

SENATE No. 1031

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:

Vincent Lawrence Dixon

SENATE No. 1031

By Mr. Lewis (by request), a petition (accompanied by resolve, Senate, No. 1031) of Vincent Lawrence Dixon that provisions be made for an investigation and study by a special commission to review, replace, and eliminate the Grand Jury System. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1079 OF 2021-2022.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

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

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

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

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

8 It has been suggested that since the Grand Jury System originated in England and/or
9 Great Britain, that we are influenced by it. Thus, the apparent fact that its use in England, and/or
10 Great Britain has apparently been largely ended, should raise questions, as to whether we

11 continue to use it ourselves. Other jurisdictions, across The United States, have also
12 eliminated the use of Grand Juries, at least in their present form, and this further suggests the
13 need for analysis as to their use.

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

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

20 Membership of such a Commission, shall include the Dean of each Law School, in
21 Massachusetts, or their designee; the Constitutional Officers of Massachusetts, or their
22 designees; at least one (1) individual appropriate representative each, of the Judiciary, Law
23 Enforcement including District Attorneys, and Sheriffs, members of the general law profession,
24 representatives of constituencies, particularly concerned with the legal process such as legal
25 defenders, and legal reformers; and other relevant individuals. The Commission, shall select

26 a Chair, and a Vice Chair, from the membership of the body, and shall be authorized to
27 expend reasonable expenses, to accomplish their responsibilities.

28 The Governor, and the Attorney General, shall be the Co-Appointing individuals, for the
29 members of this Commission.

30 This Commission shall hold public hearings, at no less than five (5) distinct locations,
31 including the Capital City of Boston, and four other regional locations, and collect useful

32 information, including that of historical legal development; shall make general findings, useful
33 analysis, and specific recommendations. Since these matters are important, a timely report
34 should be issued within twenty-four (24) months, from the completion of the appointments of its
35 members.