

2A:73A-1 to 9

April 29, 1971

LEGISLATIVE HISTORY OF R.S. 2A:73A-1 to 9  
(State-wide grand juries)

*Continuation  
see page 2*

For background see:

974.90 N.J. Legislature. Jt. Committee to Study  
C929 Crime...  
1968d Public hearings, 1st-8th. March 26, 1968  
to April 5, 1968.

974.90 N.J. Legislature. Jt. Legis. Committee to  
C929 Study Crime...  
1968b Report. April 22, 1968.

L. 1968, Chapter 361 - S654  
Introduced April 8 by Forsythe, McDermott, Crabel,  
Bateman & Lynch.  
No statement.  
Not amended during passage.  
Governor made statement on signing (bound with bill).

We searched without success:  
New Jersey Law Journal Index.

Clippings located (cop. enclosed):

V.F. - N.J. - Crime - Grand jury  
GOP senators agree to statewide grand juries. NSL 11/12/68.  
Crime jury to be patterned on state population profile.  
NEN 1/8/69.

V.F. - N.J. - Grand jury  
State grand jury urged by Hughes. S-L 3/24/68.  
Bill readied on state jury. NEN 3/26/68.  
Fighting crime [editorial]. NSL 11/25/68.  
New Law permits state grand juries. TET 12/16/68.

RSL/PC

# STATE OF NEW JERSEY

INTRODUCED APRIL 8, 1968

By Senators FORSYTHE, McDERMOTT, CRABIEL, BATEMAN  
and LYNCH

Referred to Committee on Judiciary

AN ACT providing for the impaneling of grand juries with State-wide jurisdiction.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. This act shall be known and may be referred to as the "State  
2 Grand Jury Act."

1-3 2. Whenever the Attorney General deems it to be in the public  
4 interest to convene a grand jury which shall have jurisdiction  
5 extending beyond the boundaries of any single county, he may  
6 petition an assignment judge of the Superior Court designated for  
7 such purpose by the Chief Justice for an order in accordance with  
8 provisions of this act. Said assignment judge may, for good cause  
9 shown, order the impaneling of a State grand jury in which event  
10 said grand jury shall have State-wide jurisdiction. In making his  
11 determination as to the need for impaneling a State grand jury,  
12 the judge shall require, among other things, a showing that the  
13 matter cannot be effectively handled by a county grand jury.

1 3. A State grand jury shall have the same powers and duties  
2 and shall function in the same manner as a county grand jury  
3 established pursuant to Title 2A of the New Jersey Statutes except  
4 that its jurisdiction shall extend throughout the State. The law  
5 applicable to county grand juries shall apply to State grand juries  
6 except insofar as they are inconsistent with this act. The Supreme  
7 Court may promulgate such rules and regulations as it deems  
8 necessary to govern particularly the procedures of State grand  
9 juries.

1 4. The administrative director of the courts, upon receipt of the  
2 order of an assignment judge of the Superior Court, shall prepare  
3 a list of prospective jurors drawn from the current grand jury  
4 lists of the several counties from which list the assignment judge

5 shall impanel a State grand jury. A State grand jury shall be  
6 composed of members in the same number and having the same  
7 qualifications as provided by law in the case of a county grand  
8 jury, except that not more than  $\frac{1}{4}$  of the members of the State  
9 grand jury shall be residents of any one county.

1 5. The sheriff of the county in which a member of the State  
2 grand jury resides, upon receipt of a copy of a panel of State  
3 grand jurors transmitted to him by the administrative director of  
4 the courts, shall cause said member to be summoned for service.

1 6. Judicial supervision of the State grand jury shall be main-  
2 tained by the assignment judge who issued the order impaneling  
3 such grand jury, and all indictments, presentments and formal  
4 returns of any kind made by such grand jury shall be returned to  
5 such judge.

1 7. The presentation of the evidence shall be made to the State  
2 grand jury by the Attorney General or his designee.

1 8. Any indictment or presentment by a State grand jury shall  
2 be returned to the assignment judge without designation of venue.  
3 Thereupon, the judge shall, by order, designate the county of venue  
4 for the purpose of trial. The judge may, by order, direct the con-  
5 solidation of an indictment returned by a county grand jury with  
6 an indictment returned by a State grand jury and fix venue for trial.

1 9. The costs and expenses of impaneling a State grand jury  
2 and for the performing of its functions and duties shall be paid  
3 by the State out of funds appropriated to the judiciary.

1 10. This act shall take effect immediately.

S-654

Governor Richard J. Hughes today signed Senate Bill No. 654, which provides for the establishment of State Grand Juries. The Governor made the following statement:

"I am pleased to sign into law this important measure that enables a grand jury to act beyond the limits of a single county and thereby permits a more effective attack upon organized crime, which knows no county boundaries.

"This broadening of the investigative and indictment powers of a grand jury to meet the challenge of organized crime was first requested eight years ago by my predecessor, Governor Robert B. Meyner. In my last annual message I requested that legislative authorization be provided for the creation of grand juries having jurisdiction beyond county lines.

"Under Senate Bill No. 654, the Attorney General will be authorized to petition an assignment judge of the Superior Court who is designated for such purpose by the Chief Justice to impanel a State grand jury that will have Statewide jurisdiction. The assignment judge will require a showing that the matter at hand is beyond the scope of effective action by a traditional county grand jury. If and when authorization for a Statewide grand jury is given by the assignment judge, a jury panel shall be prepared by the Administrative Director of the Courts. No more than one-fourth of the members of that panel shall be residents of any one county. Judicial supervision of the Statewide grand jury shall be maintained by the assignment judge who authorizes the impaneling of such a grand jury, and all indictments and presentments shall be returned to him. In the case of an indictment the assignment judge shall fix the venue for trial.

"Because the activities of organized crime do not recognize county lines, it is essential to the cause of successful prosecution that grand juries with jurisdiction beyond county lines be established. Thus with this law today we are taking an extremely important action to enhance such successful prosecution of organized crime.

"The passage of the State Grand Jury bill, a witness immunity law, and additional penalties against loan sharking all mark significant forward steps in our attack on crime. Other measures now pending in the Legislature -- such as a

wiretapping bill, intrastate anti-trust legislation to protect honest businesses against the intrusion of organized crime, and State aid for police and fire salaries -- are just as essential and must be added to the list at the earliest possible moment.

"Once again I call today on the Legislature to pass these measures before the close of its current session.

"With regard to the bill signed today, I have requested the Attorney General to make an immediate determination whether, in his judgment, it is in the public interest to convene a grand jury having state-wide jurisdiction, and, in such event, to immediately petition an assignment judge designated by the Chief Justice for such purpose, for the impanelment of such a grand jury."

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