

October 16, 2018

RE: Record Request

Dear Mr. Richards:

Thank you for your record request for:

- *“Contracts, subscriptions, emails, training documents, statistical reports, and all other documents referencing Hawk Analytics and/or their product CellHawk.”*

After a review of your request, I have determined:

- The records requested are considered criminal justice records as defined in C.R.S. § 24-72-302(4). As such, the requested records may be subject to release under the Colorado Criminal Justice Records Act. Thus, the Colorado Open Records Act does not apply to the requested records in this case.
- The requested records are not considered an “official action” as defined in C.R.S. § 24-72-302(7) and, therefore, their release is consigned to the discretion of the custodian of records.

The release of the requested information was balanced, as required, under the prescribed tenants of Harris v. Denver Post 123 P.3d 1166, 1175 (Colo.2005).

The Colorado Springs Police Department currently does not subscribe to, or utilize, CellHawk or any technologies, products, or services of Hawk Analytics.

The Investigations Division of the Colorado Springs Police Department, has in the past, subscribed to the CellHawk product. This subscription was cancelled and has not been active for well over two years. A search of available documents did not produce any of the items listed in this request.

Sincerely,

Aaron Ruffalo
Custodian of Records
Colorado Springs Police Department