

1 IN THE SENATE

BY JOSEPHSON

2 SENATE JOINT RESOLUTION NO. 1

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - FIRST SESSION

5 Proposing an amendment to the
6 Constitution of the State of Alaska
7 eliminating the necessity of indict-
8 ment by Grand Jury after a finding
9 of probable cause.

10 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 * Section 1. Sec. 8, Art. I of the Constitution of the State of Alaska
12 is amended to read:

13 SECTION 8. GRAND JURY. No person shall be held to answer for a
14 capital, or otherwise infamous crime, unless on a presentment or indict-
15 ment of a grand jury, except in cases arising in the armed forces in
16 time of war or public danger, or except where a complaint has been
17 filed in a district or superior court and the judge has found, after a
18 preliminary hearing, that there is probable cause to believe that the
19 accused person has committed a felony. Indictment may be waived by the
20 accused. In that case the prosecution shall be by information. Where
21 probable cause has been found, prosecution shall be based on the
22 original complaint or information. The grand jury shall consist of at
23 least twelve citizens, a majority of whom concurring may return an
24 indictment. The power of grand juries to investigate and make recom-
25 mendations concerning the public welfare or safety shall never be
26 suspended.

27 * Sec. 2. The amendment proposed by this resolution shall be placed
28 before the voters of the state at the next statewide election in conformity
29 with Sec. 1, Art. XIII of the Constitution of the State of Alaska, and the

1 state election laws.

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

SJR 1