

2018-2019 KERN COUNTY GRAND JURY FINAL REPORT



“Serving and Assisting the People of Kern County for 153 years”





**2018-2019
KERN COUNTY
GRAND JURY FINAL REPORT**



2018 – 2019 KERN COUNTY GRAND JURY

MEMBERS

NAME	TERM SERVED	CITY	NOMINATING JUDGE
Ardis, Dwayne	2015-2016, 2016-2017, 2018-2019	Bakersfield	Hon. Steven M Katz
Atchison, Georgina L.	2018-2019	Bakersfield	Hon. Steven M Katz
Baily, Lynn C.	2018-2019	Bakersfield	Hon. Steven M Katz
Benton Rafanan, Linda	2017-2018, 2018-2019	Bakersfield	Hon. Steven M Katz
Biscar, Donalda	2018-2019	Bakersfield	Hon. Steven M. Katz
Casey, Linda	2018-2019	Bakersfield	Hon. John W. Lua
Chaffin, Gary	2014-2015, 2015-2016, 2018-2019	Bakersfield	Hon. John W. Lua
Christensen, Terry A.	2018-2019	Tehachapi	Hon. John D. Oglesby
Cooper, Kenneth M.	2018-2019	Bakersfield	Hon. John D. Oglesby
Gonzales, Yvette	2015-2016, 2016-2017, 2018-2019	Bakersfield	Hon. Michael G. Bush
Keel, Mahlon L.	2011-2012, 2013-2014, 2014-2015 2018-2019	Bakersfield	Hon. Louie L. Vega
Krebsbach, Peter A.	2018-2019	Bakersfield	Hon. Ralph Wm. Wyatt
Lyday, Bonnie M.	2018-2019	Bakersfield	Hon. Louie L. Vega
McCarthy, Charlynn	2008-2009, 2017-2018, 2018-2019	Shafter	Hon. Marcos R Camacho
Rivera, Amelia E.	2017-2018, 2018-2019	Bakersfield	Hon. Charles R. Brehmer
Royal, Gayle G.	2018-2019	Pine Mtn. Club	Hon. Kenneth R. Green Jr.
Schaffel, Donna	2014-2015, 2015-2016, 2017-2018 2018-2019	Pine Mtn. Club	Hon. John S. Somers
Jerry Troxel	2018-2019	Bakersfield	Hon. John D. Oglesby
Vicuna, Enrique R.	2018-2019	Bakersfield	Hon. Stephen Schuett

ALSO SERVED:

Avery, Loretta

Bryant, Michael

Garza, Elena

Nienke, Marilyn

Walker, Lawrence

2018-2019 KERN COUNTY GRAND JURY



MISSION STATEMENT

The first Kern County Grand Jury was appointed by the Kern County Board of Supervisors in 1866. For over 153 years, the Grand Jury mission has not changed. The mission is to be the Watchdog for the public.

The Kern County Grand Jury reviews cities within the County, county departments, local governmental agencies and special districts to ensure these bodies of government comply with fiduciary responsibilities and are governed effectively. The Jury is charged with the oversight of all County and local law enforcement agencies and non-federal penal facilities within the County.

Citizen complaints are received and reviewed by the Jury. The Standing and Ad Hoc Committees will investigate, evaluate and report findings to the Jury which may then include recommendations to the entities. Standing Committees are: Administration and Audit; Cities and Joint Powers; County Services and Special Districts; Health, Education, and Social Services and Law and Justice.

The Grand Jury may also hear criminal indictments brought by the District Attorney's Office for a criminal or civil offense. The Grand Jury may consider a case against a public officer for malfeasance or an accusation.

At the end of its term, the Grand Jury issues a final report to the Presiding Judge. Portions of the document pertaining to investigation results during the year may have been previously released to encourage action on urgent matters. All reports include findings and recommendations of each committee and are available to the general public, the media and on the Grand Jury website.

Grand Jury Activities

- California Grand Jurors' Association Foreperson and Jury Training, Visalia
- California Grand Jurors' Association Report Writing Workshop, Bakersfield
- California Grand Jurors' Association Training, Visalia
- Kern County Grand Jury Association Quarterly meetings, Bakersfield
- Visit and inspection of the Sheriff's Search and Rescue, Kern County
- Visit the Kern County Sheriff's Office Air Support Unit, Bakersfield
- Visit the Kern County Sheriff's Office K-9 Unit, Bakersfield
- Visit and tour of the Bakersfield City Police Department K-9 Unit, Bakersfield
- Visit the Kern County Sheriff's Office Central receiving Facility, Bakersfield
- Visit the Kern County Sheriff's Office Bomb Squad team, Bakersfield
- Visit and inspection of the Kern County Probation Department Camp Owen, Kernville
- Visit of the Kern County Probation Department Crossroads Facility, Bakersfield
- Visit and inspection of 11 prisons
- Kern County Grand Jury Awareness Week Ceremony
- Kern County Board of Supervisors Proclamation presented by Supervisor Leticia Perez
- Responded to over 40 citizen complaints
- Released over 25 Final Reports
- Conducted one criminal indictment for the District Attorney's Office
- Public Awareness Booth at the Bakersfield Home and Garden Show, three days
- Public Awareness at the Kern County Retired Employees, Bakersfield
- Provided speakers to Aging and Adult Services
- Monitored and participated in the audit of voting machines for the Kern County Elections Department
- Open discussions with various guest speakers
- Kern County Grand Jurors' Association Condor Night
- Jurors' served over 16,000 hours



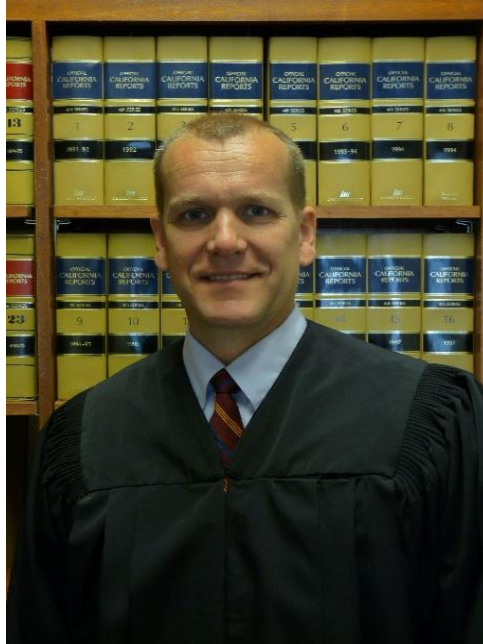
GRAND JUROR'S OATH

The following oath is administered to Grand Jurors:

"I do solemnly swear (affirm) that I will support the Constitution of the United States and of the State of California, and all laws made pursuant to and in conformity therewith, will diligently inquire into, and true presentment make, of all public offenses against the people of this state, committed or triable within this county, of which the grand jury shall have or can obtain legal evidence. Further, I will not disclose any evidence brought before the grand jury, nor anything which I or any other grand juror may say, nor the manner in which I or any other grand juror may have voted on any matter before the grand jury. I will keep the charge that will be given to me by the court."

(§ 911, Penal Code)

KERN COUNTY SUPERIOR COURT ADVISORY JUDGES



Honorable Charles R. Brehmer
Presiding Judge January 2017 - December 2018



Honorable Judith K. Dulcich
Presiding Judge January 2019 - Present

SUPPORT STAFF



Margo Raison
County Counsel



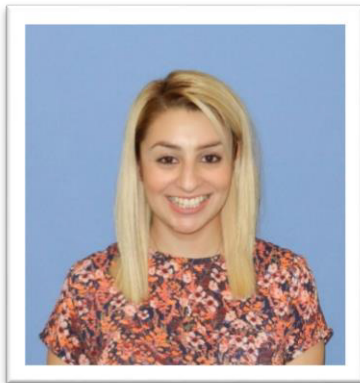
Michael J. Yraceburn
Supervising Deputy
District Attorney



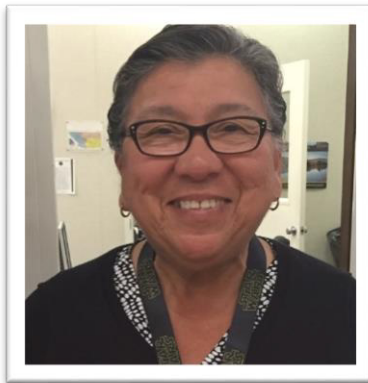
Kenneth Grove
District Attorney Investigator



Tamara Harber-Pickens
Court Executive Officer



Julie Flores
Grand Jury Liaison



Gloria Rangel
Sr. Office Services
Specialist



Stacy Garner
Presiding Secretary



2018-2019

Charlynn R. McCarthy
Foreperson

Dwayne Ardis

Georgina Atchison

Linda Benton Rafanan

Donalda Biscar

Linda S. Casey

Gary Chaffin

Terry A. Christensen

Kenneth M. Cooper

Gayle Gentile-Royal

Yvette Gonzalez

Mahlon "Sonny" Keel

Peter A. Krebsbach

Bonnie M. Lyday

Amelia Rivera

Donna L. Schaffel

Verlaine Schneider

Jerry D. Troxel

Enrique R. Vicuna

1415 TRUXTUN AVENUE, STE. 600
BAKERSFIELD, CA 93301
(661) 868-4797
FAX: (661) 321-0761
www.co.kern.ca.us/grandjury

Kern County GRAND JURY

June 20, 2019

The Honorable Judith Dulcich
Presiding Judge
Kern County Superior Court
1415 Truxtun Avenue
Bakersfield CA 93301

Dear Judge Dulcich:

As the term of the 2018-2019 Kern County Grand Jury comes to an end, I respectfully submit our Final Report.

On behalf of the Grand Jury, I would like to commend you and your staff, in particular Julie Flores, Judicial Secretary, for your leadership and support. Special thanks to Senior Office Services Specialist Gloria Rangel for her excellent service and dedication to keeping the high standards and traditions alive through the ever changing dynamics of the Grand Jury.

The Grand Jury relies heavily on advice from our legal advisors. Special thanks to Mark Nations and Margo Raison, County Counsels, for their direction and encouragement throughout the year. We also appreciate the support we received from Sheriff Donny Youngblood and his department

Early in our term, at the request of the District Attorney's office, this Grand Jury heard testimony in a criminal indictment. The indictment process was challenging and educational. We would like to thank Supervising Deputy District Attorney Michael Yraceburn and his staff, including Deputy District Attorney Garrett Rice for their continuing support and guidance during the indictment process and throughout the year.

Many of our experienced jurors mentored newer members to prepare for the indictment proceedings. The group of nineteen strangers from diverse and varied backgrounds became a dedicated and cohesive working unit.

Once the indictment was completed, we turned our focus to our civil duties. As watchdogs of the community, the Grand Jury is asked to objectively investigate all branches of county and city government to assure that they are being administered efficiently, honestly and in the best interest of its citizens.

In addition to the indictment, this Grand Jury conducted several in-depth inquiries, completed 30 reports, and reviewed more than 33 complaints from concerned citizens.

Raising awareness and sharing the opportunity to serve the community has been a large part of our mission this year. Jurors strived to gain a better understanding and appreciation of the Grand Jury purpose and the value of citizen volunteers. Some of our members are military veterans who continue to proudly serve their community. We value our veterans and appreciate their service.

We look forward to sharing our experience with the future jurors as we pass the torch to the 2019-2020 Kern County Grand Jury.

Once again, thank you, to you and all your staff for your support. The citizens of Kern County are fortunate to have a strong network of officials and staff who support the Grand Jury's mission.

Sincerely,



Charlynn McCarthy, Foreperson
2018-2019 Kern County Grand Jury

2018-2019 KERN COUNTY GRAND JURY



CHARLYNN MCCARTHY
FOREPERSON

2018-2019 OFFICERS



AMELIA (MILLIE) RIVERA
PRO TEM



DONNA SCHAFFEL
PARLIAMENTARIAN



YVETTE GONZALEZ
RECORDING SECRETARY



GAYLE GENTILE-ROYAL
FEE MANAGER



GEORGINA ATCHISON
SERGEANT-AT-ARMS



ENRIQUE VICUNA
SERGEANT-AT-ARMS

2018-2019 KERN COUNTY GRAND JURY FORMAL STATEMENT

Grand juries have existed in the State of California since the adoption of the State's Constitution in 1849-50. The Constitution requires that a grand jury be drawn and summoned at least once a year in each county. According to Kern County Board of Supervisors' records, the first Grand Jury was selected in 1867. The Board of Supervisors' meeting minutes, although very difficult to read, reflected, Apportionment of persons to be selected and returned from various townships to serve as Grand and Trial Jurors for the year 1867. This would have been the first Kern County Grand Jury. At that time names of persons to serve were drawn from the property tax assessment roll. One hundred and fifty-two years later, the 2018-2019 Kern County Grand Jury was selected by a blind draw of over 30 volunteers. The nineteen volunteers and six alternates were selected to represent Kern County and sworn in by the Presiding Judge of the Superior Court to uphold the Grand Juror's Oath.

All grand juries are independent judicial bodies. Responsibilities include investigating all aspects of county government, special districts, cities within the county, and citizen's complaints to ensure that these bodies are governed effectively and efficiently. The Grand Jury is considered to be the watchdog for the citizens of the County and an arm of the court. The Grand Jury also functions as an investigative body, conducting hearings which can lead to indictments by the Attorney General and the District Attorney's offices. To fulfill these responsibilities the Grand Jury may subpoena persons and/or records to obtain information on subjects under investigation. To protect the constitutional rights of parties being investigated, the Grand Jury as a group is and as individuals are sworn to complete lifelong confidentiality.

The Grand Jury conducts business at a General Meeting (Plenary) weekly. Any and all action taken during the year is considered to be official Grand Jury business and must be approved by at least twelve of the nineteen Jurors. When an investigation involves an issue that could not be completed within the year, the Presiding Judge can hold over the evidence gathered for the next grand jury (if the previous grand jury so requests).

At the end of the term, the Grand Jury issues a Final Report to the Presiding Judge containing all the reports and responses received to date. The Final Report concludes the obligation of the Grand Jury to the Superior Court.

The 2018-2019 Kern County Grand Jury, consisted of twelve women and seven men, who found this service to be personally rewarding and enriching as well as a significant public service. The Jury encourages all citizens to apply to serve on the Grand Jury. All reports and recruitment information are available on the Grand Jury website, www.kerncounty.com/grandjury or by calling 661-868-4797.

PROCLAMATION

The Board of Supervisors
of the County of Kern,
State of California
has officially proclaimed

February 4 - 8, 2019



as

**Grand Jury Public Awareness Week
in Kern County**

and this recognition has
been entered in the
official Board minutes



CHAIRMAN, KERN COUNTY BOARD OF SUPERVISORS

February 5, 2019

DATE



GRAND JURY AWARENESS WEEK and RECRUITMENT



Judge Judith K. Dulcich

Supervisor David Couch



All photos provided by the Grand Jury

2018-2019 KERN COUNTY GRAND JURY VETERANS



Dwayne Ardis Pete Krebsbach Georgina Atchison Gary Chaffin Mahlon 'Sonny' Keel



THANK YOU FOR YOUR SERVICE