

Highlights -SCOTUS 1992 Williams Ruling (Justice Scalia)

Page 47, *“...the grand jury is an institution separate from the courts, over whose functioning the courts do not preside...”*

“...the grand jury is mentioned in the Bill of Rights [Amendment V], but not in the body of the Constitution. It has not been textually assigned, therefore, to any of the branches described in the first three Articles. It is a constitutional fixture in its own right.”

“In fact the whole theory of its function is that it belongs to no branch of the institutional Government, serving as a kind of buffer or referee between the Government and the people.”

“Although the grand jury normally operates, of course, in the courthouse and under judicial auspices, its institutional relationship with the Judicial Branch has traditionally been, so to speak, at arm’s length.”

Page 48, “The grand jury’s functional independence from the Judicial Branch is evident...”

“...the grand jury can investigate merely on suspicion that the law is being violated, or even because it wants assurance that it is not.”

“The grand jury requires no authorization from its constituting court to initiate an investigation.”

“...the grand jury generally operates without the interference of a presiding judge.”

Page 49-50, “...we [SCOTUS] have been reluctant to invoke the judicial supervisory power as a basis for prescribing modes of grand jury procedure.” ...”because of “the potential injury to the historic role and function of the grand jury.”

“[the grand jury is where]...laymen conduct their inquiries unfettered by technical rules.”

Page 68, *“...the grand jury is not merely an investigatory body, it also serves as a ‘protector of citizens against arbitrary and oppressive governmental action.’* “

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IT IS EVIDENT, COUNTY PEOPLE HAVE SOLE AUTHORITY OVER COUNTY GRAND JURY
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