

Oregon's neighboring states give the defense access to verbatim witness statements prior to trial

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| Alaska | <p>Uses grand jury almost exclusively; preliminary hearings only rarely:</p> <ul style="list-style-type: none"> ✓ Grand jury testimony is recorded verbatim ✓ Copy of recorded testimony is given to defense counsel ✓ Indictment must be based on legally admissible evidence (limited hearsay exceptions; no blanket exception for hearsay as proposed by DA's) |
| Hawaii | <p>Uses both grand jury and preliminary hearings:</p> <ul style="list-style-type: none"> ✓ Grand jury testimony is video recorded verbatim ✓ Copy of video testimony is available to defense counsel ✓ Indictment must be based on legally admissible evidence (limited hearsay allowed only if not deliberately presented in place of better evidence) |
| Idaho | <p>Uses both grand jury and preliminary hearings:</p> <ul style="list-style-type: none"> ✓ Grand jury testimony is recorded verbatim ✓ Copy of recorded testimony is given to defense counsel ✓ Indictment must be based on legally admissible evidence (no blanket exception for hearsay as proposed by DA's) |
| Nevada | <p>Uses both grand jury and preliminary hearings:</p> <ul style="list-style-type: none"> ✓ Grand jury testimony is recorded verbatim ✓ Copy of recorded testimony is available to defense counsel ✓ Indictment must be based on legally admissible evidence (no blanket exception for hearsay as proposed by DA's) |
| Washington | <p>Does not use grand jury or preliminary hearing; allows pretrial deposition of witnesses:</p> <ul style="list-style-type: none"> ✓ Subject to judicial oversight and approval, each party may take sworn recorded statement of opposite party's witnesses prior to trial |

Exception: California allows hearsay

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| California | <p>Uses both grand jury and preliminary hearings:</p> <ul style="list-style-type: none"> ✓ Grand jury testimony is recorded verbatim ✓ Copy of recorded testimony is given to defense counsel ✓ Allows for hearsay presented through law enforcement officer with five years experience (i.e., ODAA proposal requires two years experience) |
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