

35.250 Admissibility of records of courts of inquiry.

- (1) In any case not extending to the dismissal of a commissioned officer, the sworn testimony, contained in the duly authenticated record of proceedings of a court of inquiry, of a person whose oral testimony cannot be obtained, may, if otherwise admissible under the rules of evidence, be read in evidence by any party before a court-martial if the accused was a party before the court of inquiry and if the same issue was involved or if the accused consents to the introduction of such evidence.
- (2) Such testimony may be read in evidence only by the defense in cases extending to the dismissal of a commissioned officer.
- (3) Such testimony may also be read in evidence before a court of inquiry.

Effective: June 25, 2013

History: Amended 2013 Ky. Acts ch. 32, sec. 51, effective June 25, 2013. -- Amended 1970 Ky. Acts ch. 56, sec. 36. -- Created 1954 Ky. Acts ch. 99, sec. 49, effective July 1, 1954.