

Webb Testimony – Bill 26-0328 – June 29, 2026

My name is Lindsey Webb. I am a law professor at the University of Denver. I teach and write about criminal law and practice, including on the topic of sentencing proportionality. I have represented clients in municipal courts throughout the Denver metro area, including multiple clients in Denver Municipal Court. I also serve on the Commission of the Denver Office of the Municipal Public Defender. My views here are my own and do not represent my employer.

My position on Bill 26-0328 is a neutral one, which is to say I support the passage of this bill, but I do not believe it goes far enough to address concerns about sentencing disproportionality and inequities in Denver's municipal sentencing laws. A majority of the changes that this Bill makes are mandated by the Colorado Supreme Court, which held in *Camp and Simons* that municipalities may not authorize harsher sentences than state law allows for an identical offense. These changes are not discretionary, even if some disagree with them, and thus this version of the Bill should pass without controversy.

But this leaves unaddressed the ways in which Denver's municipal sentencing laws continue to permit long sentences for many municipal court offenses. While the working group this bill creates contemplates these issues, the liberty of those charged with crimes in Denver municipal court is at stake.

I remind those here that the vast majority of people charged in Denver municipal court are indigent, and thus these sentences disproportionately impact the most vulnerable members of our community. I also remind those here that long jail stays and sentences cause substantial harm in terms of disrupted lives, loss of work, and family upheaval, and do not clearly serve the goals of deterrence or safety that opponents of sentencing reform often invoke.

The law, to have legitimacy, must be transparent, consistent, and fair. Capping municipal court sentences at 10 days, as occurred in prior versions of this bill, would be a step towards those goals. This bill falls short, and I urge those serving on the working committee to work together for a sentencing structure that does not conflate lengthy sentences with justice or safety. Nevertheless, because this bill does what the Colorado Supreme Court mandates and is a necessary reform, I urge the Council to support it.

Reference #

16687641

Public Hearings

I am speaking/writing on (select one): / Hablo/Escribo sobre (seleccione uno):

26-0328: 30-minute courtesy hearing on a bill for an ordinance updating the classifications and penalties for municipal criminal offenses. / 26-0328: Audiencia de cortesía de 30 minutos sobre un proyecto de ley para una ordenanza que actualiza las clasificaciones y sanciones para delitos penales municipales.

First Name / Nombre

Megan

Last Name / Apellido

Megan

I am a resident of: / Soy residente del:

District 2 / Distrito 2

I am... / Estoy...

AGAINST the item / en CONTRA del artículo

My testimony: / Mi testimonio:

Good evening, My name is Megan Schipp, and I am a resident of Five Points. I am here tonight to voice my strong opposition to Council Bill 26-0328.

In the two and a half years I've lived in Five Points, my home and garage have been burglarized twice. Just this past weekend, three men swarmed my front yard. Two entered the yard, and one of those men who was carrying a gun, climbed over my fence, and paced my backyard before being arrested.

While the armed trespassing at my home doesn't fit the exact low-level category this bill targets, it stems from the same systemic failure: a culture of zero accountability. Nearly 80% of all reported crime in Denver consists of the property damage, theft, and public disorder offenses this bill seeks to soften.

Let me be entirely clear: I am all for criminal justice reform, but this is the wrong way to go about it. True reform builds people up with meaningful pathways—it shouldn't just abandon enforcement and leave neighborhoods to deal with the fallout.

Proponents claim this bill protects unhoused individuals by replacing jail stays with a fine. But let's look at the math. A short 10-day jail stay costs Denver taxpayers twenty-four hundred

dollars per inmate. That twenty-four hundred dollars is a necessary investment to protect our neighborhoods from the thousands of dollars in property damage and trauma we absorb every time an unpunished offender strikes again.

Furthermore, if we swap jail time for a three-hundred-dollar fine that an unhoused offender cannot pay, what happens? The fine goes unpaid, a warrant is issued, and taxpayers still foot that exact twenty-four hundred dollar jail bill when they are eventually re-arrested on a failure-to-appear. This creates a completely toothless penalty that does absolutely nothing to stop the offense from happening again tomorrow. Fines without teeth are not compassionate reform; they are a bureaucracy of passivity.

When you pass laws like these, you create spaces where everyday citizens no longer feel safe. You are prioritizing the comfort of chronic lawbreakers over the safety of the overwhelming majority of law-abiding citizens who work hard, pay taxes, and just want to feel secure in their own backyards. We need real, constructive reform—not policies that sacrifice community safety. Please protect the good citizens of Denver and vote "No" on Bill 26-0328. Thank you.

Finish Time

2026-06-29 10:14:10

Denver Denver City Council,

I've written several times before but I know tonight is the final vote on sentencing reform. I'm asking you again to please vote yes on Sentencing Reform to keep Denver just and fair, and to stop exacerbating the root causes of poverty crimes with excessive jail sentences. These extreme sentences may feel like justice to some victims of crime, but in actuality will only further destabilize our neighbors living without homes and lead to more crime. I say this as a victim of multiple crimes myself. For me, justice is systems that prevent crime by putting money into prevention -- healthcare, mental healthcare, and resources. Please vote to make Denver the just, thriving city its citizens deserve.

Jessie Broom (she/her)

Good Morning,

As a Denver resident in District 10 I want to express my support for the sentencing reform efforts led by Council Members Lewis, Gonzales-Gutierrez, and Parady. Denver should be providing resources to those struggling with homelessness, not incarceration. Long jail sentences increasing trauma and leads to worse outcomes. We can better and more affordably meet the needs of our neighbors by investing in community-based treatment. It is unfair and illogical that when officers write tickets, they decide whether to charge in municipal court– with possible sentences 30x longer than in state court. Take action and vote yes!

Thank you,

Maggie Lewis

Municipal Sentencing Ordinance Testimony: June 29, 2026, City Council Meeting

LeAnn Fickes, Denver Office of the Municipal Public Defender

Good afternoon, my name is LeAnn Fickes, and I'm a social worker with the Denver Municipal Public Defender where I lead our Client Support Team. Thank you to the bill sponsors and stakeholders who have worked to bring this legislation forward.

In my daily work, I see people cycle through arrest, jail, and release without addressing the root causes that often drive low-level, municipal offenses. Over 80% of our clients live with mental health conditions, substance use disorders, and traumatic brain injuries. Many are also experiencing homelessness or housing instability

As a Cap Hill resident in lucky District 7, I understand the concerns of my neighbors and local businesses. However, jail is not an effective deterrent for these low-level crimes and, in fact, reinforces the very cycle we're trying to break. And, at around \$250 per night, jail is a costly, ineffective solution.

Jail is not treatment. Incarceration often worsens mental illness, increases overdose risk, and destabilizes housing, employment, benefits, and families. Even short jail stays can exacerbate the very cycle we are trying to break.

Municipal sentencing reform gives us the opportunity to address root causes by investing in what works, like supportive housing and coordinated care. Earlier this year, one client with several low-level municipal cases connected to supportive housing and intensive case management. Since being housed, they've engaged in treatment and have had no new charges.

I'm hopeful because this bill begins to align Denver's municipal code with our City's values. Right now, there is very little nuance in our criminal code because the default sentence for almost any crime is 300 days – almost a year in jail. This bill will reduce the penalty for crimes like having your dog off leash or spitting on the sidewalk to a more reasonable 10 days in jail.

However, there is still more work to do to make sure that the punishment on the books in Denver fits each crime. For instance, this bill makes the punishment for damaging someone's property if it's worth under \$300 a maximum of 10 days in jail, but it keeps the punishment for just threatening to damage someone's property without damaging it, at 120 days in jail. That just doesn't make sense. I hope this council will use the working group created by this bill to continue reviewing and improving our municipal code.

While I do have reservations about this bill, it has now been over 6 months since the Camp decision, and we need to start somewhere. With that in mind, I ask you to vote yes tonight, and I also ask you to continue this work. Not only by continuing to revise our criminal code so that punishment fits each crime, but also by investing in real solutions that address root causes to break the costly cycle of arrest, jail, release, and repeat. Thank you for your time, and all you do for Denverites.



June 29, 2026

Dear Mayor Johnston and Members of Denver City Council,

We write on behalf of Colorado Concern, the Denver Metro Chamber of Commerce, Downtown Denver Partnership, and Visit Denver related to Council Bill 26-0328, the proposed Denver Municipal Sentencing Ordinance.

Together, our organizations represent thousands of businesses, employers, and residents across the city who are deeply invested in Denver's public safety and long-term economic recovery. While we continue to support an ordinance that limits modifications to those that are required to match the Colorado Supreme Court's Camp decision, we appreciate the continued collaboration and negotiation with the Mayor's office and Council to ensure critical public safety tools remain intact.

Public safety is foundational to everything we are trying to build in Denver – it is a basic human necessity for all citizens. And that safety, particularly in the public realm, has been threatened in recent years for residents, visitors, small business owners and employees. Both perception and reality of safety in the city have been severely impacted, directly affecting a decline in sales tax, property tax, net migration and so on. And, perhaps most importantly, these safety threats at all levels have negatively impacted how our community comes together, the pride we feel in our city, and the personal safety we feel as residents of Denver.

That said, we have seen tremendous progress recently because of enforcement initiatives, an increase in wrap-around services and outreach, and collaboration between law enforcement, service providers and judicial agencies. **That progress is fragile and must remain in clear focus.** Therefore, as advocates and stewards for Denver, we remain steadfast in our commitment to an approach to safety that ensures those who are most vulnerable have access to services that ensure long-term solutions, as well as our commitment to advocate that those who pose harm in our community are held accountable. And at a moment when recovery remains incomplete, reducing the consequences for these offenses sends the wrong message at precisely the wrong moment.

We remain willing partners and ask our local and State governments to continue to engage in thoughtful, transparent policy changes that are built with the input of the full range of stakeholders who have a vested interest in the outcome. Continued erosion of enforcement mechanisms will continue to hold our community back, particularly in light of the massive systemic changes that have impacted cities across the country in the last five years. We urge Council and the working group established by this legislation to ensure that any future reforms

are crafted with the time, data and stakeholding necessary to engage in deliberate, transparent process. It is also our hope that the Colorado State Legislature – where this legislation ultimately originated – handles future public safety matters with the ultimate care for data and differing needs across municipalities.

Thank you for your continued attention to the state of public safety in Denver.

Sincerely,



Dave Davia
President & CEO
Colorado Concern



J.J. Ament
President & CEO
Denver Metro Chamber
of Commerce



Kourtney Garrett
President & CEO
Downtown Denver
Partnership



Richard Scharf
President & CEO
VISIT DENVER

Dear Council Members,

I am writing to urge you to support the proposed sentencing reform that would limit municipal jail sentences for survival-based offenses to a maximum of 10 days.

While I believe Denver ultimately shouldn't criminalize poverty at all, limiting jail time for survival-based offenses is a critical, common-sense step in the right direction. Jail is an expensive, ineffective, and cruel response to our housing crisis, and it often makes homelessness even harder to escape.

Long municipal jail sentences do not make our communities safer. Instead, Denver should invest in healthcare, community programming, mental health and substance use treatment, and affordable housing. These are solutions that address the root causes of these challenges and improve public safety for everyone.

As someone who works with refugee and immigrant youth in the Denver metro area, I see every day how stable relationships, supportive services, and opportunities help people thrive, not punishment. I believe our city's policies should reflect those same values.

Denver is a nationwide outlier when it comes to municipal court sentencing. Only five states still allow local courts to impose sentences of up to 300 days in jail. Supporting this reform is an opportunity to move Denver toward a more effective, humane, and fiscally responsible approach to justice.

Thank you for your time and for your service to our community. I urge you to vote in favor of this important reform.

Sincerely,

Elisabeth "Tibby" Miller