

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 9, 2015

Date

Committee on Judiciary.

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

SB15-058 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 3, strike line 14 and substitute "NOT KNOW IN
- 2 WHICH POSITION THE SUSPECT IS PLACED IN THE PHOTO ARRAY WHEN IT IS
- 3 VIEWED BY THE EYEWITNESS."

- 4 Page 3, line 18, strike "AN OFFENSE" and substitute "THE OFFENSE IN
- 5 QUESTION".

- 6 Page 4, line 10, after "SUSPECT" insert "IN PERSON".

- 7 Page 4, line 13, strike "ALL" and substitute "ANY".

- 8 Page 4, line 14, strike "AGENCIES" and substitute "AGENCY CHARGED
- 9 WITH ENFORCING THE CRIMINAL LAWS OF COLORADO AND THAT, AS PART
- 10 OF ANY CRIMINAL INVESTIGATION, USES OR MIGHT USE ANY EYEWITNESS
- 11 IDENTIFICATION PROCEDURE".

- 12 Page 4, line 18, strike "RECOMMENDED BY" and substitute "OF".

- 13 Page 4, line 19, before "RESEARCH" insert "PEER-REVIEWED".

- 14 Page 4, line 20, strike "DEVELOPED" and substitute "DEVELOPED, AGREED
- 15 UPON,".

- 16 Page 5, line 21, strike "(3) AND SUBMIT A COPY" and substitute "(3)".

- 1 Page 5, strike line 22 and substitute "IF A".
- 2 Page 5, line 23, after "NOT" insert "COMPLETE OR".
- 3 Page 6, strike lines 3 and 4 and substitute "SUCH POLICIES AND
- 4 PROCEDURES MUST BE".
- 5 Page 6, line 5, strike "REQUEST." and substitute "REQUEST PURSUANT TO
- 6 THE PROVISIONS OF THIS SECTION."
- 7 Page 6, line 6, strike "THE P.O.S.T. BOARD" and substitute "LAW
- 8 ENFORCEMENT".
- 9 Page 6, line 11, strike the second "THE" and substitute "ANY".
- 10 Page 6, after line 15 insert:
- 11 "(4) POLICIES AND PROCEDURES ADOPTED AND IMPLEMENTED BY
- 12 A LAW ENFORCEMENT AGENCY PURSUANT TO THIS SECTION SHALL BE
- 13 REVIEWED BY THE AGENCY AT LEAST EVERY FIVE YEARS TO ENSURE
- 14 CONSISTENCY WITH NATIONALLY RECOGNIZED PEER-REVIEWED
- 15 RESEARCH."
- 16 Renumber succeeding subsection accordingly.

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