

San Bernardino County Grand Jury

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San Bernardino, CA 92408
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2023 CIVIL GRAND JURY FINAL REPORT **ACKNOWLEDGEMENT FORM**

The information provided below informs you of your legal responsibilities and requirements concerning your official responses to the Civil Grand Jury Report. **PLEASE NOTE** that you have time sensitive deadlines (a timeline has been produced below for your convenience). You must file your department's responses with the designated Clerk of the Superior Court and also submit a copy to the Clerk of the County Board of Supervisors. Failure to file your responses to the San Bernardino Superior Court and Board of Supervisor's clerk may result in your appearance before the Presiding Judge to show cause for not responding. California Penal Code §933 states as follows:

§933 FINDINGS AND RECOMMENDATIONS; COMMENT OF GOVERNING BODIES; DURATION OF SECTION

(c) No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to §914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervisors or controls. In any city and county, the mayor shall also comment on the findings and recommendations.

All of these comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency...

(d) As used in this section "agency" includes a department.

§933.05 RESPONSES TO FINDINGS

(a) For purposes of subdivision (b) of §933, as to each grand jury finding, the responding person or entity shall indicate one of the following:

- (1) The respondent agrees with the finding.
 - (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.
- (b) For purposes of subdivision (b) of §933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions.
- (1) The recommendation has been implemented, with a summary regarding the implemented action.
 - (2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
 - (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.
 - (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.
- (c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendation affecting his or her agency or department.
- (d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
- (e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.

- (f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

Completion Criteria and Timeline

The Department/Organization shall have fulfilled its obligations when the following occurs:

- Prepare Official Response Due 60-90 days from the date the final report has been made available to the public. (*Generally made available to the public the last day of the fiscal year 6/30th)
- Send Original to the Presiding Judge/Clerk of San Bernardino County Superior Court, State of California C/O Grand Jury Coordinator, Valerie Silvas
172 West Third Street, Second Floor
San Bernardino, CA 92415-0243
- Send Courtesy Copy to Clerk of the Board of Supervisors Lynna Monell
Clerk of the Board of Supervisors
385 N. Arrowhead Ave., 2nd Floor
San Bernardino, CA 92415-0130

PLEASE CONFIRM RECEIPT OF THIS FORM BY EMAIL.