



STATE OF RHODE ISLAND JUDICIARY

SUPREME COURT  
OFFICE OF GENERAL COUNSEL

Licht Judicial Complex  
250 Benefit Street  
Providence, RI 02903

March 12, 2026

**Via Electronic Mail (HouseJudiciary@rilegislature.gov)**

Chair Carol Hagan McEntee  
House Committee on Judiciary  
Rhode Island General Assembly  
Rhode Island State House  
House Lounge  
Providence, Rhode Island 02903

**Re: House Bill # 8078: An Act Relating to Criminal Procedure – County Grand Juries**

Dear Chair Hagan McEntee:

I write on behalf of the Rhode Island Judiciary and the Superior Court to express our concerns regarding House Bill # 8078, which is scheduled to be heard this evening before the House Committee on Judiciary. If enacted, this bill would amend R.I. Gen. Laws §12-11-1 and § 12-11.1-1 and create R.I. Gen. Laws § 12-11.1-6 to permit a Grand Jury, at any time during its term, to submit to the Presiding Justice of the Superior Court a report concerning any matter involving a person subject to the Rhode Island Code of Ethics or that the Grand Jury determines is a matter of public concern. The Superior Court and the Judiciary have serious concerns that this legislation, if passed, would undermine the centuries-old protections afforded to an accused and witnesses during the investigatory process of the Grand Jury.

The principal function of the Grand Jury is to determine whether there is probable cause to believe that one or more persons may have committed a criminal offense. Traditionally, Grand Juries conduct their business in secret, and for good reason. *See* Rule 6(e)(2) (establishing a general rule of secrecy, with exceptions). Criminal matters presented to a Grand Jury are extremely serious in nature, with most offenses carrying a criminal penalty of up to life in prison. However, the evidence presented does not establish guilt; it merely determines whether and what type of criminal charges should be brought. When a Grand Jury finds probable cause and returns a True Bill, the allegations are filed with the Superior Court and the criminal charge(s) becomes public.

However, when a Grand Jury votes No True Bill, they have decided that there is insufficient evidence to establish probable cause that the subject of the investigation committed the crime alleged. To allow public disclosure under such circumstances would subject the accused to public scrutiny and reputational damage. The longstanding principle that Grand Jury proceedings are secret exists to protect the accused from this very outcome.

Secrecy is also essential to encourage full disclosure of information from witnesses testifying before the Grand Jury. It is imperative that witnesses called to testify provide full and complete disclosure of the information they possess. Knowing that this information could be disclosed to the public would create a chilling effect for witnesses who may be called to testify before a Grand Jury. This concern is compounded by the fact that the proposed legislation appears to only require notice and a reasonable opportunity to review and submit objections to the report to “persons or entities named in the grand jury report and whose conduct is the subject of the grand jury report.” As written, the legislation does not appear to afford witnesses or victims an opportunity to review the report and object thereto, as their conduct is arguably not the subject of the Grand Jury report. This could further chill witnesses called to testify.

I ask that the House Committee on Judiciary give serious thought to these concerns when contemplating passage of this legislation. Thank you for the opportunity to express the Judiciary’s and the Superior Court’s position on this bill.

Sincerely,



Chrisanne Wyrzykowski  
General Counsel  
Rhode Island Supreme Court