

March 20, 2007

S 1009. DISCOVERY/DA WORK PRODUCT & CONFID. INFORMANT (=H 768). Filed 3/20/07. *TO CLARIFY THAT THE STATE IS NOT REQUIRED TO DISCLOSE THE IDENTITY OF A CONFIDENTIAL INFORMANT IN A CRIMINAL CASE UNLESS DISCLOSURE IS OTHERWISE REQUIRED BY LAW, AND TO PROTECT THE WORK PRODUCT OF PROSECUTORS.*

Identical to H 768, filed 3/14/07.

Intro. by Rand.

GS 15A

May 22, 2007

S 1009. DISCOVERY/DA NOTES (NEW). Filed 3/20/07. Senate committee substitute makes the following changes to 1st edition. Amends GS 15A-903 (disclosure of evidence by the state) to provide that oral statements made by a witness to a prosecuting attorney outside the presence of law enforcement are not required to be recorded or put in writing unless the statements contain information that is significantly new or different from the witness's prior statements. Amends GS 15A-904 (information not subject to disclosure) to limit the amount of a witness's personal identifying information the state is required to provide, absent a court's determination that the additional information is necessary to identify and locate the witness. Removes the proposed narrowing of the class of legal materials protected from disclosure.

August 27, 2007

SL 2007-377 (S 1009). DISCOVERY/DA NOTES. *AN ACT TO CLARIFY THAT A WITNESS'S ORAL STATEMENTS TO A PROSECUTING ATTORNEY DO NOT NEED TO BE RECORDED UNLESS THE STATEMENT CONTAINS SIGNIFICANTLY NEW OR DIFFERENT INFORMATION FROM A PRIOR STATEMENT AND TO PROVIDE WHAT TYPE OF WITNESS IDENTIFICATION INFORMATION MUST BE DISCLOSED TO THE DEFENDANT.* Summarized in *Daily Bulletin* 3/20/07 and 5/22/07. Enacted August 19, 2007. Effective August 19, 2007, and applies to pending cases.