

Dear Denver City Council Members,

I'm sharing testimony I plan to give in the Health and Safety Committee this morning in support of sentencing reform, as I hope it will come before you all soon.

Keeping long jail sentences for poverty-based offenses on Denver's books is cruel, irrational, and does not keep Denver safe. The **proposed sentencing reform is a necessary and critical step** away from criminalization of poverty in Denver and our most vulnerable neighbors deserve for this to be a first step, not the last.

At Colorado Freedom Fund, we've watched municipal court across the state, and Denver's municipal court does have a lot of important protections that many municipal courts do not. But **Denver's court is not immune from being used to criminalize and punish poverty.**

We see cases in Denver municipal court where the only charge someone faces is directly related to poverty—the only thing they're accused of, and sent to jail for, is sleeping or resting somewhere in public or doing something out of necessity just to survive. And most often, people we see charged in Denver municipal court are **poor, unhoused, have a substance use disorder, a mental health condition**, or all of the above.

From 2021 to 2025, reported crime in Denver has gone down by about 25%, but Denver's municipal court filings have gone up by more than 50% over the same period. Meanwhile, homelessness in Denver has increased by about 50%, and we consistently hear that our unhoused neighbors struggle to avoid tickets for basic acts of survival.

In a two year period, Denver handed down over 500 jail sentences longer than 10 days for things that could have been charged as petty offenses in state court. This reform is overdue and unfortunately, many of our city dollars have already gone towards jailing our neighbors for being unhoused and poor.

From our organization's perspective, this is a modest reform. **10 full days in jail for poverty-based offenses still means significant disruption and destabilization in the lives our most vulnerable neighbors.** It means expensive arrest and incarceration gets paid for in the name of Denverites, while more and more people struggle with access to housing, healthcare, childcare, and education. Denver's municipal code can and should better reflect our city's values.

I urge a yes vote on this much needed reform and I'm available to answer any questions or to discuss this proposed ordinance further.

Thank you,



Dana Steiner, JD (they/them)

Policy Counsel

ColoradoFreedomFund.org



CVC Testimony - Denver Municipal Sentencing Reform (in person testimony, 4/15/26)

Members of the committee, my name is Dr. Jessica Ehinger; I am the CEO of Colorado Village Collaborative, and I'm here to support Denver Sentencing Reform, and to speak to the life-threatening impact of the current sentencing scheme. CVC is an organization that aims to bridge the gap between the streets and stable housing by creating and operating transformational shelter communities. We're also a second-chance employer, with more than 85% of our team having similar lived experience to those we serve. We are therefore unfortunately very aware of the impact of Denver's current sentencing structure for the most vulnerable and marginalized in our city. At a time when the City is heavily invested in addressing the increasing rates at which people are experiencing homelessness in Denver, the current sentencing structure puts vulnerable people more at risk for homelessness. Longer jail stays risk people's employment; higher fines can decimate someone's ability to pay their rent, and disparities in sentencing mean these effects disproportionately impact the Black community, who already experience homelessness at higher rates than their white neighbors. Many of the offenses for which these higher sentences might be received also disproportionately impact our community of people experiencing unsheltered and chronic homelessness. Urban camping, loitering, and public park violations are often unavoidable when someone is sleeping on the street - criminalizing them already creates barriers that might further hinder someone's ability to find housing or employment, and longer and harsher sentences just further exacerbates that problem. In particular, reducing the standard sentencing for these offenses from 60 days to 10 days significantly reduces the barriers faced by those experiencing unsheltered homelessness. Sixty days in prison means sixty days without case management or housing navigation support, when people may miss deadlines on applications for housing, benefits, or employment, which just makes it that much harder for people to escape homelessness. This is not about dismissing the realities of our criminal sentencing system, but if we really want this system to be corrective, giving people the opportunity to make changes in their lives, we have to recognize that the current system is inequitable and unjust - jail time is both costly and completely ineffective in the goal of moving people out of homelessness. The proposed amendments to the DRMC will provide significant relief to some of our most vulnerable neighbors, while also bringing the Municipal Code in line with state requirements, and I urge this committee to approve these changes. Thank you.

Dear City Council Member,

I'm sending you my written testimony that I hope to be able to give tomorrow morning during the 15 minute public testimony. This email is in case I don't get to speak. Thank you for reading my testimony.

Marilynn

Testimony for Municipal Court Sentencing on April 15, 2026 Health & Safety Committee

Good morning, my name is Marilyn Ackermann, I am a member of Montview BLVD Presbyterian Church and Together Colorado. I live in Central Park, Council District 8.

Genuine public safety is built upon trust. A fair, equitable, and reasonable system of justice builds the community's trust in that system. There's a reason that Lady Justice is depicted with her eyes covered - we are all supposed to be equal under the law. Everyone, despite their background, zip code, or a box checked on a summons deserves to be treated fairly, equitably, and reasonably. Anything less is UN-just and damages the public's trust in the justice system, and therefore damages public safety. The Colorado Supreme Court agrees. They have already ruled that similar cases should be treated similarly. Anything else is unconstitutional.

Arbitrarily punishing low-level crimes of poverty unjustly does not reflect my values or the values of my faith tradition. I believe that everyone - every human that has ever lived or ever will live - is precious, has value beyond measure, and should therefore be treated with dignity and respect. Laws are a social contract codifying a community's values and priorities, and I say that the current unequal and unjust sentencing structure does not accurately reflect my or my community's values and priorities. My faith values align with fairness. I hope your values do as well.

Please vote to approve these important changes to Denver's sentencing structure to better reflect the values and priorities of Denverites and to build trust in the justice system which improves public safety for all.

Thank you.

Marilynn Ackermann

Together Colorado, Community Organizer Leader

Transforming Justice Team and Denver Chapter

720-353-2359

Thank you, Mr Chair and committee members,

My name is Anaya Robinson, I'm the public policy director at the ACLU of Colorado, here today in support of municipal sentencing reform for Denver.

At its core, this is about fairness, legality, and aligning Denver's code with our values and laws. Right now, Denver's municipal sentencing structure is outdated, unpredictable, and in some cases, unlawful.

Today, people charged with the lowest-level municipal offenses face sentencing ranges as high as 60 for camping, sitting or lying in the public right of way, panhandling, park curfew violations, and other acts of survival and 300 days for violations of regulations like the street peddling and other licensing requirements, fire code and tree planting regulations, DDPHE regulations, and all sorts of administrative requirements labeled "unlawful". These are not violent crimes, there is no intent to harm, yet they carry the threat of extraordinarily long jail sentences.

That threat alone has real consequences. When someone is told they could face hundreds of days in jail, many will plead guilty just to avoid the risk, even when they may have a valid defense. This undermines the right to trial and creates a coercive system, especially for people who are already vulnerable.

Much of Denver's code is out of compliance with the Colorado Supreme Court's decision in *Simons & Camp*, which makes clear that municipalities cannot impose harsher penalties than state law allows for the same conduct. Right now, Denver is out of step with that standard.

The impact is not evenly felt. These broad sentencing ranges disproportionately harm low-income residents and communities of color. When poverty-related offenses carry the possibility of months in jail, we are effectively criminalizing survival. These policies also increase the risk of deportation for immigrants, for the lowest-level conduct, subjecting families across the city not only to jail time, but to a heightened potential of being broken apart, possibly forever.

The solution being proposed is straightforward and reasonable: align Denver's code with state law, create clear and proportional sentencing ranges, and, critically, establish a 10-day maximum for municipal-only offenses.

This reform would bring consistency, reduce coercion, and ensure that punishment is proportionate to harm. It would also align Denver with reforms the state has already made to reduce disparities and improve fairness in sentencing.

Put simply, no one should face months in jail for a municipal violation that would carry far less, or no, time under state law.

This is about restoring balance, protecting constitutional rights, and ensuring that our local laws do not deepen poverty or inequality.

I urge you to support these reforms and adopt the 10-day limit for municipal-only offenses.

Thank you for your time and consideration.

Good afternoon City Council Members,

My name is Kym Ray, and I serve as the Denver Campaign Coordinator with the Colorado Criminal Justice Reform Coalition. In 2025, we launched the Get Real Denver campaign because reducing the overuse of incarceration in Colorado requires action at the local level. Denver plays a significant role in shaping that reality.

Today, we're here because the Colorado Supreme Court has made something clear: it is unconstitutional for the City of Denver to impose harsher penalties than the state for the same conduct. But court rulings do not implement themselves. It is up to this body to ensure that Denver's municipal court system is constitutional, proportional, and aligned with the values we claim to hold as a city.

That includes aligning sentencing practices with constitutional standards. For municipal-only offenses, this means respecting the 10-day jail limit and ensuring that individuals are not subjected to excessive or disproportionate punishment simply because their case is handled in municipal court rather than state court.

For too long, our municipal system has relied on jail as a response to low-level, poverty-based offenses. This approach does not make our communities safer. Instead, it destabilizes individuals and families and diverts resources away from strategies that are more effective at promoting public safety.

This moment is about more than compliance. It is about rethinking how Denver responds to harm and building a system that is fair, effective, and grounded in our shared values.

In Denver, we believe in upholding constitutional rights. And we know that when systems align with those principles, our communities are stronger as a result.

Thank you for your time.

Kym Ray (she/her)



Good morning committee members, my name is Aubrey Wilde and I am here on behalf of Colorado Coalition for the Homeless in support of the proposed sentencing code reform. This is a crucial step to ensure that all Denver residents, especially those experiencing homelessness, receive fair sentencing in our municipal court system.

Unhoused individuals are disproportionately impacted by municipal ordinances that criminalize life-sustaining behaviors like petty theft of food items, trespassing, or sleeping rough. These individuals often lack the resources to navigate the legal system effectively, leading to harsher penalties and prolonged incarceration. Subjecting someone to nearly a year in jail for a poverty offence simply because the ticketing officer wrote the ticket into municipal court instead of state court is fundamentally unfair.

Research shows that 71 percent of people experiencing homelessness have a mental illness or post-traumatic stress. Jails too often become the default option for shelter and care, trapping people in a homelessness-incarceration cycle.

Serving time in jail can lead to the loss of housing, support networks, employment, and future opportunities, and people who have been to jail or prison experience homelessness at a rate seven times greater than the general population, and this number increases with frequency and duration of incarceration. This code reform will disrupt this cycle and bring Denver's municipal court in closer alignment with state court standards and with Denver's value of using city resources to reduce poverty rather than criminalize it.

I also want to touch on the issue of coercion. Denver's current sentencing scheme may be used as a tool to force people with substance use or mental health conditions into treatment by threatening long sentences for poverty offenses. The Coalition believes that engagement with treatment and services should never be coerced. In fact, that is a great way to destroy trust in authority figures and systems and push people further away from resources.

As the administrator of Fort Lyon, a voluntary — never court mandated or coerced — residential recovery community in Las Animas, Colorado (and now Sage Ridge in

Watkins), the Coalition knows that people must be invested in their own treatment, recovery, and path to stability and housing. Notably, of the unhoused individuals with substance use disorders who join the Fort Lyon community, 99% participate in optional recovery groups.

This reform promotes fairness, judicious use of resources, and compassion in Denver's legal system, while the status quo, including the extreme 300-day general penalty, perpetuates homelessness and harms our community. I urge your support in passing this out of committee today.

Good morning. My name is Ashley Cordero. As one of the attorneys for Ms. Simons from Camp/Simons, I commend Denver for being the first municipality to review its code and propose amendments to bring the code into alignment with the mandate from the Colorado Supreme Court. The new proposed classification system is an approach that provides clarity, ensures due process, and reduces legislating from the bench which is inefficient and poses a risk to uniformity and fairness.

Shoplifting, Assault, Criminal Mischief are offenses addressed under the classification mandated under Camp/Simons. References to these under the class four municipal only offenses mischaracterizes this bill.

This reform also proposes a class of municipal only offenses with a maximum sentence of 10 days in jail and \$300 fine. Municipalities can and should legislate issues that affect their specific jurisdiction; however, these offenses are comparable to petty offenses in terms of culpability and should be sentenced as such: offenses such as trespassing with large animals, possession of graffiti materials, littering from motor vehicle, and spitting in public. Most of these offenses do not even require a culpable mental state. These offenses are not associated with domestic violence crimes. And from my review, do not involve injury. Establishing their penalty with the penalty for petty offenses is aligned with the principles of fairness and common-sense reform.

We urge the Council to pass this sentencing reform.



Ashley Cordero

Del Pueblo Law LLC

Dear Councilmaen and Councilwomen,

I'm writing to ask that you vote **no** on the current draft of the Municipal Sentencing Reform proposal being advanced by Councilwomen Parady, Lewis, and Gonzales-Gutierrez.

While I understand the stated intent behind the reform, the proposal goes far beyond what is required to comply with the *Camp* requirements.

These are not victimless crimes, and there must be strong deterrents for criminal activities that degrade the quality of life in Denver. I have personally been a crime victim multiple times (property damage/vandalism/threats of violence) and had to spend thousands of dollars replacing broken windows in my home and vehicle, adding fencing to deter trespassing, and installing multiple security features to protect myself and my property. That is money I could otherwise pay bills with, put toward retirement, pay down loans, or otherwise improve my quality of life. Even so-called "small" crimes can have serious consequences for a victim's financial stability and their ability to feel safe in their own home and neighborhood.

The presentation in support of the proposal focuses almost entirely on the collateral consequences for defendants. What's missing is any acknowledgment of victims or the broader community impact of repeated criminal behavior.

For these reasons, I believe the City should reject this draft and instead develop a narrowly tailored ordinance that complies with *Camp* requirement without undermining public safety.

Thank you for your time and consideration.

Sincerely,

Rachel Diedrich

Curtis Park Neighborhood