

**OREGON RULES OF PROFESSIONAL CONDUCT
RULE 3.8 SPECIAL RESPONSIBILITIES OF A
PROSECUTOR**

The prosecutor in a criminal case shall:

- (a) refrain from prosecuting a charge that the prosecutor knows is not supported by probable cause; and
- (b) make timely disclosure to the defense of all evidence or information known to the prosecutor that tends to negate the guilt of the accused or mitigates the offense, and, in connection with sentencing, disclose to the defense and to the tribunal all unprivileged mitigating information known to the prosecutor, except when the prosecutor is relieved of this responsibility by a protective order of the tribunal.

OREGON RULES OF PRETRIAL DISCOVERY

135.815 Disclosure to defendant

(1) Except as otherwise provided in ORS 135.855 (Material and information not subject to discovery and 135.873 (Protective orders), the district attorney shall disclose to a represented defendant the following material and information within the possession or control of the district attorney:

- (g)** Any material or information that tends to:
 - (A)** Exculpate the defendant;
 - (B)** Negate or mitigate the defendants guilt or punishment; **or**
 - (C)** Impeach a person the district attorney intends to call as a witness at the trial.