



County of San Bernardino Grand Jury Final Report 2004 - 2005



COUNTY OF SAN BERNARDINO

**GRAND JURY
FINAL REPORT**

2004-2005



EDITORIAL COMMITTEE



Left to right: Lem Leialoha (Chair), Betty Azores, Karen Page, Vic Edinburgh, Nick Costa, Al Alvaro

The Editorial Committee would like to acknowledge and thank the following individuals for their hard work and invaluable assistance in the preparation of the Final Report of the 2004-2005 San Bernardino County Grand Jury.

Graphic Arts
Printing Services
Typing/Preparation

Silvia Schreiber, Layout & Composing Coordinator
County Printing Services Personnel
Susan Shuey, Grand Jury Assistant

The Grand Jury and the Editorial Committee extend a special thank you to Dexter K. Emoto, photographer for the Grand Jury and committee photographs. A special thank you goes to Jack Reilly, former Grand Juror, for allowing us to use his painting of the San Bernardino County Courthouse in our final report.



FOREMAN'S STATEMENT

The 2004-2005 San Bernardino County Grand Jury is pleased to present this final report to the Presiding Judge of the Superior Court, the San Bernardino County Board of Supervisors, and the citizens of San Bernardino County.

The Grand Jury is a uniquely independent body that investigates and reports on County government. It provides written reports that are confidential between the Grand Jury and the persons, departments or groups that are under investigation, until the final report is made public.

The task before this Grand Jury was daunting as the County is still trying to overcome the continued perception of wrongdoing by County officials in earlier years. It was found that this perception still exists throughout the County.

This Grand Jury appreciated the restoration of the operating funds that were removed from the 2004-2005 Grand Jury budget.

As this is my third term as a San Bernardino County Grand Juror, and the first as Foreman, this Grand Jury, as constituted, had to overcome many individual medical problems that resulted in one early resignation and many lost man-hours due to other major medical concerns and procedures throughout the remaining Grand Jurors. Even with these persistent problems, the members rose to the challenge and were able to overcome adversity and continued to function as a complete Grand Jury and finish their report well done and on time.

This work as submitted could not have been accomplished without the invaluable assistance of Clark A. Hansen, Jr., Deputy District Attorney/Legal Advisor and Susan Shuey, Grand Jury Assistant.

We are living during extraordinary times. One has only to read the newspaper each day to see the many problems facing our country today. One such item is illegal immigration. Because of the many news articles on this issue, an inquiry was made of the San Bernardino County Counsel as to immigration law issues that could affect the County. The San Bernardino County Counsel provided valuable information.

Illegal immigration causes the County of San Bernardino an unknown amount of funds to cover mandated requirements provided for in the County budget. Verification of a person's lawful immigration status is a mandatory eligibility requirement for most public benefit programs. The County Counsel has found no Federal or State laws, rules or memorandum that would prohibit or restrict an inquiry into a person's immigration status with regard to public benefit programs.

County departments currently do not attempt to quantify the amount of money expended for public benefit programs such as non-emergency medical treatment services at County hospitals and clinics and departments providing welfare, food stamps and medical services.

For the purposes of annual budget requirements, departments providing public benefit programs such as non-emergency medical treatment, welfare, food stamps and medical services to aliens should be instructed to collect data on the persons treated, cost of service, and the number of County workers involved in the performance of these benefits.

California law mirrors Federal law in that aliens shall be eligible for aid only to the extent permitted by Federal law and an alien shall only be eligible for aid if the alien has been lawfully admitted for permanent residence. No aid shall be paid unless evidence as to eligible alien status is presented.

An alien shall only be eligible for the full scope of Medi-Cal benefits if the alien has been lawfully admitted for permanent residence or is permanently residing in the United States. In order to be eligible for benefits, an alien applicant or beneficiary shall present alien registration documentation or other proof of satisfactory immigration status from the United State Immigration and Naturalization Service.

The majority of County employees were cooperative and truthful in discussing their operations with this panel. We extend our thanks and appreciation to these individuals, not only for the way we were treated but also for the way these employees perform on a day-to-day basis.

This Grand Jury was afforded an opportunity to function in the criminal indictment mode, for which we were most grateful to be given the chance to exercise our responsibilities in this process.

My sincere thanks to all members of the 2004-2005 Grand Jury for their wisdom, patience and search for the truth in fulfilling their requirement for publishing this final report.

A handwritten signature in black ink that reads "Robert E. Burkhardt". The signature is written in a cursive, flowing style.

ROBERT E. BURKHARDT, Foreman
2004-2005 County Grand Jury

**OFFICERS OF THE
2004-2005 GRAND JURY
SAN BERNARDINO COUNTY**



Left to right:

Connie O'Brien, Assistant Secretary
Jo Ann Miller, Secretary
Robert E. Burkhardt, Foreman
Victor G. Edinburgh, Foreman Pro Tem
Lorena Gragg, Sergeant-at-Arms
Ron Brooks, Assistant Sergeant-at-Arms

2004-2005 GRAND JURY SAN BERNARDINO COUNTY

Robert E. Burkhardt	◇	Foreman
Victor G. Edinburgh	◇	Foreman Pro Tem
JoAnn L. Miller	◇	Secretary
Connie J. O'Brien	◇	Assistant Secretary
Lorena A. Gragg	◇	Sergeant-at-Arms
Ron Brooks	◇	Assistant Sergeant-at-Arms

Alfred Alvaro	◇	Chino Hills
Betty Azores	◇	San Bernardino
Ron Brooks	◇	Pinon Hills
William J. Brundies	◇	San Bernardino
Robert E. Burkhardt	◇	Barstow
James R. Bryant	◇	Ontario
James W. Cook	◇	Chino Hills
Nicholas P. Costa	◇	Redlands
E. Jean Davis	◇	Chino Hills
Victor G. Edinburgh	◇	Rialto
Francis R. Fowler	◇	Highland
Lorena A. Gragg	◇	Hesperia
Lemuel K. Leialoha	◇	Bryn Mawr
Joseph C. Massaro	◇	Rancho Cucamonga
JoAnn L. Miller	◇	San Bernardino
Connie J. O'Brien	◇	Fontana
Karen L. Page	◇	Upland
William C. Sommers	◇	Victorville

RESIGNATIONS

Beverly G. Bowman (October 2004)	San Bernardino
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Presiding Judge	◇	Peter H. Norell
Legal Advisor	◇	Clark A. Hansen, Jr.
Grand Jury Assistant	◇	Susan L. Shuey

2004-2005 GRAND JURY SAN BERNARDINO COUNTY



Front row, left to right: Clark A. Hansen, Jr. (Legal Advisor), Lorena Gragg, Bob Burkhardt (Foreman), Vic Edinburgh, Jo Ann Miller, Susan Shuey (Grand Jury Assistant), Jim Cook

Middle row, left to right: Betty Azores, Connie O'Brien, Ron Brooks, Jean Davis, Karen Page

Back row, left to right: Al Alvaro, Fran Fowler, Nick Costa, Bill Sommers, Bill Brundies, Joe Massaro, Jim Bryant, Lem Leialoha

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