

DISTRICT COURT, EL PASO COUNTY, COLORADO 270 Tejon Street Colorado Springs, Colorado 80903	DATE FILED: June 15, 2023 June 15, 2023
PEOPLE OF THE STATE OF COLORADO, Plaintiff v. ANDERSON ALDRICH, Defendant	σ COURT USE ONLY σ
Megan Ring, Colorado State Public Defender Joseph Archambault #41216 Chief Trial Deputy Michael Bowman #48652 Deputy State Public Defender 30 East Pikes Peak Avenue, Suite 200 Colorado Springs, Colorado 80903 Phone: (719) 475-1235 Fax: (719) 475-1476 Email: springs.pubdef@coloradodefenders.us	Case No. 22CR6008 Division 21
OBJECTION TO EXPANDED MEDIA COVERAGE [D-30]	

Mx. Anderson Aldrich¹, by and through counsel, informs the Court that they object to any requests for expanded media coverage in this case, specifically for the upcoming arraignment on June 26, 2023. Mx Aldrich states:

1. Mx. Aldrich has received an email notification through the Colorado Judicial Branch website from one media outlet. Mx. Aldrich has also received notice from the Court that multiple media outlets have contacted the Court for expanded media coverage of the June 26th hearing and that the parties have until June 16th to inform the Court about their position on these requests.
2. Mx. Aldrich understands and appreciates that the Court has already granted their motion to appear dressed in court appropriate “street” clothes at the June 26, 2023, hearing. *See* Order regarding [D-29] Request for Court Order Permitting Mx. Aldrich to wear Civilian Clothes at Arraignment, 6/11/23.
3. Media coverage of court proceedings is governed by Rule 3 of the Colorado Rules governing Public Access to Records and Information. The Rule does not specifically

¹ Anderson Aldrich is non-binary. They use they/them pronouns, and for the purposes of all formal filings, will be addressed as Mx. Aldrich

allow for expanded media coverage for hearings, but rather gives the Court factors to be considered if there is such a request. Colo. R. Pub. Acc. Rec. & Info. Rule 3.

4. Rule 3 applies to court proceedings, which are defined as “any trial, hearing, or any other matter held in open court which the public is entitled to attend.” *Id.* at (1)(A).
5. Pursuant to Rule 3, “in determining whether expanded media coverage should be permitted, a judge shall consider the following factors:
 - (A) Whether there is a reasonable likelihood that expanded media coverage would interfere with the rights of the parties to a fair trial;
 - (B) Whether there is a reasonable likelihood that expanded media coverage would unduly detract from the solemnity, decorum, and dignity of the court; and
 - (C) Whether expanded media coverage would create adverse effects which would be greater than those caused by traditional media coverage.” Colo. R. Pub. Acc. Rec. & Info. Rule 2(a)(2).
6. Media intrigue has already directly led to deprivations of Mx. Aldrich’s rights. The media and agents of El Paso County Law enforcement violated Colorado’s sealing statute to publicly air damaging information about Mx. Aldrich in case 21CR3485. These parties then used their violation of the statute as a basis to argue they needed to disseminate additional damaging information. *See* “Objections to All Petitions to Unseal,” filed in 21CR3485 on 11/30/22, *see also* “Motion to Dismiss All Petitions to Unseal based on Law Enforcement Misconduct” filed in 21CR3485, on 12/07/22. Further expansion of media coverage beyond that which is normally permitted is neither necessary, nor appropriate.
7. Expanded media coverage would interfere with Mx. Aldrich’s rights to a fair trial in this case and in a potential federal case in this jurisdiction. Expanded media coverage would unduly detract from the solemnity, decorum, and dignity of the Court. Expanded media coverage would create adverse effects that would be greater than those caused by traditional media coverage. Mx. Aldrich is not objecting to traditional media coverage.
8. The presumption of innocence is an axiomatic and bedrock principle. U.S. Const. amends. V, XIV; Colo. Const. art II, §25; *see also In re Winship*, 397 U.S. 358, 363 (1970). “The presumption of innocence requires the garb of innocence[.]” *Hoang v. People*, 323 P.3d 780, 784 (Colo. 2014)(quoting *Eaddy*, 174 P.2d at 718).
9. Events in a recent high profile murder trial in El Paso County, where expanded media coverage occurred, show expanded media coverage in this case will likely prejudice Mx. Aldrich. *See* Attached Exhibit A, printouts of the comments that are and were

viewable to the public during the Letecia Stauch El Paso County Case 20CR1358 trial.

10. As Exhibit A makes clear, when the media is granted expanded coverage, there is an extraordinary number of comments made about the defendant. Overwhelmingly, the comments are biased against the defendant and often will accuse the defendant of being guilty even before any finding of guilt. *Id.* Such comments live on forever on the internet and can taint the public's perception of the defendant. Of course, the comments likely only reflect a small fraction of the people that watched and felt the same. Exhibit A, details extensive negative comments made about a defendant's body language and actions while sitting in court, and how viewers have decided that the defendant was guilty and evil based upon their appearance. The majority of such comments were made prior to any finding of guilt by a jury, while the defendant was still presumed innocent.
11. When the proceedings are broadcast indiscriminately across the internet, the court loses all ability all ability to uphold the solemnity of the proceedings. Live streams are unmoderated, variable environments. While the court traditionally has the ability to control what is said and done within its courtroom, it lacks such control over live-streamed broadcast. Observers are free to launch vitriol at any defendant, attorney, witness or judge all from the safety and anonymity of a seat behind a keyboard and all the while having no fear of reprisal or reprimand from the court. The free-for-all environment livestream broadcast creates an environment more akin to a "trial" in a town-square, than a solemn courtroom.
12. This would be prejudicial to Mx. Aldrich in two separate cases. As the Court knows, Mx. Aldrich also faces a potential prosecution in Federal court. *See* [D-16]. Prejudicial and biased comments and coverage of them in this case will affect them in their El Paso County case and also in any potential federal case.
13. Mx. Aldrich requests a hearing on this matter.

WHEREFORE, it is respectfully requested that this Court deny all media outlets' Requests for Expanded Media Coverage at the June 26th arraignment.

MEGAN A. RING
COLORADO STATE PUBLIC DEFENDER



Joseph Archambault #41216
Chief Trial Deputy

Certificate of Service

I certify that on 06/15/2023, I served the
foregoing document electronically



through Colorado Courts E-Filing to all
opposing counsel of record.
s/skoslosky

Michael Bowman #48652
Deputy State Public Defender

Dated: June 15, 2023