

Plumas County Resolution No. 22- 8692

**A RESOLUTION APPROVING THE INCREASE OF GRAND JURY MEMBERS IN
PLUMAS COUNTY PURSUANT TO CALIFORNIA PENAL CODE § 888.2**

WHEREAS, the Plumas County Civil Grand Jury is an independent arm of the Superior Court of California, but the Plumas County Board of Supervisors has some legislative control over the Grand Jury; and

WHEREAS, Article 1, Section 23 of the California Constitution requires that “[o]ne or more grand juries shall be drawn and summoned at least once a year in each county”; and

WHEREAS, Plumas County reduced the number of Grand Jury Members Pursuant to Resolution No. 21-8576; and

WHEREAS, Plumas County wishes to reinstate the Grand Jury to nineteen (19) members; and

WHEREAS, the total number of Grand Jury members in Plumas County be increased from eleven (11) to nineteen (19) members; and

WHEREAS, a quorum of the Grand Jury is correspondingly increased from seven (7) to twelve (12) members.

NOW, THEREFORE BE IT RESOLVED by the Plumas County Board of Supervisors as follows:

1. The facts and circumstances set forth in above recitals are true and correct.
2. That, pursuant to Penal Code § 888.2(b), the number of Grand Jury Members in Plumas County be increased from eleven (11) to nineteen (19), with a quorum correspondingly being increased from seven (7) to twelve (12) is approved.

The foregoing Resolution was duly passed and adopted by the Board of Supervisors of the County of Plumas, State of California, at a regular meeting of said board held on the 3rd day of May, 2022 by the following vote:

AYES: 5

NOES: 0

ABSENT: 0



Kevin Goss
Chair, Board of Supervisors

ATTEST:



Heidi White
Clerk of the Board

Grand Jury Proposal

The 2021/22 Grand Jury recommend a change to be adopted by the 2022/23 grand jury of Plumas County and the Board of Supervisors.

It is recommended to change the required size from 11 members to a 19-member Grand Jury.

Background

The background of the proposed change reflects the challenges the 2021/22 Grand Jury was faced with. First and foremost, the Covid-19 restrictions in 2021 influenced in-person meetings.

Additionally, the Complex fire situation in Plumas County reduced grand jury members' ability to travel, especially from the Chester areas to our Quincy meeting locations.

These stressful limitations placed significant restrictions on jury members. Several had to resign, and this created additional pressure on remaining jury members as the pool of citizens who could serve effectively diminished.

The Grand Jury did not reach its desired numbers of 11 members. Members resigned, and new members joined, only to leave again when faced with the problems above.

By December 2021, we only had eight members

The attendance issues added further pressure to the working Jury.

The Jury had 9 Citizens' complaints, four (4) of which were outside the GJ jurisdiction, five (5) of which could lead to further investigation, and of these Five (5), three (3) could not be taken further not even into the investigation stage, as fundamentally we only had eight jury members. We had several recusals /conflicts of interests, which further resulted in the Jury being less than Eight (8) and therefore below the supermajority required to fulfill our duties.

Technology (or lack of) was of particular concern during the complex fire situation. The GJ could not use the annex at the courthouse because it was used as the command post for fire personnel and first responders.

Additionally, the Jury room within the main courthouse does not have connections to the internet, an adequate number of wall outlets, or a projector. From a communications standpoint, most of the grand Jury used their personal emails and internet connections to conduct GJ business. The GJ faced additional limitations as members could not store electronic media and working documents and hold voting/ zoom, facetime, or window team environments without security risk. We believe the promotion of supporting systems will enable the grand Jury not only to be more effective but will ensure confidentiality and minimize risk. The current systems within Plumas County are unsupportive to the Grand Jury. If improved technology measures were readily available, the situation of the 2021/2022 grand jury would have improved.

Note: The above assessment is the actual events faced by the GJ in 2021/22.

All jury members want to serve the community they live and work in. However, we do not make it easy for them to serve and fulfill their duties.

We don't feel that the 2021/22 experiment to change the number of Grand Jury members improved any situation at all; it made it less effective and did not fulfill all the duties to the citizens of Plumas County.

Justification: Headcount & Technology.

- A 19-member jury allows multiple committees to operate concurrently. Our experience as an 11-member jury [with dropouts, eventually just eight members] was that managing one committee was as much as we could do.
- A 19-member jury attains a supermajority [12] with 10% less attendance relative to an eleven-member jury requiring a supermajority of eight. I.e., a nineteen-member grand jury can be functional w/ greater absenteeism. This is an advantage in our county, with longer commutes and winter driving conditions.
- As an 11-person Grand Jury that ended up in only eight people, each member needed to be present at each meeting to have a necessary supermajority.
- The number of members needing to recuse themselves in specific investigations resulted in the Jury only being able to investigate one subject, thus limiting the scale of work and benefits to the community.
- Having a digital platform with expense reports, letter templates, key documents, etc., will ensure standardization, avoid unnecessary confusion, save time for county employees and volunteers, and provide immediate self-serve tools.
- Grand Jury has found that both the ability to use email and platforms like Zoom has been essential to our effectiveness.
- Digital tools provide a secure backup in the event actual materials are lost, stolen, or damaged

Recommendations:

- 2022/23 Grand Jury reverts to 19- a member jury **from July 1st, 2022.**
- The BOS provides secure cloud content management allowing for a smoother onboarding/transition experience for the incoming Grand Jury.
- Provide a means for the Grand Jury to use non-personal email for secure email transmission between Jury members.
- Expanded opportunities for grand jury members to access support systems such as financial support and legal advice via technology would enable more work to be done faster and more conveniently.
- Provide a Digital library to hold documents and evidence for legal references securely.

We believe such proposed adjustments will ensure a better and more effective grand Jury; going forward, improvements will also provide the continuity needed to be an efficient grand jury for incoming members and beyond the one-year commitment.

2022/2021 Grand Jury

April 18th 2022