**5067-S AMS PADD S4742.1 - NOT FOR FLOOR USE**

**SSB 5067** - S AMD **602**

By Senator Padden

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec.**  (1) The legislature finds that evidence and testimony from accomplices and criminal informants warrant greater scrutiny.

(2) This act is intended to address the reliability of accomplice and criminal informant evidence and testimony by ensuring that the jury is fully informed when an accomplice or informant testifies.

(3) The legislature recognizes the inherent authority of the supreme court under Article IV of the state Constitution to administer and operate the state's court system and adopt final rules including, but not limited to, pattern jury instructions for all the state's courts. The legislature desires to provide a general provision in statute acknowledging and encouraging the judiciary to provide a criminal jury instruction addressing the testimony of witnesses involving special circumstances of immunity, benefits, accomplices, and pleas.

NEW SECTION. **Sec.**  The Washington pattern jury instruction committee operating under the auspices of the Washington supreme court is authorized and encouraged to adopt a criminal jury instruction substantially similar to model criminal jury instruction 4.9 adopted by the federal ninth circuit court of appeals for the district courts of the ninth circuit, 2010 edition."

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By Senator Padden

On page 1, line 1 of the title, after "to" strike the remainder of the title and insert "informant and accomplice evidence and testimony; and creating new sections."

EFFECT: (1) Recognizes the inherent authority of the judiciary to adopt court rules including pattern jury instructions.

(2) Encourages the Washington pattern jury instruction committee to adopt a substantially similar instruction to the ninth circuit court of appeals model criminal instruction 4.9, notifying a jury to consider possible influence on an informant or accomplice receiving something of value from the prosecutor in exchange for testimony.