

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF

RESOLUTION NO. _____

**CHANGING FROM FISCAL YEAR TO
CALENDAR YEAR THE TERM IN
WHICH GRAND JURY MEMBERS
SERVE PURSUANT TO PENAL
CODE § 905.5**

WHEREAS, Penal Code 905.5(a) provides that the grand jury shall be impaneled and serve during the fiscal year of the county and the grand jury in Santa Barbara County has historically served fiscal year terms; and

WHEREAS, with the upcoming need to impanel a new grand jury and the current status of the coronavirus (COVID-19), there is concern about the ability to recruit for and impanel a new grand jury. The empanelment process requires the gathering of significantly more than 10 individuals, which would violate the current stay-at-home orders issued by state and local officials; and

WHEREAS, recruiting for and impaneling a grand jury is a time-consuming process that currently happens during the busiest time of year and switching to a calendar year term would ease the workload and allow this process to take place during the slower time of year; and

WHEREAS, the current term of service for the grand jury can be split across the term of two separate Superior Court Presiding Judge's terms, which run on a calendar year, this change would allow consistent oversight of the Grand Jury by a Presiding Judge's term running concurrently;

WHEREAS, Penal Code 905.5(b) allows the Boards of Supervisors of a county to change the term from fiscal year to calendar year; and

WHEREAS, this request has been made by the Superior Court of California, County of Santa Barbara and is supported by County Administration.

NOW, THEREFORE, IT IS HEREBY ORDERED AND RESOLVED that the Board of Supervisors of the County of Santa Barbara change the term for our local grand juries to run on a calendar year basis pursuant to Penal Code 905.5(b); and

BE IT FURTHER RESOLVED, the next grand jury will be impaneled in January of 2021. Unless this resolution is superseded and the Board changes the term for grand juries back to fiscal year, future grand juries will be impaneled in January of each calendar year.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County Santa Barbara, State of California, on this 16th day of June, 2020 by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:

MONA MIYASATO
COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

COUNTY OF SANTA BARBARA

By: _____
Deputy Clerk

By: _____
Gregg Hart, Chair
Board of Supervisors

APPROVED AS TO FORM:
MICHAEL C. GHIZZONI
COUNTY COUNSEL

By: _____
Deputy County Counsel