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DISTRICT COURT, EL PASO COUNTY, COLORADO 30 East Pikes Peak Avenue, Suite 200 Colorado Springs, Colorado 80903	DATE FILED: January 25, 2023 11:27 AM
PEOPLE OF THE STATE OF COLORADO, Plaintiff v. ANDERSON ALDRICH , Defendant	☐ COURT USE ONLY ☐
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
MOTION FOR COURT ORDER REQUIRING THE DISTRICT ATTORNEYS’ OFFICE, UNITED STATES ATTORNEYS, AND EVERY OTHER LAW ENFORCEMENT AGENT TO REMOVE ALL JAIL VISITOR LOGS FROM THEIR POSSESSION	
[D-18]	

Mx. Anderson Aldrich¹, by and through counsel moves the Court to ORDER that the District Attorneys’ Office, the United States Attorney’s Office, and any other member of law enforcement who is possession of any jail visitor logs to remove all such material from their files and ORDER that they are not allowed to access or view any such visitor logs. Mx. Aldrich in support states the following:

1. On November 28, 2022, Mx. Aldrich filed [D-11] Motion to Prohibit the Prosecution and Its Agents from Obtaining any Records from the El Paso County Sheriff’s or Jail about Medical or Professional Visits with Mx. Aldrich. The motion explicitly sought to the Court to order the prosecution and its agents from obtaining jail visitor logs for visits with Mx. Aldrich.
2. On December 6, 2022, the Court addressed [D-11], and the prosecution concurred with the relief sought as to visitor logs. TR 12/6/21, p 24-26. The Court granted [D-11] with the only exception being incident logs. *Id.*

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.

3. Mx. Aldrich has learned that the prosecution has had in their possession visitor logs in direct violation of the Court's order regarding [D-11]. *See* Exhibit A, Martinez memo detailing possession of jail visitor logs.
4. Mx. Aldrich's communications and records relating to such communications with their attorneys and the attorney's investigators and legal assistants are confidential and protected. *See* C.R.S. § 13-90-107(1)(b); §16-3-402, *et seq.*
5. Mx. Anderson has a right to communicate with not only counsel, but also defense experts without intrusion by the prosecution. *See Hutchinson v. People*, 742 P.2d 875, at 881–82 (Colo. 1987).
6. The prosecution is not allowed access to any information about which doctors, psychologists, psychiatrists, attorneys, and defense experts that Mx. Anderson has met, or when or how long such meetings lasted, or what occurred in those meeting. Disclosure of any information about these topics (even in the form of logs about which professional visits occurred, who was there, or how long the meetings lasted) violates Mx. Anderson's rights to effective assistance of counsel, including with it the right to meet with their attorneys and establish a confidential relationship with them, and the right to properly investigate and prepare all possible defenses. U.S. Amends V., VI, XIV, Colo. Const. Art. II, § 3, 16, 23, and 25.
7. Exhibit A makes it clear that the prosecution is currently in blatant violation of the Court's order regarding [D-11], which the prosecution AGREED to be bound by. TR 12/6/21, p 24-26. The request in [D-11], was that the prosecution not be allowed to access the visitor logs. The Court granted that request. The only exception the Court made to [D-11] allowed the DA to possess "incident logs". *Id.* Nevertheless, Exhibit A proves the District Attorney in POSSESSION of professional visitor log for Mx. Aldrich, in violation of the Court's order on [D-11]. *See* Exhibit A.
8. Mx. Aldrich requests a hearing on this matter, and reserves the right to request sanctions.

Mx. Aldrich moves this Court to order that the District Attorneys' Office, the United States Attorney's Office, and any other member of law enforcement who is possession of any jail visitor logs to remove all such material from their files and order that they are not allowed to access or view any such visitor logs, and for the entities to certify to this Court that they have excised this material from their network and servers by January 27, 2023. To that end, Mx. Aldrich requests the Court enter the attached order. *See* Exhibit B.

MEGAN A. RING
COLORADO STATE PUBLIC DEFENDER



Joseph Archambault #41216
Chief Trial Deputy



Michael Bowman #48652
Deputy State Public Defender

Dated: January 25, 2023

Certificate of Service

I certify that on January 25, 2023, I served the foregoing document electronically through Colorado Courts E-Filing to all opposing counsel of record.

s/skoslosky