

RI DISCOVERY TASK FORCE: 2018-SR 328

Index and description by **Folder: SUBJECT** of what is available @

<https://www.dropbox.com/sh/3t76nxypyImIf4l/AAAxoup7rrJWLRYFPU3c8TNja?dl=0>

Folder: **TASK FORCE LOGISTICS**

<ul style="list-style-type: none"> • <u>Senate Resolution R 328</u> • <u>Template for Outreach to Members of the Task Force Created By Senate Resolution # R 328 (Revised 2/20/19)</u>. Includes task force members and designees; purpose and mandate; and logistics and procedures. • <u>Working Agenda</u> (suggested issues for task force consideration) • <u>Organizational Letter & Agenda</u> (for 1st task force meeting held on 1/29/19) • <u>Approved Minutes</u> (task force meeting on 1/29/19) 	<ul style="list-style-type: none"> • <u>Consensus 1</u> (approved minutes of meeting held on 3/11/19) • <u>Agenda Draft 4-22-19</u> (meeting that day) • <u>Draft Minutes 4/22/19</u> • <u>Agenda Draft 5/20/19</u> • <u>Draft Minutes 5/20/19</u> • <u>Agenda Draft 6/24/19</u> • <u>Draft Minutes 6/24/19</u> • <u>Agenda Draft 7/9/19</u>
--	--

Folder:
POLICIES & PROCEDURES RELATING
TO CRIMINAL CASE DISCOVERY

- | | |
|--|--|
| <ul style="list-style-type: none"> • <u>PD APRA Summary</u>. Summarizes the RIPD's Access to Public Records Request and responses received as of 5/29/18 • <u>PD APRA Package I</u>. Discovery policies of the RI Attorney General, Dept. of Public Safety, and Central Falls, Charlestown, Johnston, and Middletown Police Departments • <u>PD APRA Package II</u>. Discovery policies of the Narragansett, North Smithfield, Tiverton, Warren, West Warwick, Westerly, and Woonsocket Police Departments • <u>RIPAC Standards</u>. Accreditation standards for RI law enforcement. The following Standards may relate to criminal discovery: 5.5-5.9; 8.1-8.4; 15.1-15.9; 16.1-16.10 • <u>USDOJ Policies</u>. Includes definitions of exculpatory and impeachment evidence; timing of disclosure; training; looking for and documenting the search for discoverable materials; and forensic evidence. | <ul style="list-style-type: none"> • <u>ABA Criminal Justice Standards</u> (recommendations for disclosure of discoverable materials by both prosecution and defense) • <u>RI State Police (RISP): General Order 9A</u> (policy for handling of Giglio material) • <u>International Association of Chiefs of Police (IACP): Two documents: 1) model policy for handling of Giglio material 2) position paper in support</u> (provided by Chief Sullivan, Lincoln Police Dept.) • <u>Washington State Standard on Giglio Material</u> (provided by Chris Crocker, RIPAC) • <u>(Federal) District of Rhode Island: Discovery Guidelines (10/15/10)</u> (provided by Mr. Dambruch & Mr. Youngs) • <u>Jason Kreag, The Brady Colloquy, 67 STAN. L. REV. ONLINE 47 (9/2/14)</u> |
|--|--|

Folder:
PROPOSED & ENACTED STATUTES & COURT RULES

- | | |
|--|---|
| <ul style="list-style-type: none"> • <u>NACDL Summaries</u>. Collection of proposed and enacted statutes and court rules in CA, CT, LA, MI, NB, NC, NH, NY, OH, OK, TX, UT, VA. • <u>NY Discovery Order</u>. Requires the entry of a standing discovery order applicable to both sides in all criminal cases. • <u>Michael Morton Discovery Act (TX)</u>. Detailed summary. • <u>VA Rule Changes</u>. • <u>RI. 2018-S 2420</u>. This legislation eventually resulted in the creation of the current task force. See especially compliance and certification provisions beginning at p.1, line 15-19 and p.2, line 1-18. • <u>RI. Testimony of the RI Public Defender in support of 2018-S 2420 & 2018-H 7595</u>. See especially description of compliance and certification provisions at pp.3-4. • <u>R. 16(b)(i)</u>. Rule allowing and SCORI decisions upholding the exclusion of evidence due to defendant's late disclosure of discoverable material. | <ul style="list-style-type: none"> • <u>NY Discovery Reform</u>: Recently enacted statute reforming discovery procedures. • <u>POST-Statute-Info</u>: Excerpts from RIGL Sec. 42-28.2-1, et seq. and other information about the Police Officers Commission on Standards & training (POST) • <u>RI Rule of Professional Conduct 3.8. Special responsibilities of a prosecutor.</u> • <u>State v. Guerrero, 331 Conn. 628, 631, 206 A.3d 160, 161 (2019)</u>(discusses application of Brady to prison phone calls made by inmates) |
|--|---|

Folder:
DRAFTS & MISCELLANEOUS

- NY State Bar Association Task Force on Criminal Discovery Final Report (12/1/14). See especially pp. 51-75 regarding recommendations for timely and complete disclosure of Brady materials and the flow of information between police and prosecutors.
- Suggested Steps / Minimum Standards to enhance the Complete & Timely Disclosure of Discoverable materials in Criminal Cases (initial working papers of the task force as it considers a variety of principles and approaches to discovery reform)
- Suggested Steps / Minimum Standards to enhance the Complete & Timely Disclosure of Discoverable materials in Criminal Cases: The Defense-Step 4-DRAFT (several options considered by the task force to address concerns voiced by the judiciary)
- Principles to Enhance the Timely & Complete Disclosure of Discoverable Materials in Criminal Cases I & II (these are the working papers of the task force as it considers a variety of principles and approaches to discovery reform)