

REVIEW OF PROCEDURES AND RESPONSES TO GRAND JURY REPORTS

INTRODUCTION

The 1997-1998 Grand Jury decided to review the responses to the 1996-1997 Grand Jury Final Report. This was an area which had not previously been studied as to compliance with the California Penal Code and the adequacy of the responses.

INQUIRY

We reviewed the 1996-1997 Grand Jury Final Report (Report) and the responses received from public agencies cited in the Report. We compared responses with the Report to determine their adequacy and completeness. We also reviewed letters of transmittal submitted to various agencies by the 1996-1997 Grand Jury requesting responses.

FINDINGS

We found it difficult to locate all of the responses. We eventually obtained copies of responses from the office of the Board of Supervisors, the Chief Administrative Officer, the County Clerk and Recorder and the Presiding Judge of the Superior Court.

A letter of transmittal delivered by last year's Grand Jury to the affected public agencies appropriately requested responses be submitted to the Presiding Judge of the Superior Court. No provision was made to include the Grand Jury as a recipient.

No guidelines were offered to agencies regarding responses to findings and recommendations specified in the Report.

There was no provision regarding the Grand Jury's power to issue subpoenas to nonresponsive agencies to explain reasons for their inaction.

There were no provisions in place to allow the succeeding Grand Jury's review of all responses received for its follow-up actions.

We found that in most instances, responses from public agencies were adequate, especially from county government agencies who are well attuned to the process. In very few cases were responses considered deficient.

CONCLUSIONS

Written procedures need to be developed to allow future Grand Juries to receive and review all responses to Grand Jury final reports.

RECOMMENDATIONS

- That the Grand Jury's letter of transmittal requesting responses from public agencies be modified to direct that copies of such responses be submitted to the Foreperson of the Grand Jury.
- That specific guidelines for developing responses to the findings and recommendations of the Grand Jury's Report be incorporated as part of the transmittal letter.
- That instructions be included in the Grand Jury Manual indicating the process for receiving and evaluating responses and establishing follow-up actions for nonresponsive agencies.

RESPONSE REQUIRED

None