



# DenverDA

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March 6, 2006

Representative Lynn Hefley  
Colorado State Legislature  
200 East Colfax Ave.  
Denver, Colorado 80203

Dear Representative Hefley,

I direct this letter to you as a thoughtful legislator on issues of crime victims' rights and as a proponent of the current HB 1315. I am requesting a postponement of the hearing on HB 1315 until the victims and survivors of the murder cases affected by this bill can be notified of the impending action by the legislature.

As you are aware, Colorado passed landmark constitutionally-based victims' rights legislation in 1992 and 1993 that includes the rights of victims to be informed, present and heard at hearings that would modify the sentences of their offenders. HB 1315 in effect creates such a modification that circumvents these rights and thus can render the wishes of these victims insignificant. I realize that the letter of the law was intended for the judicial process, but submit to you that the spirit of this law should apply to any change in the outcome of the state proceedings concerning these offenders. Therefore, your proposed legislation should allow for the victims affected by your legislation to be notified, present and heard if they so desire.

I have already started the process of contacting victims' families who could be impacted and am aware that other District Attorneys have as well. It would be helpful to know as soon as possible of a postponement and new hearing date so that we may pass this information to them.

I realize that this request causes a brief delay and disruption in the process but suggest this action would address the *letter and the spirit* of our laws "...to assure that all witnesses and victims of crime are honored and protected...in a manner no less vigorous than the protection afforded to criminal defendants."

Sincerely,

A handwritten signature in black ink, appearing to read "Mitchell R. Morrissey".

Mitchell R. Morrissey  
Denver District Attorney

cc: Rep. Terrance Carroll, Rep. Morgan Carroll, Rep. Betty Boyd, Rep. Laurie Clapp, Rep. Richard Decker, Rep. Cory Gardner, Rep. Cheri Jahn, Rep. Joel Judd, Rep. Anne McGihon, Rep. Robert Witwer, Sen. Dan Grossman, Sen. Brandon Shaffer.