

Federal Grand Juries Circumvent Constitutional Protections

- **Citizens may be detained and interrogated without probable cause.**

Federal grand juries allow the U.S. Attorney's office to compel activists to testify without demonstrating any probable cause or reason to believe they have any relevant information for a case.

- **Grand Juries violate 1st amendment rights to free speech & assembly.**

A person who refuses to answer a grand jury's questions about his friends or activist groups with which s/he is involved may be jailed on civil contempt charges for the duration of the grand jury (up to 36 months).

- **Grand juries circumvent citizens 5th Amendment protections.**

Witnesses who assert their Fifth Amendment right to remain silent in response to grand jury questioning may be forced to accept immunity in order to compel them to testify. A witness who continues to remain silent may be jailed for the duration of the grand jury (up to 36 months).

- **Grand Juries circumvent citizens' 6th Amendment right to counsel.**

Persons called to testify before the grand jury are denied the right to have an attorney present during questioning. They are interrogated by a prosecutor with neither a defense attorney nor judge present.

- **Grand juries circumvent 4th Amendment rights regarding search and seizure.**

Normal rules of evidence do not apply to a grand jury investigation. Citizens cannot object to being questioned about evidence seized in violation of the 4th Amendment, which protects citizens from unreasonable search and seizure.

- **Grand Juries are used to set perjury traps and jail activists.**

Even if a citizen attempts to cooperate by answering questions during the Grand Jury inquisition, he or she can be charged with perjury and jailed if even the most minute inconsistencies are found in their testimony.

- **Grand jurors are not screened for bias.**

Unlike the case with standard jury panels, there is no process for screening out potential jurors for bias, meaning that persons with extreme prejudicial beliefs about the topic at hand may be seated as part of the grand jury.

- **Hearsay testimony is allowed in grand jury hearings.**

Rules that would normally prohibit hearsay testimony from entering into evidence because it is considered unreliable and cannot be fairly evaluated by jurors do not apply to grand juries.

- **Double jeopardy does not apply to grand jury situations.**

If someone appears before the grand jury, refuses to testify and spends three years in jail for contempt, legally she can still be re-subpoenaed and the process repeated.