

## **Task Force on Removing Barriers to Jury Service Relevant Portions of Oregon Revised Statutes Chapter 132**

[Oregon Revised Statutes Chapter 132 \(opens link to external website\)](#)

**132.010 Composition.** A grand jury is a body of seven persons drawn from the jurors in attendance upon the circuit court at a particular jury service term, having the qualifications prescribed by ORS 10.030 and sworn to inquire of crimes committed or triable within the county from which they are selected.

**132.020 Selection of grand juries; law applicable to additional jury; when inquiry void.**

- (1) Under the direction of the court, the clerk shall draw names at random from the names of jurors in attendance upon the court until the names of seven jurors are drawn and accepted by the court. The seven persons thus chosen shall constitute the grand jury.
- (2) When the court, in its discretion, considers that one or more additional grand juries is needed for the administration of justice, one or more additional grand juries shall be selected in the manner provided in subsection (1) of this section.
- (3) Any law applicable to the grand jury is equally applicable to any additional grand jury selected under subsection (2) of this section, except that whenever any duties or functions are imposed upon the grand jury, it shall be sufficient if such duties or functions are performed by one of the grand juries selected under this section.
- (4) Any inquiry or investigation required by law to be made by a grand jury shall be void, unless such inquiry or investigation was made entirely by the same grand jury.

**132.030 Challenge of juror prohibited; when juror may be excused.** Neither the grand jury panel nor any individual juror may be challenged. A judge of the court or clerk of court, as defined in ORS 10.010, may at any time after a juror is drawn and before the juror is sworn excuse the juror from jury service for any reason prescribed in ORS 10.050.

**132.110 When juror discharged; replacement; proceeding with lesser number.**

After the formation of the grand jury and before it is discharged, the court may:

- (1) Discharge a grand juror who:
  - (a) Becomes sick, is out of the county or fails to appear when the grand jury is summoned to reconvene;
  - (b) Is related, by affinity or consanguinity within the third degree, to the accused who is under investigation by the grand jury, or held for the commission of a crime; or
  - (c) Is unable to continue in the discharge of duties.

(2) Order that another person be drawn at random and sworn from the jurors then in attendance upon the court, or if no other jurors are there in attendance, from the master jury list of the county, to take the place of a discharged juror.

(3) Allow at least five grand jurors to proceed upon good cause shown.

**132.120 Jury service term; continuation.** When the jury service term is completed the grand jury must be discharged by the court; but the judge may, by an order made either in open court or at chambers anywhere in the judicial district and entered of record, stating the reasons, continue the grand jury in session for such period of time as the judge deems advisable.

**132.210 Immunity of jurors as to official conduct.** A grand juror cannot be questioned for anything the grand juror says or any vote the grand juror gives, while acting as such, relative to any matter legally pending before the grand jury, except for a perjury or false swearing of which the grand juror may have been guilty in giving testimony before such jury.

**132.360 Number of jurors required to concur.** A grand jury may indict or present facts to the court for instruction as provided in ORS 132.370, with the concurrence of five of its members, if at least five jurors voting for indictment or presentment heard all the testimony relating to the person indicted or facts presented.