

CHAPTER 84

CHILDREN AND DOMESTIC MATTERS

HOUSE BILL 04-1108

BY REPRESENTATIVE(S) McFadyen, Borodkin, Boyd, Brophy, Butcher, Carroll, Crane, Garcia, Madden, Marshall, Merrifield, Miller, Paccione, Rose, Smith, Stengel, Tochtrop, Vigil, Weissmann, and Williams S.;
also SENATOR(S) Arnold, Fitz-Gerald, Groff, and Tapia.

AN ACT

CONCERNING THE INADMISSIBILITY OF CERTAIN CONFIDENTIAL COMMUNICATIONS BY JUVENILES.

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

SECTION 1. 19-3-207, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

19-3-207. Inadmissibility of certain evidence. (2.5) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, A JUVENILE'S STATEMENTS TO A PROFESSIONAL MADE IN THE COURSE OF TREATMENT ORDERED BY THE COURT PURSUANT TO THIS ARTICLE SHALL NOT, WITHOUT THE JUVENILE'S CONSENT, BE ADMITTED INTO EVIDENCE IN ANY CRIMINAL OR JUVENILE DELINQUENCY CASE BROUGHT AGAINST THE JUVENILE; EXCEPT THAT THE PRIVILEGE SHALL NOT APPLY TO STATEMENTS REGARDING FUTURE MISCONDUCT.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 5, 2004

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.