

SUPREME COURT OF NEW JERSEY

NOTICE TO THE BAR

In the Matter of Discovery Motions for Alleged Racial Profiling by the State of New Jersey State Police

This matter coming before the Court on a Criminal Case Management conference, and the Court, having heard the arguments of counsel, and for good cause shown;

It is on this 28th day of June, 2001,

ORDERED that the defense's expert reports to establish number of random dates to be used for statistical reports as to raw data pre interim report shall be provided by Friday, July 13, 2001 or same is barred. The State is to provide its expert report by Friday, August 31, 2001 or it is barred; and it is

FURTHER ORDERED that if the parties do not submit a consent order as to the number of random dates upon which the experts will rely to provide statistical opinions by Monday, October 15, 2001, a hearing will commence on Tuesday, October 16, 2001, at 10:00 a.m. for the purpose of taking testimony as to what discovery the defense shall be entitled to regarding raw statistical data pre-interim report; and it is

FURTHER ORDERED that the State shall provide to the defense, by Friday, August 31, 2001, a list of all documents which were reviewed and relied upon by the Attorney General's Office in preparation of the interim report, and the State shall provide any index prepared by anyone to categorize, list or classify said documents; and it is

FURTHER ORDERED that if the State alleges that any document contained in said index is not discoverable pursuant to prior Case Management Orders, the State shall make application to the Court to exclude same from discovery; and it is

FURTHER ORDERED that the State shall provide certifications from those State representatives who prepared the interim report that all discovery relied upon and/or reviewed is contained in said index. If the Court finds that said certifications are insufficient based on applications made by the defense, the Court, in its discretion, will schedule a hearing to determine whether or not the index satisfies the conditions of this discovery order and if not, what sanctions, penalties or criminal proceedings should follow.

WALTER R. BARISONEK, J.S.C.

Dated: July 5, 2001

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