

State	Discovery Rule	Language of Discovery Rule
AL	AL ST RCRP Rule 16.1(b)	<p>Statements of co-defendant or accomplice. Upon written request of the defendant, the prosecutor shall, within fourteen (14) days after the request has been filed in court as required by Rule 16.4(c), or within such shorter or longer period as may be ordered by the court, on motion, for good cause shown:</p> <p>(1) Permit the defendant to inspect and to copy any written or recorded statements made by a co-defendant or accomplice to any law enforcement officer, official, or employee, which are within the possession, custody, or control of the state/municipality, the existence of which is known to the prosecutor and which the state/municipality intends to offer in evidence at the trial; and</p> <p>(2) Disclose the substance of any oral statements made by any such codefendant or accomplice, before or after arrest, to any law enforcement officer, official, or employee which the state/municipality intends to offer in evidence at the trial.</p>
AK	Alaska R. Crim. P. 16(b)(1)(A)(iii)	<p>(A) Except as otherwise provided as to matters not subject to disclosure an protective orders, the prosecuting attorney shall disclose the following information within the prosecuting attorney's possession or control to defense counsel and make available for inspection and copying:</p> <p>(iii) Any written or recorded statements and summaries of statements and the substance of any oral statements made by a co-defendant</p>
AR	Ark. R. Crim. P. 17.1(a)(1) Ark. R. Crim. P. 17.5(a)-(c)	<p>(a) Subject to the provisions of Rules 17.5 and 19.4, the prosecuting attorney shall disclose to defense counsel, upon timely request, the following material and information which is or may come within the possession, control, or knowledge of the prosecuting attorney:</p> <p>(ii) any written statements and the substance of any oral statements made by the defendant or a codefendant</p> <p><i>Matters not subject to disclosure.</i></p> <p>(a) Work Product. Except as provided in Rule 17.1(a)(i) and (iv), disclosure shall not be required of research or of records, correspondence, reports or memoranda to the extent that they contain the opinions, theories or conclusions of the prosecuting attorney or members of his staff or other state agents.</p> <p>(b) Informants. Disclosure shall not be required of an informant's identity where his identity is a prosecution secret and a failure to disclose will not infringe upon the constitutional rights of the defendant. This subsection shall not be construed to permit refusal to disclose the identity of witnesses to be produced at any hearing or at trial.</p> <p>(c) National Security. Disclosure shall not be required where it involves a substantial risk of grave prejudice to national security and a failure to disclose will not infringe upon the constitutional rights of the defendant. This subsection shall not be construed to permit refusal to disclose the identity of witnesses to be produced at any hearing or at trial.</p>
CA	Cal. Penal Code	The prosecuting attorney shall disclose to the defendant or his or her attorney all of the following material and

	<p>§1054.1(b)</p> <p>Cal. Penal Code §1054.6 1054.7</p>	<p>information, if it is in the possession of the prosecuting attorney or if the prosecuting attorney knows it to be in the possession of the investigating agencies:</p> <p>(b) Statements of all defendants.</p> <p>Neither the defendant nor the prosecuting attorney is required to disclose any materials or information which are work product as defined in subdivision (a) of Section 2018.020 of the Code of Civil Procedure, or which are privileged pursuant to an express statutory provision, or are privileged as provided by the Constitution of the United States.</p>
CO	<p>Co ST RCRP Rule 16(1)(a)(VI) and (VIII)</p> <p>Co ST RCRP Rule 16(1)(e)</p>	<p>(1)(a) Prosecutors Obligations.</p> <p>(1) The prosecuting attorney shall make available to the defense the following material and information which is within the possession or control of the prosecuting attorney, and shall provide duplicates upon request, and concerning the pending case:</p> <p>(VI) All tapes and transcripts of any electron surveillance (including wiretaps) of conversations involving the accused, any codefendant or witness in the case.</p> <p>(VIII) All written or recorded statements of the accused or of a codefendant, and the substance of any oral statements made to the police or prosecution by the accused or by a codefendant, if the trial is to be a joint one.</p> <p>(e) Matters not Subject to Disclosure.</p> <p>(1) Work Product. Disclosure shall not be required of legal research or of the records, correspondence, reports, or memoranda to the extent that they contain the opinions, theories, or conclusions of the prosecuting attorney or members of his legal staff.</p> <p>(2) Informants. Disclosure shall not be required of an informant's identity where his or her identity is a prosecution secret and a failure to disclose will not infringe the constitutional rights of the accused. Disclosure shall not be denied hereunder of the identity of witnesses to be produced at a hearing or trial.</p>
CT	<p>Conn. Practice Book 40-11(a)(6)(i) and (ii)</p> <p>Conn. Practice Book 40-14</p>	<p>(a) Upon written request by a defendant filed in accordance with Section 41-5 and without requiring any order of the judicial authority, the prosecuting authority, subject to Section 40-40 et seq.; shall promptly but no later than forty-five days from the filing of the request, unless such time is extended by the judicial authority for good cause shown, disclose in writing the existence of, provide photocopies of, and allow the defendant in accordance with Section 40-7, to inspect, copy, photograph and have reasonable tests made on any of the following items.</p> <p>(6)(i) Any written, recorded or oral statements made by the defendant or a codefendant before or after arrest to any law enforcement officer or to a person acting under the direction or in cooperation with a law enforcement officer concerning the offense charged; or</p> <p>(ii) Any relevant statements of coconspirators which the prosecuting authority intends to offer in evidence at any trial or hearing.</p>

		<p>Subject to Sections 40-13 and 40-13A and except for the substance of any exculpatory material contained herein, Sections 40-11 through 40-14 do not authorize or require disclosure or inspection of:</p> <p>(1) Reports, memoranda or other internal documents made by a prosecuting authority or by law enforcement officers in connection with the investigation or prosecution of the case;</p> <p>(2) Legal research;</p> <p>(3) Records, correspondence, reports or memoranda to the extent that they contain the opinions, theories or conclusions of a prosecuting authority.</p>
DE	<p>Del. Super. Ct. Crim. R. 16(a)(1)(A)</p> <p>Del. Super. Ct. Crim. R. 16(a)(2)</p>	<p>(A) Statement of Defendant. Upon request of a defendant the state shall disclose to the defendant and make available for inspection, copying, or photographing: any relevant written or recorded statements made by the defendant or a codefendant (whether or not charged as a principal, accomplice or accessory in the same or in a separate proceeding), or copies thereof, within the possession, custody, or control of the state, the existence of which is known, or by the exercise of due diligence may become known, to the attorney general; that portion of any written record containing the substance of any relevant oral statement made by the defendant whether before or after arrest in response to interrogation by any person then known to the defendant to be a state agent; and recorded testimony of the defendant before a grand jury which relates to the offense charged. The state shall also disclose to the defendant the substance of any other relevant oral statement made by the defendant whether before or after arrest in response to interrogation by any person then known by the defendant to be a state agent if the state intends to use that statement at trial. Where the defendant is a corporation, partnership, association or labor union, the court may grant the defendant, upon its motion, discovery of relevant recorded testimony of any witness before a grand jury who (1) was, at the time of that testimony, so situated as an officer or employee as to have been able legally to bind the defendant in respect to conduct constituting the offense, or (2) was, at the time of the offense, personally involved in the alleged conduct constituting the offense and so situated as an officer or employee as to have been able legally to bind the defendant in respect to that alleged conduct in which the witness was involved.</p> <p>(2) Information Not Subject to Disclosure. Except as provided in paragraphs (A), (B), (D) and (E) of subdivision (a)(1), this rule does not authorized the discovery or inspection of reports, memoranda, or other internal state documents made by the attorney general or other state agents in connection with the investigation or prosecution of the case, or statements by state witnesses or prospective witnesses.</p>
FL	<p>Fla. R. Crim. P. 3.220(b)(1)(a)(C)(D)</p> <p>Fla. R. Crim. P. 3.220(g)</p>	<p>(1) Within 15 days after service of the Notice of Discovery, the prosecutor shall serve a written Discovery Exhibit which shall disclose to the defendant and permit the defendant to inspect, copy, test, and photograph the following information and material within the state's possession or control, except that any property or material that portrays sexual performance by a child or constitutes child pornography may not be copied, photographed, duplicated, or otherwise reproduced so long as the state attorney makes the property or material reasonably available to the defendant or the defendant's attorney:</p> <p>(C) any written or recorded statements and the substance of any oral statements made by the defendant,</p>

		<p>including a copy of any statements contained in police reports or report summaries, together with the name and address of each witness to the statements;</p> <p>(D) any written or recorded statements and the substance of any oral statements made by a codefendant;</p> <p>(g) Matters not Subject to Disclosure.</p> <p>(1) Work Product. Disclosure shall not be required of legal research or of records, correspondence, reports, or memoranda to the extent that they contain the opinions, theories, or conclusions of the prosecuting or defense attorney or members of their legal staffs.</p> <p>(2) Informants: Disclosure of a confidential informant shall not be required unless the confidential informant is to be produced at a hearing or trial or a failure to disclose the informant's identity will infringe the constitutional rights of the defendant.</p>
GA	<p>Ga. Code Ann. § 17-16-4 (a)(1)</p> <p>Ga. Code Ann. § 17-16-4(d)</p> <p>Ga. Code Ann. § 17-16-7</p>	<p>(a)(1) The prosecuting attorney shall, no later than ten days prior to trial, or at such time as the court orders, disclose to the defendant and make available for inspection, copying, or photographing any relevant written or recorded statements made by the defendant, or copies thereof, within the possession, custody, or control of the state or prosecution and that portion of any written record containing the substance of any relevant oral statement made by the defendant, whether before or after arrest, in response to interrogation by any person then known to the defendant to be a law enforcement officer or member of the prosecuting attorney's staff. The prosecuting attorney shall also disclose to the defendant the substance of any other relevant oral statement made by the defendant, before or after arrest, in response to interrogation by any person then known by the defendant to be a law enforcement officer or member of the prosecuting attorney's staff if the state intends to use that statement at trial. The prosecuting attorney shall also disclose to the defendant the substance of any other relevant written or oral statement made by the defendant while in custody, whether or not in response to interrogation. Statements of coconspirators that are attributable to the defendant and arguably admissible against the defendant at trial also shall be disclosed under this Code section. Where the defendant is a corporation, partnership, association, or labor union, the court may grant the defendant, upon its motion, discovery of any similar such statement of any witness who was:</p> <p style="text-align: right;">(A) At the time of the statement, so situated as an officer or employee as to have been legally able to bind the defendant in respect to conduct constituting the offense; or</p> <p>(B) At the time of the offense, personally involved in the alleged conduct constituting the offense and so situated as an officer or employee as to have been legally able to bind the defendant in respect to that alleged conduct in which the witness was involved.</p> <p>(d) Upon a sufficient showing that a discovery required by this article would create a substantial threat of physical or economic harm to a witness, the court may at any time order that the discovery or inspection be denied, restricted, or deferred or make such other order as is appropriate. Upon motion by a party, the court may permit the party to make</p>

		<p>such showing, in whole or in part, in the form of a written statement to be inspected by the judge alone. If the court enters an order granting relief following such an ex parte showing, the entire text of the party's statement shall be sealed and preserved in the records of the court subject to further order of the court and to be made available to the appellate court in the event of an appeal.</p> <p>No later than ten days prior to trial or at such time as the court permits, or at the time of any post-indictment pretrial evidentiary hearing other than a bond hearing, the prosecution or the defendant shall produce for the opposing party any statement of any witness that is in the possession, custody, or control of the state or prosecution or in the possession, custody, or control of the defendant or the defendant's counsel that relates to the subject matter concerning the testimony of the witness that the party in possession, custody, or control of the statement intends to call as a witness at trial or at such post-indictment pretrial evidentiary hearing.</p>
HI	<p>Haw. R. Penal P. 16(b)(1)</p> <p>Haw. R. Penal P. 16(e)(5)</p>	<p>(b) Disclosure by the Prosecution.</p> <p>(1) <i>Disclosure of Matters Within Prosecution's Possession.</i> The prosecutor shall disclose to the defendant or the defendant's attorney the following material and information within the prosecutor's possession or control:</p> <p>(i) the names and last known addresses of persons whom the prosecutor intends to call as witnesses in the presentation of the evidence in chief, together with any relevant written or recorded statements, provided that statements recorded by the prosecutor shall not be subject to disclosure;</p> <p>(ii) any written or recorded statements and the substance of any oral statements made by the defendant, or made by a co-defendant if intended to be used in a joint trial, together with the names and last known addresses of persons who witnessed the making of such statements;</p> <p>(iv) any books, papers, documents, photographs, or tangible objects which the prosecutor intends to introduce, or which were obtained from or which belong to the defendant, or which are material to the preparation of the defense and are specifically designated in writing by defense counsel;</p> <p>(e) Regulation of Discovery.</p> <p>(5) <i>Matters Not Subject to Disclosure.</i></p> <p>(i) Work Product. Disclosure shall not be required of legal research or of records, correspondence, reports or memoranda to the extent that they contain the opinions, theories or conclusions of a party's attorney or members of the attorney's legal staff, provided that the foregoing shall not be construed to prohibit the disclosures required under section (c)(3) of this rule and Rule 12.1.</p> <p>(ii) Informants. Disclosure of an informant's identity shall not be required where the informant's identity is a prosecution secret and a failure to disclose will not infringe the constitutional rights of the defendant. Disclosure shall not be denied hereunder of the identity of a witness intended to be produced at a hearing or trial.</p>

ID	<p>I.C.R. 16(b)(1)-(2) and (6)</p> <p>I.C.R. 16(g)</p> <p>I.C.R. 16(h)</p>	<p>(b) Disclosure of evidence and materials by the prosecution upon written request. Except as otherwise hereinafter provided in this rule, the prosecuting attorney shall at any time following the filing of charges, upon written request by the defendant, disclose the following information, evidence and material to the defendant, which shall not be filed with the court, unless otherwise ordered.</p> <p>(1) Statement of defendant. Upon written request of a defendant the prosecuting attorney shall permit the defendant to inspect and copy or photograph: any relevant written or recorded statements made by the defendant, or copies thereof, within the possession, custody or control of the state, the existence of which is known or is available to the prosecuting attorney by the exercise of due diligence; and also the substance of any relevant, oral statement made by the defendant whether before or after arrest to a peace officer, prosecuting attorney or the prosecuting attorney's agent; and the recorded testimony of the defendant before a grand jury which relates to the offense charged. (2) Statement of a co-defendant. Upon written request of a defendant the prosecuting attorney shall permit the defendant to inspect and copy or photograph any written or recorded statements of a co-defendant; and the substance of any relevant oral statement made by a co-defendant whether before or after arrest in response to interrogation by any person known by the co-defendant to be a peace officer or agent of the prosecuting attorney.</p> <p>(6) State witnesses. Upon written request of the defendant the prosecuting attorney shall furnish to the defendant a written list of the names and addresses of all persons having knowledge of relevant facts who may be called by the state as witnesses at the trial, together with any record of prior felony convictions of any such person which is within the knowledge of the prosecuting attorney. The prosecuting attorney shall also furnish upon written request the statements made by the prosecution witnesses or prospective prosecution witnesses to the prosecuting attorney or the prosecuting attorney's agents or to any official involved in the investigatory process of the case unless a protective order is issued as provided in Rule 16(k).</p> <p>(g) Prosecution information not subject to disclosure. (1) Work product. Disclosure shall not be required of legal research or of records, correspondence, reports of memoranda to the extent that they contain the opinions, theories or conclusions of the prosecuting attorney or members of the prosecuting attorney's legal staff. (2) Informants. Disclosure shall not be required of an informant's identity unless such informant is to be produced as a witness at a hearing or trial, subject to any protective order under Rule 16(k) or a disclosure order under Rule 16(b)(8).</p> <p>(h) Defense information not subject to disclosure. Except as to scientific or medical reports, this rule does not authorize the discovery or inspection of reports, memoranda, or other internal defense documents made by the defendant, or defendant's attorneys or agents in connection with the investigation or defense of the case, or of statements made by the defendant or state or defense witnesses, or prospective state or defense witnesses to the defendant, defendant's agents or attorneys.</p>
IL	IL R.S.CT. Rule 412 (a)	a) Except as is otherwise provided in these rules as to matters not subject to disclosure and protective orders, the State

	<p>IL R.S.CT. Rule 412(j) (iii)</p>	<p>shall, upon written motion of defense counsel, disclose to defense counsel the following material and information within its possession or control:</p> <p>(i) the names and last known addresses of persons whom the State intends to call as witnesses, together with their relevant written or recorded statements, memoranda containing substantially verbatim reports of their oral statements, and a list of memoranda reporting or summarizing their oral statements. Upon written motion of defense counsel memoranda reporting or summarizing oral statements shall be examined by the court <i>in camera</i> and if found to be substantially verbatim reports of oral statements shall be disclosed to defense counsel;</p> <p>(ii) any written or recorded statements and the substance of any oral statements made by the accused or by a codefendant, and a list of witnesses to the making and acknowledgment of such statements;</p> <p>(j) Matters Not Subject to Disclosure.</p> <p>(i) <i>Work Product.</i> Disclosure under this rule and Rule 413 shall not be required of legal research or of records, correspondence, reports or memoranda to the extent that they contain the opinions, theories or conclusions of the State or members of its legal or investigative staffs, or of defense counsel or his staff.</p> <p>(ii) <i>Informants.</i> Disclosure of an informant's identity shall not be required where his identity is a prosecution secret and a failure to disclose will not infringe the constitutional rights of the accused. Disclosure shall not be denied hereunder of the identity of witnesses to be produced at a hearing or trial.</p> <p>(iii) <i>National Security.</i> Disclosure shall not be required where it involves a substantial risk of grave prejudice to national security and where a failure to disclose will not infringe the constitutional rights of the accused. Disclosure shall not thus be denied hereunder regarding witnesses or material to be produced at a hearing or trial.</p>
IN	Rule 3.8 State Court rules	<p>¶ In a criminal case shall: make timely disclosure to the defense of all evidence or information known to the prosecutor that tends to negate the guilt of the accused or mitigates the offense and in connection with sentencing, disclose to the defense and to the tribunal all unprivileged mitigating information known to the prosecutor except when the prosecutor is relieved of this responsibility by a protective order</p>
IA	Iowa R. Civ. P. 2.149(1) 2.14(6)(a)	<p>1) Witnesses examined by the prosecuting attorney. When a witness subpoenaed by the prosecuting attorney pursuant to rule 2.5 is summoned by the prosecuting attorney after complaint, indictment or information, the defendant shall have a right to be present and have the opportunity to cross-examine any witnesses whose appearance before the county attorney is required by this rule.</p>

		<p>(2) Disclosure of evidence by the state upon defense motion or request.</p> <p><i>a.</i> Disclosure required upon request.</p> <p>(2) When two or more defendants are jointly charged, upon the filed request of any defendant the attorney for the state shall permit the defendant to inspect and copy or photograph any written or recorded statement of a codefendant which the state intends to offer in evidence at the trial, and the substance of any oral statement which the state intends to offer in evidence at the trial made by a codefendant whether before or after arrest in response to interrogation by any person known to the codefendant to be a state agent.</p>
KS	<p>Kan. Stat. Ann. § 22-3212(b)(1) and (3)</p> <p>Kan. Stat. Ann. § 22-3213(a)-(d)</p>	<p>(b)(1) Except as provided in subsection (1), upon request, the prosecuting attorney shall permit the defense to inspect and copy or photograph books, papers, documents, tangible objects, buildings or places, or copies, or portions thereof, which are or have been within the possession, custody or control of the prosecution, and which are material to the case and will not place an unreasonable burden upon the prosecution.</p> <p>(3) Except as provided in subsections (a)(2) and (a)(4), and as otherwise provided by law, this section does not authorize the discovery or inspection of reports, memoranda or other internal government documents made by officers in connection with the investigation or prosecution of the case, or of statements made by state witnesses or prospective state witnesses, other than the defendant.</p> <p>(a) In any criminal prosecution brought by the state of Kansas, no statement or report in the possession of the prosecution which was made by a state witness or prospective state witness, other than the defendant, shall be the subject of subpoena, discovery or inspection until such witness has testified on direct examination at the preliminary hearing or in the trial of the case.</p> <p>(b) After a witness called by the state has testified on direct examination, the court shall, on motion of the defendant, order the prosecution to produce any statement, as defined in subsection (d), of the witness in the possession of the prosecution which relates to the subject matter as to which the witness has testified. If the entire contents of any such statement relate to the subject matter of the testimony of the witness, the court shall order it to be delivered directly to the defense for examination and use by the defense.</p> <p>(c) If the prosecution claims that any statement ordered to be produced under this section contains matter which does not relate to the subject matter of the testimony of the witness, the court shall order the prosecution to deliver such statement for the inspection of the court in camera. Upon such delivery the court shall excise the portions of such statement which do not relate to the subject matter of the testimony of the witness. With such material excised, the court shall then direct delivery of such statement to the defense for use by the defense. If, pursuant to such procedure, any portion of such statement is withheld from the defense and the defense objects to such withholding, and the trial is continued to an adjudication of the guilt of the defendant, the entire text of such statement shall be preserved by the prosecution and, in the event the defendant appeals, shall be made available to the appellate court for the purpose of</p>

		<p>determining the correctness of the ruling of the trial judge. Whenever any statement is delivered to a defense pursuant to this section, the court in its discretion, upon application of the defense, may recess proceedings in the trial for such time as it may determine to be reasonably required for the examination of such statement by the defense and preparation for its use in the trial.</p> <p>(d) The term “statement,” as used in subsections (b) and (c) in relation to any witness called by the prosecution means:</p> <p>(1) A written statement made by such witness and signed or otherwise adopted or approved by such witness; or</p> <p>(2) a stenographic, mechanical, electrical or other recording, or a transcription thereof, which is a substantially verbatim recital of an oral statement made by such witness and recorded contemporaneously with the making of such oral statement.</p>
KY	<p>Ky. RCr 7.24(2)</p> <p>Ky. RCr 7.26(1) and (2)</p>	<p>(2) On motion of a defendant the court may order the attorney for the Commonwealth to permit the defendant to inspect and copy or photograph books, papers, documents or tangible objects, or copies or portions thereof, that are in the possession, custody or control of the Commonwealth, upon a showing that the items sought may be material to the preparation of the defense and that the request is reasonable. This provision authorizes pretrial discovery and inspection of official police reports, but not of memoranda, or other documents made by police officers and agents of the Commonwealth in connection with the investigation or prosecution of the case, or of statements made to them by witnesses or by prospective witnesses (other than the defendant).</p> <p>(1) Except for good cause shown, not later than forty-eight (48) hours prior to trial, the attorney for the Commonwealth shall produce all statements of any witness in the form of a document or recording in its possession which relates to the subject matter of the witness's testimony and which (a) has been signed or initialed by the witness or (b) is or purports to be a substantially verbatim statement made by the witness. Such statement shall be made available for examination and use by the defendant.</p> <p>(2) If the Commonwealth claims that a statement to be produced under this Rule 7.26 does not relate to the subject matter of the witness's testimony, the court shall examine the statement privately and, before making it available for examination and use by the defendant, excise the portions that do not so relate. The entire text of the statement shall be sealed and preserved in the records of the court to be made available to the appellate court in the event of an appeal by the defendant.</p>
LA	<p>La. Code Crim. Proc. Ann. art. 716(A)-(D)</p>	<p>A. Upon written motion of the defendant, the court shall order the district attorney to disclose to the defendant, and to permit or authorize the defendant to inspect and copy, photograph or otherwise reproduce any relevant written or</p>

	<p>La. Code Crim. Proc. Ann. art. 723(A)</p>	<p>recorded confession or statement of any nature, including recorded testimony before a grand jury, or copy thereof, of the defendant in the possession, custody, control, or knowledge of the district attorney.</p> <p>B. Except as provided by Paragraph C of this Article, upon written motion of the defendant, the court shall order the district attorney to inform the defendant of the existence, but not the contents, of any oral confession or statement of any nature made by the defendant or any codefendant which the district attorney intends to offer in its case in chief at the trial, with the information as to when, where, and to whom such oral confession or statement was made.</p> <p>C. Upon written motion of the defendant, the court shall order the district attorney to inform the defendant of the substance of any oral statement made by the defendant or any codefendant which the state intends to offer in its case in chief at the trial, whether before or after arrest, in response to interrogation by any person then known to the defendant or the codefendant to be a law enforcement officer.</p> <p>D. Upon written motion of the defendant, the court shall order the district attorney to disclose to the defendant, and to permit or authorize the defendant to inspect and copy any written or recorded statements of any witness the state intends to call in its case in chief at the trial. For purposes of this Article: (1) “written or recorded statement of a witness” shall mean any audio or audio-video recording of an oral statement or interview of a witness, and any statement a witness writes or signs; (2) for the purposes of this Article, “trial” shall mean the phase of the case at which the state attempts to meet its burden as to guilt, and specifically does not extend to pretrial matters or hearings, or to the penalty phase in capital prosecutions. The state need not provide the defendant any written or recorded statement of its witnesses until immediately prior to the opening statement at trial.</p> <p>A. Except as specifically provided in this Chapter, this Chapter does not authorize the discovery or inspection of reports, memoranda, notes, or other internal state documents made by the district attorney or by agents of the state in connection with the investigation or prosecution of the case; or of any document, notes, or other items which contain the mental impressions of any attorney for the state or any investigator working on behalf of such attorney.</p> <p>B. Notwithstanding any provision to the contrary contained herein, the state shall provide the defendant with any evidence constitutionally required to be disclosed pursuant to <i>Brady v. Maryland</i>, 373 U.S. 83 (1963) and its progeny.</p>
ME	<p>ME R U CRIM P Rule 16(a)(1)</p> <p>ME R U CRIM P Rule 16(a)(2)(D)</p>	<p>(a) Automatic Discovery.</p> <p>(1) <i>Scope of Automatic Discovery.</i> The attorney for the State shall provide as automatic discovery all matters set forth in this subdivision that are within the possession or control of the attorney for the State. The obligation of the attorney for the State extends to matters within the possession or control of any member of the attorney for the State's staff and of any official or employee of this State or any political subdivision thereof who regularly reports or who, with</p>

<p>ME R U CRIM P Rule 16(a)(2)(F)</p> <p>ME R U CRIM P Rule 16(a)(2)(I)</p> <p>ME R U CRIM P Rule 16(a)(3)</p> <p>ME R U CRIM P Rule 16(c)(1) and (2)</p>	<p>reference to a particular case, has reported to the office of the attorney for the State.</p> <p>(2) <i>Duty of the Attorney for the State.</i> The attorney for the State shall provide the following to the defendant:</p> <p>(D) A statement describing any matter or information known to the attorney for the State that may not be known to the defendant and that tends to create a reasonable doubt of the defendant's guilt as to the crime charged.</p> <p>(F) Any books, papers, documents, electronically stored information, photographs (including motion pictures and video tapes), tangible objects, buildings or places, or copies or portions thereof, that the attorney for the State intends to use as evidence in any proceeding or that were obtained or belong to the defendant.</p> <p>(I) Written or recorded statements of witnesses and summaries of statements of witnesses contained in police reports or similar matter.</p> <p>(3) <i>Exception: Work Product.</i> The attorney for the State is not required to disclose legal research or records, correspondence, reports, or memoranda to the extent that they contain the mental impressions, conclusions, opinions, or legal theories of the attorney for the State or members of his or her legal staff.</p> <p>c) Discovery Upon Request.</p> <p>(1) <i>Scope and Timing of Request.</i> Except as to materials the State is required to provide as automatic discovery pursuant to subparagraph (a)(2) or work product as defined in subparagraph (a)(3), a defendant may make a written request to have the State provide any other books, papers, documents, electronically stored information, photographs (including motion pictures and videotapes), or copies or portions thereof, or tangible objects, or access to buildings or places, that are material and relevant to the preparation of the defense.</p> <p>(2) <i>Response by the Attorney for the State.</i> Upon receipt of a written request from the defendant pursuant to subdivision (c)(1), the attorney for the State shall, within a reasonable time, provide a written response to the defendant that:</p> <p>(A) provides the requested material, in the manner dictated by subdivision (a)(4);</p> <p>(B) notifies the defendant that the requested material will be provided as soon as it can reasonably be obtained by the State;</p> <p>(C) notifies the defendant that the requested material is not within the possession or control of the State; or</p> <p>(D) notifies the defendant that the State objects to the request.</p> <p>If additional material that would have been furnished to the defendant under this subdivision comes within the possession or control of the attorney for the State after the defendant has had access to similar materials, the attorney for the State shall so inform the defendant within 14 days thereafter.</p>
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		ME R U CRIM P Rule 16
MD	Md. Rule 4-263(d)(1) Md. Rule 4-263(d)(6)	(d) Disclosure by the State's Attorney. (1) <i>Statements</i> . All written and all oral statements of the defendant and of any co-defendant that relate to the offense charged and all material and information, including documents and recordings, that relate to the acquisition of such statements; (6) <i>Impeachment Information</i> . All material or information in any form, whether or not admissible, that tends to impeach a State's witness, including: (A) evidence of prior conduct to show the character of the witness for untruthfulness pursuant to Rule 5-608 (b); (B) a relationship between the State's Attorney and the witness, including the nature and circumstances of any agreement, understanding, or representation that may constitute an inducement for the cooperation or testimony of the witness;
MA	Mass. R. Crim. P. 14(a)(1)(A)(i) Mass. R. Crim. P. 14(5)	(a) Procedures for Discovery. (1) <i>Automatic Discovery</i> . (A) <i>Mandatory Discovery for the Defendant</i> . The prosecution shall disclose to the defense, and permit the defense to discover, inspect and copy, each of the following items and information at or prior to the pretrial conference, provided it is relevant to the case and is in the possession, custody or control of the prosecutor, persons under the prosecutor's direction and control, or persons who have participated in investigating or evaluating the case and either regularly report to the prosecutor's office or have done so in the case: (i) Any written or recorded statements, and the substance of any oral statements, made by the defendant or a co-defendant. (5) <i>Work Product</i> . This rule does not authorize discovery by a party of those portions of records, reports, correspondence, memoranda, or internal documents of the adverse party which are only the legal research, opinions, theories, or conclusions of the adverse party or its attorney and legal staff, or of statements of a defendant, signed or unsigned, made to the attorney for the defendant or the attorney's legal staff.
MI	MI R RCRP MCR 6.201(A)(1) and (2)	(A) <i>Mandatory Disclosure</i> . In addition to disclosures required by provisions of law other than MCL 767.94a, a party upon request must provide all other parties:

	<p>MI R RCRP MCR 6.201(B)(2)-(3) and (5)</p> <p>MI R RCRP MCR 6.201(C)(1) and (2)</p>	<p>(1) the names and addresses of all lay and expert witnesses whom the party may call at trial; in the alternative, a party may provide the name of the witness and make the witness available to the other party for interview; the witness list may be amended without leave of the court no later than 28 days before trial;</p> <p>(2) any written or recorded statement, including electronically recorded statements, pertaining to the case by a lay witness whom the party may call at trial, except that a defendant is not obliged to provide the defendant's own statement;</p> <p>B) Discovery of Information Known to the Prosecuting Attorney. Upon request, the prosecuting attorney must provide each defendant:</p> <p>(2) any police report and interrogation records concerning the case, except so much of a report as concerns a continuing investigation;</p> <p>(3) any written or recorded statements, including electronically recorded statements, by a defendant, codefendant, or accomplice pertaining to the case, even if that person is not a prospective witness at trial;</p> <p>(5) any plea agreement, grant of immunity, or other agreement for testimony in connection with the case.</p> <p>(C) Prohibited Discovery.</p> <p>(1) Notwithstanding any other provision of this rule, there is no right to discover information or evidence that is protected from disclosure by constitution, statute, or privilege, including information or evidence protected by a defendant's right against self-incrimination, except as provided in subrule (2).</p> <p>(2) If a defendant demonstrates a good-faith belief, grounded in articulable fact, that there is a reasonable probability that records protected by privilege are likely to contain material information necessary to the defense, the trial court shall conduct an in camera inspection of the records.</p> <p>(a) If the privilege is absolute, and the privilege holder refuses to waive the privilege to permit an in camera inspection, the trial court shall suppress or strike the privilege holder's testimony.</p> <p>(b) If the court is satisfied, following an in camera inspection, that the records reveal evidence necessary to the defense, the court shall direct that such evidence as is necessary to the defense be made available to defense counsel. If the privilege is absolute and the privilege holder refuses to waive the privilege to permit disclosure, the trial court shall suppress or strike the privilege holder's testimony.</p> <p>(c) Regardless of whether the court determines that the records should be made available to the defense, the court shall make findings sufficient to facilitate meaningful appellate review.</p> <p>(d) The court shall seal and preserve the records for review in the event of an appeal</p> <p>(i) by the defendant, on an interlocutory basis or following conviction, if the court determines that the records should not be made available to the defense, or</p> <p>(ii) by the prosecution, on an interlocutory basis, if the court determines that the records should be made available to the defense.</p> <p>(e) Records disclosed under this rule shall remain in the exclusive custody of counsel for the parties, shall be used only</p>
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MN	<p>Minn. R. Crim. P. 9.01 (1)(a)</p> <p>Minn. R. Crim. P. 9.01(2)(a)-(c)</p> <p>Minn. R. Crim. P. 9.01(3)(1) and (2)</p>	<p>Subd. 1. Prosecution Disclosure Without Court Order. The prosecutor must, at the defense's request and before the Rule 11 Omnibus Hearing, allow access at any reasonable time to all matters within the prosecutor's possession or control that relate to the case, except as provided in Rule 9.01, subd. 3, and make the following disclosures:</p> <p>(1) Trial Witnesses; Other Persons; Grand Jury Witnesses.</p> <p>(a) Trial Witnesses. The names and addresses of witnesses who may be called at trial, along with their record of convictions, if any, within the prosecutor's actual knowledge. The defense must not make any comment in the jury's presence that a name is on a witness list furnished by the prosecutor.</p> <p>(2) Statements. Any of the following known to the prosecutor that relate to the case:</p> <p>(a) written or recorded statements;</p> <p>(b) written summaries of oral statements;</p> <p>(c) the substance of oral statements.</p> <p>The obligation to disclose the preceding types of statements applies whether or not the person who made the statement is listed as a witness.</p> <p>Subd. 3. Non-Discoverable Information. The following information is not discoverable by the defendant:</p> <p>(1) Work Product.</p> <p>(a) Opinions, Theories, or Conclusions. Unless otherwise provided by these rules, legal research, records, correspondence, reports, or memoranda to the extent they contain the opinions, theories, or conclusions of the prosecutor, the prosecutor's staff or officials, or official agencies participating in the prosecution.</p> <p>(b) Reports. Except as provided in Rule 9.01, subd. 1(1) to (7), reports, memoranda, or internal documents made by the prosecutor or members of the prosecutor's staff, or by prosecution agents in connection with the investigation or prosecution of the case against the defendant.</p> <p>(2) Prosecution Witnesses Under Prosecutor's Certificate. The information concerning the witnesses and other persons</p>

		<p>described in Rule 9.01, subd. 1(1) and (2) is not subject to disclosure if the prosecutor files a written certificate with the trial court that to do so may endanger the integrity of a continuing investigation or subject witnesses or other persons to physical harm or coercion. Non-disclosure under this rule must not extend beyond the time the witnesses or persons are sworn to testify at the trial.</p>
MS	<p>MS R UNIF CIR AND CTY CT Rule 9.04(A)(1)</p> <p>MS R UNIF CIR AND CTY CT Rule 9.04(B)(1) and (2)</p>	<p>A. Subject to the exceptions of subsection “B”, below, the prosecution must disclose to each defendant or to defendant's attorney, and permit the defendant or defendant's attorney to inspect, copy, test, and photograph upon written request and without the necessity of court order the following which is in the possession, custody, or control of the State, the existence of which is known or by the exercise of due diligence may become known to the prosecution:</p> <ol style="list-style-type: none"> 1. Names and addresses of all witnesses in chief proposed to be offered by the prosecution at trial, together with a copy of the contents of any statement, written, recorded or otherwise preserved of each such witness and the substance of any oral statement made by any such witness; <p>B. The court may limit or deny disclosure authorized by subsection “A” if it finds that there is a substantial risk to any person of physical harm, intimidation, bribery, economic reprisals, or unnecessary annoyance or embarrassment, resulting from such disclosure, which outweighs any usefulness of the disclosure to the defense attorneys.</p> <p>The following is not subject to disclosure:</p> <ol style="list-style-type: none"> 1. <i>Work Product.</i> Disclosure shall not be required of legal research or of records, correspondence, reports, or memoranda to the extent that they contain the opinions, theories, or conclusions of the prosecuting or defense attorney or members of legal staff. 2. <i>Informants.</i> Disclosure of an informant's identity shall not be required unless the confidential informant is to be produced at a hearing or trial or a failure to disclose his/her identity will infringe the constitutional rights of the accused or unless the informant was or depicts himself/herself as an eyewitness to the event or events constituting the charge against the defendant.

MO	<p>Mo. Sup. Ct. R. 25.03(A)(1) and (2)</p> <p>Mo. Sup. Ct. R. 25.10(A)-(C)</p>	<p>(A) Except as otherwise provided in these Rules as to protective orders, the state shall, upon written request of defendant's counsel, disclose to defendant's counsel such part or all of the following material and information within its possession or control designated in said request:</p> <p>(1) The names and last known addresses of persons whom the state intends to call as witnesses at any hearing or at the trial, together with their written or recorded statements, and existing memoranda, reporting or summarizing part or all of their oral statements;</p> <p>(2) Any written or recorded statements and the substance of any oral statements made by the defendant or by a co-defendant, a list of all witnesses to the making, and a list of all witnesses to the acknowledgment, of such statements, and the last known addresses of such witnesses;</p> <p>The following matters shall not be subject to disclosure:</p> <p>(A) Legal research, or records, correspondence, reports, or memoranda to the extent that they contain the opinions, theories, or conclusions of counsel for the state or members of his legal or investigative staff, or of the defendant, defense counsel, or members of his legal or investigative staff;</p> <p>(B) An informant's identity where his identity is a prosecution secret, a failure to disclose will not infringe the constitutional rights of the defendant, and disclosure is not essential to a fair determination of the cause. Disclosure shall not be denied hereunder as to the identity of an informant to be produced at a hearing or trial.</p> <p>(C) Any material or information which involves a substantial risk of prejudice to national security, where a failure to disclose will not infringe the constitutional rights of the accused, and where disclosure is not essential to a fair determination of the cause. Disclosure shall not be denied hereunder as to material or information which is to be disclosed at a hearing or trial.</p>
MT	<p>Mont. Code Ann. § 46-15-322(1)(a) and (b)</p> <p>Mont. Code Ann. § 46-15-324(1)-(3)(a) and (b)</p>	<p>(1) Upon request, the prosecutor shall make available to the defendant for examination and reproduction the following material and information within the prosecutor's possession or control:</p> <p>(a) the names, addresses, and statements of all persons whom the prosecutor may call as witnesses in the case in chief;</p> <p>(b) all written or oral statements of the defendant and of any person who will be tried with the defendant;</p> <p>(1) Except as provided in this section, disclosure is not required for the superseded notes or work product of the prosecuting or defense attorney.</p> <p>(2) If exculpatory information is contained in the superseded notes or work product of the prosecution, that</p>

		<p>information must be disclosed.</p> <p>(3) Disclosure of the existence of an informant or the identity of an informant who will not be called to testify is not required if:</p> <p>(a) disclosure would result in substantial risk to the informant or to the informant's operational effectiveness; and</p> <p>(b) the failure to disclose will not infringe the constitutional rights of the accused.</p>
NE	<p>Neb. Rev. Stat. § 29-1912(1)(f)-(k)</p> <p>Neb. Rev. Stat. §29-1912(2)(a)-(e)</p> <p>Neb. Rev. Stat. §29-1912(4)</p> <p>Neb. Rev. Stat. §29-1912(5)</p>	<p>(1) When a defendant is charged with a felony or when a defendant is charged with a misdemeanor or a violation of a city or village ordinance for which imprisonment is a possible penalty, he or she may request the court where the case is to be tried, at any time after the filing of the indictment, information, or complaint, to order the prosecuting attorney to permit the defendant to inspect and copy or photograph:</p> <p>(f) Documents, papers, books, accounts, letters, photographs, objects, or other tangible things of whatsoever kind or nature which could be used as evidence by the prosecuting authority;</p> <p>(g) The known criminal history of a jailhouse witness;</p> <p>(h) Any deal, promise, inducement, or benefit that the prosecuting attorney or any person acting on behalf of the prosecuting attorney has knowingly made or may make in the future to the jailhouse witness;</p> <p>(i) The specific statements allegedly made by the defendant against whom the jailhouse witness will testify and the time, place, and manner of the defendant's disclosures;</p> <p>(j) The case name and jurisdiction of any criminal cases known to the prosecuting attorney in which a jailhouse witness testified about statements made by another criminal defendant that were disclosed to the jailhouse witness while he or she was a jailhouse witness and whether the jailhouse witness received any deal, promise, inducement, or benefit in exchange for or subsequent to such testimony; and</p> <p>(k) Any occasion known to the prosecuting attorney in which the jailhouse witness recanted testimony about statements made by another criminal defendant that were disclosed to the jailhouse witness while he or she was a jailhouse witness and, if any are known, a transcript or copy of such recantation.</p> <p>(2) The court may issue such an order pursuant to the provisions of this section. In the exercise of its judicial discretion, the court shall consider among other things whether:</p> <p>(a) The request is material to the preparation of the defense;</p> <p>(b) The request is not made primarily for the purpose of harassing the prosecution or its witnesses;</p> <p>(c) The request, if granted, would not unreasonably delay the trial of the offense and an earlier request by the</p>

		<p>defendant could not have reasonably been made;</p> <p>(d) There is no substantial likelihood that the request, if granted, would preclude a just determination of the issues at the trial of the offense; or</p> <p>(e) The request, if granted, would not result in the possibility of bodily harm to, or coercion of, witnesses.</p> <p>(4) Whenever the prosecuting attorney believes that the granting of an order under the provisions of this section will result in the possibility of bodily harm to witnesses or that witnesses will be coerced, the court may permit him or her to make such a showing in the form of a written statement to be inspected by the court alone. The statement shall be sealed and preserved in the records of the court to be made available to the appellate court in the event of an appeal by the defendant.</p> <p>(5) For purposes of subdivisions (1)(g) through (k) of this section, jailhouse witness means a person in the physical custody of any jail or correctional institution as (a) an accused defendant, (b) a convicted defendant awaiting sentencing, or (c) a convicted defendant serving a sentence of incarceration, at the time the statements the jailhouse witness will testify about were disclosed.</p> <p>Neb. Rev. Stat. § 29-1912</p> <p>Neb. Rev. Stat. § 29-1912</p>
NV	<p>Nev. Rev. Stat. Ann. §174.235(1)(a)</p> <p>Nev. Rev. Stat. Ann. §174.235(2)(a) and (b)</p>	<p>1. Except as otherwise provided in NRS 174.233 to 174.295, inclusive, at the request of a defendant, the prosecuting attorney shall permit the defendant to inspect and to copy or photograph any:</p> <p>(a) Written or recorded statements or confessions made by the defendant, or any written or recorded statements made by a witness the prosecuting attorney intends to call during the case in chief of the State, or copies thereof, within the possession, custody or control of the State, the existence of which is known, or by the exercise of due diligence may become known, to the prosecuting attorney;</p> <p>2. The defendant is not entitled, pursuant to the provisions of this section, to the discovery or inspection of:</p> <p>(a) An internal report, document or memorandum that is prepared by or on behalf of the prosecuting attorney in</p>

		<p>connection with the investigation or prosecution of the case.</p> <p>(b) A statement, report, book, paper, document, tangible object or any other type of item or information that is privileged or protected from disclosure or inspection pursuant to the Constitution or laws of this state or the Constitution of the United States.</p>
NH	<p>N.H Super. Ct. R. 98(A)(1)(ii)</p> <p>N.H. Super. Ct. R. 98(E)</p>	<p>A. Pretrial Disclosure by the State.</p> <p>(1) Within ten (10) calendar days after the entry of a not guilty plea by the defendant, the state shall provide the defendant with the materials specified below:</p> <p>(ii) Copies of all police reports; statements of witnesses; results or reports of physical or mental examinations, scientific tests or experiments, or any other reports or statements of experts, as well as a summary of each expert's qualifications.</p> <p>E. Protection of Information Not Subject to Disclosure.</p> <p>To the extent either party contends that a particular statement of a witness otherwise subject to discovery under this rule contains information concerning the mental impressions, theories, legal conclusions or trial or hearing strategy of counsel, or contains information that is not pertinent to the anticipated testimony of the witness on direct or cross examination, that party shall at or before the time disclosure hereunder is required submit to the opposing party a proposed redacted copy of the statement deleting the information which the party contends should not be disclosed, together with (i) notification that the statement or report in question has been redacted and (ii) (without disclosing the contents of the redacted portions) a general statement of the basis for the redactions. If the opposing party is not satisfied with the redacted version of the statement so provided, the party claiming the right to prevent disclosure of the redacted material shall submit to the court for <i>in camera</i> review a complete copy of the statement at issue as well as the proposed redacted version, along with a memorandum of law detailing the grounds for nondisclosure.</p>
NJ	<p>N.J. Ct. R. 3:13-3(b)(1)(G)</p> <p>N. J. Ct. R. 3:13-3(d)</p>	<p>b) Post Indictment Discovery.</p> <p>(1) Discovery by the Defendant. Except for good cause shown, the prosecutor's discovery for each defendant named in the indictment shall be delivered to the criminal division manager's office, or shall be available through the prosecutor's office, within seven days of the return or unsealing of the indictment. Good cause shall include, but is not limited to, circumstances in which the nature, format, manner of collation or volume of discoverable materials would involve an extraordinary expenditure of time and effort to copy. In such circumstances, the prosecutor may make discovery available by permitting defense counsel to inspect and copy or photograph discoverable materials at the prosecutor's office, rather than by copying and delivering such materials. The prosecutor shall also provide defense counsel with a listing of the materials that have been supplied in discovery. If any discoverable materials known to the</p>

prosecutor have not been supplied, the prosecutor shall also provide defense counsel with a listing of the materials that are missing and explain why they have not been supplied.

If the defendant is represented by the public defender, defendant's attorney shall obtain a copy of the discovery from the prosecutor's office or the criminal division manager's office prior to, or at, the pre-arraignment conference. However, if the defendant has retained private counsel, upon written request of counsel submitted along with a copy of counsel's entry of appearance and received by the prosecutor's office prior to the date of the pre-arraignment conference, the prosecutor shall, within three business days, send the discovery to defense counsel either by U.S. mail at the defendant's cost or by e-mail without charge, with the manner of transmittal at the prosecutor's discretion. Defense counsel shall simultaneously send a copy of the request for mail or e-mail discovery, along with any request for waiver of the pre-arraignment conference under R. 3:9-1(a), to the criminal division manager's office.

If the defendant is unrepresented at the prearraignment conference, a copy of the discovery shall be provided to defense counsel upon request as provided for in the preceding paragraph, or at the arraignment/status conference, which shall occur no later than 28 days after the return or unsealing of the indictment.

A defendant who does not seek discovery from the State shall so notify the criminal division manager's office and the prosecutor, and the defendant need not provide discovery to the State pursuant to sections (b)(2) or (f), except as required by Rule 3:12-1 or otherwise required by law.

Discovery shall include exculpatory information or material. It shall also include, but is not limited to, the following relevant material:

(G) record of statements, signed or unsigned, by such persons or by co-defendants which are within the possession, custody or control of the prosecutor and any relevant record of prior conviction of such persons. The prosecutor also shall provide the defendant with transcripts of all electronically recorded co-defendant and witness statements by a date to be determined by the trial judge, except in no event later than 30 days before the trial date set at the pretrial conference, but only if the prosecutor intends to call that co-defendant or witness as a witness at trial.

(d) Documents Not Subject to Discovery. This rule does not require discovery of a party's work product consisting of internal reports, memoranda or documents made by that party or the party's attorney or agents, in connection with the investigation, prosecution or defense of the matter nor does it require discovery by the State of records or statements, signed or unsigned, of defendant made to defendant's attorney or agents.

NM	<p>NMRA Rule 5-501(A)(1)</p> <p>NMRA Rule5-501(F)(1)and (2)</p>	<p>A. Information subject to disclosure. Unless a shorter period of time is ordered by the court, within ten (10) days after arraignment or the date of filing of a waiver of arraignment, subject to Paragraph E of this rule, the state shall disclose or make available to the defendant:</p> <p>(1) any statement made by the defendant, or codefendant, or copies thereof, within the possession, custody or control of the state, the existence of which is known, or by the exercise of due diligence may become known, to the district attorney;</p> <p>F. Information not subject to disclosure. The prosecutor shall not be required to disclose any material required to be disclosed by this rule if:</p> <p>(1) the disclosure will expose a confidential informer; or</p> <p>(2) there is substantial risk to some person of physical harm, intimidation, bribery, economic reprisals or unnecessary annoyance or embarrassment resulting from such disclosure, which outweighs any usefulness of the disclosure to defense counsel.</p>
NY	<p>N.Y. Crim. Proc. Law § 240.20(1)(a)(McKinney)</p> <p>N.Y. Crim. Proc. Law § 240.35 (McKinney)</p>	<p>1. Except to the extent protected by court order, upon a demand to produce by a defendant against whom an indictment, superior court information, prosecutor's information, information, or simplified information charging a misdemeanor is pending, the prosecutor shall disclose to the defendant and make available for inspection, photographing, copying or testing, the following property:</p> <p>(a) Any written, recorded or oral statement of the defendant, and of a co-defendant to be tried jointly, made, other than in the course of the criminal transaction, to a public servant engaged in law enforcement activity or to a person then acting under his direction or in cooperation with him;</p> <p>Notwithstanding the provisions of sections 240.20 and 240.30, the prosecutor or the defendant, as the case may be, may refuse to disclose any information which he reasonably believes is not discoverable by a demand to produce, pursuant to section 240.20 or section 240.30 as the case may be, or for which he reasonably believes a protective order would be warranted. Such refusal shall be made in a writing, which shall set forth the grounds of such belief as fully as possible, consistent with the objective of the refusal. The writing shall be served upon the demanding party and a copy shall be filed with the court.</p>
NC	<p>N.C. Gen. Stat. Ann. §15A-903(a)(1)(a)</p>	<p>(a) Upon motion of the defendant, the court must order:</p> <p>(1) The State to make available to the defendant the complete files of all law enforcement agencies, investigatory</p>

	<p>N.C. Gen. Stat. Ann. § 15A-904(a)-(c) (West)</p> <p>N.C. Gen. Stat. Ann. §15A-906</p>	<p>agencies, and prosecutors' offices involved in the investigation of the crimes committed or the prosecution of the defendant.</p> <p>a. The term “file” includes the defendant's statements, the codefendants' statements, witness statements, investigating officers' notes, results of tests and examinations, or any other matter or evidence obtained during the investigation of the offenses alleged to have been committed by the defendant. When any matter or evidence is submitted for testing or examination, in addition to any test or examination results, all other data, calculations, or writings of any kind shall be made available to the defendant, including, but not limited to, preliminary test or screening results and bench notes.</p> <p>(a) The State is not required to disclose written materials drafted by the prosecuting attorney or the prosecuting attorney's legal staff for their own use at trial, including witness examinations, voir dire questions, opening statements, and closing arguments. Disclosure is also not required of legal research or of records, correspondence, reports, memoranda, or trial preparation interview notes prepared by the prosecuting attorney or by members of the prosecuting attorney's legal staff to the extent they contain the opinions, theories, strategies, or conclusions of the prosecuting attorney or the prosecuting attorney's legal staff.</p> <p>(a1) The State is not required to disclose the identity of a confidential informant unless the disclosure is otherwise required by law.</p> <p>(a2) The State is not required to provide any personal identifying information of a witness beyond that witness's name, address, date of birth, and published phone number, unless the court determines upon motion of the defendant that such additional information is necessary to accurately identify and locate the witness.</p> <p>(a3) The State is not required to disclose the identity of any individual providing information about a crime or criminal conduct to a Crime Stoppers organization under promise or assurance of anonymity unless ordered by the court. For purposes of this Article, a Crime Stoppers organization or similarly named entity means a private, nonprofit North Carolina corporation governed by a civilian volunteer board of directors that is operated on a local or statewide level that (i) offers anonymity to persons providing information to the organization, (ii) accepts and expends donations for cash rewards to persons who report to the organization information about alleged criminal activity and that the organization forwards to the appropriate law enforcement agency, and (iii) is established as a cooperative alliance between the news media, the community, and law enforcement officials.</p> <p>(a4) The State is not required to disclose the Victim Impact Statement or its contents unless otherwise required by law. For purposes of this Chapter, a Victim Impact Statement is a document submitted by the victim or the victim's family to the State pursuant to the Victims' Rights Amendment.</p> <p>(b) Nothing in this section prohibits the State from making voluntary disclosures in the interest of justice nor prohibits a court from finding that the protections of this section have been waived.</p> <p>(c) This section shall have no effect on the State's duty to comply with federal or State constitutional disclosure requirements.</p>
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<p>ND</p>	<p>N.D.R. Crim. P. 16(1)(D)(i)-(iii)</p> <p>N.D.R. Crim.P. 16(2)</p> <p>N.D.R. Crim. P.16(f)(1)(A)-(C) and 2(A) and (B)</p>	<p>(D) Documents and Objects. Upon a defendant's written request, the prosecuting attorney must permit the defendant to inspect and to copy or photograph books, papers, documents, data, photographs, tangible objects, buildings, or places, or copies or portions of any of these items, if the item is within the prosecution's possession, custody, or control, and:</p> <ul style="list-style-type: none"> (i) the item is material to preparing the defense: (ii) the prosecution intends to use the item in its case-in-chief at trial: or (iii) the item was obtained from or belongs to the defendant. <p>(2) Information Not Subject to Disclosure. Except as Rule 16(a)(1) provides otherwise, this rule does not authorize the discovery or inspection of reports, memoranda, or other internal prosecution documents made by an attorney for the prosecution or other prosecution agent in connection with investigating or prosecuting the case. Nor does this rule authorize the discovery or inspection of statements made by prosecution witnesses or prospective prosecution witnesses (other than the defendant) to agents of the prosecution except as provided in Rule 16(f).</p> <p>(f) Demands for Production of Names, Addresses, and Statements of Witnesses; Statements of Codefendants; Statements of Other Persons.</p> <p>(1) Names, Addresses, and Statements of Prosecution Witnesses. Upon a defendant's written request, the prosecution must furnish the defendant:</p> <ul style="list-style-type: none"> (A) a written list of the names and addresses of all prosecution witnesses whom the prosecution intends to call during its case-in-chief; (B) any statements made by the listed prosecution witnesses; and (C) any records of prior criminal convictions of the listed prosecution witnesses that the prosecuting attorney knows--or by the exercise of due diligence could know--to exist. <p>If a defendant makes a written request for discovery of the names, addresses, and statements of witnesses, the prosecuting attorney must be allowed to perpetuate the testimony of those witnesses under Rule 15.</p> <p>(2) Statements of Codefendants. Upon a defendant's written request, the prosecution must permit the defendant to inspect and to copy or photograph any relevant written or recorded confession, admission, or statement of a</p>

		<p>codefendant, or copies of any of these items if:</p> <p>(A) the item is within the prosecution's possession, custody, or control; and</p> <p>(B) the prosecuting attorney knows--or through due diligence could know--that the item exists.</p>
OH	<p>Ohio Crim. R. 16(B)(1)</p> <p>Ohio Crim. R. 16(J)(1)-(3)</p>	<p>(B) Discovery: Right to Copy or Photograph. Upon receipt of a written demand for discovery by the defendant, and except as provided in division (C), (D), (E), (F), or (J) of this rule, the prosecuting attorney shall provide copies or photographs, or permit counsel for the defendant to copy or photograph, the following items related to the particular case indictment, information, or complaint, and which are material to the preparation of a defense, or are intended for use by the prosecuting attorney as evidence at the trial, or were obtained from or belong to the defendant, within the possession of, or reasonably available to the state, subject to the provisions of this rule:</p> <p>(1) Any written or recorded statement by the defendant or a co-defendant, including police summaries of such statements, and including grand jury testimony by either the defendant or co-defendant;</p> <p>(J) Information Not Subject to Disclosure. The following items are not subject to disclosure under this rule:</p> <p>(1) Materials subject to the work product protection. Work product includes, but is not limited to, reports, memoranda, or other internal documents made by the prosecuting attorney or defense counsel, or their agents in connection with the investigation or prosecution or defense of the case;</p> <p>(2) Transcripts of grand jury testimony, other than transcripts of the testimony of a defendant or co-defendant. Such transcripts are governed by Crim. R. 6;</p> <p>(3) Materials that by law are subject to privilege, or confidentiality, or are otherwise prohibited from disclosure.</p>
OK	<p>Okla. Stat. Ann. tit. 22, § 2002(A)(1)(a)and (c)</p> <p>Okla. Stat. Ann. tit. 22, § 2002(E)(3) (West)</p>	<p>A. Disclosure of Evidence by the State.</p> <p>1. Upon request of the defense, the state shall be required to disclose the following:</p> <p>a. the names and addresses of witnesses which the state intends to call at trial, together with their relevant, written or recorded statement, if any, or if none, significant summaries of any oral statement,</p> <p>c. any written or recorded statements and the substance of any oral statements made by the accused or made by a codefendant,</p>

		<p>E. Regulation of Discovery.</p> <p>3. The discovery order shall not include discovery of legal work product of either attorney which is deemed to include legal research or those portions of records, correspondence, reports, or memoranda which are only the opinions, theories, or conclusions of the attorney or the attorney's legal staff.</p>
OR	<p>Or. Rev. Stat. Ann. §135.815(1)(a)and(b)</p> <p>Or. Rev. Stat. Ann §135.855(1)(a)-(d) and (2)</p>	<p>(1) Except as otherwise provided in ORS 135.855 and 135.873, the district attorney shall disclose to a represented defendant the following material and information within the possession or control of the district attorney:</p> <p>(a) The names and addresses of persons whom the district attorney intends to call as witnesses at any stage of the trial, together with their relevant written or recorded statements or memoranda of any oral statements of such persons.</p> <p>(b) Any written or recorded statements or memoranda of any oral statements made by the defendant, or made by a codefendant if the trial is to be a joint one.</p> <p>(1) The following material and information shall not be subject to discovery under ORS 135.805 to 135.873:</p> <p>(a) Work product, legal research, records, correspondence, reports or memoranda to the extent that they contain the opinions, theories or conclusions of the attorneys, peace officers or their agents in connection with the investigation, prosecution or defense of a criminal action.</p> <p>(b) The identity of a confidential informant where the identity of the informant is a prosecution secret and a failure to disclose will not infringe the constitutional rights of the defendant. Except as provided in ORS 135.873, disclosure shall not be denied hereunder of the identity of witnesses to be produced at trial.</p> <p>(c) Transcripts, recordings or memoranda of testimony of witnesses before the grand jury, except transcripts or recordings of statements made by the defendant.</p> <p>(d) Schematics, source codes or software of an instrument that was used to test a person's breath, blood or urine to determine the alcoholic content of the person's blood that are not in the actual possession or control of the state.</p> <p>(2) When some parts of certain material are discoverable under ORS 135.805 to 135.873 or 135.970, and other parts not discoverable, as much of the material shall be disclosed as is consistent with the provisions thereof.</p>
PA	<p>Pa. R. Crim. P. 573(B)(1)(a) and (b)</p> <p>Pa. R. Crim. P.</p>	<p>(B) Disclosure by the Commonwealth.</p> <p>(1) Mandatory. In all court cases, on request by the defendant, and subject to any protective order which the Commonwealth might obtain under this rule, the Commonwealth shall disclose to the defendant's attorney all of the following requested items or information, provided they are material to the instant case. The Commonwealth shall,</p>

	<p>573(B)(2)(a)(iii)</p> <p>Pa. R. Crim. P. 573(G)</p>	<p>when applicable, permit the defendant's attorney to inspect and copy or photograph such items.</p> <p>(a) Any evidence favorable to the accused that is material either to guilt or to punishment, and is within the possession or control of the attorney for the Commonwealth;</p> <p>(b) any written confession or inculpatory statement, or the substance of any oral confession or inculpatory statement, and the identity of the person to whom the confession or inculpatory statement was made that is in the possession or control of the attorney for the Commonwealth;</p> <p>(2) Discretionary With the Court.</p> <p>(a) In all court cases, except as otherwise provided in Rules 230 (Disclosure of Testimony Before Investigating Grand Jury) and 556.10 (Secrecy; Disclosure), if the defendant files a motion for pretrial discovery, the court may order the Commonwealth to allow the defendant's attorney to inspect and copy or photograph any of the following requested items, upon a showing that they are material to the preparation of the defense, and that the request is reasonable:</p> <p>(iii) all written and recorded statements, and substantially verbatim oral statements, made by co-defendants, and by co-conspirators or accomplices, whether such individuals have been charged or not; and</p> <p>(G) Work Product. Disclosure shall not be required of legal research or of records, correspondence, reports, or memoranda to the extent that they contain the opinions, theories, or conclusions of the attorney for the Commonwealth or the attorney for the defense, or members of their legal staffs.</p>
RI	<p>Super R. Crim.P.16(a)(3)</p> <p>Super R. Crim.P.16(d)</p>	<p>(a) Discovery by Defendant. Upon written request by a defendant, the attorney for the State shall permit the defendant to inspect or listen to and copy or photograph any of the following items within the possession, custody, or control of the State, the existence of which is known, or by the exercise of due diligence may become known to the attorney for the State:</p> <p>(3) all written or recorded statements or confessions which were made by a co-defendant who is to be tried together with the moving defendant and which the State intends to offer in evidence at the trial, and written summaries of oral statements or confessions of such a co-defendant in the event the State intends at the trial to offer evidence of such oral</p>

		<p>statements or confessions;</p> <p>(d) Material Not Subject to Discovery. Except as provided in subdivisions (a) and (b), this rule does not authorize discovery of internal reports, memoranda, or other documents made by a defendant, or his or her attorney or agent, or by the attorney for the State, or by officers or agents of the State, in connection with or in preparation for the prosecution or defense of a criminal proceeding.</p>
SC	<p>SCRCrimP5(a)(1)(A)</p> <p>SCRCrimP5(a)(1)(C)</p> <p>SCRCrimP 5(a)(2)</p>	<p>(a) Disclosure of Evidence by the Prosecution.</p> <p>(1) Information Subject to Disclosure.</p> <p>(A) Statement of Defendant. Upon request by a defendant, the prosecution shall permit the defendant to inspect and copy or photograph: any relevant written or recorded statements made by the defendant, or copies thereof, within the possession, custody or control of the prosecution, the existence of which is known, or by the exercise of due diligence may become known, to the attorney for the prosecution; the substance of any oral statement which the prosecution intends to offer in evidence at the trial made by the defendant whether before or after arrest in response to interrogation by any person then known to the defendant to be a prosecution agent.</p> <p>(C) Documents and Tangible Objects. Upon request of the defendant the prosecution shall permit the defendant to inspect and copy books, papers, documents, photographs, tangible objects, buildings or places, or copies or portions thereof, which are within the possession, custody or control of the prosecution, and which are material to the preparation of his defense or are intended for use by the prosecution as evidence in chief at the trial, or were obtained from or belong to the defendant.</p> <p>(2) Information Not Subject to Disclosure. Except as provided in paragraphs (A), (B), and (D) of subdivision (a)(1), this rule does not authorize the discovery or inspection of reports, memoranda, or other internal prosecution documents made by the attorney for the prosecution or other prosecution agents in connection with the investigation or prosecution of the case, or of statements made by prosecution witnesses or prospective prosecution witnesses provided that after a prosecution witness has testified on direct examination, the court shall, on motion of the defendant, order the prosecution to produce any statement of the witness in the possession of the prosecution which relates to the subject matter as to which the witness has testified; and provided further that the court may upon a sufficient showing require the production of any statement of any prospective witness prior to the time such witness testifies.</p> <p>SCRCrimP 5</p>

SD	<p>S.D. Codified Laws §23A-13-1</p> <p>S.D. Codified Laws § 23A-13-6</p> <p>S.D. Codified Laws § 23A-13-7</p> <p>S.D. Codified Laws §23A-13-14</p> <p>S.D. Codified Laws §23A-13-5</p>	<p>Upon written request of a defendant the prosecuting attorney shall permit the defendant to inspect and copy or photograph:</p> <p>(1) Any relevant written or recorded statements made by the defendant or copies thereof, within the possession, custody, or control of the state, the existence of which is known, or by the exercise of due diligence may become known, to the prosecuting attorney;</p> <p>(2) The substance of any oral statement, which the prosecuting attorney intends to offer in evidence at the trial, made by the defendant whether before or after arrest in response to interrogation by any person then known to the defendant to be an employee of a law enforcement agency; and</p> <p>In any criminal prosecution, no statement in the possession of the prosecuting attorney, which was made by a prosecution witness or prospective prosecution witness (other than the defendant), shall be the subject of subpoena, discovery, or inspection until such witness has testified on direct examination in the preliminary hearing or in the trial of the case.</p> <p>After a witness called by the prosecuting attorney has testified on direct examination, the court shall, on motion of the defendant, order the prosecuting attorney to produce any statement, as defined in § 23A-13-10, of the witness in the possession of the prosecuting attorney which relates to the subject matter as to which the witness has testified. If the entire contents of any such statement relate to the subject matter of the testimony of the witness, the court shall order it to be delivered directly to the defendant for his examination and use.</p> <p>Except as to scientific or medical reports, § 23A-13-12 or 23A-13-13 does not authorize the discovery or inspection of reports, memoranda, or other internal defense documents made by the defendant, or his attorneys or agents in connection with the investigation or defense of the case, or of statements made by the defendant, or by prosecution or defense witnesses, or by prospective prosecution or defense witnesses, to the defendant, his agents or attorneys.</p> <p>Except as provided in §§ 23A-13-1, 23A-13-2, and 23A-13-4, this chapter does not authorize the discovery or inspection of reports, memoranda, or other internal prosecution documents made by the prosecuting attorney or other employees of law enforcement agencies in connection with the investigation or prosecution of the case, or of statements made by the prosecution witnesses or prospective prosecution witnesses except as provided in §§ 23A-13-7 to 23A-13-10, inclusive.</p>
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TN	<p>Tenn. R. Crim. P. 16(a)(1)(D)</p> <p>Tenn. R. Crim. P. 16(a)(2)</p>	<p>(a) Disclosure of Evidence by the State.</p> <p>(1) Information Subject to Disclosure.</p> <p>(D) Codefendants. Upon a defendant's request, when the state decides to place codefendants on trial jointly, the state shall promptly furnish each defendant who has moved for discovery under this subdivision with all information discoverable under Rule 16(a)(1)(A), (B), and (C) as to each codefendant.</p> <p>(2) Information Not Subject to Disclosure. Except as provided in paragraphs (A), (B), (E), and (G) of subdivision (a)(1), this rule does not authorize the discovery or inspection of reports, memoranda, or other internal state documents made by the district attorney general or other state agents or law enforcement officers in connection with investigating or prosecuting the case. Nor does this rule authorize discovery of statements made by state witnesses or prospective state witnesses.</p>
TX	<p>Tex. Crim. Proc. Code Ann. §art. 39.14</p>	<p>(a) Subject to the restrictions provided by Section 264.408, Family Code, and Article 39.15 of this code, as soon as practicable after receiving a timely request from the defendant the state shall produce and permit the inspection and the electronic duplication, copying, and photographing, by or on behalf of the defendant, of any offense reports, any designated documents, papers, written or recorded statements of the defendant or a witness, including witness statements of law enforcement officers but not including the work product of counsel for the state in the case and their investigators and their notes or report, or any designated books, accounts, letters, photographs, or objects or other tangible things not otherwise privileged that constitute or contain evidence material to any matter involved in the action and that are in the possession, custody, or control of the state or any person under contract with the state. The state may provide to the defendant electronic duplicates of any documents or other information described by this article. The rights granted to the defendant under this article do not extend to written communications between the state and an agent, representative, or employee of the state. This article does not authorize the removal of the documents, items, or information from the possession of the state, and any inspection shall be in the presence of a representative of the state.</p>
UT	<p>Utah R. Crim. P. 16(a)(1)</p>	<p>(a) Except as otherwise provided, the prosecutor shall disclose to the defense upon request the following material or information of which he has knowledge:</p> <p>(a)(1) relevant written or recorded statements of the defendant or codefendants;</p>

VT	<p>Vt. R. Crim. P. 16(a)(1)-(2)(A)</p> <p>Vt. R. Crim. P. 16(d)(1) and (2)</p>	<p>(a) Prosecutor's Obligations. Except as provided in subdivision (d) of this rule for matters not subject to disclosure and in Rule 16.2(d) for protective orders, upon a plea of not guilty the prosecuting attorney shall upon request of the defendant made in writing or in open court at his appearance under Rule 5 or at any time thereafter</p> <p>(1) Disclose to defendant's attorney as soon as possible the names and addresses of all witnesses then known to him, and permit defendant's attorney to inspect and copy or photograph their relevant written or recorded statements, within the prosecuting attorney's possession or control.</p> <p>(2) Disclose to defendant's attorney and permit him to inspect and copy or photograph within a reasonable time the following material or information within the prosecuting attorney's possession, custody, or control:</p> <p>(A) any written or recorded statements and the substance of any oral statements made by the defendant, or made by a co-defendant if the trial is to be a joint one;</p> <p>(d) Matters Not Subject to Disclosure.</p> <p>(1) Work Product. Disclosure shall not be required of legal research or of records, correspondence, reports, or memoranda to the extent that they contain the mental impressions, conclusions, opinions, or legal theories of the prosecuting attorney, members of his legal staff, or other agents of the prosecution, including investigators and police officers.</p> <p>(2) Informants. Disclosure of an informant's identity shall not be required except as provided in Rule 509(c) of the Vermont Rules of Evidence.</p>
VA	<p>Va. Sup. Ct. R. 3A:11(b)(1) and (2)</p>	<p>(b) Discovery by the Accused.</p> <p>(1) Upon written motion of an accused a court shall order the Commonwealth's attorney to permit the accused to inspect and copy or photograph any relevant (i) written or recorded statements or confessions made by the accused, or copies thereof, or the substance of any oral statements or confessions made by the accused to any law enforcement officer, the existence of which is known to the attorney for the Commonwealth, and (ii) written reports of autopsies, ballistic tests, fingerprint analyses, handwriting analyses, blood, urine and breath tests, other scientific reports, and written reports of a physical or mental examination of the accused or the alleged victim made in connection with the particular case, or copies thereof, that are known by the Commonwealth's attorney to be within the possession, custody or control of the Commonwealth.</p> <p>(2) Upon written motion of an accused a court shall order the Commonwealth's attorney to permit the accused to inspect and copy or photograph designated books, papers, documents, tangible objects, buildings or places, or copies or portions thereof, that are within the possession, custody, or control of the Commonwealth, upon a showing that the items sought may be material to the preparation of his defense and that the request is reasonable. This subparagraph does not authorize the discovery or inspection of statements made by Commonwealth witnesses or prospective Commonwealth witnesses to agents of the Commonwealth or of reports, memoranda or other internal Commonwealth documents made by agents in connection with the investigation or prosecution of the case, except as provided in clause</p>

		(ii) of subparagraph (b)(1) of this Rule.
WA	<p>Wash. Super. Ct. Crim. R. §CrR 4.7(a)(1)(ii)</p> <p>Wash. Super. Ct. Crim. R. §CrR4.7(f)(1) and (2)</p>	<p>(a) Prosecutor's Obligations.</p> <p>(1) Except as otherwise provided by protective orders or as to matters not subject to disclosure, the prosecuting attorney shall disclose to the defendant the following material and information within the prosecuting attorney's possession or control no later than the omnibus hearing:</p> <p>(ii) any written or recorded statements and the substance of any oral statements made by the defendant, or made by a codefendant if the trial is to be a joint one;</p> <p>(f) Matters Not Subject to Disclosure.</p> <p>(1) Work Product. Disclosure shall not be required of legal research or of records, correspondence, reports or memoranda to the extent that they contain the opinions, theories or conclusions of investigating or prosecuting agencies except as to material discoverable under subsection (a)(1)(iv).</p> <p>(2) Informants. Disclosure of an informant's identity shall not be required where the informant's identity is a prosecution secret and a failure to disclose will not infringe upon the constitutional rights of the defendant. Disclosure of the identity of witnesses to be produced at a hearing or trial shall not be denied.</p>
WV	<p>W. Va. R. Crim. P. 16(a)(1)(F)</p> <p>W. Va. R. Crim. P. 16(a)(2)</p>	<p>(F) State Witnesses. Upon request of the defendant, the state shall furnish to the defendant a written list of names and addresses of all state witnesses whom the attorney for the state intends to call in the presentation of the case in chief, together with any record of prior convictions of any such witnesses which is within the knowledge of the state. When a request for discovery of the names and addresses of witnesses has been made by a defendant, the state may be allowed to perpetuate the testimony of such witnesses in accordance with the provisions of Rule 15.</p> <p>(2) Information Not Subject to Disclosure. Except as provided in paragraphs (A), (B), (D) and (E) of subdivision (a)(1), this rule does not authorize the discovery or inspection of reports, memoranda or other internal official documents made by the attorney for the state or other state officials in connection with the investigation or prosecution of the case, or of statements made by state witnesses or prospective state witnesses except as provided in Rule 26.2.</p>
WI	<p>Wis. Stat. Ann §971.23(1)(d) and (e)</p>	<p>(1) What a district attorney must disclose to a defendant. Upon demand, the district attorney shall, within a reasonable time before trial, disclose to the defendant or his or her attorney and permit the defendant or his or her attorney to inspect and copy or photograph all of the following materials and information, if it is within the possession, custody or control of the state:</p> <p>(d) A list of all witnesses and their addresses whom the district attorney intends to call at the trial. This</p>

		<p>paragraph does not apply to rebuttal witnesses or those called for impeachment only.</p> <p>(e) Any relevant written or recorded statements of a witness named on a list under par. (d), including any audiovisual recording of an oral statement of a child under s. 908.08, any reports or statements of experts made in connection with the case or, if an expert does not prepare a report or statement, a written summary of the expert's findings or the subject matter of his or her testimony, and the results of any physical or mental examination, scientific test, experiment or comparison that the district attorney intends to offer in evidence at trial.</p>
WY	<p>Wyo. R. Crim. P.26.2(a)(1) and (2)</p> <p>Wyo. R. Crim. P. 16(a)(2)</p>	<p>(a) Order for Production. Upon order of the court, the attorney for the state or the defendant and the defendant's attorney shall produce for the examination and use of the other party, any written or recorded statement of a witness other than the defendant in their possession or which they may reasonably obtain and which relates to the subject matter about which the witness has testified or will testify and:</p> <p>(1) Upon demand of the other party, the court shall order the statement to be produced after a witness has testified; and</p> <p>(2) Upon motion of a party or upon its own motion, the court may require the statement to be produced at any time before trial.</p> <p>(2) Information Not Subject to Disclosure. Except as provided in subparagraphs (1)(A), (1)(B), and (1)(D), this rule does not authorize the discovery or inspection of reports, memoranda, or other internal state documents made by the attorney for the state or other state agents in connection with the investigation or prosecution of the case, or of statements made by state witnesses or prospective state witnesses except as provided in Rule 26.2.</p>