5038-S.E AMH HAYE ADAM 177

**ESSB 5038** - H AMD TO JUDI COMM AMD (H-2498.1/17) **466**

By Representative Hayes

**NOT CONSIDERED 01/05/2018**

On page 1, beginning on line 13 of the striking amendment, strike all of subsection (2) and insert:

"(2) "Informant" means any individual, other than a codefendant, eyewitness, accomplice, or coconspirator, whose testimony is based upon statements allegedly made by the defendant while both the defendant and individual were held within a correctional facility."

On page 2, line 7 of the striking amendment, after "charges" strike "or investigations"

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|  | EFFECT:   Narrows the definition of "informant" to mean an individual, other than a codefendant, eyewitness, accomplice, or coconspirator, whose testimony is based upon statements allegedly made by the defendant while both the defendant and individual were held in a correctional facility.  Removes the requirement that the prosecutor disclose to the defendant any pending criminal investigations in which the informant is a suspect. |

**--- END ---**