

HOUSE COMMITTEE OF REFERENCE REPORT

June 10, 2020

Chair of Committee

Date

Committee on Finance.

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

SB20-217 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend reengrossed bill, page 4, line 8, strike "MEMBER" and substitute
2 "PEACE OFFICER".

3 Page 4, line 18, after the period add "WHEN INTERACTING WITH A CRIME
4 VICTIM OR WITNESS, A PEACE OFFICER SHALL NOTIFY THE CRIME VICTIM OR
5 WITNESS THAT THE INTERACTION IS BEING RECORDED BY A BODY-WORN
6 CAMERA. THE PEACE OFFICER SHALL NOTIFY THE CRIME VICTIM OR
7 WITNESS OF HIS OR HER RIGHT TO HAVE THE BODY-WORN CAMERA TURNED
8 OFF AND OBTAIN CONSENT TO RECORD THE INTERACTION BEFORE
9 PROCEEDING WITH THE INTERACTION. IF CONSENT IS NOT PROVIDED BY
10 THE CRIME VICTIM OR WITNESS, THE PEACE OFFICER SHALL IMMEDIATELY
11 DISCONTINUE RECORDING THE INTERACTION. IF CONSENT IS NOT
12 PROVIDED, THE PEACE OFFICER SHALL NOTIFY CRIME VICTIMS AND
13 WITNESSES OF THEIR RIGHT TO HAVE THE BODY-WORN CAMERA TURNED
14 ON UPON REQUEST AT ANY TIME DURING THE INTERACTION."

15 Page 4, after line 26 insert:

16 "(D) THE PROVISIONS OF THIS SUBSECTION (1)(a)(II) DO NOT
17 APPLY TO JAIL PEACE OFFICERS OR STAFF OF A LOCAL LAW ENFORCEMENT
18 AGENCY IF THE JAIL HAS VIDEO CAMERAS; EXCEPT THIS SUBSECTION
19 (1)(a)(II) APPLIES TO JAIL PEACE OFFICERS WHEN PERFORMING A TASK
20 THAT REQUIRES THE USE OF FORCE, THE CIVILIAN OR ADMINISTRATIVE
21 STAFF OF THE COLORADO STATE PATROL OR A LOCAL LAW ENFORCEMENT
22 AGENCY, THE EXECUTIVE DETAIL OF THE COLORADO STATE PATROL, AND

1 PEACE OFFICERS WORKING IN A COURTROOM."

2 Page 5, line 7, strike "CAMERA," and substitute "CAMERA AS REQUIRED BY
3 THIS SECTION,".

4 Page 5, line 11, after "SECTION" insert "OR IF THE STATEMENT WAS NOT
5 RECORDED BY OTHER MEANS".

6 Page 5, line 15, strike "MALFUNCTION" and substitute "MALFUNCTION, OR
7 WAS UNABLE TO RECTIFY IT,".

8 Page 5, line 16, strike "INCIDENT." and substitute "INCIDENT, PROVIDED
9 THAT THE LAW ENFORCEMENT AGENCY'S DOCUMENTATION SHOWS THE
10 PEACE OFFICER CHECKED THE FUNCTIONALITY OF THE BODY-WORN
11 CAMERA AT THE BEGINNING OF HIS OR HER SHIFT.".

12 Page 5, line 18, strike "THROUGH".
13

14 Page 5, line 20, after "CAMERA" insert "OR DASH CAMERA".

15 Page 5, line 23, strike "TERMINATION." and substitute "TERMINATION, TO
16 THE EXTENT PERMITTED BY APPLICABLE CONSTITUTIONAL AND
17 STATUTORY PERSONNEL LAWS AND CASE LAW.".

18 Page 5, line 25, strike "THROUGH".
19

20 Page 5, line 27, after "CAMERA" insert "OR DASH CAMERA".

21 Page 6, lines 19 through 20, strike "A LOCAL LAW ENFORCEMENT AGENCY
22 AND THE COLORADO STATE PATROL" and substitute "ALL LOCAL LAW
23 ENFORCEMENT AGENCIES".

24 Page 7, lines 7 and 8, strike "DECEDENT'S FAMILY AT LEAST TWENTY-FOUR
25 HOURS PRIOR TO PUBLIC DISCLOSURE." and substitute "VICTIM OR, IF THE
26 VICTIM IS DECEASED OR INCAPACITATED, THEY MUST BE RELEASED TO THE
27 VICTIM'S SPOUSE, PARENT, LEGAL GUARDIAN, CHILD, SIBLING,
28 GRANDPARENT, GRANDCHILD, SIGNIFICANT OTHER, OR OTHER LAWFUL
29 REPRESENTATIVE, AND SUCH PERSON SHALL BE NOTIFIED OF HIS OR HER
30 RIGHT, PURSUANT TO SECTION 24-4.1-302.5 (1)(j.8), TO RECEIVE AND
31 REVIEW THE RECORDING AT LEAST SEVENTY-TWO HOURS PRIOR TO PUBLIC
32 DISCLOSURE. A PERSON EIGHTEEN YEARS OF AGE AND UNDER IS

1 CONSIDERED INCAPACITATED, UNLESS LEGALLY EMANCIPATED."

2 Page 7, line 16, strike "OR LICENSE PLATE".

3 Page 7, line 23, after the period add "UNREDACTED FOOTAGE MUST NOT
4 BE RELEASED WITHOUT THE WRITTEN AUTHORIZATION OF THE VICTIM OR,
5 IF THE VICTIM IS DECEASED OR INCAPACITATED, THE WRITTEN
6 AUTHORIZATION OF THE VICTIM'S SPOUSE, PARENT, LEGAL GUARDIAN,
7 CHILD, SIBLING, GRANDPARENT, GRANDCHILD, SIGNIFICANT OTHER, OR
8 OTHER LAWFUL REPRESENTATIVE. A PERSON EIGHTEEN YEARS OF AGE AND
9 UNDER IS CONSIDERED INCAPACITATED, UNLESS LEGALLY EMANCIPATED.
10 IN THE EVENT THE VICTIM OR THE VICTIM'S SPOUSE, PARENT, LEGAL
11 GUARDIAN, CHILD, SIBLING, GRANDPARENT, GRANDCHILD, SIGNIFICANT
12 OTHER, OR OTHER LAWFUL REPRESENTATIVE CANNOT BE NOTIFIED OF HIS
13 OR HER RIGHT TO REVIEW THE RECORDINGS, DECLINES TO REVIEW THE
14 RECORDINGS, OR DECLINES TO PROVIDE AUTHORIZATION FOR THEIR
15 RELEASE, IT IS PRESUMED THAT NO AUTHORIZATION IS PROVIDED AND THE
16 UNREDACTED RECORDING MUST NOT BE RELEASED TO THE PUBLIC."

17 Page 7, after line 23 insert:

18 "(B) IN RECOGNITION OF THE IMPORTANCE OF MEDICAL PRIVACY,
19 PEACE OFFICERS SHALL MAKE EFFORTS, WHENEVER POSSIBLE, NOT TO
20 CAPTURE PROTECTED HEALTH INFORMATION ON THEIR BODY-WORN
21 CAMERAS. ALL PERSONAL HEALTH INFORMATION SHALL BE REDACTED
22 BEFORE RELEASE OF A BODY-WORN CAMERA RECORDING, UNLESS THE
23 INDIVIDUAL WHO IS THE SUBJECT OF THE INFORMATION AUTHORIZES THE
24 USE OR DISCLOSURE OF THE INFORMATION."

25 Reletter succeeding sub-subparagraphs accordingly.

26 Page 7, strike line 27 and substitute "VICTIM OR, IF THE VICTIM IS
27 DECEASED OR INCAPACITATED, TO THE VICTIM'S SPOUSE, PARENT, LEGAL
28 GUARDIAN, CHILD, SIBLING, GRANDPARENT, GRANDCHILD, SIGNIFICANT
29 OTHER, OR OTHER LAWFUL REPRESENTATIVE WITHIN".

30 Page 8, line 1, after the period add "IN CASES IN WHICH THE RECORDING
31 IS NOT RELEASED TO THE PUBLIC PURSUANT TO THIS SUBSECTION
32 (2)(b)(II)(B), THE LOCAL LAW ENFORCEMENT AGENCY SHALL NOTIFY THE
33 PERSON WHOSE PRIVACY INTEREST IS IMPLICATED, IF CONTACT
34 INFORMATION IS KNOWN, WITHIN TWENTY DAYS AFTER RECEIPT OF THE
35 COMPLAINT OF MISCONDUCT, AND INFORM THE PERSON OF HIS OR HER

- 1 RIGHT TO WAIVE THE PRIVACY INTEREST."
- 2 Page 8, line 7, after the period add "THE HEARING SHALL BE CONSIDERED
3 A CRITICAL STAGE PURSUANT TO SECTION 24-4.1-302 AND GIVES VICTIMS
4 THE RIGHT TO BE HEARD PURSUANT TO 24-4.1-302.5".
- 5 Page 8, line 11, strike "THIRTY" and substitute "FORTY-FIVE".
- 6 Page 9, after line 22 insert:
7 "(VI) WHETHER A PEACE OFFICER UNHOLSTERED A WEAPON
8 DURING THE INCIDENT;
9 (VII) WHETHER A PEACE OFFICER DISCHARGED A FIREARM DURING
10 THE INCIDENT."
- 11 Renumber succeeding subparagraphs accordingly.
- 12 Page 11, line 1, strike "AND".
- 13 Page 11, after line 4 insert:
14 "(D) A PEACE OFFICER UNHOLSTERED A WEAPON DURING THE
15 CONTACT; AND
16 (E) A PEACE OFFICER DISCHARGED A FIREARM DURING THE
17 CONTACT;".
- 18 Page 11, line 8, strike "AND".
- 19 Page 11, line 12, after the semicolon add "AND".
- 20 Page 11, after line 12 insert:
21 "(III) WHETHER A PEACE OFFICER UNHOLSTERED A WEAPON
22 DURING THE UNANNOUNCED ENTRY; AND
23 (IV) WHETHER A PEACE OFFICER DISCHARGED A FIREARM DURING
24 THE UNANNOUNCED ENTRY;".
- 25 Page 12, lines 6 and 7, strike "USING EXCESSIVE FORCE FOR ANY CONDUCT
26 DESCRIBED IN THIS SECTION," and substitute "THE USE OF UNLAWFUL
27 PHYSICAL FORCE,".
- 28 Page 13, line 4, strike "24-31-901 (2)," and substitute "24-31-901 (3)".
- 29 Page 13, line 14, after the period add "THE "COLORADO GOVERNMENTAL

1 IMMUNITY ACT", ARTICLE 10 OF TITLE 24, DOES NOT APPLY TO CLAIMS
2 BROUGHT PURSUANT TO THIS SECTION."

3 Page 14, line 12, after the period add "A PUBLIC ENTITY DOES NOT HAVE
4 TO INDEMNIFY A PEACE OFFICER IF THE PEACE OFFICER WAS CONVICTED OF
5 A CRIMINAL VIOLATION FOR THE CONDUCT FROM WHICH THE CLAIM
6 ARISES."

7 Page 14, after line 14 insert:

8 "SECTION 3. In Colorado Revised Statutes, 18-1-703, **amend**
9 (1) introductory portion and (1)(b) as follows:

10 **18-1-703. Use of physical force - special relationships.** (1) The
11 use of physical force upon another person ~~which~~ THAT would otherwise
12 constitute an offense is justifiable and not criminal under any of the
13 following circumstances:

14 (b) A superintendent or other authorized official of a jail, prison,
15 or correctional institution may, in order to maintain order and discipline,
16 use OBJECTIVELY reasonable and appropriate physical force when and to
17 the extent that he OR SHE reasonably believes it necessary to maintain
18 order and discipline, but he OR SHE may use deadly physical force only
19 when he OR SHE OBJECTIVELY reasonably believes ~~it necessary to prevent~~
20 ~~death or serious bodily injury~~ THE INMATE POSES AN IMMEDIATE THREAT
21 TO THE PERSON USING DEADLY FORCE OR ANOTHER PERSON."

22 Renumber succeeding sections accordingly.

23 Page 15, line 10, strike "(b)" and substitute "(b) (I)".

24 Page 15, after line 15 insert:

25 "(II) "CHOKEHOLD" ALSO MEANS APPLYING PRESSURE TO A
26 PERSON'S NECK ON EITHER SIDE OF THE WINDPIPE, BUT NOT TO THE
27 WINDPIPE ITSELF, TO STOP THE FLOW OF BLOOD TO THE BRAIN VIA THE
28 CAROTID ARTERIES."

29 Page 15, line 18, strike "IMPRACTICAL" and substitute "UNREASONABLE".

30 Page 15, strike lines 21 through 23 and substitute:

31 "(b) THE SUSPECT POSES AN IMMEDIATE THREAT TO THE PEACE
32 OFFICER OR ANOTHER PERSON;"

33 Page 15, line 25, strike "INNOCENT" and substitute "OTHER".

1 Page 16, lines 4 and 5, strike "PERSONS, OR WOULD BE CLEARLY
2 INAPPROPRIATE OR INEFFECTIVE UNDER THE CIRCUMSTANCES." and
3 substitute "PERSONS."

4 Page 16, strike lines 6 and 7 and substitute:

5 "(4.5) NOTWITHSTANDING ANY OTHER PROVISION IN THIS SECTION,
6 A PEACE OFFICER IS JUSTIFIED IN USING DEADLY FORCE IF THE PEACE
7 OFFICER HAS AN OBJECTIVELY REASONABLE BELIEF THAT A LESSER
8 DEGREE OF FORCE IS INADEQUATE AND THE PEACE OFFICER HAS
9 OBJECTIVELY REASONABLE GROUNDS TO BELIEVE, AND DOES BELIEVE,
10 THAT HE OR ANOTHER PERSON IS IN IMMINENT DANGER OF BEING KILLED
11 OR OF RECEIVING SERIOUS BODILY INJURY."

12 Page 17, line 14, strike "TERMINATION," and substitute "TERMINATION, TO
13 THE EXTENT PERMITTED BY APPLICABLE CONSTITUTIONAL AND
14 STATUTORY PERSONNEL LAWS AND CASE LAW,".

15 Page 17, line 16, strike "THE PEACE" and substitute "THE REVOCATION
16 MAY ONLY BE OVERTURNED IF THE PEACE OFFICER IS EXONERATED BY A
17 COURT."

18 Page 17, strike line 17 and insert:

19 "(e) IN A CASE IN WHICH THE PROSECUTION CHARGES A PEACE
20 OFFICER WITH OFFENSES RELATED TO AND BASED UPON THE USE OF
21 EXCESSIVE FORCE BUT DOES NOT FILE CHARGES AGAINST ANY OTHER
22 PEACE OFFICER OR OFFICERS WHO WERE AT THE SCENE DURING THE USE OF
23 FORCE, THE DISTRICT ATTORNEY SHALL PREPARE A WRITTEN REPORT
24 EXPLAINING THE DISTRICT ATTORNEY'S BASIS FOR THE DECISION NOT TO
25 CHARGE ANY OTHER PEACE OFFICER WITH ANY CRIMINAL CONDUCT AND
26 SHALL PUBLICLY DISCLOSE THE REPORT TO THE PUBLIC; EXCEPT THAT IF
27 DISCLOSURE OF THE REPORT WOULD SUBSTANTIALLY INTERFERE WITH OR
28 JEOPARDIZE AN ONGOING CRIMINAL INVESTIGATION, THE DISTRICT
29 ATTORNEY MAY DELAY PUBLIC DISCLOSURE FOR UP TO FORTY-FIVE DAYS.
30 THE DISTRICT ATTORNEY SHALL POST THE WRITTEN REPORT ON ITS
31 WEBSITE OR, IF IT DOES NOT HAVE A WEBSITE, MAKE IT PUBLICLY
32 AVAILABLE UPON REQUEST. NOTHING IN THIS SECTION IS INTENDED TO
33 PROHIBIT OR DISCOURAGE CRIMINAL PROSECUTION OF AN OFFICER WHO
34 FAILED TO INTERVENE FOR CONDUCT IN WHICH THE FACTS SUPPORT A
35 CRIMINAL CHARGE, INCLUDING UNDER A COMPLICITY THEORY, OR FOR AN
36 INCHOATE OFFENSE.

37 **SECTION 6.** In Colorado Revised Statutes, 18-1-707, **add** (10)

1 as follows:

2 **18-1-707. Use of physical force in making an arrest or in**
3 **preventing an escape - definitions -repeal.** (10) (a) EACH LAW
4 ENFORCEMENT AGENCY IN THE STATE SHALL TRAIN ITS PEACE OFFICERS ON
5 THE PROVISIONS OF SUBSECTIONS (1) TO (4.5) OF THIS SECTION AND
6 SECTION 18-8-802 (1.5) AS ENACTED IN SENATE BILL 20-217, ENACTED IN
7 2020, PRIOR TO THE PROVISIONS BECOMING EFFECTIVE ON SEPTEMBER 1,
8 2020.

9 (b) THIS SUBSECTION (10) IS REPEALED, EFFECTIVE JANUARY 1,
10 2021.

11 **SECTION 7.** In Colorado Revised Statutes, 20-1-114, **amend** (2)
12 as follows:

13 **20-1-114. Peace officer-involved death investigations -**
14 **disclosure.** (2) If the district attorney refers the matter under
15 investigation to the grand jury, the district attorney shall release a
16 statement at the time the matter is referred to the grand jury disclosing the
17 general purpose of the grand jury's investigation. If no true bill is
18 returned, the grand jury ~~may~~ SHALL issue AND PUBLISH a report. ~~pursuant~~
19 ~~to section 16-5-205.5. C.R.S.~~

20 **SECTION 8.** In Colorado Revised Statutes, 24-31-101, **add** (7)
21 and (8) as follows:

22 **24-31-101. Powers and duties of attorney general.** (7) THE
23 ATTORNEY GENERAL MAY BRING A CIVIL ACTION TO ENFORCE THE
24 PROVISIONS OF SECTION 24-31-111.

25 (8) THE ATTORNEY GENERAL MAY BRING A CIVIL ACTION TO
26 ENFORCE THE PROVISIONS OF SECTION 24-31-307 (2) OR A CRIMINAL
27 ACTION TO ENFORCE THE PROVISIONS OF SECTION 24-31-307 (3)."

28 Renumber succeeding sections accordingly.

29 Page 18, after line 12 insert:

30 **"SECTION 10.** In Colorado Revised Statutes, 24-4.1-302, **add**
31 (2)(w) as follows:

32 **24-4.1-302. Definitions.** As used in this part 3, and for no other
33 purpose, including the expansion of the rights of any defendant:

34 (2) "Critical stages" means the following stages of the criminal
35 justice process:

36 (w) A HEARING HELD PURSUANT TO SECTION 24-31-902 (2)(c);

37 **SECTION 11.** In Colorado Revised Statutes, 24-4.1-302.5,
38 **amend** (1)(d)(VII) and (1)(d)(VIII); and **add** (1)(d)(IX) and (1)(j).8 as
39 follows:

1 **24-4.1-302.5. Rights afforded to victims - definitions.** (1) In
2 order to preserve and protect a victim's rights to justice and due process,
3 each victim of a crime has the following rights:
4 (d) The right to be heard at any court proceeding:
5 (VII) Involving a subpoena for records concerning the victim's
6 medical history, mental health, education, or victim compensation, or any
7 other records that are privileged pursuant to section 13-90-107; ~~C.R.S.~~;
8 ~~or~~
9 (VIII) Involving a petition for expungement as described in
10 section 19-1-306; OR
11 (IX) INVOLVING A HEARING AS DESCRIBED IN SECTION 24-31-902
12 (2)(c).
13 (j.8) THE RIGHT, UPON REQUEST, TO OBTAIN ANY INCIDENT
14 RECORDING AS DESCRIBED IN SECTION 24-31-902."

15 Renumber succeeding sections accordingly.

16 Page 19, after line 18, insert:

17 **"SECTION 14.** In Colorado Revised Statutes, **amend** 24-31-307
18 as follows:
19 **24-31-307. Enforcement.** (1) The P.O.S.T. board shall have the
20 power to ~~direct the attorney general to enforce the provisions of this part~~
21 ~~3 through an action in district court for injunctive or other appropriate~~
22 ~~relief against~~ PROMULGATE RULES FOR ENFORCEMENT OF THIS PART 3.
23 (2) THE ATTORNEY GENERAL MAY ENFORCE THE PROVISIONS OF
24 THIS PART 3 THROUGH AN ACTION IN DISTRICT COURT FOR INJUNCTIVE OR
25 OTHER APPROPRIATE RELIEF AGAINST:
26 (a) Any individual undertaking or attempting to undertake any
27 duties as a peace officer or a reserve peace officer in this state in violation
28 of this part 3; and
29 (b) Any agency permitting any individual to undertake or attempt
30 to undertake any duties as a peace officer or a reserve peace officer in this
31 state under the auspices of such agency in violation of this part 3.
32 (3) THE ATTORNEY GENERAL MAY BRING CRIMINAL CHARGES FOR
33 VIOLATIONS OF THIS PART 3 IF VIOLATION IS WILLFUL OR WANTON, OR
34 IMPOSE FINES, AS SET IN P.O.S.T. BOARD RULE, UPON ANY INDIVIDUAL
35 OFFICER OR AGENCY FOR FAILURE TO COMPLY WITH THIS PART 3 OR ANY
36 RULE PROMULGATED UNDER THIS PART 3.
37 ~~(2)~~(4) The attorney general shall be entitled to recover reasonable
38 attorney fees and costs against the defendant in any enforcement action

1 under this part 3, if the attorney general prevails.

2 **SECTION 15.** In Colorado Revised Statutes, **amend** 24-31-307
3 as follows:

4 **24-31-307. Enforcement.** (1) The P.O.S.T. board shall have the
5 power to ~~direct the attorney general to enforce the provisions of this part~~
6 ~~3 through an action in district court for injunctive or other appropriate~~
7 ~~relief against~~ PROMULGATE RULES FOR ENFORCEMENT OF THIS PART 3.

8 (2) THE ATTORNEY GENERAL MAY ENFORCE THE PROVISIONS OF
9 THIS PART 3 THROUGH AN ACTION IN DISTRICT COURT FOR INJUNCTIVE OR
10 OTHER APPROPRIATE RELIEF AGAINST:

11 (a) Any individual undertaking or attempting to undertake any
12 duties as a peace officer or a reserve peace officer in this state in violation
13 of this part 3; and

14 (b) Any agency permitting any individual to undertake or attempt
15 to undertake any duties as a peace officer or a reserve peace officer in this
16 state under the auspices of such agency in violation of this part 3.

17 (3) THE ATTORNEY GENERAL MAY BRING CRIMINAL CHARGES FOR
18 VIOLATIONS OF THIS PART 3 IF VIOLATION IS WILLFUL OR WANTON, OR
19 IMPOSE FINES, AS SET IN P.O.S.T. BOARD RULE, UPON ANY INDIVIDUAL
20 OFFICER OR AGENCY FOR FAILURE TO COMPLY WITH THIS PART 3 OR ANY
21 RULE PROMULGATED UNDER THIS PART 3.

22 ~~(2)~~ (4) The attorney general shall be entitled to recover reasonable
23 attorney fees and costs against the defendant in any enforcement action
24 under this part 3, if the attorney general prevails."

25 Renumber succeeding sections accordingly.

26 Page 19, line 25, strike "OFFICER" and substitute "OFFICER, AS DEFINED IN
27 SECTION 24-31-901 (3),".

28 Page 20, line 20, after "PERSON," insert "VEHICLE, OR OTHER PROPERTY,".

29 Page 20, line 23, strike "AND".

30 Page 20, line 26, change the period to a semicolon.

31 Page 20, after line 26, insert:

32 "(IV) A PEACE OFFICER UNHOLSTERED A WEAPON DURING THE
33 CONTACT; AND

34 (V) A PEACE OFFICER DISCHARGED A FIREARM DURING THE
35 CONTACT;".

1 Page 21, after line 19 insert:
2 "SECTION 17. Legislative declaration. (1) The general
3 assembly hereby finds and declares that the provisions of Senate Bill
4 20-217, enacted at the second regular session of the seventy-second
5 general assembly, are matters of statewide concern."

6 Renumber succeeding sections accordingly.

7 Page 21, strike lines 21 and 22 and substitute:
8 "except that:
9 (1) Section 24-31-902, Colorado Revised Statutes, as enacted in
10 section 1 of this act, takes effect July 1, 2023; and
11 (2) Sections 3 and 4 of this act takes effect September 1, 2021."

12 After "DEMOGRAPHIC" insert "INFORMATION" on: **Page 9**, line 11; **Page**
13 **10**, line 5; **Page 11**, line 9; and **Page 19**, line 27.

14 After "JUDGE," insert "HEARING OFFICER," on: **Page 5**, lines 18 and 25;
15 **Page 6**, line 9; and **Page 17**, line 9.

** ** ** ** **