

2026 -- S 3109

=====  
LC005645  
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

—————  
A N A C T

RELATING TO CRIMINAL PROCEDURE -- COUNTY GRAND JURIES

Introduced By: Senators McKenney, Britto, Sosnowski, Zurier, Murray, and Gu

Date Introduced: March 13, 2026

Referred To: Senate Judiciary

(Attorney General)

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 12-11-1 of the General Laws in Chapter 12-11 entitled "County  
2 Grand Juries" is hereby amended to read as follows:

3           **12-11-1. Number of members.**

4           The grand jury shall consist of not less than thirteen (13) nor more than twenty-three (23)  
5 persons. Whenever the attorney general shall by motion in writing make application to any justice  
6 of the superior court for a grand jury to consist of twenty-three (23) persons, the motion shall  
7 immediately be granted. [A county grand jury may issue reports consistent with the provisions of §](#)  
8 [12-11.1-6.](#)

9           SECTION 2. Section 12-11.1-1 of the General Laws in Chapter 12-11.1 entitled "Statewide  
10 Grand Juries" is hereby amended to read as follows:

11           **12-11.1-1. Statewide grand jury — Size and powers.**

12           A statewide grand jury shall consist of not less than thirteen (13) nor more than twenty-  
13 three (23) persons. The jurisdiction of a statewide grand jury shall extend throughout the state and  
14 it may investigate and return indictments for crimes committed any place within the state, [and may](#)  
15 [issue reports consistent with the provisions of § 12-11.1-6.](#) A statewide grand jury shall in all other  
16 respects possess the usual powers and duties of county grand juries.

17           SECTION 3. Chapter 12-11.1 of the General Laws entitled "Statewide Grand Juries" is  
18 hereby amended by adding thereto the following section:

19           **12-11.1-6. Grand jury reports.**

1           (a) The grand jury may, at any time during its term, submit a grand jury report to the  
2 presiding justice of the superior court concerning any matter involving a person subject to the  
3 Rhode Island code of ethics, as set forth in § 36-14-4, or that the grand jury determines is a matter  
4 of public concern. A grand jury report may be submitted only upon the concurrence of twelve (12)  
5 or more jurors and shall be signed by each concurring juror.

6           (b) The presiding justice shall examine the report and the minutes of the grand jury and,  
7 except as otherwise provided in this section, shall order the report accepted as a public record only  
8 if the superior court is satisfied that the report complies with the provisions of subsection (a) of this  
9 section and that:

10           (1) The report is based on facts revealed in the course of a statewide or county grand jury  
11 investigation and is supported by a preponderance of the evidence presented to the grand jury;

12           (2) Each person or entity named in the report and whose conduct is the subject of the report,  
13 was afforded a reasonable opportunity to testify before the grand jury prior to the filing of the  
14 report; and

15           (3) The report does not contain material that:

16           (i) Is privileged or otherwise confidential under established law;

17           (ii) Is not reasonably related to the subject matter of the report;

18           (iii) Discloses the identity of a confidential informant; or

19           (iv) Prejudices the fair adjudication of a criminal matter.

20           (c) If the presiding justice determines that the report contains any material described in  
21 subsection (b)(3) of this section, the court shall order appropriate redactions prior to accepting the  
22 report as a public record. If the presiding justice determines that the filing of such a report as a  
23 public record may prejudice the fair adjudication of a pending criminal matter, the court shall order  
24 the report sealed, and the report shall not be subject to release, subpoena, or public inspection during  
25 the pendency of that criminal matter except upon order of the superior court.

26           (d) Within thirty (30) days after receiving a report prepared pursuant to subsection (a) of  
27 this section, the presiding justice shall notify in writing all persons or entities named in the grand  
28 jury report and whose conduct is the subject of the grand jury report to give such persons or entities  
29 a reasonable opportunity to review the grand jury report and submit a written response. Any such  
30 response shall be submitted to the presiding justice within thirty (30) days after issuance of the  
31 court's written notification and shall state whether the respondent objects to the issuance of the  
32 grand jury report, to the inclusion of the respondent's name, or is seeking any other relief. Any  
33 proceedings pursuant to this subsection shall remain sealed until ordered otherwise by the presiding  
34 justice.

1           (e) Where the presiding justice enters an order accepting a grand jury report pursuant to  
2 subsection (b) of this section, all persons or entities named in the report shall have thirty (30) days  
3 prior to the report's filing as a public record to appeal the order to the supreme court. Failure of the  
4 presiding justice to accept and file as a public record a report submitted under this section may be  
5 appealed by the attorney general to the supreme court.

6           SECTION 4. This act shall take effect upon passage.

=====  
LC005645  
=====

EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO CRIMINAL PROCEDURE -- COUNTY GRAND JURIES

\*\*\*

- 1           This act would permit grand juries to issue reports and would provide for a process for
- 2 review and acceptance by the superior court.
- 3           This act would take effect upon passage.

=====  
LC005645  
=====