

DISTRICT COURT, El Paso County, Colorado Court Address: 270 South Tejon Street Colorado Springs, CO. 80903	
<b>People of the State of Colorado</b> vs. <b>Anderson Aldrich, Defendant</b>	DATE FILED: June 26, 2023 2:22 PM
Deputy District Attorney: Reginald Short Attorney Registration #: 35656 Address: 105 E Vermijo, Colorado Springs, CO 80903 Phone Number: (719) 520-6000 District Attorney: Michael J. Allen, #42955	<b>▲ COURT USE ONLY ▲</b> Case #: D0212022CR006008 Division #: 21 Courtroom #: W450
<b>PLEA AGREEMENT</b>	

- I am the defendant. My name is: Anderson Aldrich.
- I wish to plead guilty to the following:

**Counts No. 1,4,7,10 and 13 Murder in the First Degree C.R.S 18-3-102(1)(a) (Class 1 Felony). To the extent necessary under the law, I also admit that these crimes were comitted by use of a deadly weapon and that the death of another person was caused.**

**Counts 16, 21, 26, 31, 36, 41, 46, 51, 56, 61, 66, 71, 76, 81, 86, 91, 96, 101, 106, 112, 118, 124, 130, 135, 140, 145, 150, 155, 160, 165, 170, 175, 180, 185, 190, 195, 200, 205, 210, 215, 220, 225, 230, 306, 311, 318 Criminal Attempt to Commit Murder in the First Degree C.R.S. 18-3-102(1)(a) and 18-2-101. I also admit that these crimes were comitted by use of a deadly weapon and that as appicable to specific victims, serious bodily injury was caused.**

I wish to plead no contest (Nolo Contendere) the following charges:

**Count 3 Bias Motivated Crime – Caused Bodily Injury. C.R.S. 18-9-121(2)(a) (Class 5 Felony).**

**Count 134 Bias Motivated Crime- Conduct Likely to Produce Bodily Injury (Class 1 Misdemeanor).**

- I understand the nature of the charge(s) and the elements of each offense to which I am pleading and the effect of my plea.

Defendant's Initials AA

4. The elements of the offense(s) to which I am pleading guilty are:

**Counts No. 1, 4, 7, 10 and 13 Murder in the First Degree C.R.S 18-3-102(1)(a)  
(Class 1 Felony)**

- 1 That the defendant
2. In the State of Colorado, at or about the date and place charged in the complaint
3. after deliberation
4. and with the intent to cause the death of a person other than themselves
5. caused the death of the victim

A person acts "intentionally" or "with intent" when his [her] conscious objective is to cause the specific result proscribed by the statute defining the offense. It is immaterial to the issue of specific intent whether or not the result actually occurred.

The term "after deliberation" means not only intentionally but also that the decision to commit the act has been made after the exercise of reflection and judgment concerning the act. An act committed after deliberation is never one which has been committed in a hasty or impulsive manner.

Victim means any natural person against whom any crime has been perpetrated or attempted, as crime is defined under the laws of this state or of the United States.

Voluntary Act means an act performed consciously as a result of effort or determination, and includes the possession of property if the actor was aware of his physical possession or control thereof for a sufficient period to have been able to terminate it.

**Counts No. 16, 21,26,31,41,46,51,56, 61,66,71,76, 81,86,91, 96, 101, 106, 112, 118, 124, 130, 135, 140, 145, 150, 155, 160, 165, 170, 175, 180, 185, 190, 195, 200, 205, 210, 215, 220, 225, 230, 306, 311, 318 Criminal Attempt to Commit Murder in the First Degree**

1. That the Defendant
2. In the State of Colorado, at or about the date and place charged in the complaint
3. With intent
4. Engaged in a substantial step towards the commission of Murder in the First Degree.

A person acts "intentionally" or "with intent" when his [her] conscious objective is to cause the specific result proscribed by the statute defining the offense. It is

immaterial to the issue of specific intent whether or not the result actually occurred.

A substantial step is any conduct, whether act, omission, or possession, which is strongly corroborative of the firmness of the actor's purpose to complete the commission of the offense.

The elements of the offense I am pleading no contest to are:

**Amended Count 3 Bias Motivated Crime – Caused Bodily Injury. C.R.S. 18-9-121(2)(a) (Class 5 Felony).**

- 1. That the defendant**
- 2. In the State of Colorado, at or about the date and place charged in the complaint**
- 3. With the intent**
- 4. To intimidate or harass another person, in whole or in part because of that person's actual; or perceived race, color, religion, ancestry, national origin, physical or mental disability, or sexual orientation,**
- 5. Knowingly,**
- 6. Caused bodily injury to another person**

A person acts "intentionally" or "with intent" when his [her] conscious objective is to cause the specific result proscribed by the statute defining the offense. It is immaterial to the issue of specific intent whether or not the result actually occurred.

A person acts "knowingly" or "willfully" with respect to conduct or to a circumstance described by a statute defining an offense when they are aware that their conduct is of such nature or that such a circumstance exists. A person acts "knowingly" or "willfully," with respect to a result of their conduct, when they are aware that their conduct is practically certain to cause the result.

"Bodily injury" means physical pain, illness, or any impairment of physical or mental condition.

"Sexual orientation" means a person's actual or perceived orientation toward heterosexuality, homosexuality, bisexuality, or transgender status

**Amended Count 134 Bias Motivated Crime- Conduct Likely to Produce Bodily Injury (Class 1 Misdemeanor).**

- 1. That the defenant**
- 2. In the State of Colorado, at or about the date and place charged in the complaint**
- 3. With the intent**

4. To intimidate or harass another person, in whole or in part, because of that person's actual or perceived race, color, religion, ancestry, national origin, physical or mental disability, or sexual orientation
5. Knowingly
6. By words or conduct
7. Placed another person in fear of imminent lawless action directed at that person, or that person's property
8. and such words or conduct were likely to produce bodily injury to that person or damage to that person's property.

A person acts "intentionally" or "with intent" when his [her] conscious objective is to cause the specific result proscribed by the statute defining the offense. It is immaterial to the issue of specific intent whether or not the result actually occurred.

A person acts "knowingly" or "willfully" with respect to conduct or to a circumstance described by a statute defining an offense when they are aware that their conduct is of such nature or that such a circumstance exists. A person acts "knowingly" or "willfully," with respect to a result of their conduct, when they are aware that their conduct is practically certain to cause the result.

"Bodily injury" means physical pain, illness, or any impairment of physical or mental condition.

"Sexual orientation" means a person's actual or perceived orientation toward heterosexuality, homosexuality, bisexuality, or transgender status

5. I was not on probation, bond, parole or deferred judgement and sentence, for a felony crime, at the time I committed this crime.
6. I understand that any charges dismissed by the District Attorney are subject to the payment of restitution.
7. As to sentencing, I agree:
  - a) **The Defendant shall receive a mandatory life sentence for each Murder in the First Degree Count, with statutorily-required consecutive sentences for each named victim.**
  - b) **As the convictions for Murder in the First Degree, Extreme Indifference would merge as to each victim, the People agree to dismiss Counts 2, 5, 8, 11 and 14.**
  - c) **As to the convictions for the Criminal Attempt to Commit Murder in the First Degree, the Defendant shall receive a stipulated sentence in the range modified for the associated admission of the Crimes of Violence counts, specifically 48 years, followed by the applicable period of**

parole. These counts are also required to be consecutive as to each named victim.

- d) **As to count 3, Bias Motivated Crime – Caused Bodily Injury, the Defendant shall receive a stipulated sentence of 3 years in the department of corrections, followed by the applicable period of parole. As to count 134, Bias Motivated Crime – Conduct Likely to Produce Bodily Injury, the defendant shall serve 364 days of jail concurrent and coterminous to the sentences in all other counts.**
- e) **As the convictions to Criminal Attempt to Commit Murder in the First Degree – Extreme Indifference, Assault in the First Degree – Intent to Cause Serious Bodily Injury, Assault in the First Degree – Extreme Indifference, Criminal Attempt to Commit Assault in the First Degree– Serious Bodily Injury Deadly Weapon, Criminal Attempt to Commit Assault in the First Degree – Extreme Indifference, and Assault in the Second Degree would also merge with the Criminal Attempt to Commit Murder in the First Degree – With Intent and After Deliberation, the People agree to dismiss Counts 17-19, 22-24, 27-29, 32-34, 37-39, 42-44, 47-49, 52-54, 57-59, 62-64, 67-69, 77-79, 82-84, 87-89, 92-94, 97-99, 102-104, 107-110, 113-116, 119-122, 125-128, 131-133, 136-138, 141-143, 146-148, 151-153, 156-158, 161-163, 166-168, 171-173, 176-178, 181-183, 186-188, 191-193, 196-198, 202-203, 206-208, 211-213, 216-218, 221-223, 226-228, 231-233, 307-309, 312.**
- f) **As to the felony Bias Motivated charges, predicted upon the Court accepting the motion to amend, the People agree to dismiss Counts 6, 9, 12, 15, 20, 25, 30, 35, 40, 45, 50, 55, 60, 65, 70, 75, 80, 85, 90, 95, 100, 105, 111, 117, 123, and 129.**
- g) **As to the misdemeanor Bias Motivated charges, again predicated upon the Court accepting the motion to amend, the People agree to dismiss Counts 139, 144, 149, 154, 159, 164, 169, 174, 179, 184, 189, 194, 199, 204, 209, 214, 219, 224, 229, 234, 310, 315, and 322.**
- h) The Defendant agrees to waive sentencing reconsideration under Rule 35(b).
- i) The Defendant shall pay felony court costs, restitution and all surcharges that apply as ordered by the court. The Defendant stipulates to causation for restitution purposes.
- j) This plea agreement is conditional on my having 0 prior felony conviction(s). If it is determined prior to sentencing that I have additional felony convictions then the district attorney will have the discretion to withdraw this plea agreement. By signing this agreement, the defendant asserts the number of prior felony convictions listed above is accurate and, that assertion, if inaccurate, would be a material breach of this agreement and the district attorney would have the discretion to withdraw this plea agreement.

- k) I agree that I have presented mitigation information to the District Attorney. I will not advocate or request a recommendation not outlined in this written agreement and that, if I do, it would be a material breach of the agreement and the district attorney will have the discretion to withdraw this agreement.
- l) I agree that at the time of sentencing my attorney and I will not advocate or request any sentence or conditions not outlined in this written agreement. I agree I will not request that the court modify or strike any provisions of this plea agreement. I agree that if I were to violate this provision it would be a material breach of the agreement between the parties and the district attorney will have the discretion to withdraw this plea agreement.

### WAIVER OF RIGHTS

- 8. I speak, read and understand the English language.
- 9. I am not under the influence of any alcohol, medication or drugs. My physical and mental health is satisfactory. I am 22 years of age. My date of birth is 05/20/2000. I have gone to school up to and including 12 years.
- 10. I have consulted with my lawyer concerning this matter and I am satisfied with what my lawyer has done for me.
- 11. I have been advised and understand that:
  - a. I do not need to make any statement. Any statement I make may be used against me;
  - b. I have a right to a lawyer. If I cannot afford a lawyer the Court will appoint one for me;
  - c. Any plea I make must be voluntary and must not be the result of any undue influence, coercion, or force by anyone;
  - d. I have a right to bail if the offense is bailable, and have been told the amount of my bail;
  - e. I have been advised of the nature of the charges against me and of my right to a preliminary hearing and a jury trial.
  - f. I have the right to plead "Not Guilty" to any offense charged against me. If I choose to plead "Not Guilty" the Constitution guarantees me:
    - i. the right to a speedy and public jury trial;
    - ii. the right to representation by a lawyer before trial and at trial;

- iii. the right to see, hear and face in open court all witnesses called to testify against me and to cross examine them;
  - iv. the right to have the prosecution prove each element of each offense charged in this matter beyond a reasonable doubt;
  - v. the right to remain silent;
  - vi. the right not to testify;
  - vii. the right to testify if I want to;
  - viii. the right to the presumption of innocence;
  - ix. the right to subpoena and call witnesses on my behalf;
  - x. the right to legal defenses and to an alibi defense if one exists;
  - xi. the right to appeal any conviction;
  - xii. I understand that if I tender a plea of guilty I give up all of these rights.
12. My plea is voluntary and is not the result of any promises or representations from anyone, including my lawyer, or of undue influence or coercion or force by anyone.
13. I expressly waive my right to trial by jury on all issues.
14. I fully understand that if the Court accepts my plea:
- a. The only possible sentence for the charge of Murder in the First Degree is a life sentence without the possibility of parole.
  - b. The possible penalties for the charges of Criminal Attempt to Commit Murder in the First Degree to which I am pleading guilty include a sentence to the Department of Corrections for a definite term of between 8 and 24 years and a fine from \$5,000-\$1,000,000 (F-2).
  - c. I agree to allow the Court to determine whether any extraordinary mitigating or aggravating circumstances are present in my case, and agree to waive my right to have a jury make that determination.
  - d. If the Court finds extraordinary aggravating circumstances, the possible penalties include a sentence to the Department of Corrections for a term greater than the presumptive range in 14.b. to double the maximum term, making a term as long as 48 years.
  - e. If the Court finds extraordinary mitigating circumstances then it may sentence me to a term as short as 4 years.
  - f. A mandatory period of parole of 3 years will be added to any sentence I receive, and will begin immediately upon my discharge from imprisonment in the Department of Corrections.
  - g. The possible penalties for the charges of Bias Motivated Crime – Caused Bodily Injury include a sentence to the Department of Corrections for a

definite terms of between one and three years and a fine of between \$1000 and \$100,000 (F-5).

- h. If the Court finds extraordinary aggravating circumstances for this offense, the possible penalties include a sentence to the Department of Corrections for a term greater than the presumptive range in 14g a maximum term of 6 years. If extraordinary risk circumstances are present, the maximum term becomes 8 years.
  - i. If the Court finds extraordinary mitigating circumstances, then it may sentence me to a term as short as 6 months.
  - j. The possible penalties for Bias Motivated Crime - Conduct Likely to Produce Bodily Injury include up to 364 days imprisonment and a fine of not more than \$1000, or both.
  - k. I agree to allow the Court to determine whether any of the circumstances set forth in paragraphs 14.d, e, h and i are present in my case, and agree to waive any right to have a jury make that determination.
  - l. I understand that that if I have been convicted of two or more felonies in the State of Colorado, any other state, and/or the United States (i.e. federal or military charges) I will not be eligible for probation without the consent of the district attorney if one of my prior felony convictions or the crime to which I am pleading guilty to is: First Degree Murder, Second Degree Murder, Manslaughter, First Degree Assault, Second Degree Assault, First Degree Kidnapping, Second Degree Kidnapping, a felony sex offense other than failure to register as a sex offender, First Degree Arson, First Degree Burglary, Second Degree Burglary, Robbery, Aggravated Robbery, Theft from the Person of another, or a felony offense committed against a child. This includes any crimes involving the attempt to commit one of the listed crimes or conspiracy to commit any of the listed crimes.
  - m. I understand this conviction will constitute a new criminal offense pursuant to C.R.S. § 24-72-703(2)(a)(V) and this court shall order the conviction records in El Paso County case numbers 2021CR3485 to be permanently unsealed.
15. I understand that the Court will not be bound by any representations or promises made to me concerning penalties to be imposed or the granting or denial of probation, no matter who made them, unless written down as part of this plea agreement.
16. I agree that there is a factual basis for the plea of guilty to the crime charged in this matter and I will lay a full factual basis on the record upon entry of this plea agreement except as otherwise noted with respect to the Bias Motivated crimes. I



agree that with respect to the Bias Motivated crimes there will not be a factual basis as it is a no contest or nolo contender plea.

17. I expressly agree to waive any rights I have under C.R.S. 18-1-1101 through 1108 concerning the preservation, retention, disposal, or destruction of any evidence in this case, including evidence that may contain relevant DNA evidence. I expressly agree to waive any requirements to notice, a right to objection, or the ability to request for hearing. I waive these rights concerning any evidentiary items taken into evidence on the case I am being prosecuted for, and for any of my cases being disposed of or dismissed as part of a plea agreement. I waive any right to review a formal evidence list/summary of said evidence in all cases. I have reviewed with my counsel the discovery in the cases subject to this waiver, including a description of all evidence held in the cases subject to this waiver. The discovery will constitute a written list describing all evidence that is subject to this waiver. I agree to allow the District Attorney and/or the Custodian of Evidence to make all decisions regarding retention and/or destruction of evidence in this case. Any exceptions to this waiver will be listed out explicitly in the plea agreement.

18. If I was 18 or 19 years of age when the crime was committed and under 21 years of age when sentenced, I expressly agree to waive and give up any right I may have to be eligible for a sentence to Youth Offender Services, pursuant to C.R.S. 18-1.3-407.5.

19. I agree that if I commit any new crime between now and the time of sentencing or if I fail to appear for sentencing, unless it is unavoidable (to be determined by the judge), then any sentencing recommendation or restriction in Paragraph 7 shall not apply, and sentencing shall be left completely open to the discretion of the judge on all counts to which I have pled guilty. I agree that I will not be allowed to withdraw my pleas(s) and that the district attorney may, in addition, file any applicable violation of bail bond conditions charges.

I agree that if the Court does not accept the provision in paragraph above when the plea is entered and I commit any new crime between now and the time of sentencing or fail to appear at my sentencing hearing unless it is unavoidable (to be determined by the judge), that action is a material breach of this agreement and the district attorney will have the discretion to withdraw this plea agreement.

20. I am a citizen of the United States, or if I am not a citizen of the United States, I understand that conviction of a crime may result in deportation, exclusion from admission to the United States, or denial of naturalization. I certify that my attorney has advised me that my guilty plea may carry a risk of adverse immigration consequences, which may include deportation, a denial of naturalization, and other consequences, and in some cases, depending on the crime to which I am pleading guilty, that deportation is a certainty.

21. I understand that if my guilty plea is accepted by this Court for any of the crimes listed below, no bail is allowed:

Defendant's Initials AA

- a. Murder.
  - b. Felony sexual assault involving the use of a deadly weapon;
  - c. Felony sexual assault committed against a child under 15 years of age;
  - d. A crime of violence;
  - e. A felony involving the use of a firearm.
  - f. Habitual Domestic Violence as described in C.R.S. 18-6-801(7);
  - g. Stalking if it is a second or subsequent conviction for stalking that occurred within 7 years of the previous stalking conviction, or if there was a protection order, injunction, or condition of bond, probation, or parole or any other court order which protected the victim from the defendant.
22. I agree to forfeit all weapons, magazines and ammunition held as evidence in this case, or held as evidence in any case disposed of or dismissed as part of this plea agreement, and further I agree to allow the law enforcement agency in possession of these items to dispose of them at their discretion. I agree to forfeit all drugs, drug paraphernalia, or drug-related items (e.g., scales, baggies, etc.) held as evidence in this case, or held as evidence in any case disposed of or dismissed as part of this plea agreement, and further I agree to allow the law enforcement agency in possession of these items to dispose of them at their discretion.
23. I agree to pay all restitution within the term of my original sentence. I agree to pay restitution for all counts and cases governed by this plea agreement, including counts and/or cases dismissed as part of this plea agreement. I further stipulate to causation for restitution purposes in this case and in any case(s) dismissed as part of this agreement. The restitution amount will include all losses pursuant to statute and case law, including 8% interest from the date of loss and simple interest from the date of the entry of the order at the rate of 8% per annum except such interest will not accrue during the time that the defendant is actually serving a sentence in the department of corrections. Restitution shall be payable jointly and severally with any convicted co-defendants. The Court will order restitution, with the People to submit the proposed amount within 42 days of sentencing, and the Defendant provided 21 days to object to final determination of the amount. I understand that court ordered restitution is a condition of my sentence and failure to pay court ordered restitution could result in revocation or lead to the institution of other future proceedings against me. Pursuant to C.R.S. §16-18.5-105, if the court finds I failed to pay restitution when I had the ability to pay, the court may revoke my probation and impose any other sentence permitted by law, impose jail with a recommendation that I participate in a work release program, extend the period of my probation, and/or find me in contempt of court and impose any authorized penalties for contempt.
- a. As part of my plea agreement with the People, I am agreeing to pay restitution in the other cases and counts that the People have agreed to dismiss. I understand that I engaged in misconduct in the other cases which caused a loss to victims in those cases and that it would be helpful

to me in my rehabilitation to be required to make those victims whole. In order to obtain the benefit of the plea offer presented to me by the People I am agreeing to pay restitution in case(s): none and the remaining counts in the current case. I understand that the restitution ordered will become a condition of the sentence the court imposes on the case to which I am entering a plea of guilty and my failure to pay that restitution could lead to revocation proceedings instituted against me in the future.

- b. As part of my plea agreement with the People, I am agreeing to pay restitution for other counts that the People have agreed not to file. I understand that I engaged in misconduct with regard to those other counts which caused a loss to victims and that it would be helpful to me in my rehabilitation to be required to make those victims whole. In order to obtain the benefit of the plea offer presented to me by the People I am agreeing to pay restitution for those other counts and the remaining counts in the current case. I understand that the restitution ordered will become a condition of the sentence the court imposes on the case to which I am entering a plea of guilty and my failure to pay that restitution could lead to revocation proceedings instituted against me in the future

24. I understand that I may be ordered to make payments of a monetary amount as part of my sentence. I understand that if I am granted probation and I am ordered to pay a monetary amount, the payment of the monetary amount will be a condition of my probation.

- a. The court will have a designated official which shall report any failure to pay a monetary amount to the court. If my sentence is to unsupervised probation, the designated official is the division staff for the division to which my case is assigned. If my sentence is any other sentence, the designated official is the collections supervisor.
- b. I understand that if at any time I am unable to pay the monetary amount due that I must contact the court's designated official or appear before the court to explain why I am unable to pay the monetary amount.
- c. I understand that if I have the ability to pay the monetary amount as directed by the court or the court's designee but I willfully fail to pay, I may be imprisoned for failure to comply with the court's order to pay.
- d. I understand that if I willfully fail to pay a monetary amount due, the court may impose part or all of a suspended sentence, may revoke my probation or may hold me in contempt of court.
- e. I understand that if I fail to appear at a hearing to impose a suspended sentence or to revoke probation or a contempt hearing that a warrant may be issued for my arrest.

- f. I understand that if I am found to be in contempt of court for willful failure to pay, I may be imprisoned for a period not to exceed:
    - i. For a felony, one year.
    - ii. For a misdemeanor, one-third of the maximum term of imprisonment authorized for the misdemeanor.
    - iii. For a petty offense or a traffic violation punishable by a possible jail sentence, fifteen days.
  - g. I understand that if I receive a sentence of imprisonment and then am found to be in contempt of court for willful failure to pay, the total period of time I am ordered to be imprisoned will not exceed the maximum term of imprisonment authorized for the offense(s) to which I am pleading guilty.
25. I agree to pay any costs of prosecution ordered by the court pursuant to C.R.S. 18-1.3-701.
26. I agree that my plea will be final. Only the judge will have the power to reject this agreement later. Once I plead guilty in court, I will not be allowed to change my mind.
28. I have read and understand this entire document. I have discussed the document and my plea fully with my lawyer.

Signed by me in the presence  
of my attorney on:

Date: 05/17/2023

ANDRISON ALDRICH  
Defendant's Signature

Date: 5/17/2023

[Signature]  
Reginald Short  
Deputy District Attorney, #35656

Defendant's Address

City, State, Zip

Date: 5/17/23

[Signature]  
Attorney for Defendant, # 41210

Attorney's Address

Attorney's City, State, Zip

Attorney's Phone No. \_\_\_\_\_  
Revised: August 2, 2019

