

FINAL REPORT

Pa. R.E. 104 Comment Revision

In view of *Commonwealth v. Raab*, 594 Pa. 18, 934 A.2d 695 (2007), the language in the second paragraph of the Comment to Pa. R.E. 104(a) is misleading. The Committee on Rules of Evidence therefore recommended the changes noted to clarify that there now is express authority in Pennsylvania that the judge may consider hearsay evidence in preliminary hearing under Pa. R.E. 104.