

Honorable members of the Colorado House Judiciary Committee:

My name is Mary Broderick, I am a retired union electrician who has resided in Denver County for 47 years. As a citizen of Colorado, I am extremely concerned that we are not protecting the most vulnerable populations in Denver and Colorado. I support the passage of **HB-25-1147 Municipal Court Fairness & Transparency**.

I believe this bill will protect our current Colorado Immigrant Population who falls into the hands of the Criminal Justice system; while simultaneously creating municipal sentencing parity with State courts- and require legal counsel for all who have been jailed.

The Municipal Court Problems = Arbitrary and Unequal Justice:

Everyone jailed is entitled to Fairness and the right to legal counsel -this will be assured with the Passage of HB 25-1147: (Some of the current problems are listed below.)

- **Municipal vs State court sentencing disparities create arbitrary and unequal justice.**
- Colorado values access to equal justice, which means people facing jail deserve an attorney, but too often don't get one if charged in municipal court.
- Police officers have far too much power in their discretion to send people to municipal court– which may result in sentences 30x longer than if they were charged in state court.
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The “Municipal Court Problems” listed above are further complicated within the Colorado Immigrant Population, when coupled with the latest deportation mandate coming out of the White House. There were three things that prompted me to act on this issue:

1. *The bi-partisan passage of the **Laken-Riley Act** signed Jan. 2025- It is an Act where an immigrant does not have to be convicted- **simply accused** of certain crimes to be forced into mandatory detention with no access to counsel, nor right to bond, or release throughout the immigration hearing process.*
2. *At a Detention Center vigil, I heard the story of a young immigrant mother “C” who was applying for a food delivery job- the employer told her to go to Buckley Air Force base to finish paperwork- she has been detained 4 months with no right to bond - her young son separated from Mama. Her father struggling to answer the question- When is Mama coming home?*
3. **HB25-1147 Bill and its Impact on Immigrant Communities discussed at a Colorado Legislative webinar with Coloradans for Immigrant Rights-AFSC.**

HB25-1147 will reduce harms for immigrant communities in the following ways: *Here are the highlights shared at the webinar mentioned above:*

HB25-1147 will require counsel at all in custody hearings for all in custody defendants. Right now, many undocumented municipal defendants are pleading to non-immigration safe pleas without counsel or immigration advisement. Municipal offenses can have serious immigration consequences and access to counsel is critical to increasing the likelihood of immigration safe-case resolution. [*The mandatory detention of the Laken Riley act combined with the Stop Work Order to Legal Advocacy networks like RMIAN- from the Trump Administration is creating more cases of “Accused” not Guilty needing Counsel and with less immigration lawyers to provide that counsel.*](#)

HB25-1147 will cap municipal sentences for most poverty-offenses at the same level as a state petty offense. This means many municipal poverty-offenses currently eligible for up to 364 days in jail in municipal court will be capped at 10 days, allowing people charged with these crimes to maintain a deportation defense that is unavailable to people who spend 180 days or more in jail for any crime. It will help with the other non-theft poverty offenses commonly prosecuted in municipal courts.

HB25-1147 will decrease the time people spend in jail for municipal offenses, decreasing opportunities for ICE contact. We know even one day in jail can lead to contact, but we also know every day a person is not in jail is decreased opportunity for contact.

Broderick Written Testimony to Support the passage of HB 25-1147 (Municipal Court Fairness & Transparency) Scheduled for the House Judiciary Committee on 02/26/2025 01:30 PM

In closing, I urge Passage of this Bill out of the Judiciary Committee, and I thank all who have worked to make the bill a possible solution to very real problems.

Mary Broderick

Denver, CO

Resources: The attached documents may be helpful to fact checking my written testimony

1. Colorado Freedom Fund Fact Sheet HB25-1147 Municipal Court Fairness and Transparency

<https://mail.google.com/mail/u/0/?tab=rm&ogbl#search/dana%40coloradofreedomfund.org/FMfcgzQZTMPJbkCJRPGfWDvPNstVVjq?projector=1>

2. National Immigration Project- The Laken Riley Act Community Explainer dated 1/24/2025

https://nipnl.org/sites/default/files/2025-01/2025_NIPNLG-Laken-Riley.pdf



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LEAP UK

Date: February 26, 2025

Re: HB25-1147 - The Municipal Court Fairness and Transparency Bill

Position: SUPPORT

To: The Colorado House Judiciary Committee

Distinguished Members of the Committee,

As an organization of law enforcement professionals, the Law Enforcement Action Partnership (LEAP) is writing to express our support for HB 25-1147, the Municipal Court Fairness and Transparency Bill. This legislation establishes essential safeguards to ensure fair sentencing, access to legal representation, and public accountability in Colorado's municipal courts. By aligning municipal court practices with state legal standards, HB 25-1147 strengthens due process protections and promotes equal justice.

The Law Enforcement Action Partnership (LEAP) is a nonprofit group of police, prosecutors, judges, and other criminal justice professionals who speak from firsthand experience. Our mission is to make communities safer by focusing law enforcement resources on the greatest threats to public safety, promoting alternatives to arrest and incarceration, addressing the root causes of crime, and working toward healing police-community relations.

Colorado's municipal courts are not currently subject to the same legal standards as state courts, resulting in widely inconsistent sentencing practices across jurisdictions. [Individuals charged with minor offenses in municipal courts can face sentences up to 30 times longer than those imposed for the same offenses in state courts.](#) These disparities harm public safety, undermining public trust in the justice system and needlessly diverting law enforcement resources toward unnecessary incarceration.

LawEnforcementActionPartnership.org

Formerly known as Law Enforcement Against Prohibition

HB 25-1147 addresses these inconsistencies by ensuring that sentences in municipal court do not exceed the maximum penalties allowed in the state system. By creating uniformity across jurisdictions, this bill would ensure that people are subject to the fair and proportional sentencing standards established under state law, instead of arbitrary punishment that too often acts against the interest of public safety.

Municipal court policies do not affect all Coloradans equally. Those who are financially stable can often pay their fines and avoid jail, while low-income individuals face harsher consequences for the same infractions. [In cities like Pueblo, for example, unhoused individuals and those struggling with poverty have disproportionately been punished with jail time in municipal court for minor offenses such as loitering or trespassing.](#)

This issue is compounded by the fact that many municipal courts do not provide defendants with access to legal representation. Unlike state courts, where individuals charged with criminal offenses are entitled to court-appointed counsel, municipal violations are typically classified as civil infractions, which carry no guarantee of legal representation. Many individuals, and disproportionately those without financial means, are therefore left to navigate the legal system alone, often without a full understanding of their legal rights or options.

[Lawmakers in Denver recently took action to address an aspect of this issue.](#) Until July 2024, minors charged with municipal violations did not receive free legal representation, forcing them to either represent themselves or pay for private attorneys. Many pleaded guilty simply because they had no other choice. Denver, recognizing the unfairness created by these gaps in legal representation, changed its policy to provide public defenders to youth in municipal court aged 10 to 18. These protections should be standardized statewide to ensure people are treated fairly regardless of their age or location.

By guaranteeing access to legal counsel for all defendants facing charges that could result in incarceration, HB 25-1147 helps correct this imbalance and ensures that no one is denied legal representation simply because they cannot afford an attorney.

Lastly, many municipal courts operate with limited transparency, making it difficult for the public to monitor proceedings and ensure accountability. Unlike state courts, which are typically open to the public, municipal courts often carry on behind closed doors. This prevents community members, journalists, and advocacy organizations from understanding court trends, identifying disparities, and ensuring due process.

HB 25-1147 addresses these transparency issues by mandating that all municipal court proceedings be open to public observation. The bill requires virtual access for in-custody proceedings and ensures prompt resolution of municipal cases, which would enhance transparency and accountability within the municipal court system.

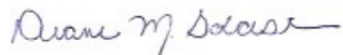
Public trust in the justice system depends on fairness, accountability, and transparency. When courts are able to arbitrarily impose extreme sentences for minor offenses, deny defendants access to legal representation,

and limit public oversight, this trust deteriorates. Colorado's municipal courts must uphold the same legal protections as state courts to ensure that justice is applied consistently and equitably across all communities.

We urge you to support HB 25-1147 and ensure that all Coloradans, regardless of where they are charged, receive fair and equal treatment under the law.

Thank you for your time and consideration.

Respectfully,



Lt. Diane Goldstein (Ret.)
Redondo Beach Police Department
Executive Director, The Law Enforcement Action Partnership

To Chair Mabrey and Members of the House Judiciary Committee:

My name is Cortney Bucholz, and I am writing in strong support of House Bill 25-1147.

As a mother, a survivor of domestic violence, and a formerly incarcerated person who has worked hard to rebuild my life, I know firsthand how municipal courts and their excessive fines and fees create nearly impossible barriers to successful reentry.

When I was released from incarceration, I was homeless and doing everything I could to get back on my feet. But the municipal court system made that even harder. I was given a failure to appear when my husband mistakenly entered the wrong address, even though I was actively on the phone with my lawyer at the time. Instead of understanding my situation, the system continued to penalize me.

Quickly, I ended up with six to seven charges, simply because I was trying to navigate my reentry without stable housing, resources, or guidance. The lack of legal support and overworked public defenders meant that my case stayed open for months, leaving me in constant fear of what would happen next.

Colorado's municipal courts cause the most harm to people who are the most vulnerable people experiencing homelessness, struggling with substance use, or dealing with mental health conditions. I know this because I have lived it. I have also seen it happen to so many others who, like me, just want a fair chance to move forward, but instead of offering support, our current system traps people in cycles of incarceration over minor infractions like sleeping outside or failing to pay fines they cannot afford.

There were no real resources given to me when I was released. No safety net. No plan for success. I had to fight for every opportunity and to remain compliant with the conditions I was given - and even then, I constantly feared that new fines and fees or other infractions would prevent me from fully being there for my children, whether it was attending their school events or simply providing them with peace of mind of having their mother around. Reentering society should not be this hard.

Today, I have worked hard to turn my life around. I am currently in an Apprenticeship role through the Emerging Leaders Apprenticeship Program, which is a six-month, Colorado state-recognized program. Through this 500-hour learning experience, I am obtaining a Reentry Specialist certification because I am passionate about advocacy and helping others find their way back after incarceration. I have also obtained a forklift license to further my employment potential in other fields. I am proud of how far I have come, *but I should not have had to do it while encountering so many pitfalls on behalf of our municipal court system*, and no one else should have to, either.

House Bill 25-1147 is a critical step toward fairness and accountability in our municipal court system. It ensures that people prosecuted for jailable offenses have access to indigent defense counsel, that sentencing practices align with state courts, and that transparency is prioritized. These changes are the bare minimum—municipal courts should not be punishing poverty or criminalizing survival. This bill will give people a fair chance at rebuilding their lives and ensure that Coloradoans like me are not trapped in a cycle of instability and incarceration.

I urge you to vote yes on HB 25-1147. No one should lose everything over minor offenses, and no one should be denied a real opportunity to start over.

Thank you for your time and consideration. For questions, I can be reached at cortney.buchholz011@gmail.com.

Sincerely,

Cortney Buchholz