

Purpose of the Grand Jury

The grand jury is a body of 19 citizens who are charged and sworn to investigate county matters of civil concern as well as inquire into public offenses committed or triable within the county. Grand jury duties, powers, responsibilities, qualifications and selection processes are outlined in the California Penal Code.

DUTIES AND POWERS

The grand jury reviews and evaluates procedures, methods and systems utilized by government to determine whether they can be made more efficient and effective. It may examine any aspect of county government and city government, including special legislative districts and joint powers agencies, to ensure that the best interests of San Diego County citizens are being served. The grand jury may inquire also into written complaints brought to it by the public.

The grand jury functions lawfully only as a body; no individual grand juror acting alone has any power or authority. Meetings of the jury are not open to the public, and discussions and voting are required by law to be kept private and confidential.

The Penal Code requires the grand jury to:

1. inquire into the condition and management of the public prisons within the county;
2. investigate and report on the operations, accounts and records of county officers, departments or functions;
3. inquire into the willful or corrupt misconduct in office of public officers; and
4. submit a final report of its findings and recommendations no later than the end of its term to the Presiding Judge of the Superior Court. Agencies to which these recommendations are directed are required to respond.

The grand jury may conduct hearings to determine whether there is sufficient evidence to bring an indictment charging a person with a public offense; however, the district attorney usually calls for impanelment of separate juries drawn from the petit (regular trial) jury pool to bring criminal indictments. The grand jury has the power of subpoena.

ORGANIZATION

Each grand jury chooses its officers, except the foreman, and determines its rules of procedure. The foreman is appointed by the court from among the jurors. To carry out its responsibilities, the grand jury normally organizes itself into functional committees. Areas of focus may include administration, finance, education, environment, health, law enforcement and social services.

QUALIFICATIONS

A grand juror must meet all of the following qualifications:

- be a citizen of the United States.
- be at least eighteen years old.
- be a resident of California and San Diego County for at least one year immediately prior to selection.
- possess natural faculties of ordinary intelligence, sound judgment, and good character.
- possess sufficient knowledge of the English language to communicate both orally and in writing.

A grand juror cannot:

- be serving as a trial juror in any California court.
- have been discharged as a grand juror in any California court within one year of the beginning date of service, July 1.

- have been convicted of malfeasance in office, any felony or other high crime.
- be serving as an elected public officer.

Other desirable qualities:

- good health
- open-mindedness
- sensitivity to and concern for the views of others
- skill in working with others in a group setting
- interest in and knowledge of community affairs
- skill and experience in fact finding
- skill and experience in report writing
- working knowledge of computers
- general knowledge of the responsibilities, functions and authority of county and city governments

SELECTION PROCESS

The Office of the Jury Commissioner accepts applications for grand jury service each year usually from December 1 through the first week in January. It reviews the applications and makes available to the court a list of qualified applicants. Each of the Superior Court judges may nominate up to six people for grand jury service, either from this list or from other qualified applicants within the county. Each nominated applicant is mailed a notice to appear for the grand jury drawing process.

The names for the grand jury list are selected from the supervisorial districts of the county in proportion to the number of inhabitants in each district. On a specified date in June, random drawings are conducted under the direct supervision of the Presiding Judge of the Superior Court in the presence of the nominees. First, a pool of 30 names is drawn. Then, the names of the 19 people who will compose the grand jury are drawn at random from this pool. Finally, the remaining 11 names are drawn from the pool and ranked in order drawn to form the alternate list. If a selected juror is unable to serve, a replacement is named from the alternates according to rank.

COMMITMENT

Citizens selected for grand jury service must make a commitment to serve a minimum of six hours per day, four days per week for the period July 1 through June 30. It is not unusual for members to work more than six hours in any given day and up to five days in any given week. The grand jury traditionally does not work during court holidays or the two-week, year-end holiday season. Jurors are requested to take no more than three weeks of additional vacation. Holidays and vacation are taken without remuneration. Jurors are encouraged not to plan vacations after March 1 because of the usually busy schedule during the last few months of jury service.

REMUNERATION

Grand Jurors are paid per diem based on actual days worked (currently \$25.00 per day) and provided free parking. Mileage is reimbursed for round trip travel between jurors' residences and the grand jury office and for travel on grand jury business. The current rate is 36.5 cents per mile.

ORIENTATION

An orientation in June for newly selected jury members provides an overview of grand jury service as well as general information about government functions. Although attendance is voluntary and there is remuneration, participation is strongly recommended for jury members and alternates.

APPLICATION PROCESS

Interested citizens who meet the required qualifications and are able to make the time commitment should request an application from the jury commissioner's office either by mail or by phone. If you have questions, need more information, or would like to request an application, please contact:

San Diego County Grand Jury
550 West C Street, Suite 860
San Diego, CA 92101
Phone: 619-236-2020
Fax: 619-338-8127

Qualified applicants may contact directly any Superior Court judge to request nomination. It is not necessary to know a judge personally.

HISTORY

The origin of the grand jury has been traced to the time of the Norman Conquest of England in 1066. Generally, historians agree that the assize (inquest) of Clarendon in 1164 was the genesis of our present grand jury system. In the United States, the Massachusetts Bay Colony impaneled the first grand jury in 1635 to consider cases of murder, robbery and wife beating. By the end of the colonial period the grand jury had become an indispensable adjunct of government. The grand juries proposed new laws, protested against abuses in government, and wielded tremendous authority in their power to determine who should and should not face trial.

San Diego County's first grand jury was impaneled in 1850 pursuant to the first California Penal Code. The grand jury in California is unusual in that its duties include investigation of county government as provided by statutes passed in 1880. Only a few other states provide for grand jury investigation of county government beyond alleged misconduct of public officials.

Today, grand jurors are officers of the court and work together as an independent body representing all the people of the county.