

TESTIFYING BEFORE A FEDERAL GRAND JURY

THE GRAND JURY

- The U.S. Constitution requires that any charge for the commission of a federal felony be brought by indictment. An indictment is a formal charge of a criminal violation. To issue an indictment, a grand jury must determine that there is probable cause to believe that the accused committed a federal crime.
- The grand jury's only role is to determine if there is probable cause to issue an indictment. It is the role of a trial jury to determine whether the accused is guilty of the crime charged beyond a reasonable doubt.
- Federal grand juries are composed of between 16 and 23 people. Grand jurors are selected from the same pool of citizens as trial jurors.

SECURITY

- Grand jury proceedings are secret. The accused is not informed that he or she is under investigation, and does not know who has been called to testify before the grand jury. Neither the grand jurors, nor the prosecutor, may discuss grand jury proceedings outside of the grand jury room. However, a transcript of a witness's grand jury testimony is provided to the accused, if a grand jury witness is called to testify at trial.
- As a grand jury witness...

* For the complete document, and to discuss preparation for testifying before a grand jury, contact your counsel at Mirick O'Connell.

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