



John W. Hickenlooper
Mayor

CITY AND COUNTY OF DENVER

DEPARTMENT OF SAFETY

FIRE ? POLICE ? SHERIFF

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February 9, 2008

Deborah Sherman
9News, KUSA-TV
500 Speer Blvd.
Denver, CO 80203

sent via e-mail: deborah.sherman@9news.com

Re: CCJRA Request – 1675 Fillmore Street

Dear Deborah:

I have reviewed your request for review of any and all records listing the names of the clients/johns/customers/friends of the escort service Denver Players and/or Denver Sugar.

Records of the Denver Police Department are “criminal justice records,” the disclosure of which is governed by sections 24-72-301, *et. seq. C.R.S.* Except for records of “official actions,” the disclosure of criminal justice records is discretionary and can be denied where the custodian believes disclosure would be contrary to the public interest. *Section 24-72-305(5), C.R.S.*

Pursuant to the Denver Police Department Records Disclosure Policy the following factors are used to determine whether a record should be released or withheld:

- (a) the privacy interests of individuals, if any who may be impacted by a decision to allow disclosure of the record;
- (b) the DPD’s interest in keeping confidential information confidential;
- (c) the DPD’s interest in the integrity of ongoing investigations;
- (d) the public purpose to be served in allowing disclosure of the record; and
- (e) any other pertinent considerations relevant to the circumstances of the particular records request, including whether disclosure would be contrary to the public interest.

See also *Harris v. Denver Post*, 123 P.3d 116 (Colo. 2005).

In the case involving the warrant executed at 1675 Fillmore Street, the Denver Police Department is not the lead agency involved, so your request may be more appropriately addressed elsewhere. Additionally, as this is an active, ongoing investigation, disclosure of the information you requested at this time would be contrary to the public interest in seeing a full, complete and uncompromised investigation. Your request is therefore denied pursuant to *C.R.S. 24-72-305(5)*.

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Please do not hesitate to contact me if you have any questions in this matter.

Regards,

Mary Dulacki
Records Coordinator