



C. Ray Drew, Executive Director * Mark Silverstein, Legal Director

November 22, 2011

VIA UNITED STATES MAIL

Magistrate John Hoffman
1515 Cleveland Place, 4th Floor
Denver, Colorado 80202

Dear Magistrate Hoffman:

I am writing to provide you a copy of a letter that the ACLU recently submitted to Presiding Judge Marcucci regarding events which reportedly occurred in your court on the morning of November 13, 2011. As you will see from a review of the enclosed letter, the ACLU contacted Judge Marcucci because of a concern that your reported refusal to allow members of the public to bring paper, notebooks or any type of writing utensils into your courtroom violated the First Amendment.

Judge Marcucci contacted the ACLU on Thursday November 17, 2011 in response to the ACLU's letter. During that conversation, Judge Marcucci indicated that after receiving the letter he had re-distributed Administrative Order 09-01 which outlined, among other things, Denver Court policy permitting laptops in the courtroom for the purpose of taking notes. Judge Marcucci highlighted the policy permitting laptops in the court room for the purposes of taking notes to demonstrate to the ACLU that Denver County court policies clearly did not encompass, either expressly or indirectly, a prohibition on an individuals' right to bring pen and paper into the courtroom.

We are providing a copy of the ACLU's November 16, 2011 letter directly to you so that you have the opportunity to review the complaint and evaluate whether any changes to your courtroom protocols are necessary in the future.

Sincerely,

Sara J. Rich
Staff Attorney, ACLU of Colorado

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ACLU of Colorado... because liberty cannot protect itself.