

FILED
U.S. DIST. COURT
MIDDLE DIST. OF LA.
JUN 11 4 21 PM '81
C. LEE DUPUIS
CLERK

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

ORDER AMENDING LOCAL RULES OF COURT

IT IS ORDERED that the Local Rules of Court are hereby
AMENDED so as to add Rule 28:

RULE 28. GRAND JURY PROCEEDINGS AND DISCLOSURE

Rule 6(e)(2), Fed.R.Cr.P., prohibits the disclosure, except as therein provided, of any "matters occurring before the grand jury." The purposes of the rule requiring grand jury secrecy are:

To encourage witnesses to come forward and testify freely and confidently.

To protect the reputations and physical well being of witnesses who testify against persons suspected of crimes.

To keep those who may be indicted from intimidating witnesses or fleeing before indictment.

To protect grand jurors from intimidation and outside influences.

To protect the reputation of persons under investigation who are later cleared or never indicted.

A report of the Comptroller General of the United States to the Congress, dated October 16, 1980, states, in part:

"The grand jury is one of the Government's more effective tools to combat organized crime, drug trafficking, and white-collar crime. The effective prosecution of these crimes depends largely on securing grand jury proceedings to encourage witnesses to testify and produce evidence and keep persons under investigation from hampering investigations. However, hundreds of times information about grand jury proceedings has been disclosed in the news media, public court files, and public court proceedings with the result that either

--witnesses had their identities revealed, before any indictments were returned, including some who were murdered, intimidated, or disappeared,

cc. Judges & Magistrate
Probation
USA & all deputy clerks
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Comp. Gen
Dep. I Justice
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--reputations of persons never indicted were damaged,

--persons under investigations were identified before indictment, or

--grand jury investigations were dropped or delayed."

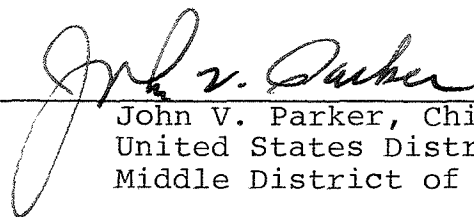
This Local Rule is adopted for the purpose of ensuring the secrecy of matters occurring before grand juries in this district in accordance with the resolution of the Judicial Conference of the United States adopted, after consideration of the report of the Comptroller General in March, 1981, as set forth in the Report of the Administrative Office of the United States Courts dated May 11, 1981, which suggests that all district courts review and consider revision of grand jury plans.

A. No grand juror, interpreter, stenographer, operator of a recording device, typist who transcribes recorded testimony, attorney for the government or any person to whom disclosure is made under Rule 6(e), Fed.R.Cr.P., shall disclose any of the following matters relating to grand jury proceedings in this district except as may be authorized by the Court:

1. The names of the members of grand juries.
2. The name of any witness who appears before a grand jury.
3. Any grand jury subpoena, whether it identifies the name of the witness or not.
4. Any document subpoenaed by or presented to a grand jury.
5. The testimony of any witness before the grand jury.
6. Any evidence relating to a grand jury investigation which is gathered outside the presence of the grand jury, whether the evidence is later presented to the grand jury or not.
7. Any statement obtained from any witness who appears before a grand jury, whether such statement was obtained before or after the appearance.
8. The name of any "target" of any grand jury investigation.
9. Copies of any of the documents or things identified in Items 1-7.
10. The date or place of any grand jury session or meeting.

- B. The United States Attorney for this district shall take all reasonable measures, considering the practical defects in the United States Courthouse for this district, to maintain the confidentiality of all persons who appear before any grand jury as witnesses.
- C. The United States Marshal for this district is hereby authorized, at appropriate times when a grand jury is in session or when grand jury witnesses are to be brought to the Courthouse, to clear all unauthorized persons from the Third floor of the Courthouse, to restrict access to the stairs in the Courthouse and to the elevator as may be appropriate, and where necessary to clear the main lobby of the Courthouse in order to facilitate ingress and egress of grand jury witnesses and to facilitate the work of the grand jury.
- D. All subpoenas, motions, pleadings or other documents filed with the Clerk of Court concerning or contesting ongoing grand jury proceedings shall be permanently sealed by the Clerk, except upon a showing of particularized need as may be authorized by the Court.

Dated this 11 day of June, 1981.



John V. Parker, Chief Judge
United States District Court
Middle District of Louisiana


Frank J. Polozola
United States District Judge