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DATE FILED: November 22, 2022

DISTRICT COURT, EL PASO COUNTY, COLORADO 30 East Pikes Peak Avenue, Suite 200 Colorado Springs, Colorado 80903	DATE FILED: November 22, 2022 4:38 PM
PEOPLE OF THE STATE OF COLORADO, Plaintiff v. <b>ANDERSON ALDRICH</b> , Defendant	<input type="checkbox"/> COURT USE ONLY <input type="checkbox"/>
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: <a href="mailto:springs.pubdef@coloradodefenders.us">springs.pubdef@coloradodefenders.us</a>	Case No. <b>22CR6008</b>  Division <b>21</b>
<b>OBJECTION TO EXPANDED MEDIA COVERAGE</b>  <b>[D-10]</b>	

Mx. Anderson Aldrich<sup>1</sup>, by and through counsel informs that Court that they object to any requests for expanded media coverage in this case, and specifically for the upcoming video advisement, and in support states the following:

1. As a preliminary matter, Mx. Aldrich has not received any requests for expanded media coverage, however Mx. Aldrich has received Court orders denying requests for media coverage. Mx. Aldrich still has not received any current requests for expanded media coverage<sup>2</sup> in this case.
2. 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 allow for expanded media coverage for advisements and arraignments, but rather gives the Court factors to be considered if there is such a request. Colo. R. Pub. Acc. Rec. & Info. Rule 3.

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

<sup>2</sup> Mx. Aldrich does not know if media requests are being submitted to the Court in an *ex parte* manner or if there is some issue with the ICCES filing system.

3. Rule 3, applies to court proceedings which are defined as “ (A) ‘ Proceeding’ means any trial, hearing, or any other matter held in open court which the public is entitled to attend.” *Id.* at (1)(A).
4. Mx. Aldrich, is scheduled to be seen by the Court not in open court, but via a video feed on November 23, 2022. This appearance is categorically not included within the definition of type of court proceeding that allows the Court to authorize expanded media coverage.
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. Expanded media coverage would interfere with Mx. Aldrich’s rights to a fair trial.
7. Expanded media coverage would unduly detract from the solemnity, decorum, and dignity of the Court.
8. 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.
9. Expanded media coverage would prejudice Mx. Aldrich in the following ways:
  - (A) Video coverage of Mx. Aldrich in custody, handcuffed, and in protective clothing are inherently prejudicial and unnecessary. Such images are often used over and over by media outlets in portraying a person accused of crimes. Once those video images are captured, or audio recordings are created, Mx. Aldrich has little to no recourse in how media outlets use those images. The repeated use of media to portray Mx. Aldrich as a person too dangerous to be at liberty, without shackles, and not in clothing of their own prejudices them to a substantial degree, and risks poisoning the potential jury pool. Considering the almost unfettered use of such media once it is captured by a media outlet, Mx. Aldrich cannot receive due process and a fair trial if the Court allows expanded media presence and coverage.
  - (B) Public display of Mx. Aldrich’s voice, size, face, demeanor, and other attributes of their physical appearance is similar in the nature to a "show up." In considering these issues with the information contained in the affidavit, it is possible this could taint witness testimony during proceedings in this matter,

including trial. Public display of their voice, size, face, demeanor and other attributes will not enhance the newsworthiness of this story nor will it impact the information made available to the public. Non-expanded, traditional media coverage is sufficient for advisement and arraignment.

- (C) Allowing expanded media coverage would place Mx. Aldrich in the position of potentially needing to request other remedies to protect their right to a fair trial such as closure of hearings, change of venue, etc. At this stage of the proceedings, a show-up situation involving Ms. Aldrich is tremendously prejudicial.
- (D) There has already been significant media coverage in Mx. Aldrich's case. Local and state media have covered this as a leading and top story on the various outlets (television, print, internet, etc.). National media outlets have also covered this incident to an extensive degree, and have treated this as a leading, national news story. The media is covering several aspects of this story, which suggests that when audio and video of Mx. Aldrich is captured, if allowed, it will be widely-distributed, only furthering the prejudice Mx. Aldrich faces at a jury trial. This unusual amount of information has the potential to create additional prejudice against Mx. Aldrich and to violate their legal rights in this case.

WHEREFORE, it is respectfully requested that this Court deny all media outlets' Requests for Expanded Media Coverage.

MEGAN A. RING  
COLORADO STATE PUBLIC DEFENDER



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Joseph Archambault #41216  
Chief Trial Deputy



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Michael Bowman #48652  
Deputy State Public Defender

Dated: November 22, 2022

**Certificate of Service**

I certify that on November 22, 2022, I served the foregoing document electronically through Colorado Courts E-Filing to all opposing counsel of record.  
s/skoslosky