directors of the GJAOC are up for election every year with 2 –year terms. Please send an email to [lynn.bonas@gmail.com](mailto:lynn.bonas@gmail.com) if you are interested in becoming a director with a short bio. Nominations from the floor at the September Luncheon Meeting will be included on the ballot.

Please consider becoming a member of the following committees:

**Audit Committee:** We are required per our Bylaws to have two individuals from our General Membership on this committee.

### Ad Hoc Committees

- Taxpayer's Oversight Committee Selection Panel

Provides a Selection Panel to recruit, screen and recommend persons to fill vacancies on the Taxpayer's Oversight Committee, an element of the transportation initiatives Measure M and Measure M2. Contracts with Orange County Transportation Authority are negotiated every five (5) years.

- Editorial/Public Relations Committee

Produces the quarterly GJAOC Newsletter, conducts public relations for the Association and maintains the master mailing list.

- Tracking & Implementation – TIC

Under the authority of the Board of Supervisors, reviews and reports to the CEO the implementation of those Grand Jury recommendations with which the subject organizations have concurred.

- Legislative Committee

Reviews and reports on current and pending legislation pertinent to the grand jury system and recommends appropriate action.

- Public Service Committee

Reports on openings on County Boards, Commissions and Committees. Maintains a directory of these activities, plus terms of membership.

- Speakers Bureau

Fulfills the objective of public education about the grand jury system. Members are supplied with grand jury information materials and give presentations to county clubs and organizations.