

Introduced by Senator Mitchell

February 13, 2015

An act to amend Section 891 of the Penal Code, relating to grand juries.

LEGISLATIVE COUNSEL'S DIGEST

SB 227, as introduced, Mitchell. Grand juries.

Existing law makes it a crime for a person who, by any means whatsoever, willfully and knowingly, and without knowledge and consent of the grand jury, records, or attempts to record, all or part of the proceedings of any grand jury while it is deliberating or voting, or listens to or observes, or attempts to listen to or observe, the proceedings of any grand jury of which he or she is not a member while that jury is deliberating or voting.

This bill would make technical, nonsubstantive changes to that provision.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 891 of the Penal Code is amended to
2 read:
3 891. ~~Every~~A person who, by any means whatsoever, willfully
4 and knowingly, and without knowledge and consent of the grand
5 jury, records, or attempts to record, all or part of the proceedings
6 of any grand jury while it is deliberating or voting, or listens to or
7 observes, or attempts to listen to or observe, the proceedings of

1 any grand jury of which he *or she* is not a member while ~~such~~ *that*
2 jury is deliberating or voting is guilty of a misdemeanor.
3 This section is not intended to prohibit the taking of notes by a
4 grand juror in connection with and solely for the purpose of
5 assisting him *or her* in the performance of his *or her* duties as ~~such~~
6 *a juror.*