

GRAND JURY RECORDATION



50 STATES INTERVIEWED AND RESEARCHED



RESEARCH METHODOLOGY

Research attorneys contacted prosecutors in all 50 states and conducted in-depth interviews regarding the practices and law regarding initiating felony charges, including grand jury proceedings, preliminary hearings, and filing of complaints. These attorneys then researched and compiled relevant statutory authority from all 50 states related to grand jury, discovery, the rules of evidence, recordation, and protective orders. This data was compiled and summarized for each state. This material was used to create visual representations of the data in the form of maps and required over 200 hours of work.



INFORMATION ON OLIS

- Overview of grand jury protocols in all 50 states;
- Key statutes from most states;
- Overview of hearsay statutes in most states;
- Overview of protective order statutes in most states.



WHAT IS GRAND JURY?

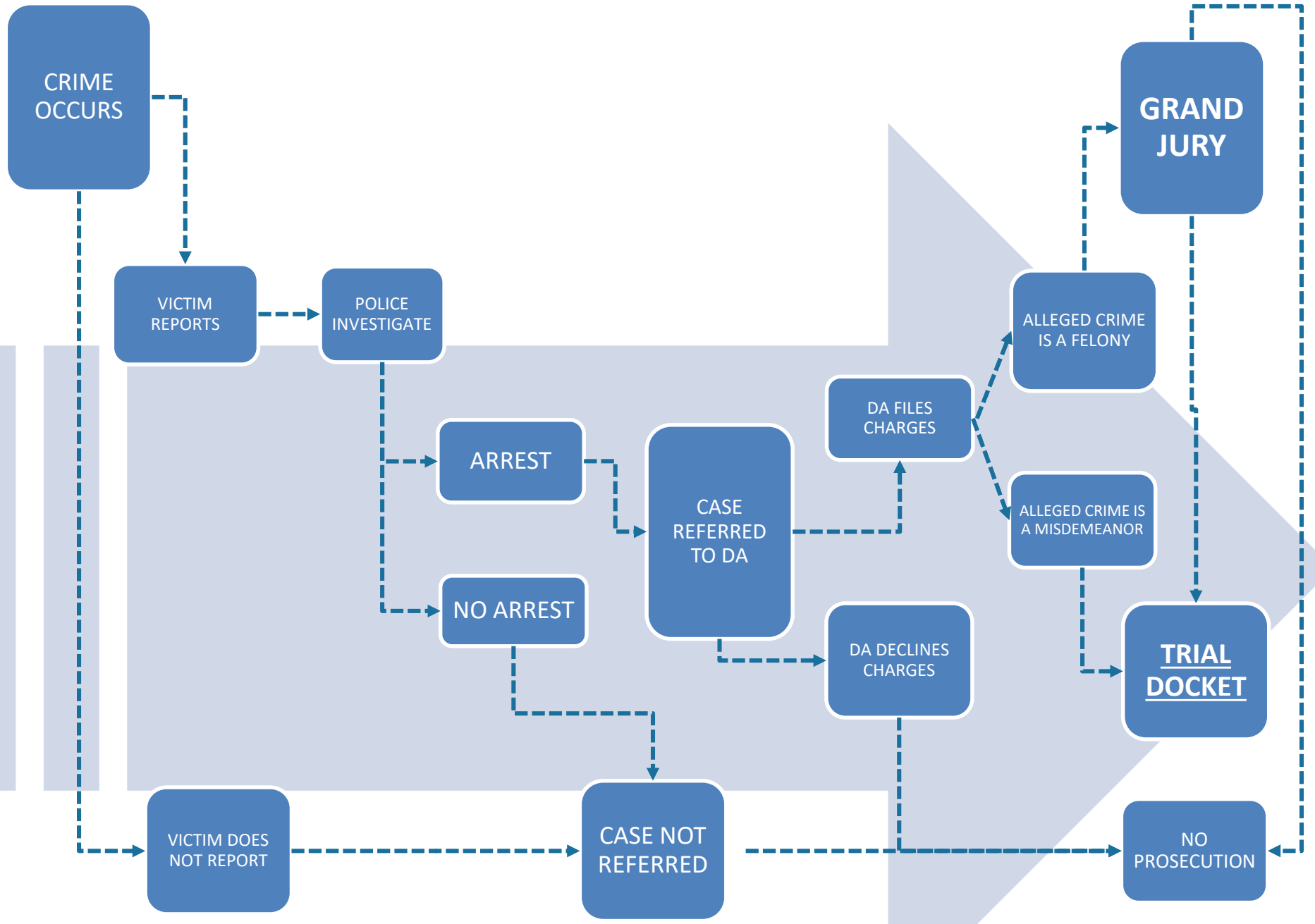
- Grand jury dates back to 14th century England and the Magna Carta;
- Grand juries provided citizens a degree of local control over criminal prosecutions and provided protection against attempts by the King and nobles to persecute citizens through the use of unwarranted criminal charges;



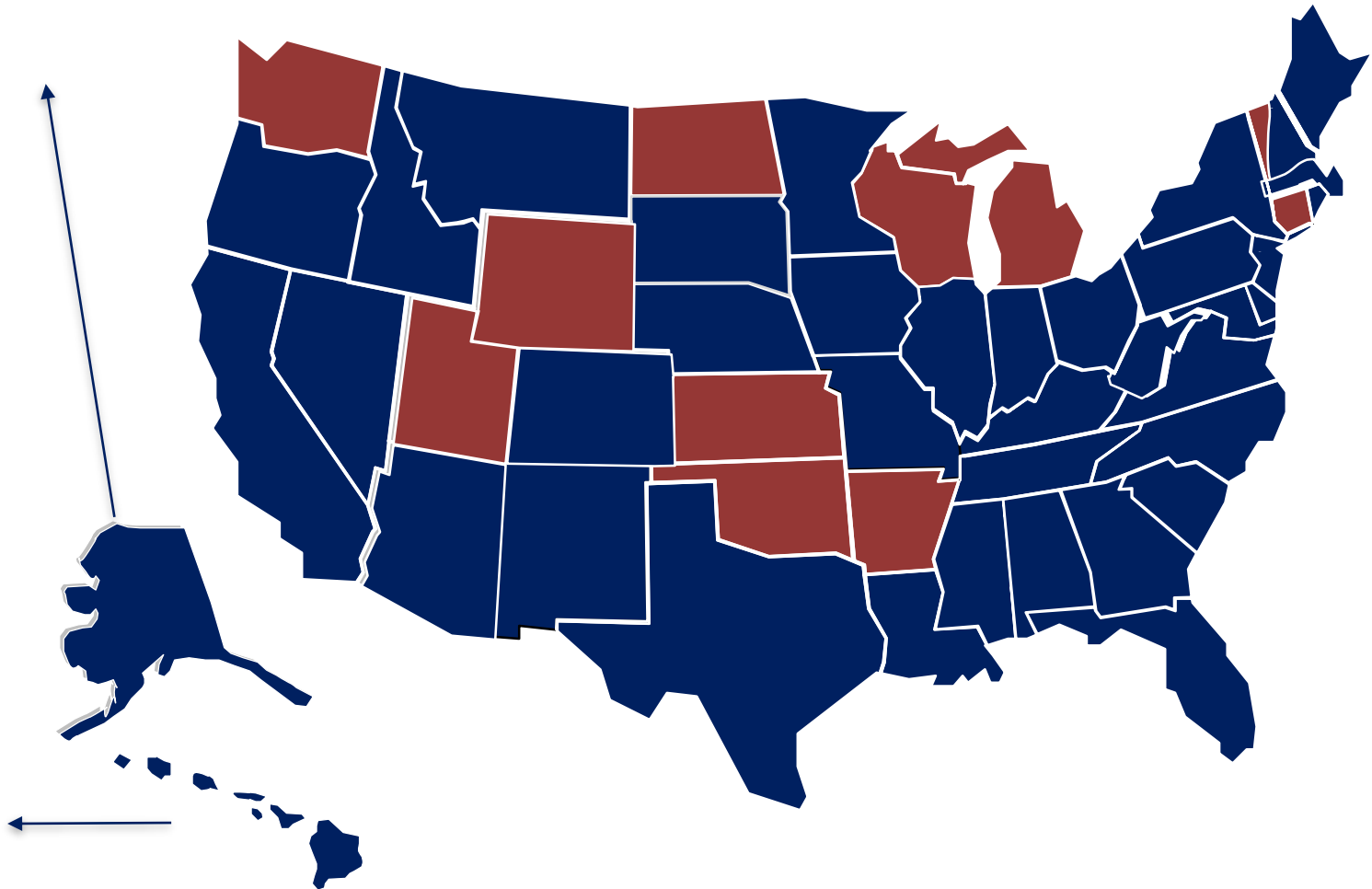
WHAT IS GRAND JURY?

- The purpose of the grand jury is not to determine guilt or innocence, but to decide whether there is sufficient evidence to indict someone for a felony crime;
- The grand jury operates in secrecy to protect the rights and reputations of those that are not indicted and preserve the investigation of those that are indicted;
- The prosecutor offers evidence at the proceedings and no judge is present;
- Grand jury in Oregon consists of seven (7) jurors; five (5) jurors are required to generate an indictment;





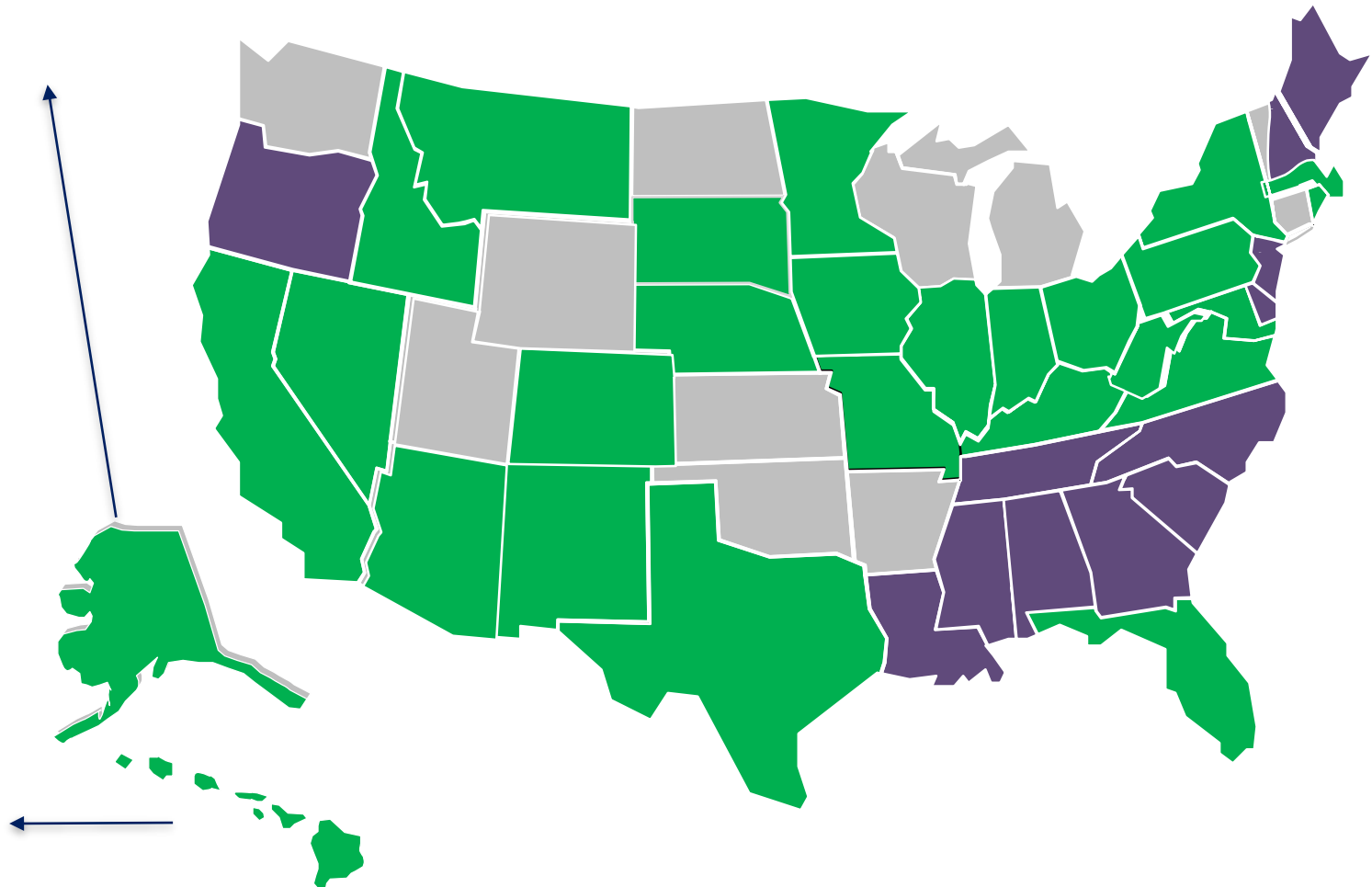
GRAND JURY – USED IN 39 STATES



- STATES THAT USE GRAND JURY 39
- STATES THAT DO NOT USE GRAND JURY 11



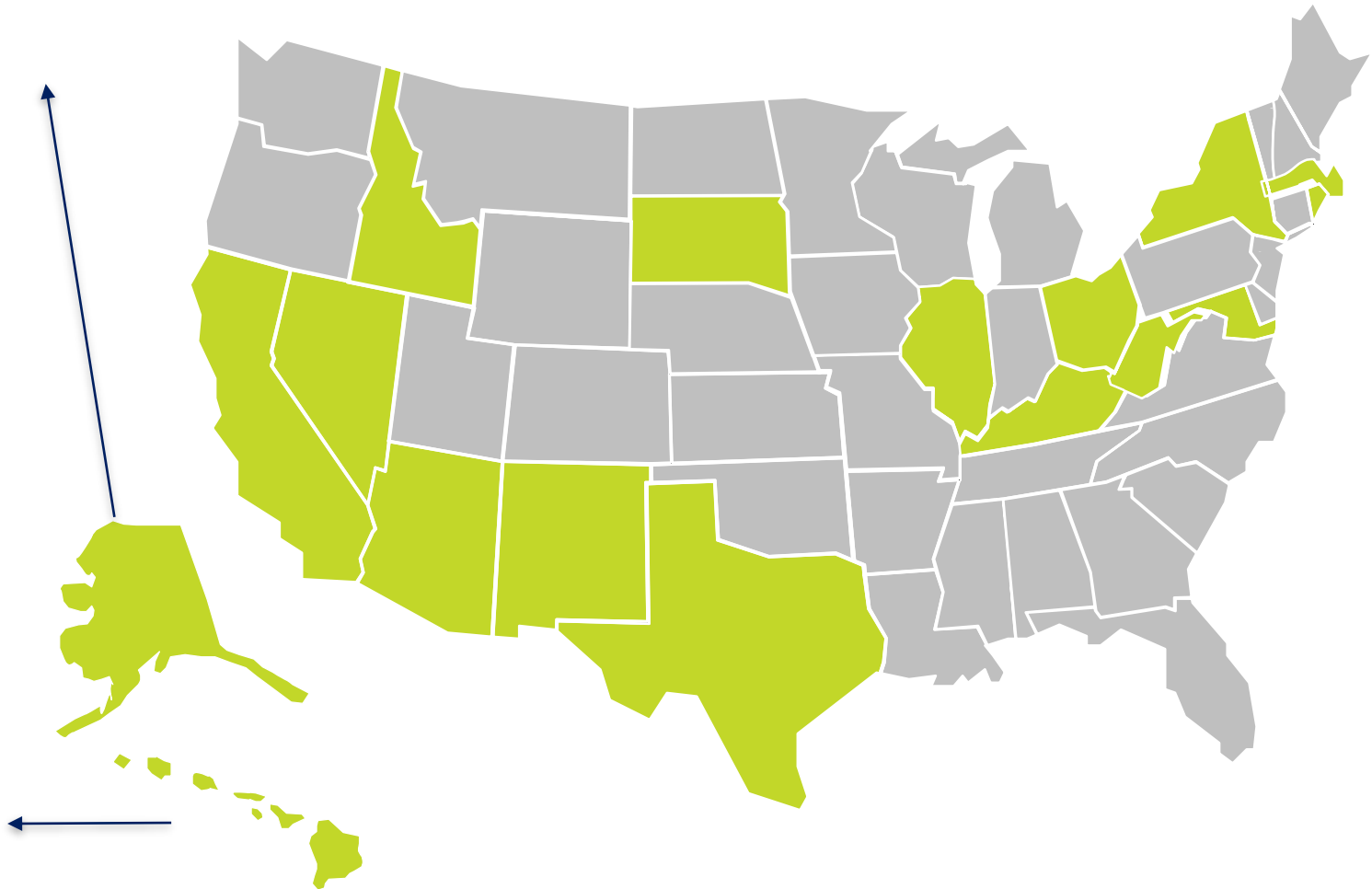
GRAND JURY RECORDATION METHODS



- STATES THAT USE GRAND JURY, RECORD GRAND JURY, AND USE A PROFESSIONAL RECORDATION SYSTEM 27
- STATES THAT USE GRAND JURY, RECORD GRAND JURY, AND ALLOW A JUROR TO RUN THE RECORDATION SYSTEM 0
- STATES THAT USE GRAND JURY AND DO NOT RECORD GRAND JURY 12
- STATES THAT DO NOT USE GRAND JURY 11



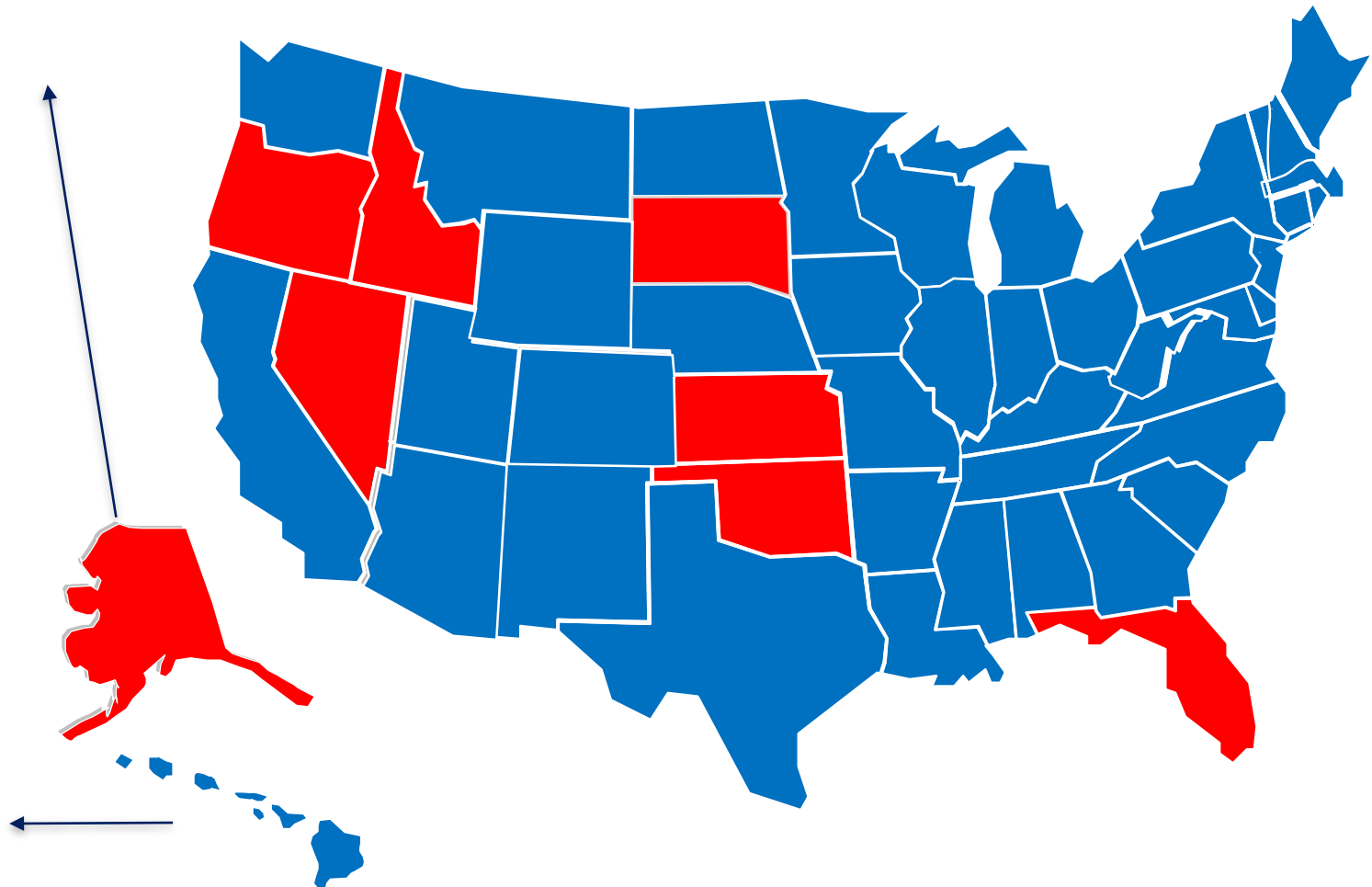
STATES THAT CONSISTENTLY USE GRAND JURY AND RECORD



■ STATES THAT USE GRAND JURY CONSISTENTLY AND RECORD WITNESS TESTIMONY 17



ADMISSIBILITY OF HEARSAY IN GRAND JURY

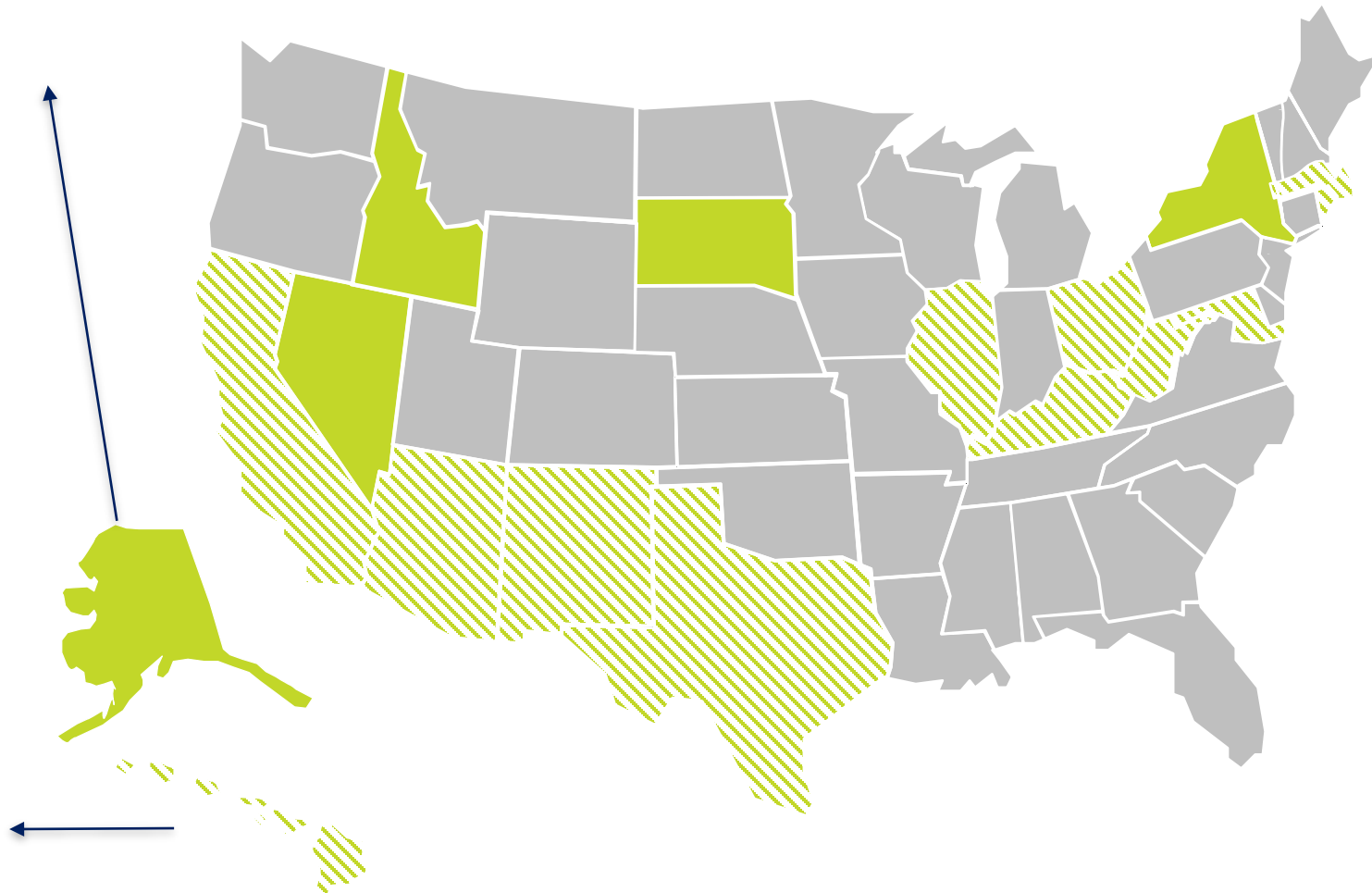


- HEARSAY STATEMENTS OF VICTIMS AND CITIZEN WITNESSES ADMISSIBLE IN GRAND JURY BY STATUTE 42
- RULES OF EVIDENCE APPLY TO GRAND JURY 8

WHILE 39 STATES USE GRAND JURY, ALL 50 STATES HAVE LAWS PERTAINING TO THE USE OF GRAND JURY



RULES OF EVIDENCE AND RECORDATION



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