

To: All Defense Attorneys, Prosecutors, and Public Defenders

From: Sheriff Berl Perdue, Jr.

POLICY LETTER PERTAINING TO:

Discovery request from Defense Attorneys in criminal cases

In accordance with Kentucky Rules Annotated, Rules of Criminal Procedure, Rule 7.24, Discovery and Inspection and Clark District Court Criminal Division, Discovery Order dated March 29, 1985, the following policy shall be in effect for the Clark County Sheriff's Office.

- 1. Any Defense Attorney or their designated representative requesting inspection or copying of any physical evidence pertaining to the case for which they have been appointed or retained shall notify this office in writing of their request at least twenty four (24) hours in advance and make an appointment with the case officer or departmental staff in order to assure both parties needs are met. The writing shall be on an open records request form as provided by the Sheriff's Office.**
- 2. Original case files or other physical evidence will not be permitted to leave the custody of the investigating officer or this office.**
- 3. In the event of a District Court Case the Defendant's attorney shall inspect the physical evidence at the appointed time with the case officer or departmental staff present at all times. In the event of a Circuit Court Case any records shall be obtained from the office of the Commonwealth Attorney's Officer per their procedures.**
- 4. If any copies of evidentiary material, tapes or photos are requested the following fees will apply, except that public defenders and prosecutors are exempt.**
 - A. Copies - .25 cents per page**
 - B. Photo reprints - \$15.00 fee plus .35 cents per print on 3x5 (additional fees may be incurred for larger prints)**
 - C. Video tapes – Defense Attorney to provide blank tape and pay copy expense of \$20.00**
 - D. Audio tapes - Defense Attorney to provide blank tape and pay copy expense of \$10.00**
 - E. All fees shall be paid at the time of request**

Respectfully,

**Berl Perdue, Jr.
Clark County Sheriff**