

SENATE No. 891

The Commonwealth of Massachusetts

PRESENTED BY:

Jason M. Lewis, (BY REQUEST)

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying resolve:

Resolve for a commission to review, replace, and eliminate the Grand Jury System.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Vincent Lawrence Dixon</i>	<i>60 Lake Street – Unit N Winchester, Mass. 01890</i>

SENATE No. 891

By Mr. Lewis (by request), a petition (accompanied by resolve, Senate, No. 891) of Vincent Lawrence Dixon for legislation for a commission to review, replace, and eliminate the Grand Jury System. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 859 OF 2015-2016.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

Resolve for a commission to review, replace, and eliminate the Grand Jury System.

1 ~~Resolved~~, 1.) A Resolve to review, consider, evaluate, and/or replace, the Grand Jury
2 System as is known, and to establish a suitable body and/or Special Commission to consider this
3 matter.

4 2.) Over many years, the utility, and fairness, of the Grand Jury System, has been called
5 into question. Recent events in various locations, states, and other jurisdictions have further
6 raised questions as to its proper role, if any, in a properly functioning system of justice.

7 3.) The Commonwealth of Massachusetts, having been a pioneer in reform of various
8 legal procedures, should consider such changes as are appropriate in this area.

9 4.) It has been suggested that since the Grand Jury System originated in England and/or
10 Great Britain, that we are influenced by it. Thus, the apparent fact that its use in England, and/or

11 Great Britain has apparently been largely ended, should raise questions, as to whether we
12 continue to use it ourselves.

13 5.) A Special Commission shall be established by this Resolve, and/or additional suitable
14 legislation, to investigate, and recommend, appropriate actions, and reforms.

15 6.) Upon the establishment of a suitable Special Commission, it should consider relevant
16 alternative legal mechanisms, including examining available data, and information, as to result,
17 results; and streamlined processes by which appropriate charges may, and/or must be brought to
18 Courts, by appropriate standards.

19 7.) Membership of such a Commission, shall include the Dean of each Law School, in
20 Massachusetts, or their designee; the Constitutional Officers of Massachusetts, or their
21 designees; appropriate representatives of the Judiciary, Law Enforcement including District
22 Attorneys and Sheriffs, members of the general law profession, representatives of constituencies,
23 particularly concerned with the legal process such as legal defenders, and legal reformers; and
24 other relevant individuals.

25 8.) The Governor, and the Attorney General, shall be the Co-Appointing individuals, for
26 the members of this commission.

27 9.) This Commission shall hold public hearings, at no less than five (5) distinct locations,
28 including the Capital City of Boston, and four other regional locations, and collect useful
29 information, including that of historical legal development; shall make general findings, useful
30 analysis, and specific recommendations. Since these matters are important, a timely report
31 should be issued within twenty-four (24) months, from the completion of the appointments of its
32 members.