Nebraska State Court Form GJ 1:25 New 07/2022

[Neb. Rev. Stat. § 29-1401](https://nebraskalegislature.gov/laws/statutes.php?statute=29-1401)

MEDIA RELEASE – GRAND JURY CONVENED

# Grand Jury to be Convened in the District Court of County

*(in custody death)*

# For Immediate Release

Contact: Phone:

A grand jury has been called by District Judge in County to investigate the circumstances surrounding the death of Mr./Ms. On .

[you may wish to add where and when the death occurred]

In Nebraska, a grand jury must be called when an individual has died while being apprehended by or while in the custody of a law enforcement officer or detention personnel [(Neb. Rev. Stat. § 29-1401(4)). In these cases,](https://nebraskalegislature.gov/laws/statutes.php?statute=29-1401) the purpose of a grand jury is to investigate the death to determine if formal charges should be made against any person for committing a crime in connection with the death.

By law, the work of the grand jury is conducted in secrecy. Grand jurors take an oath which, in part, requires that they keep secret the work and discussions of the grand jury. Grand jurors must not discuss their investigation, deliberations or votes with anyone unless specifically instructed to do so by the judge. Grand jury proceedings are conducted in secret for three reasons:

* Criminals who know that a grand jury is investigating their crime might attempt to obstruct justice by intimidating witnesses or flee to avoid prosecution.
* Secrecy protects those who appear as witnesses from possible intimidation or threats.
* Secrecy protects innocent persons whose names might come before a grand jury. A great injustice can occur and irreparable injury can be done to the reputation of a person if it becomes known that they were discussed by a grand jury, but adequate evidence was not present for indictment. This type of a disclosure can cause a stigma to attach to the name and reputation of an individual which would be difficult, if not impossible, to erase.

Following the investigation of a grand jury, members will decide if charges should be filed in the case. Their decision will be filed in the

office of the clerk of the district court in County.

For questions regarding the grand jury proceeding, please contact

at .

###

*Note to journalists: The law regarding grand juries is found in* [*Nebraska Revised Statutes § 29-1401 et seq.*](https://nebraskalegislature.gov/laws/statutes.php?statute=29-1401) *(Reissue 2008 and Cum. Supp. 2010). Because statutes require that there be no photography of or discussions with grand jurors or witnesses, sections of the courthouse will be restricted.*