

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 08-cv-\_\_\_\_\_ - \_\_\_\_ - \_\_\_\_\_

**AMERICAN CIVIL LIBERTIES UNION OF COLORADO, et al.**  
Plaintiffs,

v.

**THE CITY AND COUNTY OF DENVER, COLORADO, et al.,**  
Defendants.

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**DECLARATION OF GLENN MORRIS**

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I, Glenn Morris, declare under penalty of perjury of the laws of the United States of America, as follows:

1. I am over the age of 18. I am competent to give testimony in this matter. The statements contained herein are based upon my personal knowledge. This declaration is being given in connection with Plaintiffs' First Motion For Preliminary Injunction and the proceedings related thereto.

2. I am a member of the Leadership Council of the American Indian Movement of Colorado. The American Indian Movement of Colorado ("AIM") has been incorporated in the State of Colorado as a non-profit corporation since 1992 (but is presently delinquent in its filing of its annual report with the Colorado Secretary of State). AIM was founded in 1971 to provide a voice for American Indian people who have been forced from their traditional homelands and have found themselves in Colorado; AIM is committed to building a community among and between American Indians for the purpose of promoting their rights, religious freedoms,

educational opportunities, and to hold governmental officials accountable. Colorado AIM has rooted its political, social, cultural, and economic program in four basic and essential principles: (1) spirituality, (2) sovereignty, (3) support, and (4) sobriety. A detailed explanation of these principles is set forth on AIM's website.

3. AIM of maintains a website on the Internet that is accessible to anyone in Colorado, the nation, and the world, on which it provides information about its principles, its history, and upcoming AIM events, including political protests and demonstrations.

4. Over the past twenty years, in my role as a member of the Leadership Council of AIM, and as a community organizer, I have helped to organize and have led numerous non-violent political rallies, demonstrations, and marches, both inside and outside of Colorado. For example, AIM has collaborated with other organizations in organizing an annual Four Directions/Four Corners March and a Transform Columbus Day Protest each October for the past six years, in which thousands of people have converged on Denver to participate. AIM has also participated in rallies protesting both of the U.S.'s Gulf Wars, and has also taken part in the massive immigrants' rights march in Denver in May 2006. AIM has also organized rallies and demonstrations outside of Denver to protest the use of American Indians as sports team mascots, to protest police brutality, and anti-racism rallies throughout the State.

5. AIM is committed that its members will not initiate any violence during any of its protests, marches, or demonstrations. AIM has repeatedly stated this commitment in public. And, in fact, over the past twenty years of protests and other demonstrations, no act of violence has ever been initiated by AIM or any of its members.

6. AIM is planning several speech and assembly activities to take place during the

Democratic National Convention in Denver, August 25-28, 2008. Those activities can be divided into three broad categories: (1) marches along city sidewalks, which have traditionally be conducted without any permit required; (2) participating in marches along city streets in conjunction with other organizations who have requested permits to conduct such a march; and (3) gathering and assembling its members, in collaboration with other organizations, to communicate directly with the Delegates attending the Democratic National Convention at the Pepsi Center and other locations.

7. As it has done for many years, AIM intends to conduct a march along the public sidewalks in the City of Denver to one or both of the federal courthouses (U.S. District Court and Tenth Circuit), symbols of the federal government which continues to wrongfully incarcerate political prisoner Leonard Peltier, as well as other political prisoners. On behalf of AIM, I have initiated discussions with the Denver Police Department about whether such non-permitted sidewalk demonstrations will be allowed during the Democratic National Convention. As of the date I am signing this Declaration, that question has not yet been resolved. If the City were to change its long-standing policy and not allow the people to peacefully assemble on sidewalks, without interfering with vehicular traffic, AIM will ask this Court to declare such restrictions on its rights of assembly and free speech to be unconstitutional.

8. In addition to the planned demonstration on city sidewalks, AIM has communicated with, and is intending to collaborate with, other groups, including Recreate 68, Escuela Tlatelolco, the Leonard Peltier Defense Committee, the Western Shoshone Defense Council, and the Republic of Lakotah, in conducting large-scale marches along city streets during the Democratic National Convention.

9. It is my understanding that Recreate 68 has sought a parade permit from the City of Denver for a march to the federal courthouse on August 25, 2008, in order to protest the treatment of political prisoners, including Leonard Peltier, Mumia Abu Jamal, detainees being held at the Guantanamo Naval Base, and others.

10. Because I understand that the City of Denver has not yet processed Recreate 68's parade permit request, and has not even notified Recreate 68 of when that request will be processed, I have been unable to assist that organization in helping to organize the march to the federal courthouse. Although it is my intention to invite representatives from the International Leonard Peltier Defense Committee, I have been forced to hold off on doing so until I can communicate a date, time, and location for the march.

11. In addition to the sidewalk-based and street-based marches to protest U.S. incarceration of political prisoners described above, AIM intends to engage in assembly of its members, along with those of other organizations, at the site of the Democratic National Convention in order to communicate with the Delegates and others attending the Convention (as well as the national news media covering it) three of the major areas of concern about the government's policies toward American Indians: (1) the continued unjustifiable incarceration of Leonard Peltier and other political prisoners; (2) the need for protection of sacred lands and of Indian religious freedom more generally, which is presently under attack in the San Francisco Peaks area of northern Arizona, the salmon spawning region of the Pacific Northwest, the Black Hills of South Dakota, and Montana; (3) the violation of several treaties entered into by the United States Government, including those involving the Western Shoshones in Nevada and the Lakotah Nation of South Dakota.

12. As to each of the three primary focuses of AIM's communicative message described in the preceding paragraph, there is an urgent need for AIM to convey its message to the Delegates attending the Democratic National Convention. AIM will seek to secure a commitment from the Democratic Party to address each of these issues in its national platform, and, should a Democratic President be elected to the White House in November 2008, a commitment to have that administration be more responsive to the needs and rights of American Indians than the current Republican administration and previous Democratic administrations have been.

13. AIM intends to communicate its concern for, and outrage over, the mistreatment of Leonard Peltier with the Democratic National Convention Delegates, in particular, because President Bill Clinton committed to sign Mr. Peltier's clemency petition prior to leaving the White House, but he reneged on that commitment; AIM holds the current Democratic presidential candidate, Senator Hillary Rodham Clinton, partly responsible for that miscarriage of justice and wishes to bring that fact to the attention of the Democratic Convention Delegates and to Senator Clinton.

14. In organizing its non-violent assembly and free speech activities at the site of the Democratic National Convention, AIM believes the key to success of its efforts is to establish effective communication channels. AIM members must be able to interact and communicate directly with the Convention Delegates. AIM members must be permitted to get sufficiently close to the Delegates for them to hear our drums, see our sacred items, and hear from our spiritual leaders directly. AIM also intends to hand to Convention Delegates pamphlets and other written materials urging them to take action on the issues of interest and concern to AIM,

as identified above.

15. Because the City and County of Denver and the United States Secret Service has not yet disclosed what types of opportunities will be available for interested groups such as AIM to communicate its message directly with the Convention Delegates at the site of the Convention, and specifically has not indicated how it will allocate time at any stage area or use of amplified sound systems, AIM is unable to make the necessary preparations to assemble its members and spiritual leaders – several of whom are elderly and/or are persons with disabilities for whom special arrangements will be necessary – to come to Denver and to participate in these events.

16. Moreover, without knowing the date and time upon which AIM and affiliated organizations will be allowed to occupy the space that will be provided immediately adjacent to the Convention site and that provides direct access to the Delegates, it is virtually impossible for AIM to get commitments from such spiritual leaders, and other individuals, to participate in these events.

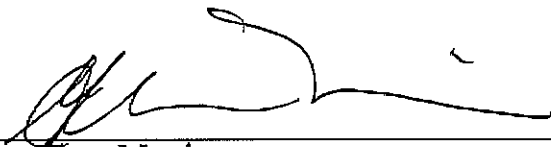
17. I have been informed that Denver city officials have spoken publicly about the possibility of constructing some type of confined, restricted area in the vicinity of the Pepsi Center, they are calling a “free speech zone,” that may serve as the only authorized location for groups interested in assembly and expressing their views to the Convention Delegates. I am aware that at the National Conventions held in 2004, such “confinement pens” were utilized by the governments in New York and Boston. Because of the entire history of the American Indian people, including the jailing of its leaders and repeated efforts to confine and restrict American Indians onto reservations and other fenced-in areas, members of AIM will not willingly enter into any such caged or fenced-in restricted area for purposes of exercising their rights to free

speech. Therefore, should the City and County of Denver and/or the United States Secret Service attempt to so restrict the conduct of free speech and assembly rights at the Democratic National Convention, AIM will ask this Court to declare that such restrictions violate their constitutional rights.

18. The foregoing is true and correct, to the best of my knowledge or recollection.

Executed this 29th day of April, 2008.

By:



Glenn Morris  
Member of the Leadership Council  
American Indian Movement of Colorado