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

Alaska	**Uses grand jury almost exclusively; preliminary hearings only rarely**: ✓ 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	**Uses both grand jury and preliminary hearings:** ✓ 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	**Uses both grand jury and preliminary hearings:** ✓ 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	**Uses both grand jury and preliminary hearings:** ✓ 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	**Does not use grand jury or preliminary hearing; allows pretrial deposition of witnesses:** ✓ 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

California	**Uses both grand jury and preliminary hearings:** ✓ 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)

For questions, contact Gail L Meyer, OCDLA Legislative Representative
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