

REFERENCE TITLE: evidence disclosure violation; prosecutor; crime

State of Arizona
Senate
Fifty-fifth Legislature
Second Regular Session
2022

SB 1447

Introduced by
Senator Quezada

AN ACT

AMENDING TITLE 13, CHAPTER 28, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-2811; RELATING TO INTERFERENCE WITH JUDICIAL PROCEEDINGS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 13, chapter 28, Arizona Revised Statutes, is
3 amended by adding section 13-2811, to read:

4 13-2811. Failing to disclose evidence by a prosecutor;
5 classification

6 A. A PROSECUTOR COMMITS FAILING TO DISCLOSE EVIDENCE BY A
7 PROSECUTOR IF THE PROSECUTOR INTENTIONALLY OR KNOWINGLY FAILS TO DISCLOSE
8 EVIDENCE AS REQUIRED BY THE ARIZONA RULES OF CRIMINAL PROCEDURE, THE
9 EVIDENCE IS MATERIAL TO THE PROCEEDING AND, IF THE DEFENDANT WAS FOUND
10 GUILTY OF A CRIMINAL OFFENSE OR ENTERED INTO A PLEA AGREEMENT, A
11 REASONABLE PERSON WOULD BELIEVE THAT THE DEFENDANT WOULD NOT HAVE BEEN
12 FOUND GUILTY OR ENTERED INTO THE PLEA AGREEMENT IF THE EVIDENCE HAD BEEN
13 DISCLOSED.

14 B. FAILING TO DISCLOSE EVIDENCE BY A PROSECUTOR IS A CLASS 3
15 MISDEMEANOR.