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Wednesday, February 17, 2021

Sent via electronic mail

**Re: disclosure of evidence by the clerk in State v Sorangelo**

Dear Mr. Maddux:

I will re-affirm that this office will make every attempt to maintain “a high degree of professional trust and respect.” I cannot require that you give us that, but we will try to earn it.

That said, I must correct a basic misunderstanding found in your letter. The *Sorangelo* body-cam footage was not released by the District Attorney’s Office. Rather, the footage was released by the Clerk of Superior Court – the lawful custodian of public court records (See NCGS §7A-109). The released footage was admitted by the Court as evidence in the State’s case in chief. Once evidence is admitted and published in open court, with few exceptions, North Carolina Courts have ruled the evidence/exhibit becomes a public record and remains in the public domain. The public records law you cite simply does not apply. The *Times-News* case you cite does not apply in that the release sought criminal investigation materials directly from the DA’s file in a pending case. As of February 12<sup>th</sup>, *State v. Sorangelo* is disposed.

Further note that no motion to seal the body-cam footage was made by counsel for *Sorangelo*. Even if such a motion were made, an order to seal would almost certainly be unlawful. (See NCGS § 7A-276.1).

I hope this letter is helpful. If the appropriate City personnel wish to discuss further, I am available.

Sincerely,

Todd M. Williams  
District Attorney