



Colorado Legislative Council Staff  
**NO FISCAL IMPACT**

---

**Drafting Number:** LLS 04-0419

**Date:** January 27, 2004

**Prime Sponsor(s):** Sen. Groff

**Bill Status:** Senate Judiciary

**Fiscal Analyst:** Jonathan Lurie (303-866-2677)

---

**TITLE:** CONCERNING THE PROTECTION OF THE IDENTITY OF A VICTIM OF UNLAWFUL SEXUAL BEHAVIOR.

### Summary of Assessment

This bill allows a district attorney prosecuting a crime of unlawful sexual behavior to request the court to issue a protective order requiring the victim's name be kept confidential. If the court grants this motion, parties must refer to the victim as "Jane Doe" or "John Doe" in filings and proceedings. If the court decides that a hearing on the motion is necessary, this bill requires that the hearing be held in a private venue (an *in camera* proceeding).

Current rules of criminal procedure allow district attorneys to motion for protective orders or *in camera* proceedings (Rule 16, Colorado Rules of Criminal Procedure). In FY 2002-03, there were 2,500 cases in which unlawful sexual behavior was charged. However, the Colorado District Attorneys Council reports that protective orders for these crimes were rarely requested (fewer than five times in the past several years). Because of the expected infrequency of these motions, *this bill is assessed as having no fiscal impact*. This bill becomes effective upon the signature of the Governor.

### Departments Contacted

Judicial Branch

Public Defender

District Attorneys Council