

SENATE No. 1079

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. 1079

By Mr. Lewis (by request), a petition (accompanied by resolve, Senate, No. 1079) of Vincent Lawrence Dixon for legislation or a commission to review, replace, and eliminate the Grand Jury System. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 971 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

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
3 consider this
4 matter.

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

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

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

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

17 Other jurisdictions, across The United States, have also eliminated the use of Grand
18 Juries, at

19 least in their present form, and this further suggests the need for analysis as to their use.

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

22 6.) Upon the establishment of a suitable Special Commission, it should consider relevant
23 alternative legal mechanisms, including examining available data, and information, as to
24 result,

25 results; and streamlined processes by which appropriate charges may, and/or must be
26 brought to

27 Courts, by appropriate standards.

28 7.) Membership of such a Commission, shall include the Dean of each Law School, in
29 Massachusetts, or their designee; the Constitutional Officers of Massachusetts, or their
30 designees; at least one (1) individual appropriate representative each, of the Judiciary,
31 Law
32 Enforcement including District Attorneys, and Sheriffs, members of the general law
33 profession,
34 representatives of constituencies, particularly concerned with the legal process such as
35 legal
36 defenders, and legal reformers; and other relevant individuals. The Commission, shall
37 select
38 a Chair, and a Vice Chair, from the membership of the body, and shall be authorized to
39 expend reasonable expenses, to accomplish their responsibilities.

40 8.) The Governor, and the Attorney General, shall be the Co-Appointing individuals, for
41 the members of this Commission.

42 9.) This Commission shall hold public hearings, at no less than five (5) distinct locations,
43 including the Capital City of Boston, and four other regional locations, and collect useful
44 information, including that of historical legal development; shall make general findings,
45 useful

46 analysis, and specific recommendations. Since these matters are important, a timely
47 report
48 should be issued within twenty-four (24) months, from the completion of the
49 appointments of its
50 members.