

## **Disclosure of Affidavits or Sworn Testimony Supporting Warrants; HB 2545**

**HB 2545** amends statutory provisions governing the disclosure of affidavits or sworn testimony supporting arrest warrants and search warrants to provide that, if such affidavits or sworn testimony are disclosed pursuant to the existing provisions, then the disclosed information becomes part of the court record and shall be accessible to the public. If the affidavits or sworn testimony are ordered sealed and not subject to public disclosure, then they become part of the court record not accessible to the public. Any requests for disclosure of the affidavits or sworn testimony will become part of the court record and will be accessible to the public, regardless of whether the affidavits and sworn testimony are disclosed or sealed.

The bill also amends the procedure for disclosure to require the prosecutor to notify any victim of an alleged crime that resulted in the issuance of the warrant (or the victim's family if the victim is deceased) of the request for disclosure. The bill clarifies the justification for redacting or sealing affidavits or sworn testimony that jeopardizes the safety or well being of a victim, witness, confidential source, or undercover agent, includes the physical, mental, or emotional safety of such person.

The bill adds provisions allowing a magistrate to redact affidavits and sworn testimony to prevent the disclosure of information that constitutes a clearly unwarranted invasion of personal privacy, as defined by the bill.