

**Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 22-0263.01 Michael Dohr x4347

SENATE BILL 22-024

SENATE SPONSORSHIP

Fields,

HOUSE SPONSORSHIP

Roberts,

Senate Committees

Judiciary

House Committees

A BILL FOR AN ACT

101 **CONCERNING CHANGES TO STRENGTHEN THE CRIME OF INTIMIDATING**

102 **A WITNESS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill expands the ways that intimidating a witness may be committed by stating that the threat or act that constitutes intimidation can be either direct or indirect. It adds that the threat or act that constitutes intimidation can be directed at a person the perpetrator believes may have information relevant to a criminal investigation or a person the perpetrator

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

believes may be able to exert influence upon a witness or victim.

The bill also adds that the crime of intimidating a witness can be committed by intentionally attempting to influence, or actually influencing, a witness, victim, or any other person with knowledge of relevant information to withhold information from, or provide false information to, law enforcement.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 18-8-704, **amend** (1)
3 as follows:

4 **18-8-704. Intimidating a witness or victim.** (1) A person
5 commits intimidating a witness or victim if:

6 (a) By use of a threat, act of harassment as defined in section
7 18-9-111, or act of harm or injury to any person or property directed to or
8 committed upon:

9 (I) A witness in any criminal or civil proceeding;

10 (II) A victim of any crime;

11 (III) A person he or she believes has been or is to be called or who
12 would have been called to testify as a witness in any criminal or civil
13 proceeding or a victim of any crime;

14 (IV) A PERSON HE OR SHE BELIEVES MAY HAVE INFORMATION
15 RELEVANT TO A CRIMINAL INVESTIGATION;

16 (V) A member of the ~~witness'~~ WITNESS'S family;

17 (VI) A member of the victim's family;

18 (VII) A person in close relationship to the witness or victim;

19 (VIII) A person residing in the same household with the witness
20 or victim;

21 (IX) A PERSON HE OR SHE BELIEVES MAY BE ABLE TO EXERT
22 INFLUENCE UPON THE WITNESS OR VICTIM; or

- 1 (X) Any person who has reported a crime or who may be called
2 to testify OR WHO TESTIFIES as a witness to or victim of any crime; AND
3 (b) He or she intentionally attempts to or does:
4 (a) (I) Influence the witness or victim to testify falsely or
5 unlawfully withhold any testimony; or
6 (b) (II) Induce the witness or victim to avoid legal process
7 summoning him OR HER to testify; or
8 (c) (III) Induce the witness or victim to absent himself or herself
9 from an official proceeding; or
10 (d) (IV) Inflict such harm or injury prior to such testimony or
11 expected testimony; OR
12 (V) INFLUENCE THE WITNESS, VICTIM, OR ANY PERSON WITH
13 KNOWLEDGE OF RELEVANT INFORMATION TO WITHHOLD INFORMATION
14 FROM, OR PROVIDE FALSE INFORMATION TO, LAW ENFORCEMENT, A
15 DEFENSE ATTORNEY, OR A DEFENSE INVESTIGATOR.

16 **SECTION 2. Effective date - applicability.** This act takes effect
17 July 1, 2022, and applies to offenses committed on or after said date.

18 **SECTION 3. Safety clause.** The general assembly hereby finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, or safety.