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SENATE BILL 270 - GRAND JURIES

"An Act relating to grand juries; amending Rules 5(e), 6, and 6.1, Alaska Rules of Criminal Procedure; repealing Rules 6.1(b)(2) and (3), Alaska Rules of Criminal Procedure; and providing for an effective date."

Sponsor Statement – ver. \A

Senate Bill 270 strengthens and clarifies the role of the grand jury in Alaska's criminal justice system and restores several aspects of the grand jury's historic investigative authority.

Under the Alaska Constitution, grand juries serve two important purposes. First, they determine whether there is sufficient evidence to issue a criminal indictment. Second, they have the authority to investigate matters affecting the public welfare and safety and make recommendations to the public and to government. Senate Bill 270 modernizes Alaska statutes and court rules to ensure that grand juries can effectively fulfill both constitutional functions.

The bill clarifies that grand juries may initiate investigations and examine matters concerning public welfare or safety. Individual grand jurors may propose an investigation, and if a majority of the grand jury agrees, the investigation must proceed. The legislation also provides a process for citizens to request that the grand jury review issues affecting public welfare or safety.

Senate Bill 270 establishes clear procedures governing how grand juries receive and evaluate evidence. The bill allows grand juries to hear a broad range of information during the investigative stage, including information that may ultimately be inadmissible at trial. At the same time, it preserves due process protections by requiring prosecutors to warn the grand jury if evidence may be prejudicial or inadmissible and by ensuring that only admissible evidence may form the basis of an indictment.

The legislation also clarifies that grand juries may direct prosecutors to prepare indictments when the grand jury determines that criminal charges may be warranted. Additional provisions address grand jury reports, subpoena authority, secrecy violations, obstruction of grand jury proceedings, and procedures for handling potential conflicts involving prosecutorial misconduct.

Finally, the bill amends several Alaska Rules of Criminal Procedure to align court rules with the statutory changes proposed in the legislation.

Senate Bill 270 is intended to reinforce the grand jury's constitutional role as an independent investigative body while maintaining the procedural safeguards necessary to protect the rights of individuals and the integrity of Alaska's justice system.

I respectfully ask for your consideration and support for Senate Bill 270.