



Ventura County Grand Jury

**Final Report
1995-96**

The Ventura County Grand Jury is an independent investigative body whose primary function is investigating and reporting on all governmental bodies within the county. Its powers and duties also include bringing indictments for criminal or public offenses.

The Grand Jury is directed to prepare and issue a final report in accordance with Penal Code 933 and must include suggested means for resolution of problems identified under Penal Code 916. The Grand Jury relies on the power of persuasion to effect change.

"There is nothing more difficult to take in hand, more perilous to conduct, or more uncertain in its success, than to take the lead in the introduction of a new order of things."

Machiavelli

July 1, 1996

The Honorable Robert C. Bradley
Presiding Judge
Ventura County Superior Court
800 S. Victoria Avenue
Ventura, California 93009

Honorable Judge Bradley:

It is with great pleasure and pride, that the 1995/96 Ventura County Grand Jury, presents its' Final Report to you, the Board of Supervisors and the citizens of Ventura County.

As members of the Grand Jury, we have had the opportunity to explore many aspects of county government.

"It was the best of times, it was the worst of times":

So begins Dickens' *A Tale of Two Cities*, published in 1859. Then, as now, people viewed the period in which they lived as the benchmark from which events were measured. Today, in Ventura County, we also viewed the present as encompassing the best and worst of times. Resources are becoming increasingly scarce to all governing bodies. The Grand Jury in its "watchdog" capacity is expected to work with diligence, experience and talent to make recommendations not only to conserve dwindling tax dollars, but to improve government agencies and their operation. This was not an easy task.

I am grateful for your "open door" policy and guidance during this year. Your patience and understanding have benefited this jury and its work immeasurably.

Sincerely,

[signed]

Nancy Palumbo, Foreperson

1995/96 Ventura County Grand Jury



Honorable Robert C. Bradley
Presiding Judge
Ventura County Superior Court

1995/1996 Ventura County Grand Jury

Barbara Baumstark, District 3

Debbie Bumgarner (*Secretary*), District 1

Geraldine Furr, District 5

Josef Gellmann, District 3

Leland Grizzle, District 1

Lawrence Hainline (*Treasurer*), District 4

Elaine Hunt (*Parliamentarian*), District 3

Itaru Kawashima, District 2

Chester Koski (*Indictment Secretary*), District 2

Alfred Lorona, District 5

Martin Marino (*Sergeant-At-Arms*), District 2

Michael F. O'Connor, District 4

Nancy Palumbo (*Foreperson*), District 2

Harry L. Philips Jr. (*Foreperson Protem*), District 5

Sabrina Simpson (*Corresponding Secretary*), District 4

Janet Swanson (*Librarian*), District 5

Erik Traverse, District 1

Mary M. Williford, District 3

Also served:

Robert Silver, District 4

Advisors

Don Koleman, Chief Deputy District Attorney

James L. McBride, County Counsel

1995/1996 Grand Jury Members



Top row, left to right: Michael F. O'Connor, Alfred Lorona, Harry L. Philips Jr., Erik Traverse, Mary M. Williford, Martin Marino, Leland Grizzle, Sabrina Simpson, Lawrence Hainline, Josef Gellmann, Geraldine Furr.

Bottom row, left to right: Chester Koski, Debbie Bumgarner, Itaru Kawashima, Nancy Palumbo, Barbara Baumstark, Elaine Hunt, Janet Swanson

Ventura County Grand Jury

HISTORY

The grand jury is an investigatory body created for the protection of society and the enforcement of the law. The concept of juries dates back to Norman times in the ninth century and evolved into a guarantee written into the Magna Carta. Now, our U.S. Constitution's Fifth Amendment and the California Constitution call for juries. Grand juries were established throughout California during the early years of statehood.

FUNCTIONS

Although the responsibilities of a grand juror are diverse, the three predominant functions are civil government oversight, investigating citizen complaints and hearing criminal indictments.

The Grand Jury meets with county and city officials, visits county and city facilities, examines management, reviews accounts and records to assure compliance with applicable laws and that government is being run efficiently.

Investigating citizens' complaints is part of the civil function. The grand jury receives letters from citizens alleging mistreatment by officials, suspicions of misconduct or governmental inefficiencies. Complaints received from citizens are acknowledged and investigated when appropriate. All complaints are kept confidential.

Committees evaluate all data collected, reach conclusions and make recommendations to the full Grand Jury. This is followed by action by the Grand Jury which may take the form of recommendations for improvement presented to the County Board of Supervisors, or to county agencies and/or department heads. It may be a commendation, a report releasing information to the public, or a request to the District Attorney for investigation and appropriate action.

Most of the grand jury "oversight" findings are written up in reports describing problems encountered and making recommendations for solutions. These are "interim final reports" and are released upon completion.

At the end of its term, the Ventura County Grand Jury issues a final report on the operations of Ventura County government, its agencies, and findings from citizen complaint investigations. The Ventura County Board of Supervisors and any elected or appointed official responsible for the agency investigated must comment within 90 days on the recommendations made by the Grand Jury as a result of these investigations.

The Grand Jury also has the power and authority to return an indictment against a person charging him/her with a public offense on any criminal charge. The District Attorney's office presents the prosecution's evidence to the Grand Jury and the jurors determine if the evidence warrants an indictment. The indictment replaces the preliminary hearing in an open court and allows the case to move directly to trial.

Because of the confidential nature of a Grand Jury's work, much of it must be conducted in closed

session. Members are sworn to secrecy to assure all who appear that their complaints will be handled in an entirely confidential manner. No one may be present during the session of a Grand Jury except those specified by law, and the minutes of its meetings may not be inspected by anyone nor can its records be subpoenaed.

SELECTION

Ventura County residents are urged to apply for service on the Grand Jury. Applications may be obtained from:

JURY SERVICES SUPERVISOR

800 South Victoria Avenue
Ventura, California 93009

Applications are screened, potential jurors are interviewed and an effort is made to select people from each supervisorial district. One month prior to commencement of the grand jury's term of service, the screening process reduces the list to thirty. The final nineteen are chosen by random drawing on July 1st of each year and begin serving a one-year term from that date. The nominee must be United States citizen, 18 years or older, a resident of the county for one year prior to serving on the Grand Jury and must be able to devote up to 5 days per week to Grand Jury work for the full year.

When a juror takes the oath of office, he/she becomes not only a responsible Officer of the Court, but a student of the administration of justice and local government operations, as well. Much of the Grand Jury's effectiveness is derived from the fact that the viewpoint of its members is fresh and unencumbered by prior conceptions about government. The Grand Jury is free to follow its own inclinations in investigating local governmental affairs and agencies.

Foreperson's Statement

The final report of the 1995/96 Ventura County Grand Jury represents a year long commitment of citizens who were chosen to inquire into and study selected operations of county government and also to determine if indictments should be issued in the criminal matters presented to this body. We are a diverse group. We represent different communities in Ventura County, comprised of varying financial, ethnic, and educational backgrounds and have brought differing skills to the Grand Jury. Using this experience and talent, we have worked together to make recommendations that we hope will improve governmental agencies and their operation.

We have given a year of our lives in an effort to assist the county to achieve a more efficient criminal justice system and improve county management. The Grand Jury believes that our effort, embodied in this report, speaks for itself. The members of the grand jury have had a year long adventure. We have sought to serve the citizens of Ventura County to the best of our abilities. The job of foreman has been to keep the body focused and to facilitate its goals. As one previous foreman stated, "As foreman, the 19th number, an equal among equals, I bask in their reflected glory."

Every Grand Jury starts from scratch and endeavors to take a fresh look at the problems it will face. It is not uncommon that issues studied in previous years will somewhat overlap with the interests of the present body. Each Grand Jury, however, must ferret out for themselves the interests and needs of Ventura County for their respective year. They must use their own initiative and energy with the help of education provided by the county. There is no degree in "Grand Jurymanship."

On July 1st 1995, when we took our oath and charge, it was more than a promise to fulfill our duties by working within the framework of applicable laws, rulings, codes and guidelines. We also took up the challenge of whether our panel could work together in harmony as a team, interacting with many departments, officials, and representatives in a spirit of cooperation and achievement to attain our goals. We hope we have met that challenge.

In order to fulfill our commitment, hundreds of extra hours were required for meetings and investigative work in the areas of civil oversight. These efforts have resulted in two Final Reports, responses to citizen's complaints, including some potential criminal matters which have been referred to the appropriate law enforcement agencies.

The Grand Jury is the guardian of the public trust. In our "watchdog" capacity we are the court of last resort for many citizens as well as the only official agency authorized to take a critical look at the way we do business as a local government. This Grand Jury tackled some very controversial issues in a professional manner. Now the court of public opinion will judge the value of our service. The impact of our reports will be determined by how responsive the governmental agencies are to the Grand Jury recommendations.

We hope that all county and elected officials who are legally responsible for answering our recommendations will do so in a positive and constructive manner. It is only with this

approach that we will enhance our society and improve the quality of life for all the citizens of Ventura County.

NANCY PALUMBO, Foreperson

[signed]

1995/96 Ventura County Grand Jury

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