

**HOUSE . . . . . No. 1534**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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An Act allowing for a statewide grand jury..

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. This act shall be known and may be cited as the statewide grand jury act.

2 SECTION 2. Upon written application of the attorney general to the chief justice of the  
3 Superior Court Department, with good cause stated therein, the chief justice may authorize the  
4 convening of a statewide grand jury with jurisdiction extending throughout the Commonwealth  
5 of Massachusetts.

6 SECTION 3. The chief justice of the Superior Court Department shall, upon granting  
7 an application, receive recommendations from the attorney general as to the county in which the  
8 statewide grand jury shall sit. Upon receiving the attorney general's recommendations, the chief  
9 justice will choose one of those recommended locations as the site where the grand jury shall sit.  
10 Once a county has been selected, the chief justice shall direct the regional administrative judge  
11 from the county selected to appoint, and reappoint as necessary, a superior court judge to preside  
12 over the statewide grand jury.

13 SECTION 4. The presiding superior court judge shall consult with the attorney general  
14 and district attorney for the relevant district about the nature and scope of the investigation, and  
15 shall thereafter designate and authorize an existing county grand jury to serve as a statewide  
16 grand jury for purposes of the investigation specified in the written application, or, alternatively,  
17 convene and preside over a specially empaneled statewide grand jury.

18 SECTION 5. A specially empaneled statewide grand jury shall be drawn and selected  
19 in the same manner as the county grand jury in the county in which the specially empaneled  
20 statewide grand jury sits. A specially empaneled statewide grand jury may, at the discretion of  
21 the presiding superior court judge, draw jurors from counties adjoining the one in which it is to  
22 sit.

23 SECTION 6. A specially empaneled statewide grand jury convened pursuant to this  
24 act shall sit for a period not to exceed six months. Such period may be extended if, in accordance  
25 with General Laws chapter 277, section 1A, and General Laws chapter 234A, section 41, public  
26 necessity requires further time by the grand jury to complete an investigation then in progress.

27 SECTION 7. The attorney general or his assistant shall attend each session of a  
28 statewide grand jury, and may prosecute any indictment returned by it. The attorney general or  
29 his assistant shall have the same powers and duties in relation to a statewide grand jury that he  
30 has in relation to a county grand jury, except as otherwise provided by law.

31 SECTION 8. Indictments shall be returned in the county where the statewide grand  
32 jury sits, and shall thereafter be transferred to the county specified by the grand jury on the  
33 indictment. Venue for purposes of trial of offenses indicted by a statewide grand jury shall be in  
34 any county where venue would otherwise be proper.

35           SECTION 9. No provision of this act shall be construed as limiting the jurisdiction of  
36 county grand juries or district attorneys in the Commonwealth. Except as otherwise provided by  
37 law, an investigation by a statewide grand jury shall not be deemed to preempt an investigation  
38 by any other grand jury or agency having jurisdiction over the same subject matter.