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SUPERIOR COURT - STOCKTON

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ROSA DUARTE, CLERK

*Tommy J. Beaudin*

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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SAN JOAQUIN

**STANDING ORDER :**

**REGARDING THE DISCOVERY AND PRODUCTION OF LAW ENFORCEMENT  
BODY-WORN VISUAL RECORDING SYSTEMS (BWVRS) and MOBILE AUDIO/  
VIDEO RECORDING SYSTEMS (MVARs) WITHIN SAN JOAQUIN COUNTY**

The following rules shall govern the use and disclosure of BODY-WORN VISUAL RECORDING SYSTEMS (BWVRS) and MOBILE AUDIO/VIDEO RECORDING SYSTEMS (MVARs) produced in accordance with Discovery disclosure under the laws of California in all criminal cases within the jurisdiction of San Joaquin County.

References in this ORDER to individual BWVRS/MVARs apply to the *specific criminal case* for which the discovery *was produced*.

Effective January 22, 2018, to allow the District Attorney's Office to disseminate these types of discovery to Defense counsel as efficiently as possible, IT IS HEREBY ORDERED, as follows:

1           1.     Under no circumstances shall the BWVRS/MVARS be used in any  
2 proceeding other than the criminal case involved or be disseminated, in any form, except by  
3 further order of this court.  
4

5           2.     Under no circumstances shall the BWVRS/MVARS, either orally or by  
6 written form, be inputted into any computer program or database or listed manually in any  
7 manual, notebook or other listing as it pertains to law enforcement personnel. This does not  
8 apply to any computer program or case file maintained specifically as to the involved criminal  
9 case.  
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11           3.     Disclosure of the BWVRS/MVARS shall be limited to the personnel  
12 and/or classification of persons listed below:  
13

- 14                   a.    Counsel for party to the involved criminal case;
- 15                   b.    Staff personnel employed by counsel for any party;
- 16                   c.    The court and its personnel in connection with the involved  
17                        criminal case;
- 18                   d.    Experts or consultants retained to work on the involved criminal  
19                        case by counsel for any party to the involved criminal case; and  
20                   e.    Investigators retained by counsel for any party to the involved  
21                        criminal case.  
22                        criminal case.  
23

24           4.     Defense counsel shall not provide to the defendant, either orally or in  
25 writing, the address or telephone number of persons (complainants or witnesses) identified within  
26 the BWVRS/MVARS, but may discuss the information obtained from any investigation  
27 conducted with the persons identified within the BWVRS/MVARS.  
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1           5. Counsel for any party to an action where such discovery is involved, shall  
2 advise those individuals to whom disclosure of BWVRS/MVARS is to be made, of the contents  
3 of this ORDER, and such counsel shall obtain the consent of such individuals that he or she will  
4 be bound by this ORDER. In the event such individual does not consent to be bound by this  
5 ORDER, no disclosure of the BWVRS/MVARS or the contents of the BWVRS/MVARS will be  
6 made to such individual.

8           6. Any counsel, expert, consultant or investigator retained by counsel for any  
9 party to the involved criminal case shall not refer to the BWVRS/MVARS in any other court  
10 proceeding subject to further order of this court.

12           7. This ORDER and the obligations of all persons subject to it, including  
13 those relating to the disclosure and use of the BWVRS/MVARS shall survive the final  
14 termination of the involved criminal case, whether such termination is by settlement, judgment,  
15 dismissal, appeal or otherwise, until further order of this court.

17           8. Nothing in this ORDER is intended to prevent authorized individuals from  
18 having access to the BWVRS/MVARS to which they would have had access in the normal course  
19 of their duties.

20 **IT IS SO ORDERED.**

21  
22  
23 DATED: 1/16/18

By: Linda L. Lofthus

Linda L. Lofthus  
PRESIDING JUDGE  
SUPERIOR COURT OF SAN JOAQUIN COUNTY

