

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

**IN THE MATTER OF**

**RESOLUTION NO. 22-62**

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

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**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**, the pandemic-imposed state of emergency in California and Santa Barbara County led to a change in the Grand Jury's term from a fiscal year to calendar year beginning January 2021; and

**WHEREAS**, with the coming need to impanel a new grand jury and the lifting and rescinding of various state and local orders regarding mask mandates associated with the pandemic (COVID-19); and

**WHEREAS**, the 2021 Grand Jury found difficulty in operating on a calendar year schedule due to challenges producing final reports due to a lack of availability of Grand Jurors during the Thanksgiving and other end of the year holidays; and

**WHEREAS**, the foreperson and other jurors found these challenges more onerous than the difficulties identified in the resolution pursued in 2020; and

**WHEREAS**, the pandemic compelled Grand Jurors to adapt to meeting remotely on electronic video and audio platforms increasing participation in meetings and establishing new methods for conducting the business of the Grand Jury; and

**WHEREAS**, the California Department of Public Health recently rescinded the indoor mandatory mask mandate for persons who are fully vaccinated and other social distancing restrictions are lessened easing the burden of in-person meetings for the next grand jury;

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

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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 fiscal year basis pursuant to Penal Code 905.5(b); and

BE IT FURTHER RESOLVED, the next grand jury will be impaneled in July 1, 2022. Unless this resolution is superseded and the Board changes the term for grand juries back to calendar year, future grand juries will be impaneled on a fiscal year term.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County Santa Barbara, State of California, on this 5th day of April, 2022 by the following vote:

AYES: Supervisors Williams, Hart, Hartmann, Nelson, and Lavagnino

NAYS: None

ABSENT: None

ABSTAIN: None

ATTEST:

MONA MIYASATO  
COUNTY EXECUTIVE OFFICER  
CLERK OF THE BOARD

COUNTY OF SANTA BARBARA

By: Sheila da Guenera  
Deputy Clerk

By: Joan Hartmann  
Joan Hartmann, Chair  
Board of Supervisors

APPROVED AS TO FORM:  
RACHEL VAN MULLEM COUNTY COUNSEL

By: Rachel Van Mullem  
Rachel Van Mullem, County Counsel