

of the Advisory Committee on Rules of Evidence, has recused himself from the consideration of this comment.

A majority of the Advisory Committee on Rules of Evidence considers the proposed definition of “video” to be a salutary clarification, particularly considering the profusion of video evidence from cell phone and law enforcement cameras. Apparently, videos are currently admitted under Rule 1001(b) as “recordings.” “A ‘recording’ consists of letters, words, numbers, or their equivalent recorded in any manner.” Ariz. R. Evid. 1001(b).

A minority of the committee opposes the proposal as unnecessary. Moreover, the minority observes that the proposal would deviate from the federal rules contrary to the guiding principle of the committee to follow the federal rules absent good cause. One member also expressed reluctance to support the proposal absent time to research case law to determine if a need exists.

In conclusion, a majority of the committee recommends that the Court adopt the proposed amendments of the evidence rules, except that the committee recommends that “video” be changed to “videos” in Rule 1006 to provide uniform usage.

RESPECTFULLY SUBMITTED this _____ day of May 2018.

Mark W. Armstrong
Co-chair, Advisory Committee on Rules of Evidence