

Prosecutor's Office
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Manhattan, KS 66502

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DISCOVERY INFORMATION SHEET

OPEN FILE POLICY

The City of Manhattan Prosecutor's Office maintains an open file discovery policy. Requests for copies of documents in the case file must follow the discovery request procedure.

DISCOVERY PROCEDURES

The defendant shall file a written request for discovery and supply the request to the City of Manhattan Prosecutor's Office. **Verbal request for discovery will not be accepted.** A Discovery Request Form is available free of charge at our office or online at [www. http://cityofmhk.com/1981/Court-Related-Forms-and-Documents](http://www.cityofmhk.com/1981/Court-Related-Forms-and-Documents). All defendants are encouraged to use the form as the preferred method of requesting discovery. Once the request for discovery has been delivered to the City of Manhattan Prosecutor's office, the request will be reviewed by a prosecutor and all discoverable materials will be collected.

When all discoverable materials have been collected, the requesting party will be notified by phone or email that the materials are ready to be picked up. If you believe that more material exists than has been provided, contact the Prosecutor's Office or file a Motion with the Manhattan Municipal Court stating the information sought and the basis for believing such items exist.

POLICE EQUIPMENT CERTIFICATIONS

Copies of certifications for police equipment such as radars, laser, window tint meters, breath testing instruments, etc. are not normally provided in the discovery materials. To obtain copies of these certifications you should indicate on the discovery request form which documents are being requested.

THIRD PARTY AUDIO AND VIDEO

In some cases the City of Manhattan may not have access to third party audio or video recordings if the recordings were not collected as evidence. In this situation, you will need to independently contact the third party to make arrangements for reproduction or viewing.

TECHONOLOGY ISSUES

It is not the responsibility of the City of Manhattan Prosecutor's Office to provide viewing equipment and/or software for audio or video recordings. If you have an issue viewing a video, they may contact the City of Manhattan Prosecutor's office to make arrangements to view the recording at our office when time and circumstance permits.

RECIPROCAL DISCOVERY

The City Prosecutor's Office request that any defendant who receives discovery through this office to provide reciprocal discovery of any photographs, scientific or medical reports, books, papers, documents, tangible objects, or copies portions thereof, which the defendant intends produce at any hearings, and which are material to the case and will not place an unreasonable burden on the defense. Reciprocal discovery is to be provided by 21 days after arraignment or 10 days before trial, whichever occurs first in time.

RESTRICTIONS ON DISCLOSURE

Pursuant to KSA 22-2312(b), personal identifying information such as birthdates, social security numbers, taxpayer identification numbers, driver's license numbers, account numbers of active financial accounts, home addresses and personal telephone numbers of any victims or material witnesses may be redacted in discovery material.

Prosecutor's Office

DISCOVERY REQUEST FORM

(To be returned to the City of Manhattan Prosecutor's Office)

City of Manhattan vs. _____

Docket #: _____

Pro Se; I am the Defendant and I am representing myself.

Police report #: _____

Email: _____

Citation #: _____

Phone: _____

By making this discovery request, I agree to the following:

- 1) I am the Defendant in the above listed case and represent myself.
- 2) I, the Defendant, agree that I will be responsible for and pay the cost of document(s) and/or audio, photos and video reproduction.
- 3) I agree to provide the reciprocal discovery to the City Prosecutor's Office as specified in the discovery information sheet, to include but not limited to any photos, videos and/or reports I intend to present or use in relation to this case.
- 4) I will not give, loan, reproduce, post for public view or upload to social media, any audio, photos, video, or narratives or police reports and/or DVDs to/for any other person.

ITEMS REQUESTED

- RCPD Reports RCPD In-Car Video/Audio RCPD Body Worn Camera Photographs
- Intoxilyzer Records KBI Lab Report Copy of Complaint/Citation with Notes 911 Audio
- Other (Specify): _____

Defendant's Signature

Date Requested

Date Received & Initials

Approved by: _____

Date: _____

Notes:

City Prosecutor