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Police won't release arrest report in alleged brutality case

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The Colorado Springs Police Department is refusing to release the arrest report of a man who claims he was punched by a policeman after he filmed officers kicking another man. Earlier this month, the Gazette uncovered a federal civil rights lawsuit filed against the city and Officer [Name] by Marc Johnson, a Colorado Springs man who claims he was the victim of a brutality. Johnson was arrested on...


request was filed May 7. Agencies can take up to three days to respond to such a request. On Tuesday, Whitlock said in an e-mail that the City Attorney's Office was "still evaluating certain legal questions concerning the CORA request" and that an answer was forthcoming. At 3:05 p.m. today, Whitlock said the request had been denied. "Based on our research associated with your request, the CSPD has determined to not release any reports related to the Oct. 8, 2008, arrest of Marc Johnson," Whitlock said in an e-mail. "We have determined this based on a balancing test coupled with the ongoing investigation and adjudication of a separate defendant from the same criminal incident," he said. "We will re-do the balancing test when the case is concluded, based on whatever information is available at that time." Kevin Flesch, Johnson's Englewood-based attorney, said last week that his client had been charged with resisting arrest and possibly obstruction. He also said the charges against Johnson "eventually got resolved." Flesch said he would "love" to share a copy of the video, which purportedly shows officers beating up another man near a car dealership on North Academy Boulevard. But he said his client had not authorized him to release it. Since then, Flesch has not returned messages requesting a copy of the video.



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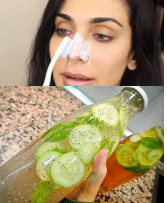
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