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DISTRICT COURT, EL PASO COUNTY, COLORADO 30 East Pikes Peak Avenue, Suite 200 Colorado Springs, Colorado 80903	DATE FILED: December 1, 2022 December 1, 2022 11:21 AM
PEOPLE OF THE STATE OF COLORADO, Plaintiff v. ANDERSON ALDRICH, 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: springs.pubdef@coloradodefenders.us	Case No. 22CR6008 Division 21
<p style="text-align: center;">OBJECTION TO EXPANDED MEDIA COVERAGE</p> <p style="text-align: center;">[D-13]</p>	

Mx. Anderson Aldrich¹, by and through counsel informs that Court that they object to any requests for expanded media coverage in this case, and specifically for the first appearance, and in support states the following:

1. Mx. Aldrich is set for a first appearance/filing of charges on December 6, 2022, during the Court's normal criminal docket.
2. Despite requesting a copy of the arrest warrant, the District Attorney not objecting to that on November 23, 2022, and Judge Ankeny granting the request; Mx. Aldrich, has not received a copy of the arrest affidavit. Mx. Aldrich has also not received a copy of the charges or any part of discovery.
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 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.

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.

4. 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).
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 unduly detract from the solemnity, decorum, and dignity of the Court.
7. 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. "Every individual, whether detested or revered, is entitled to a fair trial before an impartial jury." *People v. Harlan*, 8 P.3d 448, 459 (Colo. 2000) (*citing to Oaks v. People*, 371 P.2d 443, 447 (Colo. 1962) *reversed on other grounds by People v. Miller*, 113 P.3d 743 (Colo. 2005)).
9. Expanded media coverage would interfere with Mx. Aldrich's rights to a fair trial.
10. 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.

11. Here, this December 6, first appearance/filing of charges, will be a fairly brief hearing and only one of Mx. Aldrich's attorneys can even appear. Therefore there is no need to risk harming Mx. Aldrich's right to a fair trial, for such a quick hearing.

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

MEGAN A. RING
COLORADO STATE PUBLIC DEFENDER



Joseph Archambault #41216
Chief Trial Deputy



Michael Bowman #48652
Deputy State Public Defender

Dated: December 1, 2022

Certificate of Service

I certify that on December 1, 2022, I served the foregoing document electronically through Colorado Courts E-Filing to all opposing counsel of record.
s/skoslosky