

FACT SHEET

Colorado Supreme Court Justice Allison Eid has been nominated by President Trump for a seat on the Court of Appeals for the Tenth Circuit. Eid was on President Trump's list of potential Supreme Court nominees, which he made clear was based on a litmus test that included overturning *Roe v. Wade*. Eid's record is troubling and Alliance for Justice opposes her nomination.

RIGHTS OF THE ACCUSED

Eid has consistently ruled against the rights of criminal defendants and the accused. In *People v. Vigil*, Eid disagreed with the majority of the Colorado Supreme Court when it ruled to suppress evidence police

officers obtained after brutally beating a man, breaking several bones in his face and hitting him repeatedly with a metal baton, when he said he didn't want to answer the officers' questions.

CIVIL JUSTICE

Eid has supported "tort reform," praising efforts to limit access to civil justice and compensation for harm. She has repeatedly ruled for corporations over consumers. In *Fleury v. IntraWest Winter Park Operations Corp.*, Eid prevented the widow of a skier who died in an avalanche from recovering damages from a ski resort that failed to publicize avalanche warnings. Eid also advocated for Colorado to adopt rules that would make it harder for people to band together to sue big corporations.

ENVIRONMENT

Eid opposes use of eminent domain for communities to build parks; but supports eminent domain for private companies to build petroleum pipelines. In *Larson v. Sinclair Transp. Co.*, Eid dissented in a case where the majority ruled that a petroleum company did not have eminent domain authority to build a gasoline pipeline. In *Town of Telluride v. San Miguel Valley Corp.*, Eid, dissenting alone, would have prohibited municipalities from condemning land for recreation, parks and open spaces.

REDISTRICTING

In *Hall v. Moreno*, the Colorado Supreme Court upheld a lower court decision that imposed a congressional map that made districts more competitive between Democrats and Republicans. The court rejected GOP arguments that it was more important to preserve existing congressional boundaries. Eid dissented, alone.

WORKERS' RIGHTS

In *City of Brighton v. Rodriguez*, Eid dissented from a case in which the Colorado Supreme Court ruled that a woman who fell and was injured at work was entitled to workers' compensation. And, in *Colorado Education Association v. Rutt*, Eid likewise dissented when the court ruled teachers' union staff could organize events at which union members could volunteer to hand out campaign literature.

PUBLIC EDUCATION

Eid has ruled in ways that would undermine public education. In *Taxpayers for Public Education v. Douglas County Sch. Dist.* the Colorado Supreme Court struck down a voucher program allowing parents to use state funds to send their kids to religious schools; Eid disagreed and would have upheld the law. In another case, she disagreed when the court upheld the right of parents to sue the state over its public school funding

system. Later, Eid upheld the funding system over the dissent of two Justices who called it "fundamentally broken[,] ... plagued by underfunding and marked by gross disparities among districts." The dissent noted that chronic underfunding had led to the widest college-degree attainment gap between white students and Hispanic students in the nation, and had prevented many schools from complying with the Americans with Disabilities Act.

JUSTICE EID HAS A TROUBLING RECORD ON WORKERS' RIGHTS, THE ENVIRONMENT, EDUCATION, AND MORE. ALLIANCE FOR JUSTICE OPPOSES HER CONFIRMATION TO THE FEDERAL BENCH.