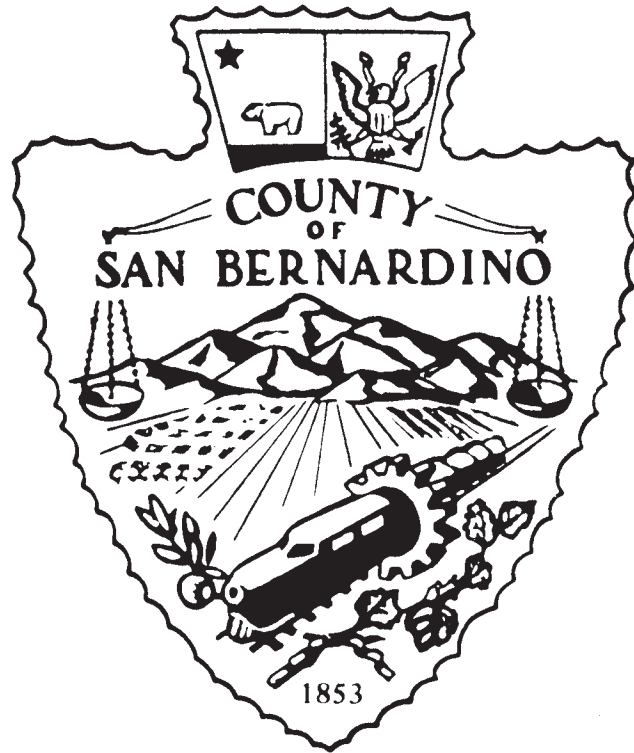


FINAL REPORT
SAN BERNARDINO COUNTY
GRAND JURY



2008-2009

COUNTY OF SAN BERNARDINO

GRAND JURY FINAL REPORT



2008-2009

EDITORIAL COMMITTEE



James Wilson, Tom Hale, Roger D. Trussell, Sandra Shahan, Patricia Swangel,
Joyce P. Seeger



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 2008-2009 San Bernardino County Grand Jury.

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July 1, 2009

To James C. McGuire, Presiding Judge, and the Citizens of San Bernardino County:

On behalf of the Grand Jury, we are honored to have served the citizens of San Bernardino County during our 2008-2009 term. I would also like to express our appreciation for the many hours county employees spent providing us with tours of county facilities, and sharing with us information we needed to complete our investigations. While we cannot identify these individuals by name, we are proud that San Bernardino County employs so many competent and committed professionals.

2008-2009 was a year of great changes for the Grand Jury. The big change was after 75 years in the historic County Courthouse, the Grand Jury moved to another location while the Courthouse was being earthquake refitted. This mid-term relocation was facilitated by the outstanding cooperation of the Board of Supervisors, Presiding Judge James C. McGuire, and the hard work and planning of Melonee Vartanian, our full-time Grand Jury Assistant, and county staff.

Traditionally San Bernardino County Grand Juries change personnel every June 30th. Consequently, each new jury has to organize themselves, and can go about their business in different ways and study different problems. *Therefore, each new Grand Jury must start from scratch and cannot assume an investigation of its prior Grand Jury without initiating a completely new investigation.* Also each new Grand Jury defines to what degree it remains an independent body and fortunately, each new Grand Jury then creates itself in its own image.

Any private citizen, city/county official, or city/county employee may present a complaint in writing to the Grand Jury. Any request for an investigation must include detailed evidence supporting the complaint. If the Jury believes that the evidence submitted is sufficient, a detailed investigation is made. A Complaints Committee, with the assistance of the Grand Jury's full-time legal advisor from the District Attorney's Office, conducts the initial investigation of the complaint and makes recommendations for the disposition to the various committees of the Grand Jury. Some complaints develop into full-scale Grand Jury investigations. In all instances, the Grand Jury acts as a court of last chance for complaints, with some assurance to the petitioner that they had a proper day in court.

A major concern of the Grand Jury and citizens of our County is the apparent lack of ethical conduct by some former elected officials and their staff. This is the exception rather than the norm, but unfortunately, one or two bad apples can spoil the whole barrel, and that is what has happened. One respected government watch dog committee has likened politics in San Bernardino County to the "Wild West" where money can buy anything. This attitude of "anything goes" by a few needs to be changed.

The Board of Supervisors has publicly expressed an interest in creating an Ethics Commission for the County. However, the Board has put that issue on a back burner because allegedly, due to current budgetary reductions, they apparently cannot afford an Ethics Commission at this time. Unfortunately, for the past five years, the Board has expended several million dollars to various lawyers to investigate several ethics violations and accomplish the very thing that a well financed Ethics Commission would do. In an attempt to correct some of these concerns, the Grand Jury is making several positive recommendations in a special Government Reform Section of this report.

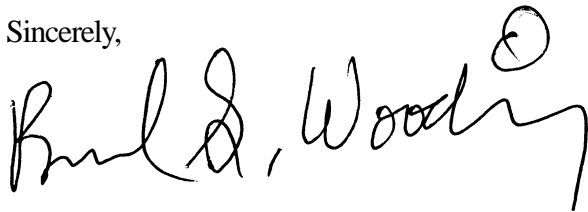
It has also been suggested by some officials, that we have a ready-made Ethics Commission in the Grand Jury. After all it has been vetted and selected by a panel of Superior Court Judges and is an ideal non-political body for this task. Unfortunately, California State Penal Codes required that the Grand Jury must operate in secrecy and confidentiality, and any Ethics Commission has to operate completely in the open to have credibility.

Some of the above listed issues and many others on which the 2008-2009 Grand Jury has focused are long-term and complicated. Consequently, they will require further work from future grand juries, especially the ethics concerns. The Grand Jury also participated in the Logic and Accuracy Board which oversaw the November 2008 General Election. Sample machines and results were tested and certified prior to the election. Grand Jury members also observed the collection and counting of votes on election night. The Registrar of Voters and her staff worked very hard and efficiently. The Grand Jury did not observe any irregularities.

I wish to express my sincere thanks and appreciation to the current members of the 2009-2008 Grand Jury for their efforts and for their commitment. I wish also to thank Melonee Vartanian, Grand Jury Assistant and Charlie Umeda/DDA, Legal Counsel for the Grand Jury. These two individuals' sense of history and continuity—as well as their tolerance of those of us who are still learning the process—has facilitated the work of this and previous Grand Juries, and we owe both a profound debt of gratitude.

And thank you, Judge McGuire, for the opportunity to serve our great County of San Bernardino.

Sincerely,

A handwritten signature in black ink that reads "Burrell S. Woodring". The signature is written in a cursive style with a large, stylized initial "B" and a circled "S" at the end.

BURRELL S. WOODRING, Foreman
2008-2009 San Bernardino County Grand Jury

2008-2009 GRAND JURY SAN BERNARDINO COUNTY

Burrel Woodring	◇	Foreman
Tom Hale	◇	Foreman Pro Tem
Joyce P. Seeger	◇	Secretary
Sandra Shahan	◇	Assistant Secretary
Franklin J. Browning	◇	Sergeant-at-Arms
Ken Taylor	◇	Assistant Sergeant-at-Arms

Ron Brooks	◇	Pinon Hills
Franklin J. Browning	◇	Bloomington
Dr. Peter Bulza	◇	Fontana
Samuel Ferry	◇	Ontario
Jan Flammang	◇	Chino
Tom Hale	◇	Redlands
Becki Hernandez-Powell	◇	Lake Arrowhead
Dr. Izar Martinez	◇	Mentone
Robert Romero	◇	Victorville
Rod Rupp	◇	Rancho Cucamonga
John R. Saathoff	◇	Rancho Cucamonga
Joyce P. Seeger	◇	San Bernardino
Sandra Shahan	◇	Rancho Cucamonga
Dr. Harry Stavros	◇	Loma Linda
Patricia Swangel	◇	Chino Hills
Ken Taylor	◇	Running Springs
Roger D. Trussell	◇	Hesperia
James Wilson	◇	Victorville
Burrel Woodring	◇	Yucaipa

Presiding Judge	◇	James C. McGuire
Legal Advisor	◇	Charlie Umeda
Grand Jury Assistant	◇	Melonee A. Vartanian

2008-2009 GRAND JURY SAN BERNARDINO COUNTY



Front row:

Becki Hernandez-Powell, Joyce P. Seeger, Jan Flammang, Sandra Shahan,
Patricia Swangel

Middle row:

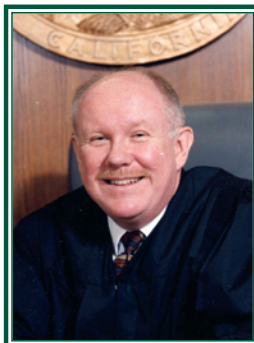
Burrel Woodring (Foreman), Rod Rupp, Ron Brooks, Dr. Peter Bulza,
Roger D. Trussell, Dr. Izar Martinez, Robert Romero, James Wilson

Back row:

John R. Saathoff, Samuel Ferry, Dr. Harry Stavros, Franklin J. Browning,
Ken Taylor, Tom Hale



Melonee A. Vartanian
Grand Jury Assistant



Judge James C. McGuire
Presiding Judge



Charlie Umeda
Legal Advisor

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