

## Siskiyou Grand Jury

### OVERVIEW OF THE CIVIL GRAND JURY

#### Introduction

The Siskiyou County civil grand jury has 19 members. The grand jury is a judicial body composed of a set number of citizens (11, 19, or 23) based on county population. It is impaneled by the state constitution and various laws to act as an “arm of the court,” to be a voice of the people and conscience of the community.

The present grand jury system evolved from the ecclesiastical courts of the Dark Ages, beginning in 1164 when Henry II of England impaneled the first 16 man grand jury to remove criminal indictments from the hands of the church. In 1635, the first American grand jury was impaneled in the Massachusetts Bay Colony; by 1683 grand juries were present in all of the colonies. These early grand juries began the practice of returning “presentments,” which were primarily against public officials and different from criminal indictments.

Although forty-two states have some form of grand jury, only California and Nevada mandate that county grand juries be impaneled every year to conduct **civil investigations** of county government

#### Civil Grand Jury Functions

The Civil Grand Jury has two functions:

1. Acting in a public “watchdog” capacity by reviewing and reporting on the affairs of local government. Most of an average Civil Grand Jury's time is spent reviewing local agencies and units of county government.
2. Investigating formal complaints from citizens against public officials and local agencies and units of government for misconduct in office.

#### Scope of investigative Powers

##### A. “Watchdog” Responsibilities

1. Investigate and report on the operations, accounts, and functions of:
  - a. County officers, departments and special legislative districts governed By county officers in their ex-officio capacity;
  - b. City officers and departments;
  - c. Joint Powers Agencies and officers;
  - d. Special purpose assessing or taxing districts locally wholly or partly within the county;
  - e. Local Agency Formation Commission;
  - f. Any nonprofit corporation established or operated on behalf of a Public entity;
  - g. Redevelopment Agencies;
  - h. Housing Authority;
2. School Districts and Boards of Education.
3. Investigate and report upon the needs for the increase or decrease of salaries of the county elected officials.
4. Investigate and report upon the needs of all county officers in the county, including abolition or creation of offices and equipment for, or the method or system of, performing the duties of the severs offices.

5. Inquires into the conditions and management of the public prisons within the County.
6. Investigate and inquire into the willful or corrupt misconduct in office of public officers of every description within the county.
7. Investigate and inquire into sales and transfer of land, and into the ownership of land which, under state law, might or should escheat to the State of California.

## **B. Response to Complaints**

Any individual may file a complaint with the Civil Grand Jury about the conduct of local agencies or units of government and public officials, whether elected or appointed. Anyone may ask for an investigation of alleged misconduct. Because names are never used in Civil Grand Jury Reports, individuals' confidentiality is protected.

To request an investigation, download, complete and return (click on) [form](#). A complaint form may also be obtained from Tami Zufelt, Court Manager, Siskiyou County Superior Court, P.O. Box 1026, Yreka, 96097; (530)-842-8179.

**Throughout a complaint investigation, all information received by the Civil Grand Jury is kept in strict confidence and secrecy. Absolutely nothing may be disclosed by a Juror; even after his/her term has ended. It is a misdemeanor for Civil Grand Juror to disclose evidence presented to the Civil Grand Jury or of conversations, deliberations, and votes of Jurors (Penal Code 924.1).**

While it is a part of the judicial system, a civil grand jury is an entirely independent body. Judges of the Superior Court, the district attorney, the county counsel, and the state attorney general may act as its advisors *but cannot attend jury deliberations nor control the actions of the Grand Jury*. Penal Code § 934, 939.

## **Reports**

The civil grand jury exercises its powers by means of final reports of all completed investigations, findings therein, and recommended actions. Reports may be issued as completed throughout the year of service. All reports, including the midterm (sometimes called interim) reports, will be collectively published at the end of the term in a consolidated final report. Midterm reports are frequently more effective in developing public awareness because of individual attention by news media. The ultimate power of the civil grand jury is in obtaining public support for the reports. Penal Code § 933.

Agencies or departments and their governing bodies that are the subjects of investigations are required to respond to the findings and recommendations contained in the report within 60 or 90 days. Penal Code § 933.05

## **Ethics, Conflict of Interest, and Bias**

No member of the grand jury may use his or her office for any kind of personal gain or advantage. Grand jurors must not identify themselves as grand jurors in matters other than those directly connected with grand jury business. They must not use their status as grand jurors to influence others or obtain favors during grand jury service.

## **Conflict of Interest**

Jurors serving on standing committees and carrying out investigations for the grand jury will not use or *appear to use* such position for private gain. Jurors must not participate in any grand jury action when

they have a clear, pre-existing bias regarding that action.

**Term of Office** Jurors are appointed to a term of one year. Jurors may be carried over for a second term if they wish. However Jurors may not serve more than two consecutive terms without a one year break. In Siskiyou County the term runs from July 1st to June 30th.

If you wish to obtain an application, to become a Grand Jury Member, just click on this [link](#) to access and print the form. Please mail the application to: Siskiyou County Superior Court, Attn. Tami Zufelt, Court Manager, P.O. Box 1026, Yreka, Ca. 96097.