

March 6, 2025



Representative Elizabeth Velasco
200 E. Colfax RM 307
Denver, CO 80203

City of Aspen request for amendments to HB25-1147
Fairness & Transparency in Municipal Court

Dear Representative Velasco:

As a home rule municipality, the City of Aspen maintains that the authority to address issues that pertain to the city must reside within the city's home rule powers. We respectfully request you consider amendments to this bill to better align with the spirit of home rule authority.

Below are the concerns noted by the City of Aspen:

- Municipal courts address local offenses effectively and need flexibility to appropriately respond to the needs of their communities, which may differ from the needs of the state.
- The sentences Aspen ultimately impose differ very little from state penalties, making rigid state mandates unnecessary. The Colorado Supreme Court is reviewing cases challenging this very issue, making legislative action premature. Deferring action on sentencing until the Court issues a ruling may avoid costly litigation and ensure judicial decisions inform future legislative decisions.
- Ensuring access to counsel requires more resources, especially in areas with few criminal trial attorneys. Aspen requests amendments be made that clarify the process for providing counsel to defendants facing incarceration while avoiding new burdens that are not placed on state courts — and that codify the best practices that are already followed by the majority of municipal courts
- The extra cost and necessary resources to accommodate this bill may have the unintended consequence of causing many small municipalities, such as Aspen, to no longer be able to prosecute municipal offences.
- Transparency: concern that expanding court streaming without sufficient municipal resources could burden courts that have limited staff and funding. Increased streaming raises concerns about privacy, fair trial rights, safety, and the potential for bias or misrepresentation. Aspen requests amendments to ensure courtroom transparency changes only apply to livestreaming of proceedings between the court and defendants in custody who are facing jail sentences, retaining flexibility for courts to appropriately manage their courtrooms.

- Aspen respectfully requests that language addressing municipal court sentencing be removed from the bill pending the Colorado Supreme Court's decision on the important questions of sentencing and home rule authority.

Sincerely,

A handwritten signature in blue ink, appearing to read "TORRE", with a stylized flourish extending to the right.

TORRE
Mayor, City of Aspen