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ACLU NEWS RELEASE

**ACLU sues Denver seeking disclosure of
DNC-related purchases of police equipment**

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Invoking Colorado's open records laws, the ACLU of Colorado filed suit today in Denver District Court, asking that Denver be ordered to disclose records related to budgeting for and purchase of police equipment dating from January 2007, when Denver was selected as the host city for the 2008 Democratic National Convention.

The federal government has allocated \$50 million to reimburse Denver for security-related expenses connected to the convention. Denver has revealed that \$18 million is budgeted for equipment purchases, but most of the details remain secret.

In refusing the ACLU's request for documents earlier this year, the lawsuit says, a representative of Denver's Department of Safety asserted that disclosure "could potentially disclose tactical security information of the Denver Police Department which would be contrary to the public interest."

"We believe the public interest is served by disclosing how the government is spending the public's money," said John Culver, who is handling the case as an ACLU Cooperating Attorney.

In its request to inspect public records, the ACLU asked for documents related to the purchase of such items as "less lethal" weapons, vehicles, personal body armor, restraint devices, and barricades, fencing or netting."

“I do not believe that the public records at issue here contain the kind of ‘tactical security information’ that Denver is reluctant to disclose,” said Mark Silverstein, ACLU Legal Director. “Even if the requested documents did contain such information, the Colorado legislature addressed this issue in a 2005 amendment to the open records laws. The statute states that ‘specialized details of security arrangements’ can be deleted, but the remainder of the documents—the portions that reveal how the government is spending our money—must be disclosed.”

Silverstein added that “Denver’s unjustified penchant for secrecy” has led to speculation and rumors about the nature of the equipment Denver is acquiring. He said that more than one Denver reporter as well as a New York City radio station have all contacted the ACLU to ask about a report that Denver had acquired a “sonic ray gun” for crowd control purposes similar to one that the New York Police Department police acquired in preparation for the 2004 Republican Convention.

“If Denver is buying such a device, or any other new-fangled so-called ‘less lethal’ weapons,” Silverstein continued, “the public is certainly entitled to know. And the public is entitled to ask whether Denver has adequately evaluated the manufacturers’ self-serving claims of safety, has established appropriate policies to regulate how and when officers may use such weapons, and has adequately trained its officers.”

The Complaint is available on the ACLU of Colorado web site at:
<http://www.aclu-co.org/docket/200810/complaint.dnc.police.spending.5-28-08.pdf>

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The ACLU is a nationwide, non-profit, non-partisan organization dedicated to defending and preserving the principles of the Bill of Rights through litigation, advocacy and public education. The ACLU Foundation of Colorado works to protect the rights of all Coloradans.