Grand Jury: County v. State Process

NOTE: No prosecutor can bring charges alone. They can only seek charges and then take it to the state or county grand jury who brings the charges. Once the charges are brought, the prosecutor determines how to dispose of them.

"Regular"

Attorney General and Solicitor

Prosecution

Law Enforcement directs investigation

Law Enforcement requests arrest warrant from County Magistrate

Law Enforcement makes arrest

Law Enforcement provides information to prosecution (Solicitor, AG's General Prosecution; AG's Special Prosecution)

Solicitor or AG decides whether to request indictment (drafts indictment)

Law Enforcement present draft indictment to County Grand Jury Jurors

County Grand Jury Jurors vote on whether to indict

Indictment Format

 One Indictment includes one charge (i.e., one crime charged against one person)

State Grand Jury

Prosecution

State Grand Jury (SGJ) Jurors oversee investigation conducted by SGJ Legal Team in partnership with SLED and possibly local and federal law enforcement and prosecution

Note: SGJ Legal Team can compel testimony and disclosure of documents, which often requires intensive analysis of voluminous documents, records, evidence, statements, and testimony.

SGJ Legal Team discusses whether to request indictments with SGJ Jurors and prepares draft indictments

SGJ Legal Team present draft indictment to State Grand Jury Jurors

SGJ Jurors vote on whether to indict

Indictment Format

- One Indictment may have multiple counts (i.e. crimes)
- Each count (crime) may have multiple charges (i.e., individuals)