



ADMINISTRATIVE OFFICE of PENNSYLVANIA COURTS

News for Immediate Release

July 20, 2017

PA Supreme Court forms task force to review operations of investigating grand juries and recommend updates

HARRISBURG — The Pennsylvania Supreme Court has formed a task force to perform a comprehensive review of investigating grand juries.

“Recent high profile trials have focused attention on investigating grand juries and the important role they play in the justice system,” said Chief Justice of Pennsylvania Thomas G. Saylor. “It is good policy to periodically evaluate operations and make updates and improvements where warranted. As a comprehensive review of Pennsylvania’s investigating grand juries has not taken place in recent memory, the Supreme Court has formed this task force to prepare a public report detailing current operations of grand juries and advancing proposals for possible improvement.”

An investigating grand jury is a group of citizens, usually numbering 23, which investigates suspected criminal activities and decides whether enough evidence exists to recommend that authorities file criminal charges. Grand jury proceedings are not open to the public, and they do not decide guilt or innocence.

Grand jury jurors generally serve for 18 months. Prosecutors seriously evaluate jurors’ recommendations, but are not required to follow them. Grand juries are different than trial juries, which usually consist of fewer citizens and decide the facts of a case in a formal trial.

Among the matters the task force will be asked to assess are the scope and nature of grand jury secrecy as well as the roles of the supervising judge and the Commonwealth’s attorney. Issues such as training for supervising judges, gag orders and swearing attorneys to secrecy are likely to be areas of study.

To ensure a variety of perspectives, the task force is comprised of attorneys experienced as defense counsel or prosecutors, judges and a law school professor.

Task force members are:

- Judge Anthony M. Mariani (chair), Allegheny County Court of Common Pleas
- President Judge George N. Zanic, Huntingdon County Court of Common Pleas
- Sal Cognetti Jr., Esq., The Law Firm of Cagnetti & Cimini, Scranton

- Linda Dale Hoffa, Esq., Dilworth Paxson LLP, Philadelphia
- Ronald Eisenberg, Esq., Philadelphia District Attorney's Office, Philadelphia
- Thomas J. Farrell, Esq., Farrell & Reisinger, LLC, Pittsburgh
- Professor Wesley M. Oliver, Duquesne University School of Law, Pittsburgh

###

EDITORS' NOTE: An *InfoShare* that graphically provides general information about investigating grand juries, showing the difference between them and criminal juries, can be found below. It may also be downloaded [from the judiciary's website](#).

What's the difference between an investigating grand jury and a criminal trial jury?



What is an investigating grand jury?

It's a group of citizens, usually numbering 23, that is tasked with investigating suspected criminal activities and deciding whether enough evidence exists to recommend that authorities file criminal charges.

What is a criminal trial jury?

Criminal trial juries decide the facts of a case in a formal trial with the goal of issuing a verdict, and usually consist of six to 12 citizens.

Important distinction

A grand jury does not decide guilt or innocence – rather, it may recommend:

- specific persons be charged with specific crimes
- legislative, executive or administrative action that it believes would be in the public's interest

Grand Jury v. Criminal Trial Jury

Although grand juries and trial juries are made up of average people called for jury duty, each serves different purposes.

Grand Jury	Criminal Trial Jury
23 members	12 members, unless the parties agree to smaller number (no fewer than 6)
Sworn to oath of secrecy – proceedings not open to public	Trials are generally public, but jury deliberations are private
Does not decide guilt; prosecutors take the grand jury's recommendations to file charges seriously, but aren't required to follow them	Decides the facts of a case and determines guilt
Has power to view evidence and question witnesses	No say in what evidence is presented
Generally serves 18 months with possibility of additional 6 months	Works every day of the trial – days, weeks or even months
Grand jury's decision need not be unanimous; only a majority vote necessary for action	Decision must be unanimous in criminal cases

Who creates a grand jury in Pennsylvania?

- Upon approval from the chief justice of the Supreme Court, Pennsylvania's attorney general may secure the assistance of a statewide grand jury. Separate statewide grand juries sit in Norristown, Harrisburg and Pittsburgh.
- A county district attorney may petition the president judge in his or her county's judicial district for approval to empanel a county grand jury.



Media contact: [Jim Koval](#), 717-231-3324

