

## Mayor Wellington Webb's Press Statement March 13, 2002

I have asked the Denver Police Department in coordination with the Denver City Attorney's Office to review issues that were raised by the ACLU relating to intelligence files that are kept by the Denver Police Department.

Let me say this very clearly: the issues that have been raised both by the ACLU as well as others are legitimate. I am particularly sensitive to this issue because of my own personal experience with intelligence files. I, along with other elected officials, local civil rights and labor leaders were the subject of an FBI spy operation in the '70s and I know what it feels like to be the subject of an intelligence gathering operation.

I have received calls from average, law-abiding citizens who are concerned that if they are at a legitimate protest, event, meeting or gathering that the DPD will collect information based on their activities. I share that concern and that is not the policy of the Denver Police Department. No information about political, religious or social views, associations, or activities should be collected unless the information relates to criminal activity and the subject is suspected of criminal activity.

After a very preliminary review, we have made a few conclusions.

- 1.) The City of Denver has a very good policy as it relates to intelligence gathering, of which you should all have a copy. This policy outlines in great detail the objectives and the procedures in gathering intelligence.
- 2.) It is also clear to me that there are legitimate reasons for intelligence gathering. And in some way, the City has been more aggressive in our intelligence gathering activities over the past decade because of the large number of international events that we have held in > Denver. It has been important for us to monitor, in coordination with the FBI and the Secret Service, those activities of individuals or organizations that pose a threat or risk to our city. This is particularly true when we have hosted such events as the Denver Summit of the Eight, World Youth Day, the Oklahoma Bombing Trial, visits of world leaders as well as other activities that may be considered targets or risks to the public safety of this City. The question is have we done an exemplary job at tempering legitimate intelligence gathering versus collecting information on groups or organizations that do not pose a threat? And I think the answer is no.
- 3.) After a preliminary review of the policy and reviewing a sampling of the files that have been kept on individuals and organizations, it is our conclusion that there was an overly-broad interpretation of the policy that resulted in cases where it may not have been justifiable to include certain individuals or organizations in our intelligence gathering activities.
- 4.) Therefore, we have asked the City Attorney and the Denver Police Department to do the following:

a.) A review of the City's policies will be conducted in which we will look at other policies from other law enforcement agencies as well as professional development organizations such as the International Association of Police Chiefs to determine if our policy needs to be refined or improved upon.

b.) An independent, third-party individual will be named to review each of the DPD's intelligence records and determine which individuals and organizations should be purged from these records. That individual will be named at a later date.

c.) From now on, a regular audit of these files will be conducted by the City Attorney's Office to offer an independent review and determination as to whether there are legitimate reasons as to why individuals and organizations have been added to the DPD's intelligence records.

5.) I know there will several questions that you will ask and let me try and anticipate some of those:

a.) How many records are there? There are 3,200 files on individuals and about 208 records on organizations.

b.) Will the records be released to the public? No. Dan Slattery from the Denver City Attorney's office is here to discuss the open records law relating to this. For obvious reasons, records that are part of on-going criminal investigations are protected.

For other obvious reasons, individuals may wish for their names to be kept private if they are part of a record the DPD decides to purge. However, when the audit of the records has been completed, the DPD and the City Attorney's office will create a mechanism to either contact or to allow individuals to find out if their names were part of the purged records.

c.) How old are these files? When the Police Department under Chief Sanchez converted paper intelligence records to a computer system in 1999, it is estimated that 90% of data was purged. So these data have largely been collected in the last three years.

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