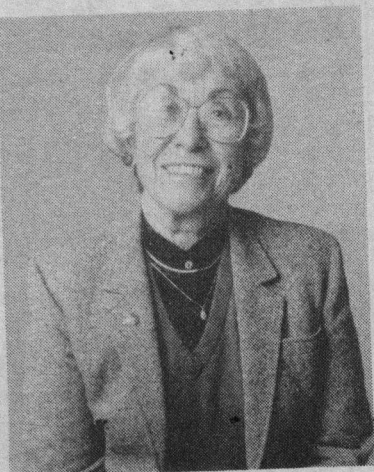


Grand Jury



Bahrenfuss: "I feel we have fulfilled our purpose and done some important work."

Law

## Grand Jury's Effectiveness Investigated

THE grand jury is generally perceived as an all-powerful institution that strikes fear into the government officials and agencies it is charged with overseeing. But in recent years, there has been growing criticism that grand juries are more bark than bite when it comes to its role as community watchdog.

Here too, there are muted rumblings that our grand jury is not all it is cracked up to be. By the same token, our grand jury has its proponents, most notably current and former members who strongly believe the grand jury is a useful and effective organization.

Grand juries, whose origins go back to 12th century England, have evolved into a citizen panel to keep a watchful eye on local governments. In California, the 19 grand jurors of each county are required by law to "investigate and report on the operations, accounts and records of the officers, departments, and functions of" counties, cities and special districts.

Grand jury members, average citizens who serve one-to-two-year terms are chosen by a combination of random selection and judicial nomination. The pay is minimal: \$10 per committee meeting attended and 24 cents per mile for local travel.

"It's an illusion that the grand jury has any real power," said Larry Frommhagen, a citizen activist who stressed he heartily endorses the concept of grand juries, but is not always impressed with the reports.

"The grand jury has a mystique about it and people are impressed when they hear someone or something is being investigated by the grand jury. But unfortunately the investigation rarely amounts to much."

Similar points of view have been echoed by a number of officials and ex-grand jury members both here and

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in other counties. The knock against grand juries in general is that their members do not have the necessary skills, experience or time to do the job effectively.

The grand jury investigates some 15 cases per year, many based on citizen complaints. Its conclusions are compiled in a bound report published each June (there is also an interim report that will be released in about a month).

Included in the report are recommendations to the board of supervisors, which represents the grand jury's primary tool for affecting change. But to some, including supervisor Gary Patton, those recommendations often offer nothing to write home about.

"Normally the recommendations aren't anything we don't already know about, and often we have already begun to address the problem," Patton said. "It's questionable whether the grand jury would have the ability to uncover serious wrongdoing were it to occur. But I think it serves a useful purpose. It helps the board to know what's going on in certain areas and it prods us to do something about it."

In response to criticism about their recommendations' impact, grand jury members point to several investigations with controversial outcomes the past three years:

—In 1983-84, the grand jury was instrumental in uncovering the im-

proper UCSC voter registration procedures. This led to the recent court ruling that overturned city council election results, and could result in the replacement of liberal mayor Jane Weed with conservative ex-public works director Bill Fieberling. The fight by the conservatives may very well have occurred with or without the grand jury's input.

—In 1985-86, the grand jury looked into the city of Santa Cruz's routine denial of claims filed against the city by citizens. The matter was finally turned over to the state attorney general's office, which has yet to render an opinion. Meanwhile, the grand jury continues to monitor the situation — and the city (and county) continue to routinely deny claims by citizens that believe they've been harmed in some way by local government.

Jayne Bahrenfuss is foreman of the current Santa Cruz grand jury and a member of last year's. As such, she defends her group's record.

"I feel very good about the role of grand juries and about the performance of the Santa Cruz grand jurors I have been associated with," said Bahrenfuss, who noted that it is not uncommon for members to put in 20 hours a week on their grand jury work.

"I feel we have fulfilled our purpose and done some important work. Naturally some members work harder and are more effective than others, but overall I think we have served the public well." •

—Kevin Hanson