

HCS HB 2 -- FORFEITURE BY WRONGDOING (Hovis)

COMMITTEE OF ORIGIN: Standing Committee on Judiciary

This bill specifies that an otherwise inadmissible witness statement is admissible in evidence in a criminal proceeding as substantive evidence if the court, after a hearing, finds by a preponderance of the evidence that the defendant engaged in or acquiesced to wrongdoing with the purpose of causing the unavailability of the witness, such wrongdoing caused the unavailability of the witness, the prosecution exercised due diligence to secure by subpoena or other means the attendance of the witness, and the witness failed to appear.

There is an emergency clause for this bill.

This bill is similar to HCS HB 1964 (2020).