I.C.R. 6.5. Grand Jury Proceedings

Idaho Criminal Rule 6.5. Grand Jury Proceedings.

(a) Grand Jury Subpoenas. A grand jury subpoena or subpoena duces tecum may be issued by either the presiding juror or the prosecutor in the manner provided by law.

(b) Questioning of Witnesses. Witnesses may be questioned by the prosecuting attorney, the presiding juror, and other members of the grand jury under the direction of the presiding juror.

(c) Evidence for Defendant. The grand jury is not bound to hear evidence for the defendant, but it is their duty to weigh all the evidence submitted to them, and when they have reason to believe that other evidence within their reach will explain away the charge, they should order such evidence to be produced, and for that purpose may require the prosecuting attorney to issue process for the witnesses.

(Adopted March 30, 1994, effective July 1, 1994.)

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