

Do Not Pass Go - Go Directly to Grand Jury in New York

IN NEW YORK
Do not pass go, go directly to Grand Jury

Click this image to go directly to a great New York Times article on what grand juries can do for those falsely accused

Facing a felony or other crime? The accuser(s) is lying? Demand to be placed in front of a Grand Jury

CLICK HERE

This excellent New York Times article describes how those accused of a 'crime', who believe they have done no wrong, can go before the grand jury to plea there case and a good percentage gets 'no-billed' meaning the grand jury, after hearing their statements refuse to hand down an indictment, i.e. not charge them.

It is titled "New Trend Before Grand Juries: Meet the Accused", and was written on June 20, 2004.



Here is just two quotes;

*"Sara Sun Beale, a national expert on grand jury issues at Duke University School of Law, said the indications that more suspects **are testifying and that many of them are not indicted may mean that the New York grand jury system should become a national mode...."***

*"Lawyers say the 1978 change in the law permitting defense lawyers in the grand jury room prompted them to begin encouraging some clients to testify. Other changes accelerated the trend, including new selection methods that broadened the pool of potential jurors, and **what some lawyers say is an increasing willingness by grand jurors to question official accounts of crimes.**"*

This shows you the power of New York's Grand Jury System. Click here to read the entire article. Caveat: There is no telling when, or if this article will be moved, removed, etc.... so you may want to save one for yourself. [Click here to read the article.](#)

Important Notice to individuals who are being 'investigated/indicted' by the DA/grand jury;

CPL 190.50(5)(a) provides that the District Attorney must notify the defendant or his or her attorney of a pending Grand Jury proceeding in such manner as to afford the defendant reasonable time to exercise his or her right to appear as a witness therein.

If the prosecutor does not provide notice of grand jury presentation when s/he is required to, this is a denial of your due process rights. Defendants can then file a "five day motion" to properly challenge the failure, and throw out the indictment and give you the chance to be heard before the grand jury, [so they can hear your side of the story and call your witnesses before they render their decision.](#)

Further a 'five day' motion it is not considered a "pretrial motion" (see CPL §§ 210.35 [4], 255.10), and therefore the timing is not governed by the forty-five day period specified in CPL § 255.20. **This motion must be made within five days after arraignment or it is waived (see CPL § 190.50[5(c)]).** See also **Commentary, N.Y. Crim. Proc. Law § 190.50 (McKinney).**

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