

Jersey City man advocating grand jury system with no government involvement



Jayson Burg of Jersey City is part of a national drive to form “common law grand juries” which would be completely independent of the government and able to conduct investigations and lodge criminal accusations.

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By [Michaelangelo Conte/The Jersey Journal](#)

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A Jersey City man who is the state representative of the National Liberty Alliance is part of a drive to establish “common law grand juries” that would be completely independent of the government and able to conduct investigations and lodge criminal accusations.

“The judges and the prosecutors, they dictate what they want to be done with the jury,” said Jayson Burg, adding that the National Liberty Alliance has formed some 130 grand juries in

counties across the nation, as well as in Hudson, Bergen, Essex, Monmouth and Morris counties here in New Jersey.

“One thing about the common law grand jury is we are not out there for a witch hunt, to victimize people; we’re there to correct the wrongs done against sovereign natural men and woman,” said Burg, 60, who describes himself as a Democrat and a moderate who holds some Tea Party ideas.

"It is the establishment that doesn't want it to work," said Burg. "If it's the bread and butter of your corruption, you don't want anything corrected."

After watching the video on common law grand juries on the National Liberty Alliance's website, St. Peter's University law professor and former Superior Court Judge Kevin Callahan observed, "We cannot simply interpret the 5th Amendment to meet our own agenda and that seems to be the theme of the video."

Callahan added, "I cannot see any accepted legal premise proposed in this very subjective video as supplanting the grand jury or having any legal power to accomplish same, based on the vague concept of the common law of the people supervising a grand jury ... The purpose of the grand jury is to seek justice through the facts of a case under the law ... and not based on a subjective agenda of any group or person."

The grand jury system was formed to prevent the powerful from prosecuting a person without common citizens first determining there was sufficient evidence. In New Jersey, each county's top Superior Court judge chooses grand jury candidates randomly using voter registration and driver's license records. They must be adult citizens and have no criminal record.

The jurors vote on whether or not to indict the suspect.

"The common law grand jury would have no involvement whatsoever with the government and would be what amounts to a "fourth branch," said Burg who is a regular speaker during the public comment portion of Jersey City City Council meetings.

The common law grand jury would seek indictments on its own initiative based on its own knowledge or evidence presented to it. An indictment would then be filed with the clerk of the courts "thus beginning a formal criminal proceeding," the video says.

Similar common law grand juries functioned in the early decades of the United States.

Burg said his organization posts notices in newspapers calling for a meeting to vote on forming a common law grand jury in a given county and after being shown the video on the subject, those attending vote. He said the people who show up are "average citizens" and all votes have been unanimously in favor. After the vote, "The people there are sworn in as a jurist pool," Burg said.

He acknowledged no common law grand juries are up and running. He said they have been filing papers in various counties to be formally seated in courthouses.