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October 29, 2001

Hon. Bill Lockyer
Attorney General
1300 I Street, 17th Floor
Sacramento, California 95814

Attention: Ms. Tricia Knight
Initiative Coordinator

Dear Attorney General Lockyer:

Pursuant to Elections Code Section 9005, we have reviewed the proposed initiative relating to the establishment of a state grand jury system (File No. SA2001RF0026).

Proposal

This initiative would amend the Constitution of the State of California to establish an independent state grand jury system to investigate specified matters, including issues that cross county lines, and all cases involving the misconduct of law enforcement officials. Under the measure, at least one state grand jury would be selected every 18 months in each of 13 state grand jury districts newly established by this measure. Additional grand juries would be added in any district if the number of investigations were greater than one grand jury could effectively handle.

Under the measure, a state grand jury investigation could be initiated at the request of the Attorney General of the State of California, upon the order of the Chief Justice of the State of California, or through voter petition that meets the minimum signature requirements delineated by the measure.

The state grand jury system would be administered by the Judicial Council whose responsibilities would include, accepting petitions from the public, administering the

jury selection process, promulgating procedural rules to govern state grand juries, and compensating jurors.

Fiscal Effect

The initiative provides that all costs incurred in impanelling a jury and in the performance of its duties would come from funds appropriated in the budget act for the support of the judiciary.

State Grand Jury Operating Expenses. The state would incur significant, unknown costs for operating the state grand jury system. These costs could range from several million dollars to tens of millions of dollars annually. The costs include compensation of state grand jurors. The measure provides for the compensation of state grand jurors at their current salary up to \$100,000 per year. Other operating expenses include travel costs, childcare, per diem, investigative costs for special counsel and expert witnesses, as well as costs for training newly appointed jurors. The exact magnitude of these costs would vary depending upon the number of state grand juries and the complexity of cases.

State Administrative Costs. In addition, there would be significant, unknown costs to the Judicial Council for administration of the state grand jury system, including staff to administer the juror selection process, coordinate the administrative needs of, and provide clerical and analytical support to each of the state grand juries. The magnitude of these costs would vary depending upon the number of state grand juries, but could be several million dollars annually.

Summary

This measure would result in significant, unknown state costs ranging from several million dollars to tens of millions of dollars annually for the operation and administration of the state grand jury system.

Sincerely,

Elizabeth Hill
Legislative Analyst

B. Timothy Gage
Director of Finance