

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

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SENATE DRS55210-LH-111 (2/20)

Short Title: Jury Exhibits/Criminal Trials.

(Public)

Sponsors: Senator Clodfelter.

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A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE PRESIDING TRIAL JUDGE IN A CRIMINAL CASE HAS THE SOLE DISCRETION TO DETERMINE WHETHER JURORS MAY TAKE EXHIBITS INTRODUCED INTO EVIDENCE IN THE JURY ROOM AND THAT THE CONSENT OF ALL PARTIES IS NOT NECESSARY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 15A-1233(b) reads as rewritten:

"(b) Upon request by the ~~jury and with consent of all parties,~~ jury, the judge may in his or her discretion permit the jury to take to the jury room exhibits and writings which have been received in evidence. If the judge permits the jury to take to the jury room requested exhibits and writings, ~~he the judge~~ may have the jury take additional material or first review other evidence relating to the same issue so as not to give undue prominence to the exhibits or writings taken to the jury room. If the judge permits an exhibit to be taken to the jury room, ~~he the judge~~ must, upon request, instruct the jury not to conduct any experiments with the exhibit."

SECTION 2. This act becomes effective December 1, 2007, and applies to trials beginning on or after that date.