

# MARIN COUNTY CIVIL GRAND JURY

FY 2017-2018

Final Report Summaries



## INSIDE

- 2 Foreman's Message**
- 3 Follow-Up Report on Mental Health Care in Marin County Jail**
- 4 Follow-Up Report on Head Injuries and Concussions:**  
*Are Our High Schools Keeping Our Children Safe?*
- 5 Consolidation of Sanitation Districts**
- 5 Marin is Aging:**  
*Are We Ready?*
- 6 Sexual Assault in Marin:**  
*Evidence Collection, Processing and Backlog*
- 7 Homelessness in Marin:**  
*A Progress Report*
- 7 Golden Gate Village:**  
*The Clock is Ticking*
- 8 Body-worn Cameras and Marin Law Enforcement:**  
*A Follow-Up Report*
- 9 Yellow School Bus for Traffic Congestion Relief**
- 10 The Future of Juvenile Detention in Marin:**  
*A Follow-Up Report*
- 11 The Civil Grand Jury Experience**



Front row (left-to-right): Wanda Sarti, Janeko Bower, Jolynn Hardiman, Assistant County Counsel Jack Govi, Court Executive Officer James Kim, Presiding Judge Paul M. Haakenson, Judge Kelly V. Simmons, Foreman Ron Brown, Sharon Berman, Sally Pennypacker, Jaime Faurot

Back row (left-to-right): Leon Huntting, Alan Alperin, Bruce Bartel, Pat Randolph, Dave Henry, Louetta Erlin, David Gabriel, Marc Wolfson, Jim Bridgeman, Liz Stone, Bob Keast, René Rondeau

Photographer: Marian Little-Utley

### To the Citizens of Marin County:

On behalf of the 2017-18 Marin County Civil Grand Jury, I am pleased to present our final report. I have been privileged to work with an extraordinary group of volunteers representing a wide range of professional backgrounds and interests, and a large geographical spread across Marin. The 19 volunteer members of our Civil Grand

Jury have dedicated our one-year term of service to investigating, researching, writing and publishing reports on topics that delve into a broad range of issues that are of interest and concern to the citizens of Marin.

The topics for investigation were drawn from the experience of the Grand Jurors as well as an analysis of 35 public requests for investigation received during the

course of this year, and a review of unreported topics from prior Civil Grand Juries.

I thank each and every one of my fellow Grand Jurors for their dedication and for the thousands of hours that each one spent on this endeavour. I would also like to thank Presiding Judges Kelly Simmons and Paul Haakenson for their wisdom, Assistant County

Counsel Jack Govi for his advice, and Aide to the Grand Jury Patti Church for her support.

Respectfully submitted,  
**Ron Brown**, Foreman  
2017-2018 Marin County Civil Grand Jury

Full versions of all Grand Jury reports (and their public responses) are accessible online at:  
[MarinCounty.org/GrandJury](http://MarinCounty.org/GrandJury)

### Application and Contact Information

For more information or a civil grand jury application, please write: Marin County Civil Grand Jury  
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## 2017-2018 MARIN COUNTY CIVIL GRAND JURY FINAL REPORT SUMMARIES

# FOLLOW-UP REPORT ON MENTAL HEALTH CARE IN MARIN COUNTY JAIL

The previous Grand Jury concluded in its 2016-17 “Care of Mentally Ill Inmates in Marin County Jail” report: *Although identifying and committing adequate resources to provide appropriate mental health care in Marin County Jail may be difficult for the County, there are important reasons that a significant enhancement of mental health care in the Jail should be a high priority. Current staffing and organization of mental health care in the Jail is inadequate, and appears not to conform to California law and code nor to court rulings regarding the care that should be provided to incarcerated persons. In particular, delays in assessment and treatment of recently booked mentally ill inmates, lack of adequate local processes to address emergency mental health crises, inadequate 24/7 clinical coverage, and the use of safety cells for acute mental illness episodes need to be addressed as soon as possible. There appear to be clear violations of the rights of inmates to adequate care based on, and equivalent to, “community standard” care.*

This Grand Jury was unsatisfied



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with the responses of the Marin County Sheriff and the Board of Supervisors to the previous report. This report explores the adequacy of the previous responses and recommends that the respondents take further action.

This report concludes that Marin County may be vulnerable to lawsuits that could lead to costly legal fees and onerous judgments, as has occurred in some other California jurisdictions. In addition, last year’s report pointed

to certain practices as violating the Constitutional prohibition against cruel and unusual punishment. It is the opinion of this Grand Jury that the recommendations in the 2016-17 report be implemented.

### RECOMMENDATIONS

**R1.** Mentally ill inmates should not be kept in safety cells for more than 24 consecutive hours.

**R2.** Safety cells should never be used as a substitute for adequate psychiatric treatment.

**R3.** Any inmate placed in a safety cell should be evaluated by mental health staff within 4 hours for the appropriateness of

the placement and the evaluation of possible alternatives.

**R4.** The Board of Supervisors should establish or contract with a local facility where sentenced inmates can receive involuntary administration of psychiatric medication.

**R5.** Mentally ill inmates should be provided with 10 hours each of unstructured and structured

out-of-cell time per week.

**R6.** A psychiatrist should be available at the Jail 8 hours a day, 5 days a week, and available by phone 24/7.

**R7.** A Mental Health Crisis Specialist or psychiatric nurse should be available at the Jail 24/7.

**R8.** Programs should be created to provide appropriate

non-pharmacological mental health therapy to all mentally ill inmates.

**R9.** Classification of inmates as mentally ill should be reviewed by a member of the mental health staff within 4 hours of booking.

**R10.** All policies and procedures in the Sheriff’s Manual related to the care of inmates should be reviewed and updated.

# FOLLOW-UP REPORT ON HEAD INJURIES AND CONCUSSIONS: *Are Our High Schools Keeping Our Children Safe?*

The 2015-16 Marin County Civil Grand Jury issued a report entitled, “Head Injuries and Concussions: Are Our High Schools Keeping our Children Safe?” The report detailed the potential for head injury associated with playing “high risk” sports in high school and made recommendations aimed at improving the school districts’ treatment of head injuries. Much has happened relative to our understanding of head injuries in sports over the two years since then. The 2017-18 Civil Grand Jury surveyed Marin’s High School Districts on key concerns and this report is an update on the school districts’ implementation of those recommendations. The question of whether or not even these recommendations are sufficient to protect our young people remains open.

The 2015-16 recommendations included:

- Annual mandatory neuro-cognitive testing, and retesting post-injury, should be required.
- A certified athletic trainer should administer and interpret all tests.



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- A certified athletic trainer should be present at all high-risk sporting events.
- Written protocols for reporting head injuries should be adopted.

- Student athletes should receive mandatory concussion education.

The school districts’ responses indicate that awareness of the issue of head injuries has in-

creased but implementation of remedies still varies.



Video Podcast:  
<https://goo.gl/tpZz7h>

## RECOMMENDATIONS

**R1.** The Marin County Office of Education should provide state-of-the-art head injury protocols and make them available for use at all schools.

**R2.** School districts should provide head injury data to the Marin County Office of Education.

**R3.** The Marin County Office

of Education should maintain a database of head injuries provided by the school districts.

**R4.** Novato School District should require mandatory annual neurocognitive testing of all high school athletes in high-risk sports and mandatory post-injury testing.

**R5.** Tamalpais Union School District should require mandatory annual neurocognitive testing

of all high school athletes and mandatory post-injury testing.

**R6.** Novato School District should add the cost of neuro-cognitive testing to their annual budget.

**R7.** Tamalpais Union School District should add the cost of neurocognitive testing to their annual budget.

**R8.** A certified athletic trainer should be present at all high-risk sporting events.

**R9.** Novato School District should provide mandatory concussion education for student athletes and parents.

**R10.** Tamalpais Union School District should provide mandatory concussion education for student athletes and parents.

# CONSOLIDATION OF SANITATION DISTRICTS

Marin residents support a large number of special districts (including: police, fire, and sanitation), each governed by a board of directors that is accountable only to the voters, yet public oversight is largely missing. Some Marin districts have responded to budget tightening by consolidating and sharing resources, while other districts have responded with larger budgets and higher fees. This report examines the merits of consolidating special districts, why certain attempts have succeeded where others have failed, and what path forward is in the best interest of the residents of Marin.

The creation of so many special districts in Marin was not by design, occurring over time without a master plan as once-isolated rural communities developed their

own services. Today these communities have become connected neighborhoods that are still served by a patchwork of districts.

For decades attempts to combine sanitary districts have failed. This report examines why, including differences in funding schemes, fear of losing local control, and lack of oversight.

Increasingly, special districts will be required to respond to climate change challenges. Large capital expenditures will be required as Federal and State funds diminish. Consolidated districts will be better able to prepare for these scenarios.

The path to move from separate districts to one consolidated district is complex and requires months or years of increased

cooperation. It begins with shared service agreements, proceeding to formal contracts and finally consolidation.



Video Podcast:  
<https://goo.gl/brg2Hy>

## RECOMMENDATIONS

**R1.** Marin LAFCO (Local Agency Formation Commission) should complete the planned reorganization of Murray Park and San Quentin Village Sewer Maintenance Districts with Ross Valley Sanitary District.

**R2.** Central Marin Sanitation Agency, Sanitary District #1, Sanitary District #2, and the San Rafael Sanitary District should reorganize into a single sanitary/sanitation district.

**R3.** Sewerage Agency of

Southern Marin, Almonte Sanitary District, Alto Sanitary District, Richardson Bay Sanitary District, Homestead Valley Sanitary District, Public Works Department of the City of Mill Valley, and Tamalpais Community Services District should reorganize into a single sanitary/sanitation district. Each entity should initiate a reorganization application with Marin LAFCO.

**R4.** The County of Marin should allocate additional funds to Marin LAFCO.

## MARIN IS AGING: *Are We Ready?*

By 2030, the population of Marin residents over 60 years old is expected to increase to 34% (from today's 27%). The Grand Jury was concerned that the County may not be prepared for this rapid demographic shift, and that resources might be lacking for elders in the community.

During the investigation the Grand Jury was pleased to find that seniors in Marin County have a wealth of information and services available to them. Marin goes beyond the requirements of both federal and state law by providing additional support and funding to agencies responsible for elder care and awarding grants to nonprofits that also deliver services to elders.



Photo Credit: iStockPhoto

The Board of Supervisors has declared 2018 as the "Year of the Older Adult" with plans for extensive social and educational events throughout the year.

Despite the County's commitment to this important issue, and the impressive support mecha-

nisms that County agencies have in place, there still remain some areas where improvements can be made.



Video Podcast:  
<https://goo.gl/JuACdt>

## RECOMMENDATIONS

**R1.** The Board of Supervisors should request that Health and Human Services include information about how to register cell phones and Voice Over Internet Protocol (VOIP) phones for emergency alerts as part of community outreach.

**R2.** The District Attorney should include registration of VOIP and cell phones in the DA's outreach program.

**R3.** Marin County should develop a plan for a designated elder shelter.

**R4.** The Board of Supervisors should actively lobby State Legislators to allow state grants to be used to help elders with mental illness and co-occurring dementia or Alzheimer's disease.

## SEXUAL ASSAULT IN MARIN: *Evidence Collection, Processing and Backlog*

Recent news reports have emphasized the importance of DNA analysis after a sexual assault, citing a backlog of untested rape kits. In light of news coverage and new legal realities, the Marin County Civil Grand Jury decided to investigate how sexual assaults are handled.

The Grand Jury learned that Marin County has taken a positive direction in its handling of sexual assaults and support of victims but there are areas that need improvement.

Marin County's Sexual Assault Response Team Task Force (SART), including specially trained Sexual Assault Nurse Examiners (SANE), coordinates and implements services to victims with the Napa Solano SANE SART organization. Exams take place at Kaiser Permanente Vallejo Medical Center. While this location is outside the County, the Grand Jury recommends maintaining and enhancing this relationship.

To address funding variations resulting from the low number of rapes per capita and the large geography serviced, the District Attorney should consider using an alternative funding structure in collaboration with Napa Solano SANE SART.

Since 2011, the backlog of sexual



Photo Credit: iStockPhoto

assault kits has been eliminated by changes in procedures and the advent of a new testing protocol. A small number of kits dated prior to 2011 remain untested. The Grand

Jury recommends that agencies determine the number of rape kits in their evidence lockers and process any that have not been DNA tested, regardless of age, statute of limita-

tions or perceived prosecutorial value.



Video Podcast:  
<https://goo.gl/kssMUw>

### RECOMMENDATIONS

**R1.** The County's contract with the Napa Solano SANE SART should be renewed.

**R2.** The County should investigate alternative financing in collaboration with Napa Solano SANE

SART to address funding variations.

**R3.** Each law enforcement agency should complete an inventory of rape kits in their evidence lockers, and identify kits that have not been submitted to the California Department of Justice Crime Laboratory

(CADOJ) for DNA analysis.

**R4.** Kits that have not been DNA tested should be sent to the CADOJ Crime Laboratory for processing, regardless of statute of limitations or prosecutorial value.

**R5.** Law enforcement agencies

should have a clearly defined policy regarding retention of kits.

**R6.** Each law enforcement agency should have a clear, publicly available policy for keeping victims updated on the status of their rape kit processing and results.

# HOMELESSNESS IN MARIN: A Progress Report

The Marin County Civil Grand Jury released a report in 2015 titled “Homelessness in Marin — A Call for Leadership.” That report found that, while many dedicated organizations were providing services to the homeless, the County-wide effort was unfocused and disorganized due to a lack of collaboration between the County, the cities, and the service organizations. The report called upon the County to provide the leadership necessary to obtain the maximum benefit for the homeless with whatever resources are made available.

This Grand Jury determined that homelessness remains a critical concern of the community and that it was time to

assess the progress since 2015, as well as the work left to be done. The Jury found that progress has been made but Marin still has people in distress living without housing.

Since 2015, new funding to address homelessness has come to the County and new staff has been added. Collaboration has significantly increased between the County and the many nonprofits addressing the needs of the homeless and among the nonprofits themselves. Coordinated efforts using the “housing first” model are providing a hopeful path to housing the chronically homeless in Marin.



Video Podcast:  
<https://goo.gl/YGMMMyS>



Photo Credit: iStockPhoto

## RECOMMENDATIONS

**R1.** The County of Marin should provide capital funding for up to 400 units of additional housing for the chronically homeless.

**R2.** The County of Marin should fund Homeward Bound’s Mill Street facility to provide 24/7 staffing with housing-focused case managers.

**R3.** The County of Marin should create additional emergency

shelter capacity to replace the services lost by the end of the REST program.

**R4.** The County of Marin should create a local housing voucher program to supplement Federal funding.

**R5.** The County of Marin and each city and town should actively seek developers to create housing for the homeless within their jurisdictions.

# GOLDEN GATE VILLAGE: *The Clock is Ticking*

Golden Gate Village (GGV) is Marin County’s only family public housing, serving approximately 700 residents. The U.S. Department of Housing and Urban Development (HUD) has failed to provide funds necessary for the upkeep of these residences and as a result they have significant issues with deferred maintenance. The people living in this housing project suffer from a unique trauma stemming from multiple sources, including poverty, living conditions in these communities, a high level of unemployment, a mistrust of public policy, and a fear of displacement.

Resolving these issues at GGV

is imperative for Marin County. The GGV community has historic importance and Marin has no other options for these tenants given the scarcity of affordable housing in the County. Keeping this community intact and helping it to thrive would act as a template for other underserved communities in Marin.

Community engagement consultants were hired in 2015 to convene discussions with the GGV and Marin City resulting in a proposed approach to attract capital via a public/private model that would add new buildings, including additional low-income

Continued on page 8



Photo Credit: Marin County Civil Grand Jury

**Golden Gate Village**

continued from page 7

housing and market-rate units. A major objective of the consultants' approach is to ensure that no tenants in good standing are displaced from the GGV property while their homes are rehabilitated. The Marin County Civil Grand Jury supports the consultants' recommendation, although the financial risks of this approach have not been entirely resolved.

A program to address trauma in the community must work in concert with the physical rehabilitation.

The Marin Housing Authority (MHA) Board has

begun to address the GGV issues; however, the County now faces a time-sensitive situation as the buildings suffer from deferred maintenance. Mistrust and communication issues with some residents have delayed, and continue to delay, a course of action.

Given the financial risks of the consultants' approach, the County should be prepared with alternatives if the capital needed for this approach cannot be raised. Given the clear and documented physical deterioration of the buildings, the clock is ticking.



Video Podcast:  
<https://goo.gl/6Cosrj>

**RECOMMENDATIONS**

**R1.** The Marin Housing Authority (MHA) should create and communicate an accelerated timeline, against which progress can be measured, for the rehabilitation of GGV.

**R2.** The Marin County Board of Supervisors (BOS) should appoint and empower a coordinator independent of the MHA to lead the efforts to improve GGV, including the physical construction, social programs, and the coordination of public and private resources.

**R3.** The MHA should proceed to develop alternative financial plans.

**R4.** The BOS should proceed immediately to engage an established firm that can work to create an atmosphere of trust

between the residents of GGV and the MHA.

**R5.** The BOS, in conjunction with the MHA and GGV residents, should develop high priority programs that go beyond the housing needs of the community.

**R6.** The MHA should pass a binding resolution addressing GGV tenants' rights to remain in GGV during and after renovation and what it means to be a tenant in "good standing."

**R7.** MHA should develop HUD compliant but compassionate best practice programs to assist residents in resolving the issues such as being over-housed, off-lease, or in rent arrears to minimize displacement as GGV residents transition to new housing.

**BODY-WORN CAMERAS AND MARIN LAW ENFORCEMENT:*****A Follow Up Report***

Four years ago, the Grand Jury recommended that all Marin law enforcement agencies acquire and use body-worn cameras. Since then, all Marin law enforcement agencies, with the exception of Sausalito, are using this technology. The Grand Jury continues to recommend that Sausalito acquire and use body-worn cameras.

To enhance public trust and transparency, body-worn camera policies should be available to the public, posted on each agency's website.

Much of the adverse publicity about body-worn cameras stems from the failure to activate them during critical interactions, especially those involving use of force. The Grand Jury recommends that all Marin police agencies acquire camera systems with automatic activation.

Before public release, images must be edited to hide or blur images. This protects the privacy of those not involved in the action, and the protection of victims,



Photo Credit: Carley Partridge (Axon Enterprise)

witnesses, and minors. To accommodate the increased demand for editing that use of body-worn cameras would bring, the Grand Jury recommends advanced camera systems with semi-automated editing features be acquired.

To address the substantial cost of audiovisual technology, the Grand Jury recommends that Marin agencies investigate sharing of resources. A county-wide purchasing group might allow smaller jurisdictions to employ more advanced technology than they could afford on their own.



Video Podcast:  
<https://goo.gl/K6Q1VP>

**RECOMMENDATIONS**

**R1.** Sausalito should implement body-worn cameras.

**R2.** Marin law enforcement agencies that have not posted their body-worn camera policies to their websites should do so by October 1, 2018.

**R3.** All Marin law enforcement agencies should seek to employ automated activation of body-worn cameras based on that

agency's choice of activation modes.

**R4.** All Marin law enforcement agencies pursuing new or improved video technology should explore cooperative negotiating and resource sharing with other agencies to reduce costs.

**R5.** The County of Marin should work with the law enforcement agencies to form a county-wide buying group.

# YELLOW SCHOOL BUS FOR TRAFFIC CONGESTION RELIEF

Traffic congestion is consistently cited as the number one problem in Marin County and school-related traffic is a significant contributor. With the funding limitations imposed by Proposition 13, along with other funding constraints, most school districts are not able to afford school bus programs.

The *2015 Coordinated County Student Transportation Study*, meant to identify options to relieve roadway congestion and improve the coordination of resources dedicated to providing school transportation, found significant opportunity for school buses but no feasible method of funding.

A district-by-district approach to Yellow School Bus (YSB) programs has been undertaken for traffic relief. Existing YSB programs in Marin lack the coordination and consistent funding that could maximize efficiency. This lack of coordination exists because no organization has the authority to coordinate and manage a YSB program.

Mill Valley and Tiburon/Belvedere began YSB programs for students in kindergarten through 8th grade (K-8), with the County and those municipalities contributing funds to reduce the cost of bus passes.

School districts, transportation agencies, and municipalities should develop a cost-efficient, coordinated YSB program serving more K-8 schools. Marin Transit is well positioned to manage such a program. They have the expertise to negotiate



Photo Credit: iStockPhoto

contracts and manage operations resulting in economies of scale and a more efficiently run program.

A YSB parking and maintenance

facility is essential for this program to be fully realized. The County and municipalities should place a high priority on supporting Marin Transit in their

efforts to locate and acquire a suitable facility.

 Video Podcast:  
<https://goo.gl/yYs1Zi>

## RECOMMENDATIONS

**R1.** The County and all municipalities should work with Marin Transit to secure ample locations for bus parking and a location for bus maintenance.

**R2.** Marin Transit should produce and make public a list of possible sites for bus parking and maintenance and the barriers to purchasing and utilizing each site.

**R3.** Marin Transit should facilitate negotiations for a financial

arrangement across the full group of participants.

**R4.** Marin Transit should establish a new standing YSB committee that would provide guidance on YSB issues to include representatives from the County, Marin County Office of Education, and each school district and municipality in the urbanized areas of Marin.

**R5.** School districts and municipalities within the urbanized areas of the County should join and actively participate in the YSB committee.

**R6.** The YSB committee should work toward the establishment of a coordinated YSB for K-8 program for the urbanized areas of Marin.

**R7.** Marin Transit should manage the development and operations of the coordinated YSB program beginning immediately.

**R8.** The County and municipalities of the urbanized corridor should make financial support of all YSB programs a part of each year's budgeting process.

# THE FUTURE OF JUVENILE DETENTION IN MARIN: *A Follow-Up Report*

Marin County's use of alternatives to detention for youth offenders continues to be a huge success. The Marin County Sheriff's Department, specifically the probation department, and the scores of counselors, healthcare providers, teachers, support staff and volunteers who work every day to keep Marin's youth out of the criminal justice system, are to be commended.

Only Marin youth who have been convicted of (or are awaiting trial for) very serious crimes are housed at the facility for longer than two days.

Alternatives to detention include a variety of diversion programs, such as drug and alcohol treatment, juvenile court, mental health treatment, employment services, mentorship and more. This success has created new challenges: Juvenile Hall's population is very low and the costs are fixed. As a result, on some days Juvenile Hall has more people operating it than detainees, and the per day, per detainee average cost seems indefensibly high.

California state law does however provide a solution: two or more counties can cooperate to provide a joint facility. Other northern California counties have also succeeded with alternatives to detention. The logical next step is to engage with them to tackle this problem on a regional scale.

Napa and Sonoma counties have newer, modern facilities, while Marin's Juvenile Hall is



Photo Credit: Marin County Civil Grand Jury

over 50 years old, with deferred maintenance and an outdated design. Replacing Juvenile Hall with a modern version would cost tens of millions of dollars.

In 2018, County departments are being asked to identify budget reductions. In this climate, a proposal to spend millions to replace the existing Juvenile Hall appears inappropriate.

## RECOMMENDATIONS

**R1.** The Board of Supervisors (BOS) should solicit input from the public regarding the future of Marin's juvenile detention services and the Juvenile Hall property.

**R2.** The BOS should conduct a formal Request for Proposal

(RFP) process with all neighboring counties to determine interest in sharing juvenile detention services and facilities.

**R3.** The BOS should commission a study to determine the highest and best use of the entire Juvenile Hall property.

# THE CIVIL GRAND JURY EXPERIENCE

As required by the California State Constitution, the Civil Grand Jury is responsible for overseeing over 130 public agencies in Marin County (in a civil “watchdog” role, rather than a criminal role). The Civil Grand Jury consists of 19 citizens from all walks of life who dedicate a year of their life to learn, investigating, and improving the county. During the one-year term Civil Grand Jurors issue reports detailing the findings and recommendations, to which public agencies must respond.

## WHY PEOPLE APPLY

People from all walks of life apply to the Civil Grand Jury for a multitude of reasons:

- *Since I am close to retirement I'd like to continue to be productive and to understand my community in depth.*
- *I love living in Marin and am eager to use my analytic and interpersonal skills to see that the many public entities continue to function optimally for the benefit of the residents of Marin.*
- *I want to be able to serve the community I live in better and build an even better future for coming generations.*

## THE APPLICATION PROCESS (January-June)

### Step one:

Complete the *Application to Serve on the Marin County Civil Grand Jury* form (available on the Civil Grand Jury's website) by April 22nd. Besides requesting your name and professional background, some confidential

information is required to perform a preliminary background check. Jurors will be allowed access to detention facilities and to confidential information. If you are selected as a juror, you'll also need to: get fingerprinted, share information about your financial investments (Form 700), and have a second background check performed. All such information is held confidential by the County and only released to agencies as required by law.

### Step two:

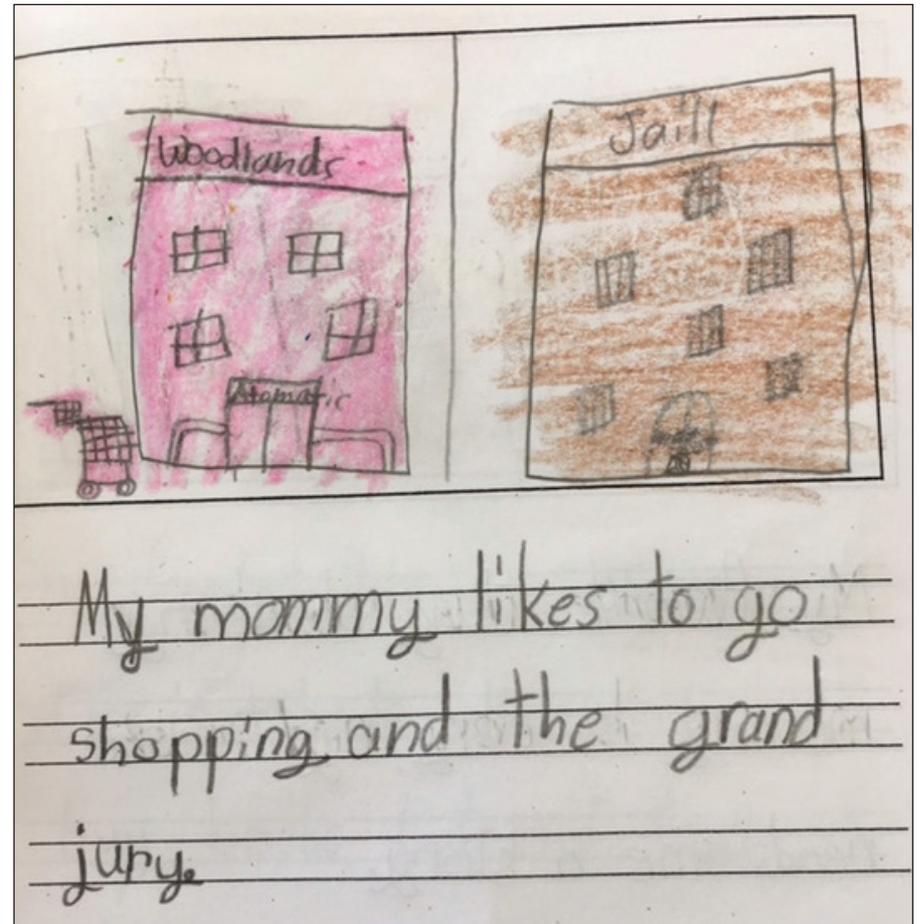
If your application meets requirements (residency, age, no conflicts of interest, etc.), you are invited to attend an interview in May. This interview is to ensure that there are no hidden agendas or conflicts of interest, and that you communicate well. It consists of both a personal interview and a panel interview (an opportunity to sample the jury experience and see how well you interact with others). The best 30 applicants are then selected.

### Step three:

In June, these “30” are invited back for the final selection round. All applicants' names are placed into a drum, and randomly selected by the presiding judge. The first 19 selected will be the “sitting jury.” The remainder are invited to be “alternates.” The sitting jury is immediately sworn in (to start in July). If a sitting juror resigns for any reason, the next alternate is contacted and invited to join the jury immediately.

## HOW IT UNFOLDS (July-June)

The first week begins with a multi-day training for both the



sitting jury and the alternates. Besides learning about your responsibilities and powers, committees and investigation techniques, you start to get to know your fellow jurors – each of whom has a lifetime of expertise to share. Within a few weeks, jurors visit Marin County Juvenile Hall, Marin County Jail, and San Quentin State Prison. These visits make a strong impression since jurors see, talk to, and eat with people (including inmates) with whom they would not normally interact.

### Finding a topic

Perhaps the most surprising thing for new jurors is that there's no assigned list of topics to investigate. Jurors may wish to follow-up on a previous Civil Grand Jury

report, research issues that they've heard about, or simply learn more about a local agency. Jurors meet weekly in small themed committees (such as finance or health) to ensure thorough and unbiased research. By the end of the first month, many committees start to explore potential topics. Is there a perception of wrongdoing, inefficiency, or need for improvement? After reading and talking among themselves, the next step is to invite people in for interviews.

### The interview process

Each interviewee signs an admonition promising not to reveal that they spoke with the Civil Grand Jury or the subject of conversation. Such conversations

Continued on page 12

## Civil Grand Jury Experience

continued from page 11

provide background information and allow pointed questions to be asked in a private setting. The Civil Grand Jury is sworn to protect the anonymity of its sources, not just for your term, but for the rest of your life.

### Continuity

In addition to ongoing investigations, the Civil Grand Jury also has administrative responsibilities. Perhaps the most important of these is reviewing public agencies' responses to previously published Civil Grand Jury reports for adequacy, completeness, and timeliness. For example, if an agency promised to make a change by a certain date, the Civil Grand Jury seeks confirmation. Such monitoring ensures that promised changes happen.

### The RFI

Eventually a committee will have enough information and direction to warrant writing an RFI (Request for Investigation). An RFI is an overview of what the committee plans to further research and is presented to the entire 19-member body of the jury (the "Plenary"). If the research pans out, a report is then written that the Plenary later reviews and votes on.

Sometimes a committee discovers that their "hot topic" is no longer appropriate (assumptions prove to be incorrect or other agencies are already investigating) and has to abandon the topic and start anew. Excitement builds as expertise is developed: learning the lingo, meeting leaders, understanding motivations, deciphering the law, and finding best practices. Jurors start thinking

about solutions to issues, validating these solutions through additional research, conversation, and surveys. One key investigative principle is triangulation: To prove anything, three independent sources are required. Triangulation takes time but is key to a report's effectiveness. Reports don't simply contain your thoughts or your observations, they contain concepts and solutions that you prove as best you can.

### Field trips

The Civil Grand Jury is not all work and no play. There are opportunities to take social "field trips" to learn as much as you can about your County. You will visit a wide variety of agencies up-close and ask questions on matters you've always been curious about. In addition, leaders throughout the County are invited to the year-long speaker series, sharing details of their organizations and responsibilities.

### Writing the report

While some topics feel like they would take years to examine and report on, the Civil Grand Jury must complete its work within its one-year term. At some point it becomes clear that investigations must wrap up to begin writing the report described in the RFI presentation. Before drafting your report, jurors can attend a "Report Writing 101" class. The writing process can be the most emotionally-charged phase of the term. During meetings, people agree on high-level concepts but when articulated in detail, committee members may disagree on language, intent, specifics, or logical flow. Members review each other's contributions,

negotiate phrasing, and merge separate ideas into a cohesive, rigorous report draft.

### The editing process

Once your committee agrees the report is ready, a draft is passed to the editorial committee. This is the first chance for "fresh eyes" to read the report and offer suggestions. The investigative committee then makes any necessary edits, eventually sharing their report with the Plenary.

### Report approval

Members of the Plenary read the committee's report, share suggestions and ask additional questions before discussing and voting on it. As in other Plenary actions, a supermajority (at least 12 of the 19 jurors) must vote to approve.

After Plenary approval, both County Counsel and the presiding judge must sign off on the report. Their role is not to censor your work, but to ensure that the specific language is legally appropriate. (For example, the report is not libelous.) If they reject the report, the committee may wish to make necessary changes and seek re-approval. As required by the California Penal Code, a confidential copy is then sent to agencies named in the report. This ensures that these agencies have an opportunity to request any factual mistakes in the report be

corrected before publication. Finally, the report is published: It is placed onto the Civil Grand Jury's website and copies are sent to the media for possible coverage.

## THE RESULTS

The most tangible result of your work is a published Civil Grand Jury report expressing concerns and containing recommendations to which specific agencies publicly respond. The goal of each independently researched report is to stimulate community awareness and conversation – in the media, at board meetings, and within neighborhood groups. Over the years, Civil Grand Jury reports have addressed a wide variety of topics and have encouraged many measurable changes including: improved website transparency, reduced school bullying, use of police body cameras, increased recycling, a plastic bag ban, and increased senior care funding.

## INTERESTED?

If you have some free time and a passion to make a difference, apply to the next Civil Grand Jury. You'll learn, share, and connect with other Marinites. Join us.

The Civil Grand Jury works on a fiscal year basis and accepts applications throughout the year. The deadline for submitting an application for next year's Civil Grand Jury is April 22, 2019.

**To APPLY for CIVIL GRAND JURY SERVICE visit:**

<http://MarinCounty.org/GrandJury>

Click on "Marin Grand Jury Application"

**To request a CIVIL GRAND JURY INVESTIGATION visit:**

<http://MarinCounty.org/GrandJury>

Click on "Form to Request an Investigation"