

HB24-1072 be amended as follows:

1 Amend printed bill, page 2, after line 1 insert:

2 "SECTION 1. **Legislative declaration.** (1) The general assembly  
3 finds that:

4 (a) Sexual violence is a significant public safety and health  
5 concern in Colorado;

6 (b) Sexual violence has a serious long-term impact on mental and  
7 physical health, resulting in trillions of dollars in costs in the United  
8 States;

9 (c) Sexual crimes are the most unreported crimes due to many  
10 factors, including fear of retaliation, feelings of shame, self-blame, fear of  
11 blame, fear of disbelief, fear of the criminal justice process, and complex  
12 trauma caused by experiencing sexual violence committed by an intimate  
13 partner or friend;

14 (d) The successful prosecution of sexual offenders is abysmally  
15 low due to societal myths about sexual crimes resulting in victim blaming,  
16 as well as the high rate of victims opting not to participate in the criminal  
17 justice system because of a lack of protection from harassment and  
18 humiliation;

19 (e) The purpose of section 18-3-407, Colorado Revised Statutes,  
20 amended in this act and commonly referred to as the "rape shield statute",  
21 is to protect victims and witnesses of sexual crimes from humiliation  
22 caused by public disclosure of their intimate lives absent a preliminary  
23 showing that evidence will be relevant and that the probative value of the  
24 evidence is not substantially outweighed by the presumed prejudicial  
25 impact of the evidence on the victim's or witness's privacy and to confuse  
26 the issues in the case; and

27 (f) Victims and witnesses of sexual crimes should not be subjected  
28 to psychological or emotional abuse in the courtroom as a price for their  
29 cooperation in the prosecution, and the defendant must be provided due  
30 process in defending against the allegations. Unless victims and witnesses  
31 are protected from unnecessary and humiliating inquiries into their sexual  
32 history, they will continue to remain silent regarding sexual abuse.

33 (2) Therefore, the general assembly declares it necessary to protect  
34 victims and witnesses from irrelevant, humiliating, and degrading  
35 interrogation while simultaneously protecting an accused person's right to  
36 present a defense. Accordingly, section 18-3-407, Colorado Revised  
37 Statutes, must be strengthened and clarified to address barriers that  
38 victims face in reporting and participating in the criminal justice process."

39 Renumber succeeding sections accordingly.

\*\* \*\*\* \*\* \*\*\* \*\*