



ADMINISTRATIVE OFFICE of PENNSYLVANIA COURTS

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Investigating Grand Jury Task Force Completes Work; Delivers Report to Supreme Court

HARRISBURG – Charged with performing a comprehensive review of investigating grand juries, centered on the judicial role, the Pennsylvania Investigating Grand Jury Task Force has delivered its final report to the Pennsylvania Supreme Court.

The report sets forth 37 recommendations, focused on improving the efficiency, effectiveness and fairness of investigating grand juries, most of which relate to actions that can be effectuated by the judicial branch.

“The grand jury is an institution with deep historical roots, facilitating confidential inquiries into alleged criminal activities while also ensuring certain protections for both the subjects of investigation and witnesses who are called to testify,” said Chief Justice of Pennsylvania Thomas G. Saylor. “The Court deeply appreciates the dedication and commitment of the Task Force members and looks forward to a review of the recommendations for change within the judicial system.”

In its report, the Task Force suggests several changes that only the General Assembly could consider, including the elimination of grand jury reports as well as creating a new type of investigating grand jury for the collective use of less-populous counties. These recommendations, like the entire report, are made by members of the Task Force and not the Supreme Court.

The Supreme Court will forward the report to the Criminal Procedural Rules Committee for its review and analysis of the proposed amendments. The suggestions for legislative changes, which the Task Force itself recognized could be viewed as beyond its mandate, are not directed to the Supreme Court.

Created in July 2017, the Task Force was directed by the Supreme Court to identify perceived problems and opportunities for improvement in the investigating grand jury system. The Task Force was specifically asked to consider the scope and nature of grand jury secrecy, the roles of the supervising judge and the Commonwealth’s attorney, training for supervising judges, gag orders, and swearing attorneys to secrecy.

Members of the Task Force included:

- 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 Cognetti & Cimini, Scranton

- Linda Dale Hoffa, Esq., Dilworth Paxson LLP, Philadelphia
- Ronald Eisenberg, Esq., Pennsylvania Office of Attorney General
- Thomas J. Farrell, Esq., Farrell Reisinger & Comber, LLC, Pittsburgh
- Associate Dean Wesley M. Oliver, Duquesne University School of Law, Pittsburgh

“On behalf of the Task Force members, we extend our sincere thanks to the Pennsylvania Supreme Court for the opportunity to serve the Court in this capacity,” Task Force Chairman Judge Anthony Mariani said. “I commend the Task Force members for their diligent work on this project.”

An investigating grand jury is a group of citizens, usually numbering 23. Grand juries are different from trial juries, which usually consist of 12 citizens and decide the facts of a case in a formal, public trial. In contrast, investigating grand jury proceedings are not open to the public. Investigating grand juries also do not decide guilt or innocence. Rather, in the event the grand jury determines there is enough evidence to recommend that charges should be filed, it makes that recommendation through a presentment. Prosecutors then evaluate the presentment, but are not required to file charges.

To read the Task Force report visit <http://www.pacourts.us/news-and-statistics/reports>.

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