

From: Ogul, Michael S [mailto:Michael.Ogul@pdo.sccgov.org]
Sent: Thursday, May 25, 2017 10:21 AM
To: McCurdy, Lauren; Difuntorum, Randall; Laurie Levenson
Cc: 'Michael Ogul'
Subject: clean proposed version of 5-110(d)

Randy, Lauren and Laurie:

Here is a clean version of the text as contained in last night's email (and posted in the agenda), with the typo corrected:

(D) Make timely disclosure to the defense of all evidence or information known to the prosecutor that the prosecutor knows or reasonably should know tends to negate the guilt of the accused or mitigates the offense, and, in connection with sentencing, disclose to the defense all unprivileged mitigating information known to the prosecutor that the prosecutor knows or reasonably should know or mitigates the sentence, except when the prosecutor is relieved of this responsibility by a protective order of the tribunal;. This obligation includes the duty to disclose information that the prosecutor knows or reasonably should know casts doubt on the accuracy or admissibility of witness testimony or other evidence disclosed by the prosecution, and any other evidence a prosecutor knows or reasonably should know is favorable to the defense; and

...

Take care,

Michael

Michael Ogul
Deputy Public Defender
120 W. Mission St.
San Jose, CA 95110
408.299.7817
Michael.Ogul@pdo.sccgov.org

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