

DISCOVERY INFORMATION SHEET

OPEN FILE POLICY

The City of Rossville Prosecutor's Office maintains an open file discovery policy. Any defense attorney or pro se defendant may make an appointment to view the case file regarding their pending case subject to established evidentiary privileges and confidentiality. Requests for copies of documents in the case file should follow the discovery request procedure.

DISCOVERY PROCEDURES

The defense shall file a written request for discovery and supply the request to the City of Rossville Prosecutor's Office. A Discovery Request form is available either at our office or online at www.rossvillekansas.us. All defendants and their attorneys are encouraged to use this form when requesting discovery. Once the request for discovery has been delivered to the City of Rossville Prosecutor's Office, the request will be reviewed by a prosecutor and all discoverable materials will be collected. Charges for discovery will apply.

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 a Defendant believes that more materials exist than have been provided, a motion may be filed with the Rossville 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, lasers, window tint meters, breath testing instruments, etc. are not normally provided in the discovery materials. However, copies of these certifications are kept on file in the City Prosecutors Office and are available for inspection. A defendant or defense counsel wishing to obtain their own copies of these certifications should indicate on the discovery request form which documents are being requested.

THIRD PARTY AUDIO AND VIDEO

In some cases, the City of Rossville may not have access to third party audio or video recordings if the recording were not collected as evidence. In this situation, the defense will be instructed as to who has possession and control of the recording and will be directed to the third party to make arrangements for reproduction or viewing.

TECHONOLOGY ISSUES

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

RECIPROCAL DISCOVERY

The City Prosecutor's Office requests that any Defendant or defense counsel who receives discovery through this office to provide reciprocal discovery of any photograph, scientific or medical reports, books, papers, documents, tangible objects, or copies or portions thereof, which the defendant intends to produce at any hearing, and which are material to the case and will not place an unreasonable burden on the defense.

RESTRICTIONS ON DISCOURSE

Pursuant to KSA 22-2312(b), personal identifying information such as birthdates, social security number, taxpayer identification numbers, driver's license numbers, account numbers of active financial accounts, home addresses and personal telephone numbers or any victims or material witnesses may be redacted in discovery materials. If un-redacted personal identifying information is provided, the defendant's counsel shall not further disclose the un-redacted numbers of identifiers to the defendant or any other person, directly or indirectly, except as authorized by order of the court.