

# Editorial: El Dorado County needs to deal with grand jury

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Civil grand juries investigate the nuts and bolts of local government. When they work well, they can shine much-needed light on the inner operations of cities, counties, schools and special districts. Using their subpoena powers, grand juries interview witnesses under oath, tour public facilities and review records. In their local government watchdog function, they are sometimes the first to spot mismanagement, waste, inefficiency and sometimes even criminal malfeasance.

Not all grand juries work well. There are times they become politicized, captured by one faction in a community and used to embarrass a rival faction or to push a preconceived agenda. But at their best, grand juries serve as a healthy extra pair of eyes and ears for the benefit of the community.

So what happens when a grand jury implodes? Apparently, that is what has occurred in El Dorado County. Fourteen of 19 members of the county grand jury abruptly resigned last month. The five remaining are far short of the minimum 12 jurors required for deliberations.

With no alternates left, the supervising judge who oversees the grand jury for the El Dorado Superior Court said that he had no choice but to dissolve the 2012-13 panel. The jury was already eight months into its term, much too late, the judge said, to select and train new grand jurors and to allow them enough time for the level of meaningful deliberation needed to produce a credible report.

That means that this year there will be no El Dorado County grand jury report, an unprecedented development that the court

should investigate.

Rumors are rife about what may have led to the breakdown. According to accounts in the *Lake Tahoe News* that were later verified by the *Bee's* Cathy Locke, one member of the jury violated confidentiality of closed-door sessions. The investigation reportedly involved a member of the El Dorado County Board of Supervisors. But no one privy to the grand jury's secret deliberations has disclosed the reason for the dissension within the panel, which grand juror may have violated confidentiality or exactly who or what was being investigated. So, at this point, all remains conjecture.

That seems unfair to the possible targets of investigation whose names have been bandied about, to grand jurors who did nothing wrong, to the community and to the grand jury process itself. Still, while the court should try to find out what happened, any probe that leads to sanctions for a grand juror may be counterproductive – likely discouraging future good potential candidates for the grand jury from serving.

Ultimately, given the secrecy surrounding grand jury deliberations, the details of what went wrong this year may never be made public.

Nonetheless, the unsettling experience can serve as a useful lesson for El Dorado County's next grand jury. The presiding judge has said she is already taking steps to make sure no future grand jury is rendered incapable of carrying out its duties. Changes may include overlapping grand jury terms, more alternates and, most important, grand jurors better prepared for their responsibilities.