

Norbert Ehrenfreund
Chief Trial Attorney
Defenders Inc.

234-8741

Hotel San Diego

Grand Jury Candidates Announced

The names of 30 candidates for this year's Grand Jury were announced by Judge James L. Focht, Presiding Judge of the Superior Court.

The potential grand jurors are: Phyllis L. Albeck, housewife, 6396 Lake Decatur; Rosebud B. Bergquist, housewife, 3511 Jackdaw St.; Jacqueline J. Bolt, housewife, 5155 Canterbury Drive; Raymond F. Boothe, retired businessman, Rancho Encinitas, Encinitas; Richard S. Bulger, retired industrial aircraft employe, 2512 Bancroft St.; John W. Carlson, retired investments executive, 6083 Lancaster Drive; Albert W. Crosthwaite, public relations executive, 2345 Finch Lane; Col. Glen I. Epperson, USA, ret., 1335 Crest Road, Del Mar; George C. Foster, retired automotive executive, 5982 Del Cerro Blvd.

Frank Freeland, retired IBM executive, 3907 Hawk St.; Ruth Green, social worker, 5415 Bonita Drive; George R. Heckenkamp, retired highway patrolman, 5649 Meredith Ave.; Capt. Alfred J. Henry, USN, ret., 2610 Escondido Ave.; Charlotte Henry, retired secretary, 1611 Santa Anita Drive; Dorothy C. Herney, retired teacher, 186 Oakdale St., Chula Vista; Maj. Gen. George W. Hickman, USA, ret., 620 W. Solana Circle, Solana Beach; William Hillman, retired city employe, 2228 Erie; Edward H. Hinde, retired U.S. foreign service employe, 1407 Carleton Square.

no. Jewell Hooper, retired civil service employe, 6744 Charlene Ave., San Diego; George D. Kraber, retired civil service employe, 2387 Avenida Del Diablo, Escondido; George B. McClellan, retired school superintendent, 501 Anita St., Chula Vista; Clay K. Perkins, engineer, 4895 Avion Way; Solomon Roedel, retired barber, 4233 Albatross Drive; Lois Schleifer, former school teacher, 451 S. Granados, Solana Beach; Elizabeth J. Shukraft, housewife, 4375 Arizona; Janet A. Sims, housewife, 11320 Meadowview Road; Barbara J. Sullins, housewife, 7714 Orien St., La Mesa; June G. Ward, housewife, 3346 Sweetwater Way, Lemon Grove; O.J. Wheeler, Teamsters Union official, 6771 Golf Crest Drive, and Joanne A. Woods, real estate investor, P.O. Box 916, Valley Center.

The 30 candidates were selected by lot from 60 names submitted by judges, said jury commissioner Larry Adams.

The final selection of 19 grand jurors will take place next Tuesday at 10 a.m. in the courthouse, according to Adams.

The grand jury handles criminal indictments and acts as a governmental watchdog during the year.

S.D. Union
1-8-74

Creditable Performance

A member of the 1973 San Diego County grand jury has voiced the opinion that the jury failed as a watchdog of local government and that it delivered a final report lacking substance and given to generalities. The grand jury foreman is defending the report as a credible performance by 19 hard-working grand jurors.

Our conclusion is that the foreman is probably right, even if we might have hoped for more concrete findings and recommendations in some of the problem areas of governmental administration covered in the report. Any shortcomings in the report, however, do not reflect on the energy or discernment of the 1973 grand jury as much as they reflect on the need for reform of the grand jury system itself.

The increasing criminal caseload and the growing size and complexity of local government are putting too great a workload on a single grand jury. It is becoming more apparent every year that we are expecting too much from grand juries that must divide their time between reviewing criminal indictments and trying to analyze the efficiency of county government.

The Legislature has been asked repeatedly in recent years to authorize the impaneling of two grand juries in larger counties like San Diego, one to hear criminal cases and the other to conduct governmental investigations. Without such reform our grand jury system, so important both to the process of justice and in assuring good government, is in danger of losing its effectiveness.

SOUTHERN

REGION

MEXICAN-AMERICAN



POLITICAL ASSOCIATION

Counties of

Imperial—Orange—Riverside—San Bernardino—San Diego

January 8, 1974

Judge James L. Focht
3011 Court House
220 W. Broadway
San Diego, Ca. 92101

Dear Sir :

We see by the list of potential jurors for the year of 1974, that once again no persons of Mexican-American ancestry were selected by the San Diego County Judiciary, to serve as jurors. The continual exclusion of persons of Mexican-American ancestry in our opinion from the San Diego County Grand Jury, is an indictment of the present system to represent all segments of the community in San Diego fairly and equitably. The systematical failure becomes more obvious when one considers that in the past 103 years only four persons of Mexican-American ancestry have been chosen by the Judiciary to serve on the San Diego County Grand Jury.

In our opinion this is nothing more than blantant discrimination and exclusion and a systematical method of denying representation for the 250,000 persons of Mexican-American ancestry in San Diego County. The failure of the present system in submitting and selecting candidates is a process which in our opinion, is in need of revision or complete overhaul. In light of the fact that 15% of our people in San Diego County are taxpayers and not one person of Mexican-American ancestry was selected, this oversight and exclusion must be protested in order that the present situation be rectified and a more equitable system be created.

Sincerely,

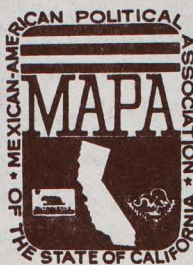
Herman Baca

Herman Baca-MAPA
San Diego County Director

SOUTHERN

REGION

MEXICAN-AMERICAN



POLITICAL ASSOCIATION

Counties of

Imperial—Orange—Riverside—San Bernardino—San Diego

TO: BOARD OF SUPERVISORS

RE: PROPOSED SOLUTION ON COUNTY GRAND JURY

Supervisor

Enclosed is an article of potential grand jurors for the year of 1974, and a letter of protest from our organization to Judge James L. Focht regarding the exclusion of persons of Mexican-American ancestry from the San Diego County Grand Jury. In our opinion, the present system is "bankrupt" and has proven to be a total failure in providing fair and equitable representation not only to the Chicano Community but also to other segments of San Diego County. This failure becomes blantant to us when one considers that only four persons of Mexican-American ancestry have been chosen to serve on this body in the past 103 years.

It is our feeling that a complete revision is long overdue. In order that the inequities of the present system be rectified, so that all segments of the Community may have a fair and equitable representation, we would like to recommend to you and other members of the Board of Supervisors (since the Board of Supervisors is the only County wide policy making board) that the following steps be iniated by your office:

1. Press release be issued by your office to the news media deploring the continual exclusion of persons of Mexican-American ancestry from the San Diego County Grand Jury.
2. An Ad Hoc Committee be appointed by the Board of Supervisors which is representative of all segments of the County in order that it may make recommendations to members of the State Legislature so that a fair, just and equitable system can be created.

Awaiting your prompt reply.

Thank you.

Sincerely,

Herman Baca

Herman Baca-MAPA
County Director

cc. All News Media
All Chicano Organizations
State Legislature

HB/na

KEEN COMMENTARY

Jan. 10, 1974

This is the time of year, when the panel of the new county grand jury is announced, that protests are inevitable from some minority groups. Today, the Mexican American Political Association complained that once again no persons of Mexican-American ancestry were nominated by judges of the local courts. The system calls for each Superior Court Judge to submit names of persons with whom they're acquainted, to serve on the Grand Jury.

This has usually resulted in a trend toward numerous well-to-do retired men, and several housewives. This year's list, just announced, is no exception. Through such a system, only four persons of Mexican--American ancestry have been chosen to serve on San Diego County Grand Juries in the past century. Herman Baca, local county director of the Mexican-American Political Association, in a formal protest today to presiding Superior Judge James Focht, pointed out that this method denies representation for the 250,000 persons of Mexican-American ancestry in San Diego county.

Only in recent years have blacks been appointed to the Grand Juries in this county, but it is true that there has been an almost complete exclusion of Chicanos. This can be remedied under the present system only if the judges take pains to nominate Mexican-Americans. As it is, grand juries usually consist mostly of fairly affluent white men and women whose average age is above that of the general population.

Some critics contend that because grand juries are not representative of the general population, they^{are} actually unAmerican. That raises the hackles particularly of the numerous retired military officers who serve on San Diego County Grad Juries. It does appear, however, that there is some merit to the argument that Grand Juries should be selected as trial juries are, from the general population, although this is disputed by those who claim that Grand Juries are special, blue ribbon bodies.

January 11, 1974

As long as there is no Chicano Superior Court Judges this problem will continue to exist under the present system of submitting and selecting names.

The only time we have ever gotten any jurors is when there was a concerted effort by the Chicano community. Since this pressure was let up we have seen the result. Why should we have to pressure? Why can't it be a matter of reform?

Built in problems--basket weaving committee not enough money etc.

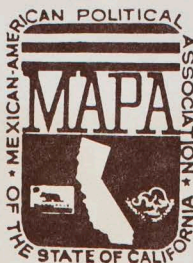
Solutions:

Restraining Order

Ad Hoc Committee so that recommendation can be made to the state legislatures

MEXICAN-AMERICAN

SOUTHERN



POLITICAL ASSOCIATION

REGION

National City Chapter

(714) 477-3620

January 11, 1974

Dear

Please outline your criticism as to the present system now governing the Grand Jury and your recommendations in what would be an equitable system.

Thank you.

Sincerely,

Herman Baca

Herman Baca

Enclosures

HB/na

Home phone 222-3950

236-2674

236-2676



LOUISE S. DYER

MEMBER

1978-79 GRAND JURY

COUNTY OF
SAN DIEGO

Room 7003

220 West Broadway • San Diego, California 92101

Feb. 14, 1974

ASSEMBLY JOURNAL

CALIFORNIA LEGISLATURE

1973-74 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

One Hundred Forty-ninth Legislative Day

Four Hundred Third Calendar Day

IN ASSEMBLY

By Assemblymen Deddeh, Alatorre, Ray Gonzales, Kapiloff, and Wilson:

House Resolution No. 118

Relative to grand jury selection

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is hereby requested to assign to an appropriate committee for study the subject of alternative methods for the selection of grand juries which insure the impanelment of grand juries representative of youth, racial, and other minority groups; and be it further

Resolved, That such committee report its findings and recommendations to the Assembly on the date specified by the Rules Committee upon assignment of this resolution.

Resolution read, and referred by the Acting Speaker to the Committee on Rules.

Political association criticizes grand jury

The Mexican-American Political Association (MAPA) has called the lack of potential jurors of Mexican descent to serve on the San Diego

county Grand Jury "blatant discrimination."

In a letter to Judge James L. Focht, presiding judge of the Superior Court, Herman Baca, county director of MAPA, said the present system of jury selection should be overhauled.

The continual exclusion of persons of Mexican-American ancestry from the jury is an indictment of the present system to represent all segments of the community of San Diego fairly and equitably, he said in the letter.

Judge Focht said he had not received the letter, but noted that while two persons of Mexican descent were among the initial 60 names submitted as candidates, "the luck of the draw" down to 30 appeared to be against them.

He said the judges who submitted names of candidates for the grand jury are eager to find qualified persons from the Mexican-American community to serve on the panel.

"In fact we are considering asking Mr. Baca for help in finding volunteers for the grand jury," the judge said.

He pointed out that the present panel will have to serve 18 months and few people wanted to devote or could afford to devote that much time to the jury.

Focht said the hiking of the juror's salary from \$10 to \$25 a day while in session may encourage more people to serve on the grand jury.

SD U 110-1
1-11-74

Lack of Mexican-Americans cited

Jan 13 74

Judges rapped over jury makeup

The lack of persons of Mexican-American ancestry on the San Diego County Grand Jury to be impaneled Tuesday is "nothing more than blatant discrimination," according to Herman Baca, National City.

Baca is calling for state-level revision of jury selection.

"OUR LEGAL counsel is researching the possibility of seeking a restraining order to prevent the impaneling of the jury," said Baca. Baca is San Diego County director of MAPA, Mexican-American Political Assn. and administrator of Casa Justicia at 1837 Highland Ave.

"In the 103 years the grand jury system has been used in San Diego County," said Baca, "there have only been four persons of Mexican-American descent selected for the grand jury."

According to Baca, the first Mexican-American to be selected was Don Brady in 1970. He said no others were selected until 1972 when Jesse Ramirez and Raul Morales were impaneled. Both men had to resign, according to Baca, and Rudy Calles was appointed to complete Ramirez' unexpired term.

POTENTIAL Grand Jurors are selected, according to Superior Court Judge James L. Focht, from nominations submitted by each of the 30 Superior Court judges. Nominations comprise the first 60 potential jurors. Clerk Jesse Osuna reduces the list to 30 persons, and the jury of 19 is selected from that group.

"We wrote Judge Focht of what we think is a bankrupt system of selection as far as providing representation of all segments of San Diego County society in a fair and equitable manner," said Baca.

Baca termed the selection process "a systematical method of denying representation for the 250,000 persons of Mexican-American ancestry in San Diego County."

"Persons of Mexican-American descent make up 15 percent of the population of the county," said Baca. "It's a disgrace to representative government that none of them are on the jury."

"This only exposes the gross inequity in the total judicial system," he added. "Of the 29 judges in Superior Court, not one is on Mexican-American descent. This is indicative of the insensitivity of the judges. This problem will continue as long as there are no Superior Court judges of Mexican-American descent."

IN ADDITION to the possibility of a court action to prevent seating of the jury, Baca said that his group is requesting action of the county Board of Supervisors.

"First, we want them to issue a press release deploring the exclusion of Mexican-Americans from the jury," said Baca. "Then, we want them to form an ad hoc committee representative of all segments of the county to come up with recommendations to the state legislature for changing the jury selection system."

Baca said that the selection method is according to state law and must be changed at that level. He added that failure to name Mexican-Americans to juries is a problem throughout the state.

"The present system has got to be junked," said Baca. "It not only discriminates against Mexican-Americans, but other minorities, working people, young people and housewives as well."

BACA SAID that the jury selection and the way in which grand juries are used are full of "built in obstacles to prevent these persons from serving on a grand jury."

He said that grand juries must meet for a year and "a lot of time is taken up with basket-weaving committees that accomplish little."

The result of this, according to Baca, is the preponderance of retired persons selected for the jury.

"The jury reflects the views of the judiciary," said Baca, "and you can tell what their point of view is going to be, from their ages, occupations and background, almost before they start."

"This jury represents a narrow point of view," said Baca. "It is a very biased reflection of the judiciary view."

Judge denies prejudice in grand jury selection

"There has been no systematic exclusion of Mexican-Americans from the list of potential grand jurors," said Presiding Superior Court Judge James L. Focht.

"In fact, we would have been happy to have selected some Mexican-Americans for the jury."

FOCHT'S statement came in reply to charges by Herman Baca, National City and San Diego County director of MAPA (Mexican-American Political Assn.) that Mexican-Americans had been deliberately excluded from the grand jury to be impaneled Tuesday.

Baca made his charges in a letter sent Tuesday to Focht.

"Baca's letter may have opened up communications that will bode well for future jury selections," said Judge Focht, "but his statements about 'blatant discrimination' and 'systematic exclusion' of Mexican-Americans are irresponsible.

"His statements are based only on the end result," said Focht, "but there wasn't any discrimination or exclusion against Mexican-Americans."

Focht said that Baca was not aware that two Mexican-Americans were among the 60 persons nominated by the Superior Court judges to be grand jurors.

"THEY WERE eliminated in the first 'draw down' by Jesse Osuna to reduce the nominees to a list of 30 potential jurors," said Focht. "Tuesday there will be another 'draw down' to 19 persons who will be the actual jury."

Focht said that each judge is asked to nominate at least two persons they think would be willing to serve.

"Some judges take recommendations from other grand jurors, or civic leaders; some nominations are personal acquaintances of the judges, and some judges make an effort to get a representative of minorities by contacting members of minority communities," said Focht.

Focht said that it is "extremely difficult to secure people willing to serve on a grand jury. We really have to scratch to get a representative group, and we have been more successful in the

black community than we have in the Mexican-American community."

ACCORDING to Focht, four blacks served on the grand jury last year, and two blacks are on the list of 30 potential jurors for this year."

Finding persons of any ethnic group willing to serve on this year's jury, according to Focht, is complicated by the fact that this jury must serve three or more days each week for the next 18 months.

"The reason for the longer duration of the jury is that the Legislature recently passed a bill that grand juries should be in session during the fiscal year, July 1 to July 1," said Focht.

He said that when the last grand jury's term expired, the courts would have been left without a grand jury, so it was decided to have one jury for 18 months to fill the gap.

Focht said that this poses a real problem for working people of all ethnic groups and mothers who must be at home to care for children. The result is a jury list of 30 persons, 17 of which are retired.

"IT'S BEEN a complaint since time began," said Focht, "but with the current system, there's not much we

Turn to back page, this section

Judge denies prejudice in grand jury selection

(Continued from Page A-1)

can do about it."

Focht said that District Attorney Ed Miller had been a supporter of a bill that was defeated that would have provided for two grand juries.

One grand jury selected from lists of registered voters would have heard criminal matters for indictment, and the other jury, appointed by the judges, would have investigated governmental operations.

Focht added that "no one particular case had been brought to my attention that showed that Mexican-Americans or any other minority suffered discrimination because of lack of representation on a grand jury.

"In my letter to Baca," said Focht, "I am going to ask that he furnish us with a list of responsible Mexican-American citizens who would be willing to serve on the grand jury three days a week for a year. We would be very happy to have such a list."



COUNTY OF SAN DIEGO

HUMAN RESOURCES AGENCY • 1600 PACIFIC HIGHWAY
SAN DIEGO, CALIFORNIA 92101 • (714) 239-7711 EXT. 1271

September 29, 1971

VIC VILLALPANDO
MEXICAN - AMERICAN
COMMUNITY
AFFAIRS OFFICER

TO: F. E. Harney
Deputy Chief Admn. Officer

FROM: Vic Villalpando
Mexican-American Community Affairs Officer

SUBJECT: County Grand Jury

Attached are copies of two letters, one dated February 8, 1971, and the other dated June 4, 1971, in which I dialogued subject matter and the position that the Chicano Federation has taken on this issue. To date I have not received any feed-back from the CAO's Office on this item and it is now a concern because the Chicano Federation is planning to launch a concerted effort against the present Grand Jury system and I am positive that we will become involved in an adverse manner if we do not exercise initiative.

Frank, it is my understanding that you are administering the Grand Jury issue for the CAO's office and I therefore request that you bring me up to date on this subject so that I may convey the information to the Federation. It is also my understanding that we hold periodic meetings on the Grand Jury issue and I would like for you to give me a schedule of these meetings so that I may invite the Chicano Federation to be present as a participant.

Respectfully yours,

VIC VILLALPANDO
Mexican-American Community
Affairs Officer

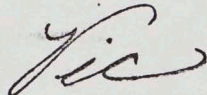
VV:md

attachment

cc: F. Morey
F. Panarisi

4. It appears to most that in a democratic society such as ours, we would be willing to pay for platitudes and integrity instead of for inflated egos. Currently, the system appears to be a status symbol or a political plum. Many wager that none of the past and present members are from what is known as "the humble occupations". Therefore, it behooves us to encourage participation of the minorities and the poor in the grand jury system by raising the present per diem fee well above ten dollars.

The aforementioned items are but a few of the concerns expressed by the community on this subject. In order to get a more comprehensive perspective on the grand jury from the Mexican- American community, I recommend that Mr. Jesse Ramirez, Executive Director, Chicano Federation of San Diego County, be invited to attend and to speak at the next Board of Supervisors' conference on the grand jury. Mr. Ramirez can be contacted by telephoning 239-8130 or 239-8139.



VIC VILLALPANDO

VV:pb

cc: Jesse Ramirez
Frank Panarisi

Phil Villa

4.4.000

Acme #10

Att Joseph Cooper
S.

CHICANO FEDERATION OF SAN DIEGO COUNTY, INC.
520 "E" Street, Room 1011
San Diego, California 92101
239-8139 239-8130

TIME: February 5, 1971; 1:00 p.m.
TOPIC: San Diego County Grand Jury, Selection Process
RELEASED BY: Gus Chavez, Chairman; Jesse Ramirez, Executive Director
CONTACT PERSON: Theresa Williams, 239-8139 239-8130

PRESS RELEASE

We have gathered here to announce a course of action that we as an organization must take if we are to truly adhere to our chosen role of advocates for not only our general membership, but for the many thousands of Mexican-Americans throughout San Diego County who heretofore have been, for the most part, unrepresented and consequently receive little or no consideration in the conduct of all levels of the government and private service agencies.

Of particular concern to us at this time is the process of selection followed in the empaneling of the San Diego County Grand Jury.

It is our opinion that the present method of selection is pathetically archaic, grossly inadequate to serve its intended purpose, and as such lends itself to discriminatory practices which are almost criminally unjust to minorities in general and to Mexican-Americans in particular.

We are of the opinion that if the present system of selection persists, it will continue to systematically exclude Mexican-Americans from serving on the County Grand Jury. We feel that this systematic exclusion over a prolonged period of time is a violation of our constitutional rights as set forth in the 14th amendment of the Constitution of the United States, Section I, in that we are denied the equal opportunity to serve on grand juries through the practical application of the regulations governing the selection of grand jurors.

Of further concern to us is that, inasmuch as the selection of prospective grand jurors is made by superior court judges, there is not one superior court judge of Mexican descent (infact, not one judge of any court) in the entire county of San Diego. This despite the fact that the number of Mexican-Americans in this county number almost 250,000.

A committee of members of the Chicano Federation met and decided to seek ways and means of: (1) preventing the present grand jury from being empaneled, and (2) initiating the change of the process now in practice when selections are made of prospective jurors. We will seek a more equitable representation in regard to age, occupation, economic status, ethnicity, race and geography.

We plan to take our case to the federal courts, utilizing a restraining order and later a permanent injunction. We are seeking legal assistance from both the public and private sectors, law schools, and legal fraternities and organizations. Our legal action is being coordinated by the Mexican-American Legal Defense and Education Fund, Inc.

¡QUE VIVA LA RAZA!



COUNTY OF SAN DIEGO

INTER-DEPARTMENTAL CORRESPONDENCE

DATE February 8, 1971

TO: Fred Morey, Chief Administrative Officer

FROM: Victor Villalpando
Mexican American Community Affairs Officer

SUBJECT: COUNTY GRAND JURY

As you will note from the attached press release from the Chicano Federation, the Mexican-American community is moving on subject issue. Since the issue involves the "County" Grand Jury and the County pays for a portion of its existence, I know that eventually we will undoubtedly become involved.

I realize that all County Grand Jury procedures are a dictate of ^{the} State and that we merely pay jury fees. However, I am certain that we will probably be asked for some kind of an accounting and our Board of Supervisors may have to take a position on this issue.

I recommend that you appraise our supervisors about this issue. If in essence, the Grand Jury system is as antiquated as many advocate, possibly, we may elect to advise legislative change.

Attached are sufficient copies of the Chicano Federation press release for distribution to our Supervisors if required.

Victor Villalpando
Mexican American Community Affairs Officer

VV:sp

cc Homer Detrich

COUNTY OF SAN DIEGO

ADMINISTRATION CENTER 1600 PACIFIC HIGHWAY
SAN DIEGO, CALIFORNIA 92101 (714) 239-7711



VIC VILLALPANDO
MEXICAN - AMERICAN
COMMUNITY
AFFAIRS OFFICER

June 4, 1971

TO: Fred Morey
Chief Administrative Officer

FROM: Mexican-American Community Affairs Officer

SUBJECT: COUNTY GRAND JURY

The following is submitted to you as a concern and general consensus of the Mexican-American community relative to our present grand jury system. I have been contacted numerous times on this subject and I, therefore, bring the following to your attention in light of the present grand jury conferences being held by the Board of Supervisors:

1. The Chicano Federation of San Diego County, Inc. has a pending law suit against the grand jury for its discriminatory practices. There has been only one Mexican-American selected to serve on the grand jury since its inception. At that, the man's name is Don Brady and he served in 1970. Most people contend that the only reason his name was not screened out is because it is Brady and not Gomez.
2. The Mexican-American community maintains that the lottery system presently employed in selecting jurors is not only archaic but is not to be trusted because it smacks of premeditated and calculated prejudice against the Mexican-American.
3. The Mexican-American community wholeheartedly endorses the idea of comprising the grand jury in accordance with the ethnic composition of the County of San Diego. This could basically be accomplished in line with the selection process employed for comprising the newly established Human Relations Commission--the only consideration here would be that "population parity" be the determining factor.

1971 S. D. COUNTY GRAND JURY

<u>Age</u>	<u>Sex</u>	<u>Econ. Status</u>	<u>Occupational Status</u>
39	F		Housewife - Husband Attorney
63	M		Retired - School Admin.
46	F		Nonpracticing MD. Husband MD
43	F		Housewife
61	M		Retired, PHD, Research Chem.
67	M		Retired painter
62	M		Retired USN Officer
66	M		Semi-retired publisher
60	M		Gen. Bldg. Contractor
33	F		Housewife
55	M		Material Planner, Naval Air Sta.
33	M		Retail liquor store operator
72	M		Retired. Director Mkt & Sales
66	M		Retired chiropractor
46	F		Housewife - Husband/investments
45	M		Real estate and insurance
49	F		Housewife; husband data processing
49	M		Real Estate broker
40	F		Housewife; husband engineering

ETHNIC MINORITY BACKGROUNDS: 5 Negro

1970 S. D. COUNTY GRAND JURY

66	M		Retired; Superv. Western Elec.
62	M		Retired; US Immig. Officer
42	M		Job Developer, MAAC
53	M		Retired; US Civil Service
54	M		Retired; operates coll. agency
52	F		Housewife; husband in insurance
62	M		Retired contractor
51	M		Labor Union rep.
63	M		Retired; former city manager
51	F		Floor covering dealer with husband
32	M		Social worker
68	M		Retired; sales management
54	F		Housewife; husband ret. USN/ City emp
66	M		Retired-cleaning and cook
53	F		Retired - Office/medical clerical
57	M		Retired fire chief
59	M		Real estate developer
50	F		Secretary/corporation
68	M		Retired-owner sporting goods

ETHNIC MINORITY BACKGROUNDS: 2 Negro; 1 Mexican-American; 1 Japanese

1969 S. D. COUNTY GRAND JURY

58	M		Retired; School administration
50	M		Labor union rep.
56	F		Housewife; husband merchant
74	M		Retired; USN officer
63	M		Retired; formerly in pub. business
42	M		Tire dealer
68	M	XXXXXXXX	Retired; Engineer/power corp.
54	M		Advertising/ P.R.
51	F		Housewife; husband industrial engineer
63	M		Theater owner; independent investor
64	M		Retired MD
65	M		Retired; labor union rep.
49	F		Housewife; husband attorney
40	M		Auto dealer
61	M		Retired US Army officer
70	M		Retired; real estate and merchandise
54	M		Manager tire company
77	M		Retired; real estate
56	M		Clergyman

ETHNIC MINORITY - 2 Negro

1968 S. D. COUNTY GRAND JURY

<u>Age</u>	<u>Sex</u>	<u>Econ. Status</u>	<u>Occupational Status</u>
72	M		Retired; treasurer/controller corp.
73	M		Retired MD
47	M		Investments
57	M		Indus. Uniform rental/laundry/dry cl
51	F		Housewife; husband RET USN officer
74	M		Retired; architect; investments
53	F		Housewife; husband marine geologist
XXX			
62	M		Retired; labor union rep.
80	M		Semi-retired clergyman
66	M		Retired; USN Officer/electronics eng
47	M		PR, adv.
50	F		Retired school teacher; husband ins.
71	M		Retired teacher and admin.
53	M		Retired US Army officer
34	F		Housewife; husband MD
64	M		Retired; office mgr. insurance co.
70	M		Retired; investments
46	M		Labor union rep.
72	M		Retired; USN officer

ETHNIC MINORITY: 1 Negro

1967 S. D. COUNTY GRAND JURY

(No ages shown on information sheets this and prior years. Ages shown are approx.)

68	M		US Army officer; retired
62	M		Semi-retired; investments
60	M		Investments
67	M		Retired; US Army officer
43	M		Vice Pres./ Mgr; bank
71	M		Engineering contractor
59	M		Labor Union rep.
74	M		Retired; U.S. Post office
73	M		Retired; Education, Foreign service, and banking
61	M		Retired; USMC officer
45	F		Dog breeder; husband engineer
XXXXX			
52	M		Executive Vice Pres. corporation
68	M		Mgr - Hospital/foundation
48	M		Minister
66	M		Contractor; semi-retired
62	F		Housewife; husband dentist
68	M		Retired; electrical engineer
70	M		Retired US Army officer
73	M		Retired; V-P/Mgr bank

ETHNIC MINORITY: 1 Negro

111

STATISTICS

Spanish-Origin Census Rise Reported

WASHINGTON (AP) — There were 10.6 million persons of Spanish origin living in the United States last March, an increase of 1.4 million over a year earlier, the Census Bureau reported yesterday.

The bureau was unable to explain fully the big increase in its figures but said it may be based partly on changes in census procedures.

The 1970 census reported there were nearly 9.1 million persons of Spanish origin in the United States, and the new total of 10,577,000 represents an increase of 16.6 per cent in the three-year period.

The number of persons of Mexican origin showed the biggest percentage increase from the 1970 census, rising 38.8 per cent, while persons

of Cuban origin increased 34.6 per cent.

The number of persons of Puerto Rican increased 8.3 per cent, reflecting lower migration from the Caribbean island to the United States.

In attempting to account for the big increase in the 1973 estimate over the 1972 estimate, the Census Bureau gave the following reasons:

— It has changed the way of classifying children under 14 years of age from origin of the head of household to the origin of other household members, such as the wife.

— Updating the census report with new information from the 1970 census, which added about 545,000 persons to the Spanish-origin category of population.

The Superior Court
OF THE
State of California
COUNTY COURTHOUSE
SAN DIEGO, CALIFORNIA 92101

CHAMBERS OF THE PRESIDING JUDGE

January 15, 1974

Mr. Herman Baca
San Diego County Director
Southern Region
Mexican-American Political Association
c/o Aztec Printing Co.
1837 Highland Avenue
National City, California 92050

Dear Mr. Baca:

This will acknowledge receipt of your letter of January 8, 1974.

Of the original sixty persons nominated for grand jury service, it is my understanding that two were of Mexican-American ancestry. However, in the initial draw down to thirty names conducted by the County Clerk, Jesse Osuna, neither of the two was drawn.

Our Superior Court Judges in securing nominees who agree to serve on our grand juries are not only willing but extremely desirous of obtaining nominees that represent a cross-section of the community, including persons from so-called minority groups. In fact, in the 1972 grand jury, of its nineteen members, four were black.

I am advised that efforts have been made in the past to secure recommendations through representatives of labor and other sources of responsible Mexican-Americans as potential grand jurors. One of our judges advised me that the one nomination contacted sources were able to develop called him and stated he was unable to devote the time to serve.

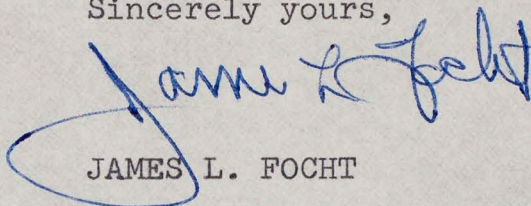
It is difficult to obtain nominees willing and able to serve the necessary three or more full days a week for the period of a year. The problem in the obtaining of willing nominees for the incoming grand jury was particularly difficult due to the fact that it must serve for eighteen months, due to a statutory enactment changing grand jury service from a calendar year to a fiscal year basis.

Page 2
January 15, 1974
Mr. Herman Baca

Your impression that there has been a "blatant discrimination and exclusion and a systematical method of denying representation for the 250,000 persons of Mexican-American ancestry in San Diego County" is completely erroneous. Had you contacted this court prior to the selection of the current nominees, you would have been urged to furnish us with the names of candidates who would have been willing and able to serve.

I suggest that, before the list of nominees is prepared for selection of the next grand jury, you and representatives of the Mexican-American community furnish this court with the names of responsible nominees who have confirmed the fact that they can devote the time required for grand jury service. We would truly appreciate such activity on your part as it would assist us in our attempt to obtain a representative group of nominees.

Sincerely yours,



JAMES L. FOHT

JLF:ky

1974 County Grand Jury Impaneled

The 1974 county grand jury was impaneled yesterday during a short ceremony conducted by James L. Focht, presiding judge of the Superior Court.

The 19-member jury was selected by lot from 30 names drawn last week. Originally, 60 names were submitted by judges, and from those names the final group was picked, according to Grand Jury Commissioner Larry Adams.

The makeup of the new panel drew criticism from the Mexican-American Political Association (MAPA), which complained of "exclusion" of Mexican-Americans.

Describing this year's grand jury as "unique" — since it will be the first to serve an 18-month term — Focht announced the following jurors:

Mrs. Rosebud B. Bergquist, housewife, 3511 Jackdaw St.; Mrs. Jacqueline J. Bolt, housewife, 5155 Canterbury Drive; Col. Glen I. Epperson, USA, ret., 1335 Crest Road, Del Mar; George G. Foster, retired automotive executive, 5982 Del Cerro Blvd.; Mrs. Dorothy C. Herney, retired school teacher, 136 Mankato St., Chula Vista; Maj. Gen. George W. Hickman, USA, ret., 620 W. Solana Circle, Solana Beach; William Hillman, retired city employe, 2228 Erie; St. Edward H. Hinkle, retired U.S. foreign service employe, 1442 Carleton Square.

Mrs. Jewell Hooper, retired federal civil service employe, 6744 Charlene Ave.; George D. Kraber, retired federal civil service employe, 2386 Avenida del Diablo, Escondido; George B. McCallan, retired school superintendent, 501 Anita St., Chula Vista; Solomon Roedel, retired barber, 4233 Albatross Drive; Ms. Lois Schleifer, retired school teacher, 451 S. Granados Ave., Solana Beach; Mrs. Elizabeth J. Shukraft, housewife, 4375 Arizona St.; Mrs. Janet Anne Sims, housewife, 11320 Meadowview Road.

(Continued on B-2, Col. 1)

'74 County Grand Jury Impaneled

(Continued)

Mrs. Barbara J. Sullins, housewife, 7714 Orien St., La Mesa; June G. Ward, housewife, 3346 Sweetwater Way, Lemon Grove; O.J. Wheeler, president of Teamsters local 6771, Golf Crest Drive; and Mrs. Joanne A. Woods, real estate investor, P.O. Box 916, Valley Center.

JURY FOREMAN

Hinkle, 60, was chosen foreman of the jury by Focht. Hinkle, a third-generation San Diegan, will be spokesman for the group and preside over jury meetings.

Earlier this month, Focht received criticism from MAPA for the "blatant discrimination and exclusion" of Mexican-American representatives on the new jury panel.

Focht said the MAPA statement was "completely erroneous" in a letter to the group yesterday.

According to Focht, two of the 60 original nominees were of Mexican-American descent, but neither name was drawn during the first selection by lot.

MAPA AID ASKED

He also said there had been some difficulty in obtaining Mexican-American nominees, and expressed hope that MAPA would assist in next year's selection by providing candidates.

During yesterday's ceremonies, Focht dismissed the 1973 grand jury, saying it had been "an honor and a privilege serving with you."

"The 1½ million people in San Diego owe you a debt of gratitude," he said.

He instructed the newly appointed jurors to meet tomorrow for a full day of indoctrination sessions.

The grand jury handles criminal indictments and acts as a governmental watchdog during the year.

SD Union
1-16-74



COUNTY OF SAN DIEGO

BOARD OF SUPERVISORS • 1600 PACIFIC HIGHWAY
SAN DIEGO, CALIFORNIA 92101 • (714) 236-2260

DICK BROWN
SUPERVISOR
SECOND DISTRICT

January 16, 1974

Mr. Herman Baca
County Director
Mexican-American Political Assoc.
1837 Highland Avenue
National City, CA 92050

Dear Mr. Baca:

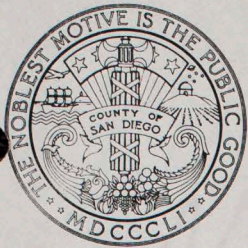
I appreciated receiving your letter regarding the apparent "exclusion of Mexican-American ancestry" to the San Diego County Grand Jury.

I am glad that you brought this to my attention as I was not aware of this situation. I am currently investigating what steps can be taken to insure that a better representation is taken from the various sectors of the community in the selection of the Grand Jury.

Sincerely,

A handwritten signature in black ink that reads "Dick Brown".

DICK BROWN
Supervisor, Second District



County of San Diego



JIM BEAR
SUPERVISOR, 4TH DISTRICT

COUNTY ADMINISTRATION CENTER
SAN DIEGO, CALIFORNIA 92101

236-2282

BOARD OF SUPERVISORS

January 16, 1974

Mr. Herman Baca, MAPA
County Director
1837 Highland Avenue
National City, California 92050

Dear Herman:

I have received your letter concerning the County Grand Jury. I have submitted a letter to the Board of Supervisors recommending action on this matter. This proposal will be considered by the Board on January 22, 1974 and I trust you will be in attendance.

Thank you for bringing this information to my attention.

Sincerely,

Jim Bear
Supervisor, 4th District

JB/m/bs

Enclosure: Board letter

San Diego
Union

1/16/74

1974 County Grand Jury Impaneled

The 1974 county grand jury was impaneled yesterday during a short ceremony conducted by James L. Focht, presiding judge of the Superior Court.

The 19-member jury was selected by lot from 30 names drawn last week. Originally, 60 names were submitted by judges, and from those names the final group was picked, according to Grand Jury Commissioner Larry Adams.

The makeup of the new panel drew criticism from the Mexican-American Political Association (MAPA), which complained of "exclusion" of Mexican-Americans.

Describing this year's grand jury as "unique" — since it will be the first to serve an 18-month term — Focht announced the following jurors:

Mrs. Rosebud B. Bergquist, housewife, 3511 Jackdaw St.; Mrs. Jacqueline J. Bolt, housewife, 5155 Canterbury Drive; Col. Glen I. Epperson, USA, ret., 1335 Crest Road, Del Mar; George G. Foster, retired automotive executive, 5982 Del Cerro Blvd.; Mrs. Dorothy C. Herney, retired school teacher, 136 Mankato St., Chula Vista; Maj. Gen. George W. Hickman, USA, ret., 620 W. Solana Circle, Solana Beach; William Hillman, retired city employe, 2228 Erie; St. Edward H. Hinkle, retired U.S. foreign service employe, 1442 Carleton Square.

Mrs. Jewell Hooper, retired federal civil service employe, 6744 Charlene Ave.; George D. Kraber, retired federal civil service employe, 2386 Avenida del Diablo, Escondido; George B. McClellan, retired school superintendent, 501 Anita St., Chula Vista; Solomon Roedel, retired barber, 4233 Albatross Drive; Ms. Lois Schleifer, retired school teacher, 451 S. Granados Ave., Solana Beach; Mrs. Elizabeth J. Shukraft, housewife, 4375 Arizona St.; Mrs. Janet Anne Sims, housewife,

'74 County Grand Jury Impaneled

(Continued)

Mrs. Barbara J. Sullins, housewife, 7714 Orien St., La Mesa; June G. Ward, housewife, 3346 Sweetwater Way, Lemon Grove; O.J. Wheeler, president of Teamsters local 6771 Golf Crest Drive; and Mrs. Joanne A. Woods, real estate investor, P.O. Box 916, Valley Center.

JURY FOREMAN

Hinkle, 60, was chosen foreman of the jury by Focht. Hinkle, a third-generation San Diegan, will be spokesman for the group and preside over jury meetings.

Earlier this month, Focht received criticism from MAPA for the "blatant discrimination and exclusion" of Mexican-American representatives on the new jury panel.

Focht said the MAPA statement was "completely erroneous" in a letter to the group yesterday.

According to Focht, two of the 60 original nominees were of Mexican-American descent, but neither name was drawn during the first selection by lot.

MAPA AID ASKED

He also said there had been some difficulty in obtaining Mexican-American nominees, and expressed hope that MAPA would assist in next year's selection by providing candidates.

During yesterday's ceremonies, Focht dismissed the 1973 grand jury, saying it had been "an honor and a privilege serving with you."

"The 1½ million people in San Diego owe you a debt of gratitude," he said.

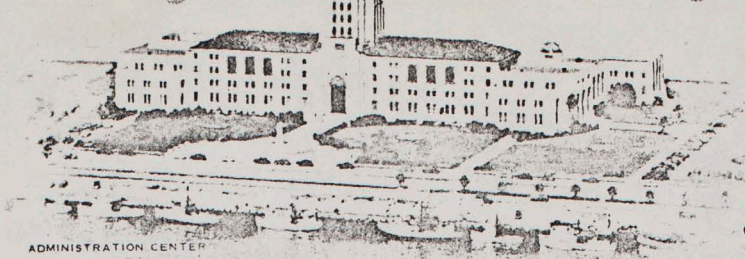
He instructed the newly appointed jurors to meet tomorrow for a full day of indoctrination sessions.

The grand jury handles criminal indictments and acts as a governmental watchdog during the year.

ATTACHMENT (A)



County of San Diego



COUNTY ADMINISTRATION CENTER
SAN DIEGO, CALIFORNIA 92101

236-2282

JIM BEAR
SUPERVISOR, 4TH DISTRICT

BOARD OF SUPERVISORS

January 17, 1974

Honorable Board of Supervisors
County of San Diego
306 County Administration Center
San Diego, California 92101

Gentlemen:

It has been brought to my attention that the appearance of discrimination exists, whereby persons of Mexican-American descent may have been excluded from membership on the County Grand Jury. Although this exclusion may be unintentional; it is, if true, nevertheless deplorable.

Also, there is a question of appropriate geographic representation. For example, 2 of 19 members this year live in Solana Beach or 10%; although Solana Beach has only 5,500 of the total county population of 1,400,000 or only 0.4%. If we can give Solana Beach such more than adequate representation, we should be able to do much better for minorities who constitute 20% of the county population.

I recommend that county staff be directed to supply the Board of Supervisors with accurate information concerning the ethnic and geographic composition of the last five County Grand Jurys. If a pattern of discrimination exists, then remedial action would appear to be in order.

Respectfully,

Jim Bear
Supervisor, 4th District

JB/m/bs

Attachments



Jack Walsh
supervisor
COUNTY OF SAN DIEGO

COUNTY ADMINISTRATION CENTER, SAN DIEGO, CALIFORNIA 92101 • TELEPHONE 239-7711

January 18, 1974

Mr. Herman Baca, Director
Mexican American Political Association
1837 Highland Avenue
National City, California 92050

Dear Herman;

I share your concern for the lack of Mexican-American community representation on the County Grand Jury. As you are probably aware the Grand Jury for this year has already been seated. However, I feel no reluctance to publically comment on this situation so that, hopefully, it can serve as an attention-calling mechanism to the problem that your organization raised with respect to the County Grand Jury.

Sincerely,

Jack
Jack Walsh



COUNTY OF SAN DIEGO

INTER-DEPARTMENTAL CORRESPONDENCE

DATE January 21, 1974

TO: James Bear
Supervisor

FROM: Vic Villalpando



SUBJECT: 1974 COUNTY GRAND JURY

In response to your verbal request on my position relative to noted subject and to the article (see ATTACHMENT A), which appeared in the San Diego Union of January 16, 1974. The following is my commentary on this whole issue of County Grand Juries:

- a. In 1971, the impaneling of the County Grand Jury was a burning issue in the Chicano community (see ATTACHMENT B). At that time, I documented the concern and forwarded to our Chief Administrative Officer — my letter suggested that our Board consider going to the State for the purpose of advising legislative change to an antiquated system of government (see ATTACHMENT C).

No meaningful attention given to my concern.

- b. This matter continued to be an unsettled issue for the Chicano, and on June 4, 1971, I again directed my concern to our Chief Administrative Officer (see ATTACHMENT D). In this letter, I specifically outlined some recommendations and I attempted to indicate the urgency of the matter by attaching some moral conscious to my positions.

Again, no response to my issue.

- c. In determining the proper perspective for my June 4, 1971 letter to Fred, I accomplished a detail analysis of the 1967, 1968, 1969, 1970, and 1971, to denote a profile by age, sex, and occupation (see ATTACHMENT E). If you note, the roster of Grand Jurors not only indicates discrimination against racial and ethnic minorities, but it shows obvious exclusion of women to their fair share. The study also denotes favoritism to a specific economic stratification, and to an age bracket that excludes youth from a social system that very much affects them.

1974 COUNTY GRAND JURY
Page 2
January 21, 1974

In September, 1971, I again attempted to draw attention to the Mexican-American concern on the Grand Jury, but no response (see ATTACHMENT F).

Now its 1974, and again we are faced with an issue as proverbial as Don Quijote's windmill. I see this matter as an open-and-shut-case — simple, from the stand point that the present Grand Jury system is inequitable and outdated, and the time to revise it is long overdue — and, all that is required is for a person of your stature to push for the change. To me, its inconceivable to think that we boast the world's greatest technology — and we place a man on the moon to prove it — yet, we staff a Grand Jury by rolling a set of dice. Appointment of qualified people to a Grand Jury is a serious matter because of their responsibility, yet, we treat it as a children game by selecting the 19 members on a lottery chance. "Judgement by peers" in the present sense of the Grand Jury has been violated because a balanced humanistic perspectives, influenced by cultural factors, has never been represented.

The essence of the Grand Jury is no more different than our County Human Relations Commissions, so I see no reason why the selection process can not be modified to a similar method of selecting a proper cross-section of the population of the County since it is a County Grand Jury. I see no reason why names now have to be funneled through lawyers and judges — instead a better method would be to process candidates through our Law & Justice Citizens Advisory Committee — this committee has more direct contact with, and has more in common with the average citizen than do lawyers and judges. In turn our L&JCAC will work directly with all groups and grass-root community organizations in recruiting candidates for the Grand Jury.

Bob Lopez and I agree that someone as yourself should motivate our Board and push for Grand Jury reform. I trust that the above information gives you what you were looking for and if there is any additional data which would help you in that direction, please call on us.

cc: Robert Lopez

Jan. 23, 74
S.W. Union

JUDGE MAHEDY WILL RETIRE

Superior Court Judge William P. Mahedy performed his last official duties in Department 4 yesterday and headed toward retirement after nearly 16 years on the bench.

Mahedy, 67, appointed by former Gov. Goodwin Knight Sept. 16, 1957, actually begins retirement at 5 p.m. Jan. 31.

A 1930 graduate of Loyola University, Mahedy was admitted to the Bar in 1932. From private practice, he became a deputy district attorney and served in the Navy until 1946. He practiced again privately in San Diego until 1957.

He had been senior Superior Court judge.

Jan 23, 74
S.D. Union

Grand Jury Oversteps Its Legal Limitations

By JOHN O'DONNELL

Many jurors never have a clear understanding of what their duties and responsibilities are, nor do they make any real effort to try to find out. Rather they seem to prefer not to have their own comfortable misconceptions disturbed by any revelation of the facts.

They most particularly do not like to be reminded of their legal limitations. A grand jury is not an executive, administrative or legislative body.

It can indict persons for crimes committed in the county, and it can hold public officials accountable for misconduct. The official can be tried by a regular jury. The usual punishment is removal from office.

A grand jury in California is not supposed to be the "conscience of the community", or the pace setter or arbitrator of morals, as some seem to envision it as being. Nor is it to be an administrative authority controlling the activities of appointed or elected officials, boards, commissions and districts.

Unfortunately, some appointed to a grand jury feel that they have been "anointed" to be the public watchdog of all matters of public interest or concern. Such is not the function of a grand jury.

The California penal code is the source of the grand jury authority for investigating county affairs, other than criminal acts, or misconduct of public officials and officers. Section 933, the authoritative basis for a final report states, "... each grand jury ... shall submit a final report of its findings and recommendations that pertain to county government." Note that the report is limited, by law, to the affairs of county government.

It appears that many grand juries waste time delving into areas of concern and interest to them such as schools, the marshal's office and other areas controlled by the state.

Jurors work very hard, but not on the things they are supposed to be working on.

For instance, the 1973 grand jury received several charges, one from the Board of Supervisors, of falsehoods and misrepresentations by employes of the Public Works Department and others, yet the grand jury did not even conduct a superficial inquiry into the matter and did not have one witness before it or even have the accuser state his charges under oath, or even testify at all.

Custom and practice seem to have allowed a pattern to develop whereby the district attorney determines which cases and how many cases will be presented to a grand jury. However, there is no support in law for that practice. It came about because some think the grand jury is an adjunct to or branch office of the district attorney's office. The district attorney does not help to dispel that impression.

It would appear that a great part of the community is misled into thinking a grand jury is more broadly concerned with great problems of governmental administration than the law actually allows it to be. So are many grand jurors.

Jury members have attempted to use the jury as a means of airing private grievances, advocating positions on matters of public interest and concern and avenging imagined wrongs of public officials. When a grand jury allows itself to be so used, then it abuses the grand jury process, subverts the law, and acts in an irresponsible manner.

If ours is to remain a government of laws rather than of men, then we should insist that bodies such as grand juries, act in a responsible manner, uphold the law, and set a good example for the rest of the community.



323 1/2 EAST SAN YSIDRO BLVD.
SAN YSIDRO, CALIFORNIA 92073
(714) 428-2742

January 23, 1974

Supervisor Jack Walsh
County Board of Supervisors
County Administration Building
1600 Pacific Highway
San Diego, California

Dear Sir:

It is obvious from the recent announcement of the 30 candidates for the year's Grand Jury by Judge James L. Focht that once again it typifies a complete exclusion of persons of Mexican-American ancestry from the San Diego County Grand Jury. This flagrant oversight has been consistently re-occurring for at least the last 100 years, and it seems to me that we are just about overdue for some restification of the present system in order to effect a fair representation of all segments of the community.

It is my feeling that this reiterant situation merits serious re-evaluation and that this obvious discriminatory process should be zealously protested, so that the existing situation can be remedied and a final breakthrough afforded the Mexican-American population which represents 17% of San Diego County's taxpayers.

The magnitude of the "oversight" which is represented by this repetitious course of action cannot be maximized enough, since it is at the higher legislative levels that these discriminatory processes should be eliminated and precedents set forth on behalf of Mexican-Americans, since the past record of such eniquities has been overbearing in many respects.

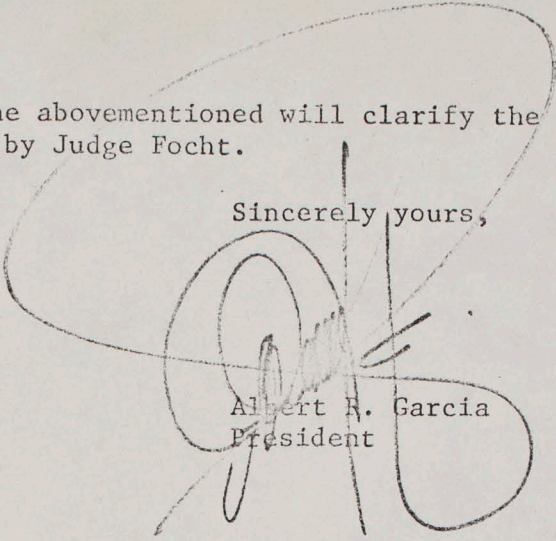
These views have furthermore been expounded in similar letters of denunciation by Mr. Herman Baca, San Diego County Director of the Mexican-American Political Association.

It is our firm belief that this matter should not be left without a severe scrutiny and re-examination of existing legal and political processes at County and State legislative levels so that a criterion is established that will at last afford the Mexican-Americans a voice and vote in our government and a breakthrough in the discriminatory environment that has enveloped them for so many years.

Supervisor Jack Walsh
Page Two

We hope that your attention to the abovementioned will clarify the injustices that were established by Judge Focht.

Sincerely yours,



Albert R. Garcia
President

ARG/cos

cc: Board of Supervisors
State Legislature
All Mexican-American Organizations

Board asks action on grand jury

The Board of Supervisors has asked the county's Law and Justice Agency advisory board to review methods of ending discrimination on the county grand jury.

The board was told yesterday by Herman Baca, director of the Mexican-American Political Assn., that only four Mexican-Americans have been chosen in the 103 years of the grand jury's existence here.

He added that because the grand jury's work was so time-consuming and compensation so low, it prohibited members from maintaining other steady employment and limited jury composition to retired persons and housewives.

County Administrator Frank Aleshire reminded the board that changes in the grand jury selection procedures can't be made without action by the Legislature.

The board agreed recommendations from the Law and Justice group would be considered as possible legislative changes that could be backed by the county.

1-24-74



COUNTY OF SAN DIEGO

INTER-DEPARTMENTAL CORRESPONDENCE

TO: Law and Justice Agency Advisory Board (A20) DATE January 24, 1974
FROM: Clerk of the Board of Supervisors (A45) Ref: 1-23-74 (2)

C
O
P
Y

The Board of Supervisors on January 23 heard Herman Baca, representing the Mexican-American Political Association, express concern about the Mexican-American representation on the past and present County Grand Juries; and recommend that the Board establish an ad hoc committee to review and make recommendations for legislative changes relative to revising the County Grand Jury selection process so that all segments of the community are adequately represented.

The Board referred Mr. Baca's recommendation to you for report and recommendation for Board consideration on February 26.

This report must be in the Clerk's office before 5:00 p.m. on February 20 in order to be included in the backup material for the Board's Agenda of February 26.

PORTER D. CREMANS
Clerk of the Board of Supervisors

By *Dona E. Trumble*
Deputy

DET:sd

cc: Mr. Herman Baca, 1837 Highland Avenue, National City 92050

COUNTY OF SAN DIEGO
AGENCY ADVISORY BOARD MEMBERS
1973-1974
MAILING LIST

ENVIRONMENTAL DEVELOPMENT AGENCY ADVISORY BOARD

Mrs. Edwina Cisco
Chairman
4664 Fourth
La Mesa 92041

James A. Clapp
Vice-Chairman
5487 Dundee Ave.
San Diego 92120

J. Michael Bollman
Smith, Biggins & Bollman
1500 USNB Bldg.
San Diego 92101

Carl Davidson
8955 Bower Lane
Lakeside 92040

Percy M. Goodwin
530 B Street
Suite 1200
San Diego 92101

Dr. Joseph Jehl
Natural History Museum
Balboa Park
P. O. Box 1390
San Diego 92112

Richard Kornhauser
Rt. 2, Box 1704
Escondido 92026

Jim McFarland
City Chevrolet
2111 Morena Blvd.
San Diego 92110

John Mabee
4545 Yerba Santa Dr.
San Diego 92115

Clifford Walker
13140 Lakeshore Dr.
Lakeside 92040

FISCAL AGENCY ADVISORY BOARD

Richard J. Neubert
Chairman
P. O. Box 2070
San Diego 92112

Louis Nigro
Vice-Chairman
5751 Malvern Court
San Diego 92120

David Alpert
4610 E. Talmadge Dr.
San Diego 92116

Guy Beyersdorf
3669 Princeton Ave.
San Diego 92117

Melvin Brown
P. O. Box 45
Fallbrook 92028

G. M. Campbell
1163 San Pablo Dr.
Lake San Marcos 92069

Dennis Nelson
3705 Narrangansett
San Diego 92107

William Shannahan
Higgs, Fletcher, Mack
Suite 310
7855 Ivanhoe
La Jolla 92037

Chris Sickels
2886 Bayside Walk
San Diego 92109

Sumter "Bud" Smith
1959 Longs Hill Road
El Cajon 92021

HEALTH CARE AGENCY ADVISORY BOARD

Ms. Faustina Solis
Chairman
4240 Felton St.
San Diego 92102

Charles Doerr
Vice-Chairman
7734 Herschel
La Jolla 92037

Willie R. Carroll
1055 Washington Heights Place
El Cajon 92020

Ms. Gordon Duff
2026 Lincoln St.
Oceanside 92054

Mrs. Muriel Jardine
3425 Seacrest Drive
Carlsbad 92008

Thaddeus Kostrubala, M.D.
Mercy Hospital
4077 Fifth Ave.
San Diego 92103

John V. Naish
1361 Rhoda Drive
La Jolla 92037

Mrs. Dorothy Oberle
2876 Monroe St.
San Diego 92116

Harold Taxel
8806 Complex Drive
San Diego 92123

Mrs. Altha Williams
P. O. Box 2036
La Mesa 92041

HUMAN RESOURCES AGENCY ADVISORY BOARD

Arthur Madrid
Chairman
5308 Tufts St.
La Mesa 92041

John French
Vice-Chairman
424 Pennsylvania
San Diego 92103

James Ashcraft
6712 Golfcrest
San Diego 92119

William Fitzpatrick
3903 Kenwood Dr.
Spring Valley 92077

Albert Garcia
323 1/2 E. San Ysidro Blvd.
San Ysidro 92073

Terry Hughes
Box 156
Del Mar 92014

John C. Raymond
P. O. Box 204
Escondido 92025

Charles E. Reid
5757 University #26A
San Diego 92115

Ralph Rendon
1521 Hotel Circle West
San Diego 92108

R. R. Richardson
2232 El Cajon Blvd.
San Diego 92104

LAW & JUSTICE AGENCY ADVISORY BOARD

Lynn R. McDougal
Chairman
Linley, McDougal, Meloche & Murphy
444 N. Magnolia
El Cajon 92020

Ms. Anne Doshier
Vice-Chairman
4475 Del Monte Ave.
San Diego 92107

Ms. Leora Black
730 Pelican Way
El Cajon 92020

RADM Marshall E. Dornin
867 Harbor View Place
San Diego 92106

Joseph Hennessy
7757 Whitefield Place
La Jolla 92037

David Miller
2329 Pine St.
San Diego 92103

Ernest Roberson
5909 Highplace Dr. *Blk*
San Diego 92120

Raul Rosado
2056 1st Avenue
San Diego 92103

Larry Shwets
5523 Barkla St.
San Diego 92122

Donald Worley
Seltzer, Caplan, Wilkins, McMahon
3003 Fourth Ave.
San Diego 92103

PUBLIC WORKS AGENCY ADVISORY BOARD

C. M. Laffoon
Chairman
SDGE
P. O. Box 1831
San Diego 92112

Garry Butterfield
Vice-Chairman
P. O. Box 364
Ramona 92065

Mrs. Joyce Beers
631 N. Crescent Ct.
San Diego 92103

Ms. Mary Crosby
3611 Fifth Ave.
San Diego 92103

Robert Green
1798 Summit Drive
Escondido 92025

Armon Henderson
4219 Iowa St.
San Diego 92104

Phillip Macy
4352 Sheldon Drive
La Mesa 92041

Mrs. Carmen Sproul
1802 La Jolla Rancho Road
La Jolla 92037

Donald Waters
4525 Mission Gorge Place
San Diego 92120

Ludwig Weindling
Box 654 El Vuelo
Rancho Santa Fe 92067

SPECIAL PUBLIC SERVICES AGENCY ADVISORY BOARD

Mrs. Russel Stockwell
Chairman
581 Rim Rock Road
El Cajon 92020

Hardy Kuykendall, Jr.
Vice-Chairman
4145 Hurley Drive
La Mesa 92041

Arthur Alford
General Delivery
Palomar Mt. 92060

Ron Argo
723 McClure
El Cajon 92020

Edward Castillo
9839 San Cristobal Road
Spring Valley 92077

Frank W. DeVore
8537 Jackie Drive
San Diego 92119

Richard Griset
109 Burma Road
Fallbrook 92028

Mishel Piastro, Jr.
626 West Lexington
El Cajon 92020

Philip Riggan
10737 San Diego Mission Road
San Diego 92108

Louis E. Robinson, D.D.S.
2212 La Callecita
San Diego 92103

Reiterate

Discrim, + handcraft
it should be completely
overhauled + revised.

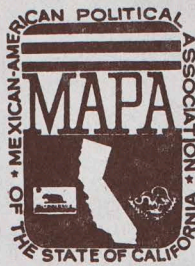
Lottery system is nothing
more than Gambling system

^{5th} Power should be taken
out of the hand of
Superior

SOUTHERN

REGION

MEXICAN-AMERICAN



POLITICAL ASSOCIATION

Counties of

Imperial—Orange—Riverside—San Bernardino—San Diego

January 28, 1974

Your January 23, 1974 decision, that the County Grand Jury issue be turned over to the County's Law and Justice Committee because of our organization's charges of exclusion and discrimination, is nothing more than a "ducking of the issue" and buck passing on your part. Since 1971, when it was first brought to your attention the discrimination and exclusion in the County Grand Jury has been a burning issue in the Chicano Community. Since that time and up to this date nothing has been done to remedy this situation. Supervisor Brown's statement that "four persons of Mexican American descent have been chosen to serve in the past 103 years signified some progress" typifies the Board of Supervisor's mentality and its inability to listen to those who continually ask for redress of this issue. Since the Chicano Community does not and will not wait another 100 years for action and since our organization will not be put through another bureaucratic obstacle course, (the Law and Justice Committee) let me reiterate our position.

The issue of exclusion and discrimination is a mute issue with us. We are not concerned with symptoms of the problem but with the cause of the problem. In our opinion the system is a total failure, not only for the Chicano Community but for other groups, (the youth, working people, and certain geographic areas, etc.) and should be revised.

Your recommendation to "pass the buck" to another do-nothing county committee, the Law and Justice Committee, which has shown no concern in the past is in our opinion is not representative of the excluded group we allude to and is completely invalid and unacceptable to us.

The only acceptable solution by the Board of Supervisors to our organization's grievance is the one recommended by our organization: That an Ad Hoc Committee be appointed by the Board of Supervisors which is representative of all segments of the county in order to make recommendations to members of the State legislature so that a fair, just and equitable system can be created.

If you are of the same opinion please state that you will proceed to rescind your decision in favor of maning a representative Ad Hoc Committee. No other solution will be acceptable to us.

Sincerely,

Herman Baca

Herman Baca

cc: News Media
State Legislature

Garcia raps county for jury with no Mexican-Americans

The president of the United California Mexican-American Assn. has called the county on the carpet for selecting a Grand Jury with no Mexican-American members.

San Ysidro resident Albert Garcia pointed out none of the newly-selected San Diego County Grand Jury are Mexican-Americans.

"THIS FLAGRANT oversight has been consistently re-occurring for at least the last 100

years, Garcia said to Jack Walsh, South Bay supervisor.

Garcia's letter noted 17 percent of the county's residents are Mexican-American ancestry and should be represented on the Grand Jury.

"It is my feeling that this reiterant situation merits serious re-evaluation and that this obvious discriminatory process should be zealously protested, so that the existing situation can be re-medied and a final breakthrough afforded the Mexican-American population," Garcia said.

GARCIA stressed legislation is needed to guarantee Mexican-Americans representation on such bodies.

"It is our firm belief that this matter should not be left without a severe scrutiny and re-examination of existing legal and political processes at county and state legislative levels," wrote Garcia, "so that a criterion is established that will at last afford the Mexican-Americans a voice and vote in our government and a breakthrough in the discriminatory environment that has enveloped them for so many years."

STARNEWS
1-31-74

Baca blasts supervisors

'Issue-ducking' charge over grand jury

Herman Baca of National City claims that the county Board of Supervisors is "ducking the issue" in connection with his charge that Mexican-Americans are being excluded from the county Grand Jury.

"We are seeking restraining order against the current grand jury," said Baca, chairman of the Mexican-American Political Assn. (MAPA). "Our attorneys are researching the precedence for this."

He said that the restraining order would prevent the jury, which has no Mexican-American members, from issuing any indictments or conducting investigations.

SUPERVISORS last week instructed their law

and justice committee to look into charges that Mexican-Americans are being excluded from the Grand Jury.

Baca this week wrote supervisors that "the only acceptable solution to our organization's grievance is that an ad hoc committee be appointed by the board which is representative of all segments of the county."

This committee, according to Baca, would make recommendations on correcting the alleged discriminatory jury selection procedures to the state Legislature.

WE'RE ASKING them to rescind their action of referring this matter to the law and justice committee, since only three supervisors were present last week

when it was done," said Baca. "Supervisor Jack Walsh, who represents the South Bay, was in Arizona, and Supervisor Jim Bear was also absent.

"They are only passing the buck to another bureaucratic agency. The supervisors have the authority to act on this and to appoint an ad hoc committee. The law and justice committee is not representative of the Mexican-Americans and is not acceptable to us."

Baca said that the exclusion of Mexican-Americans from the Grand Jury has been an issue since Feb. 5, 1971, when it was brought to the attention of the Board of Supervisors.

HE CONTENDS that the

current jury selection process not only discriminates against Mexican-Americans but against young people and working citizens.

Baca charges that the current process results in grand juries composed mostly of retired persons.

"The system is a total failure," charged Baca, "and should be revised."

Current selection practice is for each Superior Court judge to nominate persons who might serve on the Grand Jury.

The original nominations are reduced to 30 potential jurors by County Clerk Jesse Osuna, who draws the names at random from a box.

A second random selection from the panel of

30 is held to obtain final 19 grand jurors to be seated.

IN A LETTER to Baca Jan. 15, James L. Focht, presiding judge of the San Diego Superior Court, said that two Mexican-Americans had been nominated, but that their names had not been drawn by Osuna in the first selections.

Focht added that selection of jurors for the current term was complicated by the fact they would have to serve at least

three days a week for the next 18 months.

The extra six months on the term results from state legislation, according to Focht, that now requires county grand juries to meet on a fiscal rather than calendar year basis.

Term for the jury will end July 1, 1975.

Focht said that the amount of time required of grand jurors results in more retired persons being willing to serve than persons who would have to take time off from work.

ARNEWS
2-3-74



COUNTY OF SAN DIEGO

INTER-DEPARTMENTAL CORRESPONDENCE

DATE January 31, 1974

TO: Lynn R. McDougal, Chairman, Law & Justice Advisory Board

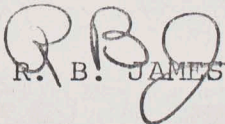
FROM: R. B. James, Coordinator, Law & Justice Agency

SUBJECT: Board of Supervisors' Referral - Grand Jury Selection Process

In an appearance before the Board of Supervisors, Mr. Herman Baca of the Mexican-American Political Association recommended that "the Board establish an ad hoc committee to review and make recommendations for legislative changes relative to revising the County Grand Jury selection process so that all segments of the community are adequately represented." The Board of Supervisors now has referred Mr. Baca's recommendation to your Board for consideration and report and recommendation back to them.

It is requested, therefore, that you arrange to review and discuss this matter at your next regular meeting on February 13, 1974. The Board of Supervisors has requested that your report be docketed for their meeting of February 26, 1974. However, if you determine that additional time is needed to permit the development of your report, I can arrange for a reasonable extension of the reporting date.

To assist you in the process of considering and developing your recommendations, I am enclosing a package which consists of a copy of the Board's referral action, a general resume of the processes under which a Grand Jury is selected, copies of the specific governing statutes, copies of correspondence between Mr. Baca and the Presiding Judge of the Superior Court, and listings of all the individuals nominated for Grand Jury service over the past six years. In addition, I have asked the County Counsel to research case law, Attorney General's opinions, etc. to identify pertinent material which may prove useful to your Board in the preparation of your report.


R. B. JAMES

RBJ:cr

Enc.

cc: Presiding Judge, Superior Court
✓ Mr. Herman Baca
Members, Advisory Board

STATUTORY PROVISIONS GOVERNING SELECTION OF GRAND JURY

GENERAL

1. A Grand Jury is a body of 19 persons "sworn to inquire of public offenses committed or triable within the County" (Sections 888 and 88.2, P.C.).
2. To be competent to serve as a Grand Juror, a person must be a U.S. citizen, 18 or older, who has resided in the state and county for one year, who possesses his natural faculties, has ordinary intelligence, sound judgment and fair character and has a sufficient knowledge of English. In addition, elected public officers and persons convicted of malfeasance in office or of any felony are not competent to serve. (Section 893, P.C.).
3. A person is not liable to serve if he qualifies for exemption (Sections 200, 201 and 202, C.C.P.). Based on "personal interview", the court determines whether a candidate possesses the qualifications required by Section 893, P.C. and then it can be construed that, at this point, he has to volunteer for service because ". . . . in order for his name to be listed he shall sign a statement that he will be available for jury service for the number of hours usually required of a member of the grand jury in that county" (Section 896(a), P.C.).
4. Names for the list shall be selected from different supervisory districts in proportion to population (Section 899, P.C.).

SELECTION PROCEDURE

On receipt of list of potential grand jurors from the Court, the County Clerk (ex officio Clerk of the Superior Court) causes "publication" of the list in a newspaper of general circulation, puts names in the "grand jury box" (Section 900, P.C.) and draws names from the box (Section 902, P.C.) to the number of 30 (Section 904, P.C.). From this group, at a later date, names are drawn to the "required number" of 19 (Section 908, P.C.) and these are the persons who actually constitute the grand jury empaneled to serve for the fiscal year concerned (Section 905.5, P.C.). If a vacancy should occur for any reason during the life of the grand jury, it is filled by drawing a name from those remaining in the "grand jury box" after the initial membership is drawn (Section 908.1, P.C.). Once the grand jury is impaneled, its foreman is appointed by the Court (Section 912, P.C.).

NO MEXICAN-AMERICANS

Jury Makeup Questioned

San Diego Union Staff Dispatch

Two South Bay organizations have complained to the San Diego County Board of Supervisors about the lack of Mexican-Americans on the grand jury.

"Mexican-Americans make up 17 per cent of the county population and it just doesn't seem fair that they can't find one to serve on the grand jury," said Albert Garcia, San Ysidro notary public who is president of the United California Mexican-American Association.

"The only acceptable solution," said Herman Baca, president of the Mexican-American Political Association, "is for the Board of Supervisors to appoint an ad hoc committee representative of all segments of the county in order to make recommendations to members of the Legislature so that a fair, just and equitable system can be created."

Candidates for the grand jury are nominated by Superior Court judges after each judge has had personal contact with the candidates he proposes.

Usual practice is to aim for 50 to 70 candidates. These names are placed in a box and picked at random as in a lottery until 30 names are drawn.

These 30 names are, in turn, placed in a box a second time and the final 19 grand jurors are picked from that total.

To qualify as a prospective juror, a person must be a U.S. citizen, 18 years old, a resident of the county for at least a year, have no criminal record, have average intelligence and a good reputation, and have "sufficient knowledge" of English.

The 1973 grand jury met an average of three days a week. Jurors were paid \$10 a day for their services and 10 cents a mile for transportation.

New laws require the grand jury to serve for a fiscal year instead of the calendar year. The current grand jury, picked early this month, will serve 18 months, until June 30, 1975, to make the transition.

The new payments are \$25 a day for each juror while on duty along with the 10-cent-a-mile transportation reimbursement.

"We still have to be represented on the grand jury," Garcia said. "The lack of Mexican-Americans on the grand jury leads to a general overlooking of the needs of the Mexican-American on a day-to-day basis."

"I think we need a voice on the grand jury that knows the problems of the Mexican-American community."



THE CITY OF
SAN DIEGO

OFFICE OF
THE CITY COUNCIL

January 31, 1974

The Honorable Lou Conde
Chairman of the Board of Supervisors
County Administration Center
1600 Pacific Highway
San Diego, California 92101

Dear Mr. Conde:

I completely support Mr. Herman Baca's statement before your Board on January 23, 1974.

It is my belief that the present method of nomination and selection of citizens to serve on the San Diego County Grand Jury has failed to provide a body representative of the Constitutionally protected Mexican American. Judge-selectors have failed to respond to the growing numbers of this group in the community. Either they have not recognized the viability of the Mexican American in San Diego, or they have neglected to take measures to acquaint themselves with members of this group. It is axiomatic that a substantial change must be made in the current nomination and selection procedures to satisfy Fourteenth Amendment dictates and social realizations.

Said change, of course, will not alleviate Constitutional infirmities unless the practice of nomination by personal recommendation ceases, for it has been established that unless a sustained effort is made by selectors to seek Mexican Americans for service, that class will continue to be under-represented to a point prohibited by the Fourteenth Amendment. I am recommending that the present procedure be replaced by a random selection procedure similar to that outlined in the Uniform Jury Selection and Service Act (attached). The random selection procedure could be administered by the Jury Commissioner and would require selection drawings from every available source. Sources should include voter registration, telephone, utility, and

January 31, 1974

Social Security lists. Additional sources for minority groups could be obtained from minority organizations such as the Mexican American Political Association (M.A.P.A.), and also from welfare rolls. The source lists so obtained should also reveal the ethnic background of each prospective grand juror. These lists would then be published and open to public record. If the source lists were not truly representative of the community, various interested groups could solicit lists for inclusion.

If subsequent events or studies indicate that some Mexican Americans are not qualified for jury service because of an inadequate understanding of the English language, the jury commissioner could call a higher number of Mexican American persons to compensate for the English language disability that eliminates some otherwise eligible grand jurors. This procedure would ensure Mexican American representation on the grand jury. However, an affirmative recognition of the race or ethnic group in selecting a representative jury instills a Constitutional problem into the proposed remedy. In order to withstand judicial scrutiny, it must first be established that race or ethnic grouping is a relevant consideration in the attempt to achieve and maintain the legally valid end of a representative jury.

The Fourth Circuit has held, in Wanner v. County School Board of Arlington (357F. 2d452 [Fourth Circuit, 1966]), that it is absurd to insist that government bodies may not consider race and racial balance in their attempts to remove the traces of Constitutionally invalid systems of discrimination. And while proportional limitation and intentional inclusion of a minority group to grand jury service has been viewed as unconstitutional in Cassell v. Texas (339 U.S. 282 286 287 [1950]), the inclusion condemned by the Cassell Court may be said to have encouraged discrimination ("debilitative discrimination") rather than to have alleviated discrimination ("ameliorative discrimination"). It appears that ameliorative discrimination was not meant to be prohibited by that Court in light of its strong admonition against racial discrimination. Thus, Cassell will not preclude attempts to arrive at an ethnic or racial balance through a selection system which takes race or ethnic origin into account.

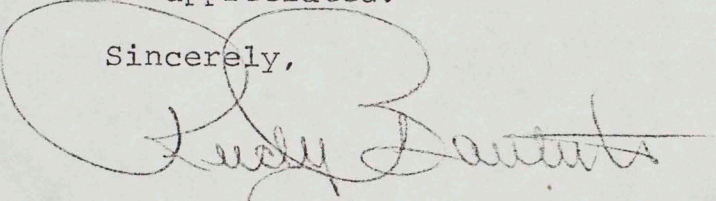
Since the remedy proposed herein is in the nature of ameliorative intentional inclusion rather than the proportional limitation denounced by the Cassell

January 31, 1974

Court, it should definitely withstand scrutiny. Additionally, the very fact that Mexican Americans have been severely under-represented indicates that affirmative action on the part of the selectors may be the only means to correct this disparity. Such action may also be supported by the expanding Federal requirement that a cross-section of the community be taken into account in selecting the grand jury (In the Brooks Court, the Court interprets the Fourteenth Amendment to require that a fair cross-section of the community be taken into account when selecting the grand jury. In order to attain this cross-section, the Court would require that the jury selectors become acquainted with the community's human resources, i.e., significant racial elements of the community. This could not be accomplished without a conscious recognition of the elements' existence.) if grand jury selectors are required to take a "cross-section" to mean various racial, ethnic, economic, sociological and educational groups. As such, ethnic or racial groups would have to be purposely included in any system of grand jury selection which purports to obtain a Constitutionally valid outcome. Inclusion should, therefore, be both acceptable and encouraged where its purpose is to obtain a body truly representative of the community.

Your attention and action on this important matter is appreciated.

Sincerely,



RUDY BAUTISTA
Special Assistant to
Deputy Mayor Leon L. Williams

RB:klc

cc Dick Brown, Board of Supervisors
Lee Taylor, Board of Supervisors
Jack Walsh, Board of Supervisors
James Bear, Board of Supervisors
Honorable James L. Focht, Judge of the Superior
Court
Lawrence M. Adams, Jury Commissioner
Herman Baca
Luis Natividad
San Diego Union
San Diego Evening Tribune

The National Conference of Commissioners on Uniform State Laws has modeled a Uniform Jury Selection and Service Act after the Federal Jury Selection and Service Act of 1968, Pub. L. 90-274, § 101, 82 Stat. 54 (codified at 28 U.S.C. §§ 1861-69 (1970)). The policy of the Uniform Act is that all persons selected for jury service be selected at random from a fair cross section of the population of the area served by the court, and that all qualified citizens have the opportunity in accordance with this Act to be considered for jury service in this state and an obligation to serve as jurors when summoned for that purpose. See McKusick & Boxer, *Uniform Jury Selection and Service Act*, 8 HARV. J. LEGIS. 280 (1971).

A recent California Senate Bill, S.B. No. 1420 (1971 Reg. Sess.), that would have provided for such a random selection of grand jurors in California was defeated on December 2, 1971. This bill would have amended CAL. PEN. CODE §§ 893, 895 and 896, and repealed §§ 897 and 899.

1/25/74

S.R.

(151)

THE BOARD OF SUPERVISORS HAS ASKED THE COUNTY'S "LAW AND JUSTICE AGENCY'S" ADVISORY BOARD TO DEVELOP MACHINERY TO ASSURE A BETTER BALANCE IN THE MEMBERSHIP OF THE COUNTY GRAND JURY. THE REQUEST COMES ON THE HEELS OF AN APPEARANCE BY A MEMBER OF THE MEXICAN-AMERICAN POLITICAL ASSOCIATION...WHO POINTED OUT THAT (IN THE LAST 103-YEARS) ONLY FOUR MEXICAN-AMERICANS HAVE BEEN CHOSEN TO SERVE ON THE JURY. CHANNEL 10 THINKS THE BOARD HAS DONE THE RIGHT THING, BUT WE DON'T THINK IT'S GONE FAR ENOUGH. IT WAS JUST ABOUT A YEAR AGO THAT THE SAN DIEGO COUNTY BAR ASSOCIATION PROPOSED NO LESS THAN 27-CHANGES IN OUR GRAND JURY SYSTEM (CHANGES WHICH CAN ONLY BE MADE BY THE STATE LEGISLATURE) AND WE THINK IT'S HIGH TIME THAT BODY GOT ON WITH THE JOB. IT SEEMS TO US THAT GRAND JURORS SHOULD BE DRAWN FROM AMONG THE COUNTY'S REGISTERED VOTERS TO ALLOW FOR MINORITY REPRESENTATION ON THE PANEL IN PROPORTION TO THAT MINORITY'S PERCENTAGE OF THE POPULATION. FURTHER, CHANNEL 10 BELIEVES JURORS SHOULD BE GIVEN REASONABLE COMPENSATION (SO THAT THEY NEED NOT BE SO OFTEN DRAWN FROM THE RANKS OF THE RETIRED AND WELL-TO-DO). WE BELIEVE THEIR TERMS OF OFFICE SHOULD BE STAGGERED, SO THAT NEWCOMERS MAY BENEFIT FROM THE EXPERIENCE OF THOSE WITH SOME LENGTH OF SERVICE. WE ALSO BELIEVE THAT THE GRAND JURY SHOULD BE TRULY AUTONOMOUS, WITH ITS OWN INVESTIGATORS, LEGAL ADVISERS (ASIDE FROM

GRAND JURY CHANGES 2-2-2

THOSE IN THE DISTRICT ATTORNEY'S OFFICE) AND ITS OWN CLERICAL HELP. FINALLY,
WE THINK POTENTIAL JURORS SHOULD BE CAREFULLY BRIEFED ON THE TRUE NATURE OF
A GRAND JURY'S DUTIES AND FUNCTIONS; THE SCOPE AND LIMITATION OF ITS POWERS;
AND ITS RELATIONSHIP WITH OTHER PUBLIC AGENCIES AND THE COURTS. IF IT IS TO BE
REALLY EFFECTIVE AS THE BODY WHICH EXAMINES AND REPORTS ON GOVERNMENTAL ACTIONS
IN THE COUNTY (WHETHER THOSE ACTIONS ARE GOOD OR BAD) IT SEEMS TO US IT SHOULD
BE EQUIPPED TO DO SO AND FREED OF UNDUE PRESSURE FROM ANY OUTSIDE SOURCE. WE
SUGGEST THAT THE LEGISLATURE AMEND THE LAW TO MAKE GRAND JURY REFORM POSSIBLE
....AND DO IT PROMPTLY, OR PERMIT THE GRAND JURY TO BECOME A THING OF THE PAST
(AS THE BRITISH DID MORE THAN 40-YEARS AGO).

Need 4 Chicanos - Soon as possible

Set up Meeting with Judge Focht

Deddeh proposal calls for study of jury selection

Protests by members of the South Bay Mexican-American community about grand jury selection methods which result in no Mexican-Americans on the San Diego County Grand Jury have gotten response from the state Legislature.

Herman Baca, chairman of the local chapter of the Mexican-American Political Assn., and Louis Natividad, director of the Chicano Federation, were among those to protest the lack of Mexican-Americans and young people on the grand jury.

ASSEMBLYMAN Wadie Deddeh (D-Chula Vista) has introduced a resolution which would create a committee to study alternative jury selection methods and to report its findings and recommendations to the Assembly Rules Committee.

Deddeh's resolution is currently being studied by the Rules Committee. Other sponsors of the resolution are Assemblymen Richard Alatorre, Ray Gonzales, Larry Kapiloff and Bob Wilson.

BACA AND Natividad have contended that the current practice of Superior Court Judges nominating 60 possible grand jurors from which the panel is drawn at random does not provide for balanced representation of minorities and young people.

Most of the persons on the current panel are retired, and none of them are Mexican-American.

Judge James L. Focht, presiding judge of San Diego Superior Court, said that two Mexican-Americans had been among the original nominees, but were eliminated when County Clerk Jesse Osuna conducted the first random drawing.

Moreno, Azochar on committee for Mrs. Johnson

The Gloria Johnson for Chula Vista Elementary School Board committee recently announced the appointments of Ben Moreno, Ernest Azochar and Ada Thompson as advisers to her campaign.

Mrs. Johnson is one of six persons running for two seats on the elementary school board.

Of the new appointees, Moreno serves as governing board member of the Sweetwater Community College District, and Azochar is a trustee for the Sweetwater Union High School District.

Mrs. Thompson is active in the Chula Vista community.

The student committee for Gloria Johnson has designed campaign literature for the upcoming election. Committee chairmen include C.C. Nixon, Carolyn Harshman and David Tyarra.

On Tuesday, Francie Dowe of Chula Vista hosted a morning brunch for Mrs. Johnson.

The school board candidate also recently spoke to a class at the Chula Vista adult education center. She explained voting procedures and election policies.

STARNEWS

3-17-74

Connie Rubio
Jose Romig
Ascar O. Sanchez
Herman Baca
Luis Natividad

Insensitive to the needs of
the community.

Failure to watch keep vigil on
the Police Department's Policy (Policies).

Insensitive to the rights of citizens
demanding information regarding:

1. Immediate suspension of officer
2. Community committee to investigate
wrong doings of Police Dept.
3. Immediate firing of Police Chief.
- 4.

Withholding
Failure to disclose information (vital &
important) to the community

Failure to act (constitutionally) as a
legally constituted member for the best
interests of the community.

D.A. Ed Miller had no other alternative but to come up with a charge of manslaughter in order to placate the N.C. community and to come to the defense of the N.C. Council who are threatened by a recall ~~position~~

96
Mr. Morgan's statement on the news (10-31-75 Channel 10) that he is going to have the City manager revamp the policies of the Police Department in essence proves that the National City City Council has not kept an eye or has questioned the ^{Police} practices (legal and/or illegal) ^{during} the last (shootings) years.

The City Council has been negligent in their duties (legally constituted responsibilities

RADIO:

KFMB RADIO
7677 Engineer Rd.
SAN DIEGO, CA 92111

CONTACT: _____
COMMENTS: _____

292-5362

KSDO RADIO
3180 University
SAN DIEGO, CA 92104

CONTACT: _____
COMMENTS: _____

283-5896

KSDC RADIO & KEZL
3180 Universtiy Ave.
SAN DIEGO, CA 92104

CONTACT: _____
COMMENTS: _____

283-7121

COLLEGES AND UNIVERSITY NEWSPAPERS:

VOZ FRONTERIZA
UCSD, B-023
LA JOLLA, CA 92037

CONTACT: _____
COMMENTS: _____

452-4735

DAILY AZTEC
SAN DIEGO STATE UNIVERSITY
SAN DIEGO, CA 92182

CONTACT: _____
COMMENTS: _____

286-6975

"ATHAPASCAN"
SOUTHWESTER COLLEGE
900 Ctay Lakes Rd.
CHULA VISTA, CA 92010

CONTACT: _____
COMMENTS: _____

421-2681

Introduction 1-2

- 1) People not in education making recommendation.
"Nativism"
- 2) Recommendations 29-30
- 3) Conclusions 27-28
- 4) Credentialing of Teachers 20-21
- Talks about negative aspects of education.
- 5) What is the problem? 5
(split in philosophy)
- 6) Interpretation of American education
Teaching concepts, etc. are just
or captured if not more than
bilingual education.
- 7) AIR Report used Hayakawa
used - very subjective.

5.40
-
R