



SUPPORT SB 24

INTIMIDATING A WITNESS CHANGES

Senator Rhonda Fields & Representative Dylan Roberts

Current law prohibits any person from attempting to intimidate a witness or victim in a criminal or civil proceeding through the use of a threat, an act of harassment, or any act of harm or injury to any person or property.

(See Intimidating a Witness or Victim, 18-8-704, C.R.S.)

ISSUE

Gaps exist in the law which allow perpetrators to intimidate *third-parties* who may be seen as able to exert influence or pressure on a victim or witness *early* in the criminal investigative process, after charges have been filed in a case, or while testifying, without contacting directly the primary victim or witness.

Juries can be confused by the reading of the law which does not make clear the prohibition against *intimidating third parties*, and as a result, impedes the effective administration of justice and resolution of cases without undue influence and witness-tampering due to threats, harassment, or outright injury to person or property.

SOLUTION

Add clear language in the statute to clarify that intimidation, whether carried-out "**DIRECTLY OR INDIRECTLY**", is prohibited.

Include a new provision in law to cover **A PERSON WHOM THE PERPETRATOR BELIEVES MAY HAVE INFORMATION RELEVANT TO A CRIMINAL INVESTIGATION, OR WHOM HE/SHE BELIEVES MAY BE ABLE TO EXERT INFLUENCE ON THE VICTIM OR WITNESS;**

Include a new provision in law to prohibit the **ATTEMPT OR ACTUAL INFLUENCING OF A WITNESS, VICTIM, OR ANY OTHER PERSON WITH RELEVANT KNOWLEDGE TO WITHHOLD THAT INFORMATION FROM, OR PROVIDE FALSE INFORMATION TO, LAW ENFORCEMENT.**