

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 Right now, Denver's municipal sentencing structure is outdated, unpredictable, and in some cases, unlawful.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.