

October 1, 2015

VIA REGULAR AND ELECTRONIC MAIL

Donald S. Varian, Jr., Esq.
759 W. Market Street
Akron, OH 44304

RE: Records Request – Reynolds

Dear Mr. Varian:

I write in response to your letter dated September 11, 2015, which was received by the Town of Olathe via facsimile transmission on September 28, 2015. Your request for records and this response are governed by the Colorado Open Records Act, C.R.S. §§ 24-72-200.1 *et seq.*, and the Colorado Criminal Justice Records statutes, C.R.S. §§ 24-72-301 *et seq.*

The records you requested constitute records of an investigation and are withheld by the Town of Olathe on the ground that disclosure would be contrary to the public interest. The applicable provision of the Colorado Open Records Act provides, in part, that:

The custodian may deny the right of inspection of the following records, unless otherwise provided by law, on the ground that disclosure to the applicant would be contrary to the public interest:

Any records of the investigations conducted by any sheriff, prosecuting attorney, or police department..., or any investigatory files compiled for any other law enforcement purpose.

C.R.S. § 24-72-204(2)(a)(I).

Donald S. Varian, Jr., Esq.

October 1, 2015

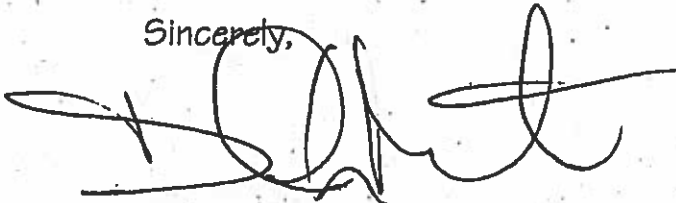
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In addition, the Colorado Criminal Justice Records statutes provide that the custodian of criminal justice records may deny access to records of investigations conducted by any sheriff, district attorney, or police department, on the ground that disclosure would be contrary to the public interest. C.R.S. § 24-72-305(5). The records you requested constitute records of an investigation and are withheld by the Town of Olathe on the ground that disclosure would be contrary to the public interest.

Finally, your correspondence requested that the letter opener that was in the possession of John Reynolds be returned to the family, I have discussed this matter with the Town Manager and understand that the letter opener will be sent to the family.

If you have questions or comments concerning this matter please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Masters", written over a horizontal line.

David L. Masters
Town Attorney, Town of Olathe

cc: Town of Olathe