

SENATE COMMITTEE OF REFERENCE REPORT

_____ Date April 1, 2021
Chair of Committee

Committee on Judiciary.

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

SB21-174 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 3, line 1, strike "INITIATES".
- 2 Page 3, line 2, strike "AN INTERNAL INVESTIGATION REGARDING AN
3 ALLEGATION, OR".
- 4 Page 3, line 3, strike "FINDING," and substitute "FINDING".
- 5 Page 3, strike lines 18 through 27 and substitute:
 - 6 "(b) (I) IN ADDITION TO THE DISCLOSURES REQUIRED IN
7 SUBSECTION (1)(a) OF THIS SECTION, A LAW ENFORCEMENT AGENCY SHALL
8 NOTIFY THE DISTRICT ATTORNEY'S OFFICE IN THE LAW ENFORCEMENT
9 AGENCY'S JURISDICTION WHEN:
 - 10 (A) A PEACE OFFICER IS A POTENTIAL WITNESS IN A PENDING
11 CRIMINAL PROSECUTION IN WHICH A CRIMINAL DEFENDANT HAS BEEN
12 FORMALLY CHARGED;
 - 13 (B) THE PEACE OFFICER IS UNDER A CONCURRENT CRIMINAL OR
14 ADMINISTRATIVE INVESTIGATION REGARDING AN ALLEGATION RELATED
15 TO THE PEACE OFFICER'S INVOLVEMENT IN THE DEFENDANT'S PENDING
16 CRIMINAL CASE; AND
 - 17 (C) THE RESULT OF THE CONCURRENT CRIMINAL OR
18 ADMINISTRATIVE INVESTIGATION, IF SUSTAINED, WOULD REQUIRE
19 DISCLOSURE PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION.
 - 20 (II) IF THE ALLEGATION IS SUBSEQUENTLY FOUND NOT SUSTAINED

1 OR IF THE PEACE OFFICER IS EXONERATED, THE LAW ENFORCEMENT
2 AGENCY SHALL NOTIFY THE DISTRICT ATTORNEY'S OFFICE IN THE LAW
3 ENFORCEMENT AGENCY'S JURISDICTION OF THE FINDING AND THE
4 CREDIBILITY DISCLOSURE NOTIFICATION BASED ON THE ALLEGATION MUST
5 BE REMOVED FROM THE RELEVANT DISTRICT ATTORNEY'S CREDIBILITY
6 DISCLOSURE NOTIFICATION RECORD."

7 Page 4, strike lines 1 through 3.

8 Page 5, line 5, strike "DISCLOSURE." and substitute "DISCLOSURE, UNLESS
9 NOTIFYING THE PEACE OFFICER OF THE CREDIBILITY DISCLOSURE
10 NOTIFICATION WOULD COMPROMISE AN ONGOING CRIMINAL, INTERNAL, OR
11 ADMINISTRATIVE INVESTIGATION."

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