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HOUSE JOINT RESOLUTION NO. 541

Offered January 14, 2015

Prefiled December 30, 2014

Directing the Virginia State Crime Commission to study the grand jury system as it currently exists in the Commonwealth. Report.

Patrons—Marshall, R.G. and Berg

Referred to Committee on Rules

WHEREAS, at common law, the grand jury system was developed to protect citizens against malicious prosecutions by requiring a determination that the charges underlying a prosecution were supported by probable cause; and

WHEREAS, as a holdover from common law, it is essential to review the role of grand juries in the context of the Commonwealth's criminal justice system to determine whether the grand jury system continues to serve the interests of the citizens of the Commonwealth; and

WHEREAS, the last comprehensive study of the grand jury system in the Commonwealth was conducted by the Virginia State Crime Commission in 1974; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Virginia State Crime Commission be directed to study the grand jury system as it currently exists in the Commonwealth.

In conducting its study, the Commission shall review the original purpose of the grand jury system in the criminal justice system of the Commonwealth and the historic and current role of the attorney for the Commonwealth in the grand jury system and make recommendations on how to improve the grand jury system.

Technical assistance shall be provided to the Commission by the Commonwealth's Attorneys' Services Council. All agencies of the Commonwealth shall provide assistance to the Commission for this study, upon request.

The Virginia State Crime Commission shall complete its meetings by November 30, 2015, and the executive director shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the 2016 Regular Session of the General Assembly. The executive summary shall state whether the Commission intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

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