



September 1, 2006

Via Facsimile – (303) 441-4703  
Via E-Mail: boulder.da@co.boulder.co.us

District Attorney Mary Lacy  
Boulder County District Attorney's Office  
P.O. Box 471  
Boulder, CO 80306

Via Facsimile – (303) 441-4703  
Via E-Mail: boulder.da@co.boulder.co.us

Custodian of Records  
Boulder County District Attorney's Office  
P.O. Box 471  
Boulder, CO 80306

**SECOND PUBLIC (OPEN) RECORDS REQUEST PURSUANT TO  
C.R.S. §24-72-301 ET. SEQ. AND C.R.S. §24-72-201 ET. SEQ.**

Dear Ms. Lacy and Custodian of Records:

This letter constitutes a Public (Open) Records Request pursuant to C.R.S. §24-72-301 *et. seq.*, (Criminal Justice Records) and C.R.S. §24-72-201 *et. seq.*, as well as all other applicable statutory provisions. Pursuant to C.R.S. §24-72-304 and C.R.S. §24-72-203, please promptly make the documents requested herein available for inspection and copying.

Pursuant to C.R.S. §24-72-305, if you deny access to any criminal justice record requested herein, for each such record please provide a written statement of the grounds for denial, specifying for each record withheld the law or regulation under which access is denied or the general nature of the public interest to be protected by the denial.

**FORMAL REQUEST FOR THE PRESERVATION OF CRIMINAL JUSTICE RECORDS**

This letter constitutes a formal notice that a request has been made to inspect the criminal justice records identified in this document. Therefore, pursuant to applicable statutory provisions, none of the records requested maybe destroyed by the agency to which this request is directed while the request is pending. Accordingly, please take immediate steps to prevent the deletion of any email or other electronic information, or the destruction of any other records which are or maybe responsive in any manner to this request for criminal justice records.

**DEFINITIONS**

The term “**public records**” as used in this public records request includes, but is not limited to, all correspondence, electronic mail, electronically recorded information and writings of every

type, including, but not limited to, all books, papers, photographs, cards, tapes, recordings, or other documentary materials, regardless of physical form or characteristics, including digitally stored data. The terms “**public records**” and “**documents**” are used interchangeably in this public (open) records request.

The term “**correspondence**” means a communication that is sent or received by one or more specifically identified individuals including, without limitation:

- A. Communications sent via electronic mail;
- B. Communications sent via private courier;
- C. Communications sent via US Mail.

The term “**electronic mail**” means an electronic message that is transmitted between two or more computers or electronic terminals whether or not the message is converted to hard copy format after receipt and whether or not the message is viewed upon transmission or stored for later retrieval. “Electronic mail” includes electronic messages that are transmitted through a local, regional or global computer network.

The terms “**test**” and/or “**testing**” as used herein mean any and all attempts, be they partial or complete, to process the DNA samples taken surreptitiously or otherwise from John Mark Karr, including but not limited to partial or complete attempts to determine whether DNA taken from John Mark Karr matched, to any extent, any other DNA sample, including but not limited to unidentified DNA present in the underwear of JonBenet Ramsey.

The term “**Boulder County District Attorney’s Office**” as used herein includes but is not limited to all current and former employees, agents, and representatives of the District Attorney’s Office, including but not limited to: the elected District Attorney; all attorneys and staff within the District Attorney’s Office; all investigators employed by the District Attorney’s Office; and all volunteers working under the authority of the District Attorney’s Office. This request also specifically includes any intermediary utilized by the District Attorney’s Office to perform any act on behalf of the District Attorney’s Office, including the conduct of communications with any individual or entity.

The reference to attorney “**L. Lin Wood**” as used herein includes Mr. Wood and all of his current and former partners, shareholders, employees, agents, and authorized representatives.

### **PUBLIC RECORDS TO BE PRODUCED**

Please produce the following public records pursuant to the applicable statutory authority:

1. All documents (including but not limited to electronic mail, handwritten notes, telephone messages, correspondence, expert reports, law enforcement reports, etc.) pertaining in any manner to the determination made by the Boulder County District Attorney’s Office whether or not to arrest John Mark Karr in connection with the murder of JonBenet

Ramsey. This request specifically includes, but is not limited to: interoffice communications; communications with advisors or consultants outside of the Boulder County District Attorney's Office; communications with experts of any type; communications with L. Lin Wood, John Ramsey, Michael Tracey, and/or any other individual or entity. This request specifically includes, but is not limited to, communications with government and/or law enforcement personnel inside or outside of the United States, including but not limited to, Thai government officials, Thai law enforcement, ICE, and Homeland Security.

2. All documents (including but not limited to electronic mail, handwritten notes, telephone messages, correspondence, expert reports, law enforcement reports, etc.) pertaining in any manner to the determination made by the Boulder County District Attorney's Office as to whether probable cause existed to arrest John Mark Karr in connection with the murder of JonBenet Ramsey. This request specifically includes, but is not limited to: interoffice communications; communications with advisors or consultants outside of the Boulder County District Attorney's Office; communications with experts of any type; communications with L. Lin Wood, John Ramsey, Michael Tracey, and/or any other individual or entity. This request specifically includes, but is not limited to, communications with government and/or law enforcement personnel inside or outside of the United States, including but not limited to, Thai government officials, Thai law enforcement, ICE, and Homeland Security.
3. All documents (including but not limited to electronic mail, handwritten notes, telephone messages, correspondence, etc.) pertaining in any manner to any and all communications between the Boulder County District Attorney's Office and Michael Tracey which pertain in any manner to John Mark Karr, including but not limited to: the investigation of Mr. Karr as a possible suspect in the murder of JonBenet Ramsey (including the time period during which Mr. Karr's identity was not yet established); the decision as to whether or not to obtain DNA samples from Mr. Karr before he was brought to Boulder Colorado; whether Mr. Tracey had provided the District Attorney's Office with a copy of each and every communication Mr. Tracey had engaged in with Mr. Karr; the decision whether or not to test DNA samples taken from Mr. Karr; the results of the testing of any DNA samples taken from Mr. Karr; whether Mr. Karr was likely the killer of JonBenet Ramsey; whether Mr. Karr's handwriting matched the handwriting in the "ransom note"; whether there was probable cause to arrest John Mark Karr in connection with the murder of JonBenet Ramsey; questions to be posed to Mr. Karr in order to determine whether he was the killer of JonBenet Ramsey; reasons to doubt that Mr. Karr was the killer of JonBenet Ramsey; whether Mr. Karr should be (or was) asked to explain what "SBTC" meant in the "ransom note."
4. All documents (including but not limited to electronic mail, handwritten notes, telephone messages, correspondence, etc.) pertaining in any manner to any and all communications between the Boulder County District Attorney's Office and attorney L. Lin Wood which pertain in any manner to John Mark Karr, including but not limited to: the investigation

of Mr. Karr as a possible suspect in the murder of JonBenet Ramsey (including the time period during which Mr. Karr's identity was not yet established); the decision as to whether or not to obtain DNA samples from Mr. Karr before he was brought to Boulder Colorado; the decision whether or not to test DNA samples taken from Mr. Karr; whether or not there was probable cause to arrest John Mark Karr in connection with the murder of JonBenet Ramsey; the results of the testing of any DNA samples taken from Mr. Karr; whether Mr. Karr was likely the killer of JonBenet Ramsey; whether Mr. Karr's handwriting matched the handwriting in the "ransom note"; questions to be posed to Mr. Karr in order to determine whether he was the killer of JonBenet Ramsey; reasons to doubt that Mr. Karr was the killer of JonBenet Ramsey; whether Mr. Karr should be (or was) asked to explain what "SBTC" meant in the "ransom note."

5. All documents (including but not limited to electronic mail, handwritten notes, telephone messages, correspondence, etc.) pertaining in any manner to any and all communications between the Boulder County District Attorney's Office and John Ramsey (or any other member or representative of the Ramsey family) which pertain in any manner to John Mark Karr, including but not limited to: the investigation of Mr. Karr as a possible suspect in the murder of JonBenet Ramsey (including the time period during which Mr. Karr's identity was not yet established); the decision as to whether or not to obtain DNA samples from Mr. Karr before he was brought to Boulder Colorado; the decision whether or not to test DNA samples taken from Mr. Karr; the results of the testing of any DNA samples taken from Mr. Karr; whether Mr. Karr was likely the killer of JonBenet Ramsey; whether Mr. Karr's handwriting matched the handwriting in the "ransom note"; questions to be posed to Mr. Karr in order to determine whether he was the killer of JonBenet Ramsey; reasons to doubt that Mr. Karr was the killer of JonBenet Ramsey; whether Mr. Karr should be (or was) asked to explain what "SBTC" meant in the "ransom note."
6. All documents (including but not limited to electronic mail, handwritten notes, telephone messages, correspondence, etc.) pertaining in any manner to any and all communications between Michael Tracey (or anyone else) and the individual eventually identified as John Mark Karr regarding the meaning of "SBTC" in the "ransom note."
7. All documents (including but not limited to electronic mail, handwritten notes, telephone messages, correspondence, etc.) pertaining in any manner to any and all communications between Michael Tracey (or anyone else) and the individual eventually identified as John Mark Karr regarding the reason the author of the "ransom note" demanded \$118,000.
8. All documents (including but not limited to electronic mail, handwritten notes, telephone messages, correspondence, etc.) containing communications between Michael Tracey (or anyone else) and the individual eventually identified as John Mark Karr.
9. All documents (including but not limited to expert reports, draft expert reports, law enforcement reports, electronic mail, correspondence, handwritten notes, etc.) regarding

any information, observations, partial opinions, or opinions provided to the Boulder County District Attorney's Office pertaining to John Mark Karr, including but not limited to, communications to or from experts or consultants regarding: a comparison of the handwriting of John Mark Karr to that in the "ransom note"; a comparison of the available forensic evidence (including but not limited to, boot prints, shoe prints, hairs, fibers, palm prints, finger prints, etc.) available from John Mark Karr; the expert opinions obtained from the criminal psychologist referred to by District Attorney Mary Lacy in her August 29, 2006 press conference.

10. All documents (including but not limited to electronic mail, handwritten notes, telephone messages, correspondence, investigative reports, law enforcement reports, etc.) containing or relating to any and all communications between the Boulder County District Attorney's Office and anyone located at the time of the communication in Thailand, including but not limited to communications with: Investigator Mark Spray; any Thai government official; any Thai law enforcement official; any employee of ICE; and/or any employee of Homeland Security regarding John Mark Karr.
11. All documents (including but not limited to electronic mail, handwritten notes, telephone messages, correspondence, investigative reports, law enforcement reports, etc.) pertaining in any manner to the investigation of whether John Mark Karr's mother had attempted to burn him when he was a baby.
12. All documents (including but not limited to electronic mail, handwritten notes, telephone messages, correspondence, investigative reports, law enforcement reports, etc.) pertaining in any manner to the investigation of whether John Mark Karr was in Boulder, Colorado on December 25, 1996 and/or December 26, 1996.
13. All documents (including invoices, reports, electronic mail, video tapes, etc.) pertaining in any manner to any media consultation or advice provided to District Attorney Mary Lacy and/or any other member of the District Attorney's Office in connection with any aspect of the John Mark Karr investigation/arrest/charging decision/release/aftermath.
14. All reports of any kind (including law enforcement reports) pertaining to the investigation, surveillance, potential arrest, arrest, transportation, potential charging, and/or release of John Mark Karr.
15. A copy of all (public) records requests submitted to the Boulder County District Attorney's Office pertaining to John Mark Karr.
16. All documents (including but not limited to electronic mail, handwritten notes, telephone messages, correspondence, investigative reports, law enforcement reports, etc.) pertaining in any manner to all efforts made to corroborate (before an arrest warrant was issued for Mr. Karr) statements made by Mr. Karr in his communications with Michael Tracey.

District Attorney Mary Lacy  
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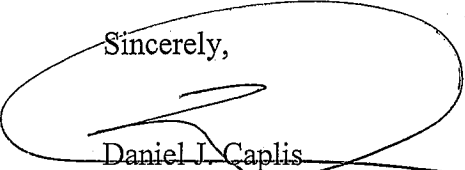
17. All recordings (including but not limited to transcripts, video tapes, and/or audio tapes) of any statements made by Mr. Karr at anytime to anyone, including but not limited to statements made to Thai law enforcement officials, Thai government officials, ICE, Homeland Security, members of the Boulder County District Attorney's Office, or anyone else.
18. All documents (including but not limited to mail communications, correspondence, handwritten notes, and law enforcement reports) pertaining in any manner to whether Michael Tracey has ever identified anyone other than John Mark Karr as a potential suspect in the murder of JonBenet Ramsey, including but not limited to John Steven Gigax. This request specifically includes but is not limited to communications from Michael Tracey to any third party who then related Mr. Tracey's information to the Boulder County District Attorney's Office.

Feel free to call me at any time if you have any questions regarding the scope of the request. Please direct all communications regarding this public records request to the following:

Daniel J. Caplis  
E-Mail: [DanCaplis@clearchannel.com](mailto:DanCaplis@clearchannel.com)  
Cell: (303) 907-5003

Thank you for your time and consideration.

Sincerely,



Daniel J. Caplis  
The Caplis and Silverman Show  
630KHOW