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# AGENDA REPORT

**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** Margaret L. O'Brien  
Revenue & Tax  
Administrator

**SUBJECT:** Informational Report Response to the  
Grand Jury Revenue Management  
Bureau Investigation

**DATE:** August 29, 2016

City Administrator Approval

Date:

9/7/16

## RECOMMENDATION

Staff Recommends That The City Council Accept This Informational Report on City of Oakland Response to the 2015-16 Alameda County Grand Jury Final Report Titled "Management Issues Within the City of Oakland Revenue Division."

## EXECUTIVE SUMMARY

The intent of this report is to inform the Council of actions taken within the Revenue Management Bureau ("Bureau") that proactively addressed recommendations that were identified by the Grand Jury's investigation. In June 2016, the Alameda County Grand Jury released the 2015-16 Alameda County Grand Jury Final Report. Within the report (starting on page 95) is an investigation of alleged management issues within the City of Oakland's Revenue Management Bureau.

Specifically the report states that, "The Grand Jury received complaints alleging mismanagement by certain current and former City of Oakland Revenue Division employees. The complaint alleged that certain revenues were not being collected because of a failure to follow good business practices and that interest charges and fees were improperly waived. As the investigation proceeded, additional allegations concerning the Revenue Division surfaced; cronyism and termination of employee access to essential software were asserted. The Grand Jury combined all of these allegations into a single investigation.

The Grand Jury investigation started during the administration of a former revenue manager. As is typical with any new administration, the former manager brought in new faces and new ideas, including different accountability procedures. The Grand Jury heard testimony indicating that many employees were disaffected with these changes and confused about expectations within the Revenue Division.

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The investigation led the Grand Jury to conclude that some of the allegations were without foundation, while a few had merit. The Grand Jury found that poor communication contributed to be a dysfunctional work environment. In addition, there were instances of undocumented policies and lax oversight by senior executives. Finally, the division lacked a written penalty waiver policy.<sup>1</sup>

The Grand Jury found that the Bureau was suffering from poor communication from management to employees; was lacking in policy direction regarding waivers of penalties assessed against delinquent accounts; and the Grand Jury expressed concerns about a lack of contracted vendor support for the City's local tax software system. The Bureau was already addressing these concerns prior to the release of the Grand Jury's report.

### **BACKGROUND AND LEGISLATIVE HISTORY**

The Alameda County Grand Jury is a civil grand jury whose role is to investigate all aspects of local government and municipalities to ensure government is being run efficiently, and that government funds are being handled appropriately.<sup>2</sup> To this end, the Grand Jury, operating within its legal authority, opted to review complaints received regarding the management of the City's Revenue Management Bureau.

### **ANALYSIS AND POLICY ALTERNATIVES**

Staff appreciates the Grand Jury's work to investigating allegations of management issues within the Revenue Bureau and the complaint that alleged that certain revenues were not being collected because of 1) failure to follow good business practices; 2) improper waiving of interest charges and fees; and 3) and termination of essential software. Many of the concerns raised by the Grand Jury were already being addressed by the City Administrator's Office and the Bureau. Below are the Grand Jury recommendations specific to the Revenue Management Bureau and staff's response.

**Recommendation 16-36:** *The current City of Oakland Finance Director and Revenue & Tax Administrator must update Bureau goals and objectives, which must be communicated to employees.*

The Revenue & Tax Administrator is committed to creating an inclusive and open environment in which Bureau employees are provided ownership of their goals and objectives. In February 2016, the Bureau began a comprehensive strategic planning process. This process included all of the Bureau's units and employees. Revenue Operations Supervisors, with the guidance of the Revenue & Tax Administrator, work with staff to work through problem solving analysis exercises to create short, mid and long term goals. Every employee was provided the chance to

<sup>1</sup> Alameda County Grand Jury Final Report 2015-16, Page 95

<sup>2</sup> Alameda County Grand Jury Final Report 2015-16, Page 13

participate and help build the direction of the Bureau. The strategic plan is in its final phase of development and will be disseminated to Bureau employees by the end of the calendar year.

**Recommendation 16-37:** *A new waiver for tax or penalty waivers must be implemented by the City of Oakland. The new policy should clarify to whom a waiver request must be submitted and who has the authority in the absence of the Finance Director.*

With regards to the collection of tax revenue, the Oakland Municipal Code only provides the Finance Director the authority to waive penalties associated with the collection of local business taxes. The Municipal Code does not provide authority to any employee or officer of the City to waive tax or penalties associated with other tax categories.

Regarding requests for waivers of local business taxes and penalties, a new policy was instituted in December 2016. Verbal requests for waivers of penalties will not be considered. The taxpayer must submit a written request with supporting documentation for a waiver, setting forth the grounds upon which the request is made. In the absence of the Finance Director, the Revenue & Tax Administrator has the authority to contemplate written requests for the waiving of penalties assessed on business tax accounts. The Revenue & Tax Administrator provides a quarterly update to the City Administrator of all approved waivers. Since September 2015, there have been no waiver of penalties assessed against delinquent business tax accounts. The Bureau is offering payment plans to help delinquent businesses bring business tax accounts current.

The criteria for reviewing and approving or denying a waiver request is:

1. Taxpayer's failure to pay timely was due to extraordinary circumstances or circumstances beyond the control of the taxpayer, and occurred notwithstanding the exercise of ordinary care and the absence of willful neglect.
2. Taxpayer has appealed to the Board of Review and the Board has recommended for the Revenue & Tax Administrator to reconsider his or her decision based on new information or facts submitted at the hearing.

**Recommendation 16-38:** *The City of Oakland's tax collection software issue must be addressed by either re-authorizing the license for the current software or implementing software from a new vendor.*

In November 2015, the City issued a Request for Qualifications/Proposals. A cross-functional team of 19 employees analyzed the proposals and in-house demonstrations received from five vendors. A new system was selected, the Council approved contracting authority, and a contract was negotiated. The new software will go live in November 2016 for the collection of business taxes and March 2017 for the collection of all other local taxes and fees typically collected by the Bureau.

**FISCAL IMPACT**

This is an informational report only and does not have a fiscal impact.

**PUBLIC OUTREACH/INTEREST**

There was no public outreach or interest associated with this informational report.

**COORDINATION**

This report was written in coordination with the City Administrator's Office and the City Attorney's Office.

**SUSTAINABLE OPPORTUNITIES**

***Economic:*** Not Applicable

***Environmental:*** Not Applicable

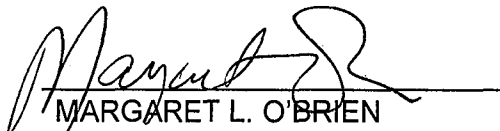
***Social Equity:*** Not Applicable

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends that the City Council accept this Informational Report regarding the City of Oakland response to the 2015-16 Alameda County Grand Jury Final Report Titled "Management Issues Within the City of Oakland Revenue Division"

For questions regarding this report, please contact MARGARET O'BRIEN, Revenue & Tax Administrator, 510-238-7480.

Respectfully submitted,

  
MARGARET L. O'BRIEN  
Revenue & Tax Administrator,  
Revenue Management Bureau

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City Council  
September 20, 2016

## **MANAGEMENT ISSUES WITHIN THE CITY OF OAKLAND REVENUE DIVISION**

### **EXECUTIVE SUMMARY**

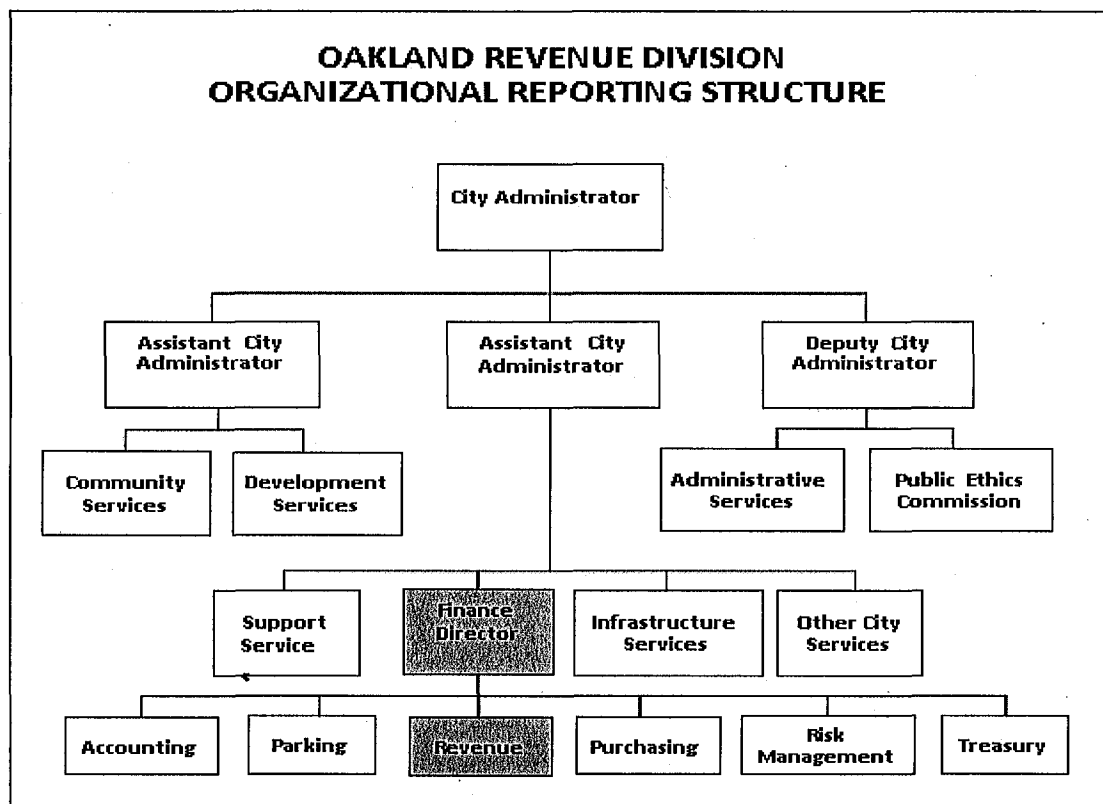
The Grand Jury received complaints alleging mismanagement by certain current and former city of Oakland Revenue Division employees. The complaint alleged that certain revenues were not being collected because of a failure to follow good business practices and that interest charges and fees were improperly waived. As the investigation proceeded, additional allegations concerning the Revenue Division surfaced; cronyism and termination of employee access to essential software were asserted. The Grand Jury combined all of these allegations into a single investigation.

The Grand Jury investigation started during the administration of a former revenue manager. As is typical with any new administration, the former manager brought in new faces and new ideas, including different accountability procedures. The Grand Jury heard testimony indicating that many employees were disaffected with these changes and confused about expectations within the Revenue Division.

The investigation led the Grand Jury to conclude that some of the allegations were without foundation, while a few had merit. The Grand Jury found that poor communication contributed to a dysfunctional work environment. In addition, there were instances of undocumented policies and lax oversight by senior executives. Finally, the division lacked a written penalty waiver policy.

### **BACKGROUND**

The Revenue Division is responsible for collecting municipal business taxes and fees, which are forecasted as \$150 million in the proposed FY2016 Oakland city budget. The Revenue Division also serves as the collection agency for all city departments for past due fees and fines, which are forecast as \$24 million in the FY2016 Oakland City Budget. The Revenue Division prepares reports and performs audits on entities that are obligated to pay for business licenses, garbage collection, utility consumption, transit occupancy, parking and occupancy taxes. In addition, the Revenue Division is responsible for collecting taxes from marijuana dispensaries, and certain delinquent fees. The Revenue Division has approximately 56 employees, including several collection officers, revenue analysts, accountants, auditors and tax enforcement officers. The division is part of the city's finance department as shown in the organizational chart below.



In recent years, the finance department has experienced significant changes at the senior management levels. Indeed, during one extended period, the finance director position was vacant. High turnover in the city administrator position has also affected the Revenue Division. Currently, the Revenue Division is managed by a senior administrator who reports to the finance director, who in turn reports to one of the assistant city administrators.

To provide services to the public, the Revenue Division relies on various software tools to track the taxes and fees collected. For reporting, accounting and auditing purposes, multiple tools are employed. Ultimately, the revenue data is fed into the city's treasury and general ledger accounting systems.

### INVESTIGATION

In conducting its investigation, the Grand Jury reviewed the following:

- Hundreds of pages of documents, including city financial, audit and budget reports; policies and procedures related to the city's financial and budget processes; ordinances; city organizational charts; and, pertinent correspondence concerning the city's Revenue Division;
- Financial policies and procedures of similarly situated municipalities;

- Minutes and videos of several public meetings; and
- Testimony from numerous witnesses, including public officials and city employees.

### **Oakland Revenue Division Management and Oversight**

#### Leadership Turnover in Finance Department Leads to Confusion

The Revenue Division manager reports to the finance director as indicated by the organizational chart above. During the past five years, there were four different finance directors and five city administrators. The Grand Jury did not investigate the cause of the management turnover. However, without a finance director to oversee the Revenue Division manager, an organizational gap evolved, leading to organizational confusion.

In any organization as large as the city of Oakland, management turnover of this magnitude will create confusion regarding continuity of processes, strategy, and planning that is vital for efficient functioning. The frequent turnover inevitably led to turmoil that jeopardized the smooth operation of a division that is critical to collecting and accounting for city revenue. Consequently, the employees filed numerous grievances and their union petitioned the city council for relief. While the Grand Jury did not fully investigate any of these grievances, the Grand Jury did hear testimony that the city council was aware of employee discontent in the Revenue Division.

#### Lack of Effective Communication and Allegations of Cronyism

The former manager hired several former associates to assist with division supervisory duties. When one of the associates suspended the practice of conducting field investigations with insufficient explanation, division employees became confused and discontented. Additionally, the Grand Jury heard testimony that employees faced new requirements for detailed time tracking with insufficient explanation. Management's alleged failure to clearly communicate changes in work procedures led to misunderstandings that resulted in an escalation of formal grievances including allegations of cronyism. After interviewing several witnesses, the Grand Jury did not find evidence that any of these newly hired employees were unqualified to perform revenue-related duties. Further, all new employees were hired through the standard civil service procedures. Thus, the Grand Jury did not uncover any evidence substantiating the allegation of cronyism.

The Grand Jury heard testimony that employee morale in the division plummeted, as reflected in approximately 90 complaints filed through the union grievance process. Union leadership summarized several of these issues in a letter to the mayor and to other city leaders. The Grand Jury found that the

significant number of grievances was attributable to leadership turnover and the ineffective communication by the former manager.

Eventually, in September of 2015, a new manager was promoted from within the division.

In summary, there was misunderstanding regarding the implementation of certain financial and management practices, and confusion regarding the rationale, goals and expected outcomes of these changes. The root cause of this misunderstanding appears to be the management style of the former manager of the Revenue Division.

### **Financial and Process Issues Investigated by the Grand Jury**

#### Violation of Policy on Penalties/Fee Waivers for Business Taxes

The Grand Jury heard testimony that the finance director has the authority to waive interest fees or penalties for late tax payments. However, the Grand Jury learned there is no approved written policy setting forth authority and procedures for interest and penalty waivers. Based on witness testimony and various audit reports, it appeared to the Grand Jury that the former Revenue Division manager had on occasion waived interest fees and penalties, despite lacking written authority to execute such waivers. At times during that manager's tenure, the city of Oakland was operating without a finance director, and it appeared that city administrators were unaware of the occurrence of the waivers.

The Grand Jury reviewed the Revenue Division's draft waiver policy that is now under consideration by senior management. The Grand Jury applauds the city's efforts to draft a waiver policy that requires waivers of penalties to be submitted in writing, but is concerned regarding the length of time it has taken to implement. To ensure that penalties are properly waived, the final waiver policy should clearly state: 1) the steps that must be taken by the taxpayer to request a waiver, including to whom the waiver request must be submitted; 2) whether the revenue manager can act unilaterally in waiving penalties; and 3) who can waive penalties in the absence of a finance director. These clarifications would produce an improved policy that can be consistently implemented by senior management.

#### Denial of Critical System Access to Employees

The Grand Jury heard testimony that there were limits placed on access to certain software tools within the Revenue Division. The Grand Jury found the software tools at issue were used for preliminary research purposes, rather than for transactional processing or financial reporting. These software tools enabled staff to research possible business sites; however, such information was not linked to transactional processing. Moreover, access to the tools was



later restored. Consequently, the Grand Jury found that restricting employees from using the specific software tools did not impede the effectiveness of the employees' collection duties.

#### Critical Business Software Licensing Issues

The Grand Jury heard testimony regarding issues concerning the possible availability of the tax collection software. The software is used by the Revenue Division to process the city's business, parking, and transient occupancy taxes. The software license agreement expired during the tenure of the former manager. Without a license, any future changes in functionality of the software or solutions for outages may not be supported by the vendor. The Revenue Division and the city IT department are currently engaged in finding a replacement. The Grand Jury is concerned that until the replacement software is implemented, the city may be at risk of revenue collection problems should the software fail.

#### Efficient Billing and Collection of Business Taxes

The Grand Jury found no substantial evidence of lax or inefficient processes in business tax collections by the Revenue Division. However, as revealed by various city council meetings, there is an apparent lack of trust between the city council and the Revenue Division administration on the validity of the division's revenue projections. The root cause of this mistrust may be due to the lack of clear benchmarks to measure the division's effectiveness in collecting city revenue.

Senior management should address members of the city council's skepticism toward the Revenue Division's revenue forecasts, especially with regard to budget planning. Specifically, the finance director and Revenue Division manager should establish metrics that are based on industry accepted economic and demographic assumptions. Both the assumptions and the metrics should be clearly communicated to city council and the city administrator in order to enable city leaders to evaluate the city's fiscal condition.

### **CONCLUSION**

Under prior management of the Revenue Division, clear communication was the exception rather than the norm, and numerous changes were implemented without sufficient explanation. To enhance morale, the finance director and revenue manager should collaborate in drafting division goals and objectives. These goals and objectives should be regularly discussed with employees to strengthen overall work culture.

The Revenue Division's current rules regulating the granting of penalty waivers are ambiguous and need to be revised. The lack of a clear written penalty waiver policy raises concerns regarding the integrity of the Revenue Division's written financial policies. The Grand Jury is concerned that the proposed waiver policy fails to clearly describe: 1) the steps that must be taken by the taxpayer to request a waiver, including to whom the waiver request must be submitted; 2) whether the revenue manager can act unilaterally in waiving penalties; and 3) who can waive penalties in the absence of a finance director. Once a clear policy is developed and approved, it should be instituted as soon as possible.

The Grand Jury is concerned with the expiration of a key collection software license. In order to protect against harmful system outages, the Revenue Division should ensure that the licensing issue is fully addressed.

In late 2015, a new manager was appointed to the Revenue Division. This manager has started to implement changes that are intended to improve the department's business practices.

## **FINDINGS**

### *Finding 16-39:*

City management's failure to effectively communicate process and organizational changes from the period of 2012 through August 2015 caused turmoil in the Oakland Revenue Division and adversely impacted employee morale.

### *Finding 16-40:*

Management turnover and undocumented policies for fee and penalty waivers left the Oakland Revenue Division without clear direction.

### *Finding 16-41:*

The lack of a current tax collection software license put the city at risk.

## **RECOMMENDATIONS**

### Recommendation 16-36:

The current city of Oakland finance director and Revenue Division manager must update division goals and objectives, which must be communicated to employees.

### Recommendation 16-37:

A new waiver policy for tax or penalty waivers must be implemented by the city of Oakland. The new policy should clarify to whom the waiver request must be submitted and who has waiver authority in the absence of a finance director.

### Recommendation 16-38:

The city of Oakland's tax collection software issue must be addressed by either re-authorizing the license for the current software or implementing software from a new vendor.

## **RESPONSES REQUIRED**

*Responding Agencies – Please see page 125 for instructions*

Mayor, City of Oakland:

Findings 16-39 through 16-41

Recommendations 16-36 through 16-38

Oakland City Council:

Findings 16-39 through 16-41

Recommendations 16-36 through 16-38

## INTRODUCTION TO THE ALAMEDA COUNTY GRAND JURY

The Alameda County Grand Jury is mandated by Article 1, Section 23 of the California Constitution. It operates under Title 4 of the California Penal Code, Sections 3060-3074 of the California Government Code, and Section 17006 of the California Welfare and Institutions Code. All 58 counties in California are required to have grand juries.

In California, grand juries have several functions:

- 1) to act as the public watchdog by investigating and reporting on the affairs of local government;
- 2) to make an annual examination of the operations, accounts and records of officers, departments or functions of the county, including any special districts;
- 3) to inquire into the condition and management of jails and prisons within the county;
- 4) to weigh allegations of misconduct against public officials and determine whether to present formal accusations requesting their removal from office; and,
- 5) to weigh criminal charges and determine if indictments should be returned.

Additionally, the grand jury has the authority to investigate the following:

- 1) all public records within the county;
- 2) books and records of any incorporated city or joint powers authority located in the county;
- 3) certain redevelopment agencies and housing authorities;
- 4) special purpose assessing or taxing agencies wholly or partly within the county;
- 5) nonprofit corporations established by or operated on behalf of a public entity;
- 6) all aspects of county and city government, including over 100 special districts; and
- 7) the books, records and financial expenditures of any government agency including cities, schools, boards, and commissions.

Many people have trouble distinguishing between the grand jury and a trial (or petit) jury. Trial juries are impaneled for the length of a single case. In California, most *civil* grand juries consist of 19 citizen volunteers who serve for one year, and consider a number of issues. Most people are familiar with *criminal* grand juries, which only hear individual cases and whose mandate is to determine whether there is enough evidence to proceed with a trial.

This report was prepared by a *civil* grand jury whose role is to investigate all aspects of local government and municipalities to ensure government is being run efficiently, and that government monies are being handled appropriately. While these jurors are nominated by a Superior Court judge based on a review of applications, it is not necessary to know a judge in order to apply. From a pool of 25-30 accepted applications (an even number from each supervisorial district), 19 members are randomly selected to serve.

## **History of Grand Juries**

One of the earliest concepts of a grand jury dates back to ancient Greece where the Athenians used an accusatory body. Others claim the Saxons initiated the grand jury system. By the year 1290, the accusing jury was given authority to inquire into the maintenance of bridges and highways, the defects of jails, and whether the sheriff had kept in jail anyone who should have been brought before the justices.

The Massachusetts Bay Colony impaneled the first American Grand Jury in 1635 to consider cases of murder, robbery, and wife beating. Colonial grand juries expressed their independence from the crown by refusing in 1765 to indict leaders of the Stamp Act or bring libel charges against the editors of the *Boston Gazette*. The union with other colonies to oppose British taxes was supported by a Philadelphia grand jury in 1770. By the end of the colonial period, the grand jury had become an indispensable adjunct of government.

## **Grand Jury Duties**

The Alameda County Grand Jury is a constituent part of the Superior Court, created for the protection of society and the enforcement of law. It is not a separate political body or an individual entity of government, but is a part of the judicial system and, as such, each grand juror is an officer of the court. Much of the grand jury's effectiveness is derived from the fact that the viewpoint of its members is fresh and unencumbered by prior conceptions about government. With respect to the subjects it is authorized to investigate, the grand jury is free to follow its own inclinations in investigating local government affairs.

The grand jury may act only as a whole body. An individual grand juror has no more authority than any private citizen. Duties of the grand jury can generally be set forth, in part, as follows:

1. To inquire into all public offenses committed or triable within the county (Penal Code §917);
2. To inquire into the case of any person imprisoned and not indicted (Penal Code §919(a));
3. To inquire into the willful or corrupt misconduct in office of public officers of every description within the county (Penal Code §919(c));
4. To inquire into sales, transfers, and ownership of lands which might or should revert to the state by operation of law (Penal Code §920);
5. To examine, if it chooses, the books and records of a special purpose, assessing or taxing district located wholly or partly in the county and the methods or systems of performing the duties of such district or commission. (Penal Code §933.5);
6. To submit to the presiding judge of the superior court a final report of its findings and recommendations that pertain to the county government (Penal Code §933), with a copy transmitted to each member of the board of supervisors of the county (Penal Code §928); and,
7. To submit its findings on the operation 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 elective county officer or agency head for which the grand jury has responsibility (Penal Code §914.1) and 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 supervises or controls. (Penal Code §933(c)).

### **Secrecy/Confidentiality**

Members of the grand jury are sworn to secrecy and all grand jury proceedings are secret. This secrecy guards the public interest and protects the confidentiality of sources. The minutes and records of grand jury meetings cannot be subpoenaed or inspected by anyone.

Each grand juror must keep secret all evidence presented before the grand jury, anything said within the grand jury, or the manner in which any grand juror may have voted on a matter (Penal Code §924.1). *The grand juror's promise or oath of secrecy is binding for life.* It is a misdemeanor to violate the secrecy of the grand jury room. Successful performance of grand jury duties depends upon the secrecy of all proceedings. A grand juror must not divulge any information concerning the testimony of witnesses or comments made by other grand jurors. The confidentiality of interviewees and complainants is critical.

### **Legal Advisors**

In the performance of its duties, the grand jury may ask the advice (including legal opinions) of the district attorney, the presiding judge of the superior court, or the county counsel. This can be done by telephone, in writing, or the person may be asked to attend a grand jury session. The district attorney may appear before the grand jury at all times for the purpose of giving information or advice.

Under Penal Code section 936, the California Attorney General may also be consulted when the grand jury's usual advisor is disqualified. The grand jury has no inherent investigatory powers beyond those granted by the legislature.

### **Annual Final Report**

At the end of its year of service, a grand jury is required to submit a final report to the superior court. This report contains an account of its activities, together with suggestions and recommendations. The final report represents the investigations of the entire grand jury.

### **Citizen Complaints**

As part of its civil function, the grand jury receives complaints from citizens alleging government inefficiencies, suspicion of misconduct or mistreatment by officials, or misuse of taxpayer money. Complaints are acknowledged and may be investigated for their validity. All complaints are confidential. If the situation

warrants and corrective action falls within the jurisdiction of the grand jury, appropriate solutions are recommended.

The grand jury receives dozens of complaints each year. With many investigations and the time constraint of only one year, it is necessary for each grand jury to make difficult decisions as to what it wishes to investigate during its term. When the grand jury receives a complaint it must first decide whether or not an investigation is warranted. The grand jury is not required by law to accept or act on every complaint or request.

In order to maintain the confidentiality of complaints and investigations, the Alameda County Grand Jury only accepts complaints in writing. Complaints should include the name of the persons or agency in question, listing specific dates, incidents or violations. The names of any persons or agencies contacted should be included along with any documentation or responses received. Complainants should include their names and addresses in the event the grand jury wishes to contact them for further information. A complaint form has been included in this report, and is also available on the grand jury's website at [www.acgov.org/grandjury](http://www.acgov.org/grandjury).

Complaints should be mailed to: *Alameda County Grand Jury, Attention: Foreperson, 1401 Lakeside Drive, Suite 1104, Oakland, CA 94612*, or faxed to (510) 465-9647. An acknowledgment letter is routinely sent within one week of receipt of a complaint.

### **How to Become a Grand Juror**

Citizens who are qualified and able to provide one year of service, and who desire to be nominated for grand jury duty, may send a letter with their resume or complete a Civil Grand Jury Questionnaire (contained at the end of this report) and mail it to: *Office of the Jury Commissioner - Alameda County Superior Court, Grand Jury Selection, 1225 Fallon Street, Room 100, Oakland, CA 94612; or by calling (510) 818-7575*. On the basis of supervisory district, six members from each district for a total of 30 nominees are assigned for grand jury selection. After the list of 30 nominees is completed, the selection of 19 jurors who will actually be impaneled to serve for the year are selected by a random drawing. This is done in late June before the jury begins its yearly term on July 1. For more information, please visit the Alameda County Superior Court website at [www.alameda.courts.ca.gov](http://www.alameda.courts.ca.gov) and follow the link to "jury" then "grand jury."

### **Qualification of Jurors**

Prospective grand jurors must possess the following qualifications pursuant to Penal Code section 893: be a citizen of the United States; at least 18 years of age; a resident of Alameda County for at least one year immediately before being selected; possess ordinary intelligence, sound judgment and fair character; and possess sufficient knowledge of the English language. Other desirable qualifications include: an open mind with concern for others' positions and views; the ability to work well with others in a group; an interest in community affairs; possession of investigative skills and the ability to write

reports; and a general knowledge of the functions and responsibilities of county and city government.

A person may not serve on the grand jury if any of the following apply: the person is serving as a trial juror in any court in the state; the person has been discharged as a grand juror in any court of this state within one year; the person has been convicted of malfeasance in office or any felony or other high crime; or the person is serving as an elected public officer.

### **Commitment**

Persons selected for grand jury service must make a commitment to serve a one-year term (July 1 through June 30). Grand jurors should be prepared, on average, to devote two days each week to grand jury meetings. Currently, the grand jury meets every Wednesday and Thursday from 9:00 a.m. to 1:00 p.m., with additional days if needed. Grand jurors are required to complete and file a Statement of Economic Interest as defined by the state's Fair Political Practices Commission, as well as a Conflict of Interest form.

Grand jurors are paid \$15.00 per day for each day served, as well as a county mileage rate (currently 54 cents per mile) portal to portal, for personal vehicle usage.

Persons selected for grand jury duty are provided with an extensive, month-long orientation and training program in July. This training includes tours of county facilities and orientation by elected officials, county and departments heads, and others. The orientation and training, as well as the weekly grand jury meetings, take place in Oakland.

An application is contained in this report for interested citizens. Selection for grand jury service is a great honor and one that offers an opportunity to be of value to the community.