

SENATE No. 859

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:

Vincent Lawrence Dixon

DISTRICT/ADDRESS:

60 Lake Street - Unit N

Winchester, Mass. 01890

SENATE No. 859

By Mr. Lewis (by request), a petition (accompanied by resolve, Senate, No. 859) of Vincent Lawrence Dixon for legislation for a commission to review, replace, and eliminate the grand jury system. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

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 of the Grand Jury System, has been called into question.
5 Recent events in various, and other jurisdictions have further raised questions as to its proper
6 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, and other relevant individuals.

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

25 9.) This Commission shall hold public hearings, and collect useful information, including
26 that of historical legal development; shall make general findings, useful analysis, and specific
27 recommendations. Since these matters are important, a timely report should be issued within
28 twenty-four (24) months, from the completion of the appointments of its members.