

HOUSE COMMITTEE OF REFERENCE REPORT

\_\_\_\_\_  
Chair of Committee

\_\_\_\_\_  
Date

January 30, 2020

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

HB20-1102 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 2, strike lines 15 and 16 and substitute:
- 2       "(2) (a) "JAILHOUSE WITNESS" MEANS A WITNESS ENDORSED BY
- 3 THE STATE AS A POTENTIAL WITNESS WHO OFFERS OR PROVIDES
- 4 TESTIMONY FOR THE STATE REGARDING STATEMENTS MADE BY A
- 5 DEFENDANT, WHILE BOTH WERE INCARCERATED, REGARDLESS OF
- 6 WHETHER THE DEFENDANT HAS BEEN CHARGED WITH THE CRIME AT THE
- 7 TIME THE ALLEGED STATEMENTS WERE MADE, AND WHO HAS REQUESTED,
- 8 HAS BEEN OFFERED, OR MAY IN THE FUTURE RECEIVE A BENEFIT IN
- 9 CONNECTION WITH THE TESTIMONY.
- 10       (b) "JAILHOUSE WITNESS" DOES NOT MEAN A CO-DEFENDANT IN
- 11 THE CASE."
- 12 Page 3, strike lines 1 through 4.
- 13 Page 3, line 9, strike "SUSPECT'S OR".
- 14 Page 3, line 16, strike "TO THE" and substitute "ON A MONTHLY BASIS TO
- 15 BE MAINTAINED IN A CENTRALIZED STATEWIDE RECORD".
- 16 Page 3, strike lines 17 and 18 and substitute "OF THE PROVIDED
- 17 INFORMATION THAT SHALL BE MADE AVAILABLE TO DISTRICT ATTORNEYS
- 18 THROUGHOUT THE STATE."
- 19 Page 3, line 22, after "ENDORSES A" insert "PERSON TO TESTIFY AS A".

- 1 Page 4, line 27, strike "STATE" and substitute "COLORADO".
- 2 Page 5, line 13, strike "ORDER THAT" and substitute "ISSUE A PROTECTIVE  
3 ORDER PURSUANT TO THE PROVISIONS OF RULE 16 (III)(D) OF THE  
4 COLORADO RULES OF CRIMINAL PROCEDURE."
- 5 Page 5, strike lines 14 and 15.
- 6 Page 6, strike lines 22 through 24 and substitute "A SENTENCE FOR A  
7 CRIME COMMITTED BY THE JAILHOUSE WITNESS, THE PROSECUTOR SHALL  
8 COMPLY WITH THE REQUIREMENTS OF SECTION 24-4.1-302.5 IF THE  
9 JAILHOUSE WITNESS HAS HIS OR HER OWN PENDING OR CLOSED CASE  
10 PURSUANT TO SECTION 24-4.1-302 (1)."
- 11 Strike "SUSPECT OR" on: **Page 4**, lines 6, 8, 11, and 18.

\*\* \*\*\* \*\* \*\*\* \*\*