

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

By Representative Hayes

**NOT CONSIDERED 01/05/2018**

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

3 "(2) "Informant" means any individual, other than a codefendant,  
4 eyewitness, accomplice, or coconspirator, whose testimony is based  
5 upon statements allegedly made by the defendant while both the  
6 defendant and individual were held within a correctional facility."  
7

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

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.

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