

## **FORWARD**

The grand jury is an investigatory body created for the protection of society and the enforcement of the law. It is an arm of the court and a representative of the public. Although an arm of the court, it operates independently of direct court supervision. It is a check against governmental authority, but not a branch of the county government, nor is it answerable to the district attorney.

The grand jury is a group of ordinary El Dorado County citizens who have agreed to perform the task of inquiring into local government for one year and to report their findings. The resulting report, speaking for the general population to their government, must be answered by the proper officials in a timely and correct manner as proscribed by law. If those officials agree with the grand jury's finding and recommendations, they must also explain how and when any recommendations will be implemented. If they disagree, they must state why.

The grand jury is not just speaking for their own membership – they are speaking for the populace. The government is not answering only those nineteen people – they are responding publicly to all of their constituents. Serving on the grand jury is the direct involvement of citizens in their local government. It is a great opportunity as well as a great responsibility. The grand jury is an example of government by its people.

The grand jury speaks in one voice, as a body. Individual jurors or subcommittees of the jury do not produce reports or issue statements without the authority of the entire jury. The vote and work of the individual jurors are concealed. All proceedings are in secret, unlike almost any other legal proceedings. Secrecy is required to protect jurors from improper pressures and to encourage witnesses to speak freely without fear of retribution or public disclosure. The California Penal Code requires secrecy be kept.

### **THE GRAND JURY DERIVES ITS POWER FROM THE CALIFORNIA CONSTITUTION, STATUTE AND CASE LAW**