

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

February 10, 2022

Committee on Judiciary.

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

SB22-049 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend page 2, strike lines 14 and 15 and substitute:
2 "(oo) CRIMINAL INVASION OF PRIVACY, IN VIOLATION OF SECTION
3 18-7-801."
- 4 Page 3, line 3, strike "PERSONAL, CONFIDENTIAL, OR".
- 5 Page 3, line 22, strike "a AN UNREDACTED," and substitute "a".
- 6 Page 4, line 6, strike "THE INITIAL REPORT" and substitute "THE LAW
7 ENFORCEMENT AGENCY".
- 8 Page 4, line 8, strike "REPORT." and substitute "REPORT AND ANY
9 PERSONAL IDENTIFYING INFORMATION, INCLUDING BUT NOT LIMITED TO
10 SOCIAL SECURITY NUMBERS, DRIVER'S LICENSE NUMBERS, TELEPHONE
11 NUMBERS, E-MAIL ADDRESSES, AND PHYSICAL ADDRESSES RELATED TO
12 PARTIES OR WITNESSES IN THE CASE. THE INVESTIGATING LAW
13 ENFORCEMENT AGENCY SHALL NOTIFY THE DISTRICT ATTORNEY OF THE
14 INFORMATION THE VICTIM RECEIVED IN THE INCIDENT REPORT AND WHEN
15 IT WAS PROVIDED TO THE VICTIM. THE DISTRICT ATTORNEY SHALL
16 PROVIDE THIS INFORMATION TO ANY DEFENDANT INVOLVED IN THE CASE
17 THROUGH THE DISCOVERY PROCESS."
- 18 Page 4, line 18, strike "PERSONAL, CONFIDENTIAL, OR".
- 19 Page 5, line 25, strike "PRISON" and substitute "THE DEPARTMENT OF
20 CORRECTIONS".
- 21 Page 9, line 5, strike "THE COURT SHALL WORK".

- 1 Page 9, strike lines 6 through 8 and substitute "THE DISTRICT ATTORNEY
2 MUST UNDERTAKE BEST EFFORTS TO PRIORITIZE THE TIMING OF THE
3 VICTIM'S TESTIMONY AND MINIMIZE THE AMOUNT OF TIME THE VICTIM IS
4 SEQUESTERED FROM THE CRITICAL STAGES IN THE CASE."
- 5 Page 9, line 16, strike "PRISON" and substitute "THE DEPARTMENT OF
6 CORRECTIONS".
- 7 Page 11, line 10, strike "PERSONAL, CONFIDENTIAL, OR".
- 8 Page 11, line 24, strike "PERSONAL OR CONFIDENTIAL" and substitute
9 "PRIVILEGED".
- 10 Page 11, line 25, after "SHALL" insert "ALSO".
- 11 Page 14, strike lines 15 through 17 and substitute:
12 (h) (IV) ~~If victim notification is required, the probation officer~~
13 UNLESS THE VICTIM HAS OPTED OUT OF VICTIM NOTIFICATIONS FROM
14 COMMUNITY CORRECTIONS, THE COMMUNITY CORRECTIONS PROGRAM
15 AGENT FOR THE COMMUNITY CORRECTIONS PROGRAM shall provide".
- 16 Page 14, line 21, strike "SECTION 24-4.1-302 (1), IN A" and substitute
17 "SECTION 24-4.1-302 (1). THE COMMUNITY CORRECTIONS PROGRAM
18 AGENT FOR THE COMMUNITY CORRECTIONS PROGRAM SHALL NOTIFY THE
19 PROBATION DEPARTMENT OF THE VICTIM'S POSITION, AND THE PROBATION
20 DEPARTMENT SHALL PROVIDE TIMELY NOTIFICATION TO THE COMMUNITY
21 CORRECTIONS PROGRAM OF THE HEARING DATE, IF A HEARING IS SET.
22 REGARDLESS OF WHETHER A HEARING IS SET, THE PROBATION
23 DEPARTMENT SHALL NOTIFY THE COMMUNITY CORRECTIONS PROGRAM OF
24 THE OUTCOME OF THE OFFENDER'S MOTION FOR EARLY TERMINATION OF
25 A DIRECT SENTENCE TO THE COMMUNITY CORRECTIONS PROGRAM AND THE
26 COMMUNITY CORRECTIONS PROGRAM AGENT SHALL NOTIFY THE VICTIM."
- 27 Page 14, strike lines 22 through 26.
- 28 Renumber succeeding section accordingly.

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