

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1872

Amending Criminal Rule 6(k) and (l) to confirm that law enforcement officers may be present when a prisoner testifies before the grand jury.

IT IS ORDERED:

1. Criminal Rule 6 is amended to read as follows:

Rule 6. The Grand Jury.

* * * *

(k) **Who May Be Present.** The prosecuting attorney, the witness under examination, a court clerk for the purpose of recording the proceedings, and, when needed, an interpreter, a person transcribing for the deaf, and any law enforcement officer who has custody of the witness being examined may be present while the grand jury is in session. No persons other than the jurors and any interpreter or transcriber necessary to assist a juror who is hearing or speech impaired shall be present while the grand jury is deliberating or voting.

(l) **Secrecy of Proceedings and Disclosure.**

(1) The selection, swearing, and charging of grand jurors and all matters occurring before the grand jury are secret, except as otherwise provided by this rule. Disclosure of matters, other than the grand jury's deliberations and the vote of any juror, may be made to the prosecuting attorney for use in the performance of the prosecuting attorneys' duties. Otherwise a judge, juror, attorney, interpreter, person transcribing for the deaf, law enforcement officer, court clerk, or a typist who

transcribes recorded testimony may disclose matters only when so directed by the court preliminary to or in connection with a judicial or administrative proceeding.

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DATED: April 27, 2016

EFFECTIVE DATE: April 27, 2016

/s/
Chief Justice Stowers

/s/
Justice Fabe

/s/
Justice Winfree

/s/
Justice Maassen

/s/
Justice Bolger