

**Rule Change #2005 (11)**

**Colorado Rules of Evidence  
Chapter 33**

**Rule 405. Methods of Proving Character**

**(a) No Change.**

**(b) Specific instances of conduct.** Except as limited by §§ 16-10-301 and 18-3-407, ~~(Volume 8, 1978 Repl. Vol.)~~, in cases in which character or a trait of character of a person is an essential element of a charge, claim or defense, proof may also be made of specific instances of ~~his~~ that person's conduct.

**Rule 608. Evidence of Character and Conduct of Witness**

**(a) No Change.**

**(b) Specific instances of conduct.** Specific instances of the conduct of a witness, for the purpose of attacking or supporting ~~his credibility~~ the witness' character for truthfulness other than conviction of crime as provided in §13-90-101, may not be proved by extrinsic evidence. They may, however, in the discretion of the court, if probative of truthfulness or untruthfulness, be inquired into on cross-examination of the witness (1) concerning ~~his~~ the witness' character for truthfulness or untruthfulness, or (2) concerning the character for truthfulness or untruthfulness of another witness as to which character the witness being cross-examined has testified.

The giving of testimony, whether by an accused or by any other witness, does not operate as a waiver of ~~his~~ the accused's or the witness' privilege against self-incrimination when examined with respect to matters ~~which~~ that relate only to ~~credibility~~ character for truthfulness.

**Amended by the Court, En Banc, September 29, 2005, effective January 1, 2006.**

**BY THE COURT:**

**Justice Nathan B. Coats  
Colorado Supreme Court**