

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

Civil Action No. 25-CV-1571-RMR-KAS

REGAN BENSON,

Plaintiff/Counterclaim Defendant,

v.

ENGLEWOOD, COLORADO, a Colorado municipal corporation

and

TAMARA NILES, in her individual and official capacity,
OTHONIEL SIERRA, in his individual and official capacity,
JOE ANDERSON, in his individual and official capacity,
SERGIO RENTERIA, in his individual and official capacity,
BETHANY LAFFERTY, in her individual and official capacity
CORINNE BARNETT, in her individual and official capacity,
JEAN MULDER, in her individual and official capacity,
AARON GLEE, in his individual and official capacity,
CARRIE WATSON, in her individual and official capacity, and
SHAWN LEWIS, in his individual and official capacity.

Defendants/Counterclaim Plaintiffs.

Declaration of Regan Benson in Support of Her Special Motion to Dismiss Counterclaims

I, Regan Benson, having capacity to execute this declaration and personal knowledge of all matters attested to herein, state as follows:

1. I am the executive director of Helping Hands for Dignity, a 501(c)(3) nonprofit organization that provides direct outreach services to homeless individuals in the Denver Metropolitan area.
2. For the last few years, much of my work with the unhoused population has centered around the City of Englewood.

3. I regularly attend Englewood City Council meetings and give public comment related to, amongst other topics: homelessness policies in general, the city's treatment of particular unhoused persons, issues with the Englewood police department, and access to public records.

4. I also routinely file requests with the City of Englewood under the Colorado Open Records Act seeking bodyworn camera footage of police encounters, city policies on different issues, and records on how taxpayer dollars are spent by the Englewood City government.

5. I am in regular contact via email and in person conversations with members of the Englewood City Council, City Manager Shawn Lewis, and others about issues related to homelessness and other City policies. A sample of these communications are attached as Ex. 1 to this Declaration. (Ex. 1, collection of emails.)

6. As part of my efforts to advocate for the unhoused population and hold government officials accountable, I operate a public YouTube channel. *See* <https://www.youtube.com/c/ReganBenson>. The Description section on my YouTube channel says:

WARNING: This channel contains R rated language & is not always appropriate for children. If you can't handle that, this channel content is not for you.

Cops get cussed out here. Dirty government actors get exposed here.

I love the homeless community. They're people too. They have family that loves them and if they have no one, they need someone to love them. If they're not hurting anyone, leave them alone if you've no help to offer. A society is defined by how it treats its weakest, sickest and poorest. What do you do when you witness an injustice? What do you do to preserve and persevere in freedom?

Government is malevolent. It destroys everything it touches. It seldom does anything right, except violate peoples rights on the daily, force taxation and incarceration for victimless crimes while victimizing victims, repeatedly. JustUs.

Freedom is dangerous, live dangerously.

(Ex. 2, screenshot of YouTube channel.)

7. I frequently record my interactions with law enforcement and other government officials and post them to or livestream them on my YouTube channel. I also post videos created by others that show police officers and other government officials performing their official

duties. I sometimes write captions or other commentary to accompany the videos posted on my YouTube page.

8. In March 2022, I was charged with two counts of harassment based on my having filmed an Englewood security guard as he moved through public parts of the Englewood civic center while he was on duty.

9. As part of the discovery in the criminal case, I received copies of police reports, witness interviews, and audio-visual files. Amongst this discovery was: (1) a recording of when the security guard, at the request of Englewood government officials, called the Englewood's non-emergency line to report me for harassment; (2) footage from Officer Jean Mulder's bodyworn camera that captured her interview of Librarians Corinne Barnett and Bethany Lafferty related to the alleged harassment; and (3) an audio-only recording in which Englewood Sergeant Adam Wright tells dispatch to assign Officer Jean Mulder—who he calls his “go to gal”—to the report of harassment.

10. I hired an attorney to represent me on the criminal case. All charges were dismissed on September 24 after my attorney filed a motion challenging the prosecution for infringing my First Amendment rights.

11. In the weeks after the initial criminal charges against me were dismissed, I posted to my YouTube channel some of the recordings that I received as part of discovery in the criminal case.

12. On October 9, 2024, I posted the video of Officer Mulder interviewing Librarians Barnett and Lafferty with the title “GIRLS DOING WHAT GIRLS DO.” *See* <https://www.youtube.com/watch?v=5g5KMWT0oP4&t=422s>. This video was filmed by Officer Mulder's bodyworn camera and depicts Mulder speaking with Barnett and Lafferty in public areas of the Englewood library while the librarians were working. During the video, one of the librarians calls me a “menace” and insists that I must be stopped from recording in public parts of the civic center building. Accompanying that video, I wrote:

These female specimens get together on this day back in March for a whine session about Regan Benson. They're drumming up a criminal case on me, using anything they can possibly think of to influence this cop. This cop is known as Englewoods "go to gal", a nick name just for her, according to her her Sergeant; Adam Wright. These gals are pretty in touch with each others feelings, obviously something the "men" of the Englewood PD enjoy.

The star of the show:, Library Supervisor, Corinne B.(the bimbo behind the computer) collecting an annual salary of \$89k, while her boss, Bethany L. Library and Cultural Arts Manager collecting a \$119k a year, fills the cop in on alleged criminal activity she and

her gal pal NEVER EVEN WITNESSED. Good Ol Bethany tells a great many lies, therefore Corinne joins in on the fun!

Go to gal pal cop: Jean Mulder, makes a \$112K a year. No biggie. Fantastic use of police resources.

Long story short...this cop does a dishonest investigation, was DETERMINED to get a warrant for me any way possible and Aaron Glee- another super highly intelligent Englewood cop, with a title of "detective" collecting a \$112K a year, both lied their way through an entire "case" to really stick it to me (joke) for harassment for filming a security guard. All, AFTER they banned me from the library for "committing a crime" by way of their unconstitutional "standards of behavior" in Englewood. Key word, AFTER. Yep, this city lets their librarians ban people from the public library for "crime" and then go get the cops to drum up the "crime". That heinous crime I committed for recording a security guard telling me I couldn't use the restroom...the case OF COURSE HAS BEEN DISMISSED by the DA after he got bored with the idea of losing at trial and none of his cops under subpoena showed up to a motions hearing.

<https://www.inglewoodco.gov/our-city/...>

It was all a witch hunt. It blew up in their faces and a bunch of people got caught. This is and was ALL geared to discriminate against the homeless, retaliate against me for protected activity and speech, and invoke class warfare into discriminatory behavior by ALL involved public employees. The cops, well they don't like me, so it wasn't hard to find the VERY DUMBEST blond bimbo cop to be the fall gal, for the guys that refer to her as the...GO TO GAL. So, what are they doing in response? Still trying to ban me from the library of course. Look what happened when I went to city council to talk about it all:

<https://www.youtube.com/live/accH1ypi...>

Stay tuned for the results of the "hearing" to uphold the librarians trying to ban me from the library after they got caught in their revenge plot! I mean really though, who cares? It's just tax dollars at work. Other peoples money...it's just one giant unaccountable 6 ring circus of JustUs...the peasants are guilty until proven innocent. The outcome to ban me from the library is not going to matter.

They bully whoever they can. Not this time. They got caught and they ARE going to be held accountable.

#1a
#englewoodcoloradopolice
#rottenlibrarians
#rottencops

(Ex. 3, Screenshot of October 9 video posted to YouTube channel.)

13. My comment about the women featured in the bodyworn camera footage being “pretty in touch with each others feelings” was commentary on how “buddy buddy” Officer Mulder is with Librarians Barnett and Lafferty. During the video, Lafferty and Barnett repeatedly reference their feelings about me and my actions and Mulder responds with empathy. My comment about their feelings of affection towards each other being “obviously something the ‘men’ of the Englewood PD enjoy” was a reference to the fact that Sergeant Wright specifically directed dispatch to give this investigation to Officer Mulder, who he called his “go to gal.” (Ex. 4, audio recording (conventionally filed); Ex. 5, unofficial transcript of recording.)

14. My commentary accompanying the October 9, 2024 video was intended to reflect my personal opinions about how efforts to prosecute me for harassment were a witch hunt designed and implemented by these Englewood employees (and others). I wanted to expose the actions of Englewood government officials in trying to silence me and punish me for exercising my First Amendment rights. I also believe it is important for taxpayers to know how their money is being used to fund investigations and prosecutions like they sought against me.

15. Two days later, on October 11, 2024, I posted the audio recording of the Englewood security guard calling the non-emergency line with the title: “FORMER ALLIED guard COACHED by City Attorney to pursue BOGUS CRIMINAL CHARGES ON ME.” See <https://www.youtube.com/watch?v=9LBbWHLGVfM>. The recording does not have any image; it is simply an audio file of the security guard’s phone call with Englewood’s non-emergency police dispatcher. Accompanying that post, I wrote:

Apparently this recruiting attempt netted them a fantastic crop of call takers: • Englewood Dispatch Recruitment

Why did former Allied employee Ellegan make a phone call to this nasty little dispatcher at the Englewood PD on 3/6/24, two days after he claimed he was victimized for being recorded and ONE DAY after I published his interaction with me on YT?

Because a “man”, that had obtained his PERSONAL PHONE #, claiming to be from the city attorneys office CALLED Dameyon

and told him he should call the police and tell them he was harassed by me. In this call, Dameyon claims the person, Jonathan, the city prosecutor, told him to call.

Who was the actual “man”?

Very likely a one moron city attorney by the name of Sergio Renteria who then LIED to him and told him his name was Jonathan.

On 10/924- Dameyon was once again coached to repeatedly say “I do not recall” when questioned by my attorney who EXACTLY he spoke with from the city attorneys office. This particular hearing of course, was done behind closed doors, as the city requested it be so that the public could not witness the proceedings as they work to ban me from the library using unconstitutional city code. WHO coached Dameyon this time? 😏

Dameyon, you lied and we could’ve moved to impeach all of your testimony. But we felt a bit sorry for you, you’ve been THE PAWN in this entire retaliation effort, for the city.

EVERY SINGLE PERSON IN THIS ORCHESTRATED charade to have me criminally charged and banned from a public building, ALL funded by taxpayers, has been caught lying and in some cases committing crimes of retaliation, harassment and official misconduct.

Sergio Renteria, by and through the guidance of the city attorney, Tamara Niles, are working overtime to shut down public comment at city council and have now BANNED me from attending CITY COUNCIL meetings. Here’s some more of Sergio here: Watch @ 1:01:00

https://www.youtube.com/live/_pQ6Ja4T...

They just keep digging their hole deeper and deeper and deeper.

Dameyon was coached to call. Why? Because I publicly exposed how Englewood supports the librarians corrupting Allied employees under contract with taxpayer dollars and the librarians run the city and the cops. After all, the chief trouble maker Librarian Bethany, makes WAY more money than their SWAT officers. 😏

Englewood Dispatcher Tosha Murray DOH 4/11/22 Annual Salary
\$70,118
#toshamurray

Sergio makes a whopping \$128k a year because he is a complete moron.

Tamara however follows here orders quite well and is currently making just under \$300k a year.

#tamaraniles

#sergiorenteria

Attorneys like this ^^ are exactly the scorched earth leeches referred to when describing attorneys who can NEVER succeed in the private sector.

<https://www.engagewoodco.gov/governmen...>

#engagewoodcolorado

#Englewoodcoloradopolice

(Ex. 6, screenshot of October 11, 2024 video posted to YouTube channel.)

16. Shortly thereafter, I re-uploaded the full video of my interaction with the security guard in the Englewood Public Library so that all of the information related to my dismissed criminal charges was available to the public. *See*

<https://www.youtube.com/watch?v=vOaWtuM32KE>. When the video was reuploaded, I wrote:

This is Dameyon Ellegan, he was employed by the righteous in private security firm: Allied Security. His employment at the Englewood Civic Center comes by way of taxpayer dollars, therefore he is subject to scrutiny for the level of service he is providing.

Prior to my recording of this interaction, I had stepped into the library to use the public restroom. Dameyon DENIED use of the restroom and demanded I sign my name. I refused, took the key off the podium and proceeded to the restroom. I began my recording as I exited the restroom.

I didn't even know this guys name at the time this took place back on March 4th, 2024. It turns out that "someone" from the city coached him into pursuing criminal charges against me for harassment. The Englewood PD went along with this and actually LIED through ALL STEPS of the criminal prosecution against me,

including officers ignoring a subpoena to testify in a motions hearing in county court proceedings in Arapahoe County. They lied on the arrest warrant affidavit, as well. The DA of course dismissed the case. But only after wasting my time and thousands of dollars of MY MONEY, on an attorney. It's called JustUS- we see it everywhere all day long across our land of the free, where cops and government are NEVER held to account for destroying peoples lives with political persecution.

...

What has occurred and IS STILL occurring in the Englewood, CO library is targeted class warfare and discriminatory actions against a marginalized community; the homeless. There is this bizarre desire to control the population by forcing people to give up their 4th amendment right to use a public restroom; depending on who you are. I will not tolerate this in silence, for anyone.

(Ex. 7, Ellegan Video.)

17. In addition to the criminal charges, I was served with an exclusion notice prohibiting me from entering the Englewood public library. I hired an attorney to represent me at the evidentiary hearing for this administrative matter. The hearing officer ultimately concluded that it was improper to exclude me from the library.

18. On October 14, 2024, I was charged in a second criminal case with two counts of violating C.R.S. § 18-9-110 based on my refusal to yield to the Mayor's interruption of my public comment during a City Council meeting.

19. Discovery for the second criminal case included police reports, bodyworn camera footage, and a lengthy witness statement from City Attorney Tamara Niles.

20. I again hired an attorney to represent me in defending against these criminal charges. All charges were dismissed on January 22, 2025.

21. In addition to the criminal prosecution, City Attorney Tamara Niles issued a Notice of Exclusion barring me from attending City Council meetings in person for a period of 45 days. I hired an attorney to defend me at that administrative hearing. The City hired a different hearing officer to preside over the second administrative hearing. The new hearing officer sustained the exclusion and I was barred from attending City Council meetings in person for 45 days beginning November 7, 2024.

22. I incurred nearly \$50,000 of attorney's fees defending against the two criminal cases and two administrative exclusions.

23. In early 2025, I connected with and was trying to help a woman named Crystal, who had recently become homeless. Crystal is a long-time Englewood resident who was kicked out of her house when Englewood condemned it for alleged code violations. The home was owned by Crystal's grandfather, who is in his 90s. Crystal's grandfather was taken against his will into an elder care facility when the house was condemned. Crystal was left living in a tent, moving between Englewood city parks.

24. On May 5, 2025, I brought Crystal to the Englewood City Council meeting so she could address her elected officials about what the city was doing to her grandfather and her. Crystal bravely spoke on her own behalf during the public comment period and talked about moving between chased from park to park by Englewood police officers. Crystal talked about how she did not want to be in trouble or cause trouble and asked Council for their help with housing and navigating the situation. *See* May 5, 2025 City Council meeting (available at <https://www.youtube.com/live/hxV7m3IHsM0>) (Crystal speaks at 1:41:00).

25. I also addressed City Council about Crystal's situation that evening. *See* May 5, 2025 City Council meeting (available at <https://www.youtube.com/live/hxV7m3IHsM0>) (Benson speaks at 1:50:37).

26. Between the May 5, 2025 meeting and May 19, 2025, I am not aware of any action Englewood City officials took to assist Crystal. As of May 19, 2025, Crystal remained homeless, living in a tent and being chased from park to park by Englewood police officers. Crystal continued to try to navigate the difficult and complex condemnation process for her grandfather and was getting no assistance from the Englewood city government.

27. On May 19, 2025, I again attended the City Council meeting and signed up for public comment. Through my attorneys, I had filed a lawsuit earlier that day. I livestreamed on my YouTube channel from when I entered the Civic Center building to attend the City Council meeting until I left the building. The livestream shows me interacting with various Englewood public officials before public comment, my entire public comment, and interactions with Englewood public officials after my public comment was complete. *See* <https://www.youtube.com/watch?v=PAvJ4Y1YJHE&t=2891s>.

28. During my public comment, which begins around 46:00 on the livestream video, I notified the Council about the lawsuit, which named two of the Council members as defendants. I also made the following statement: "I don't care how many fricking apartments you built. And you're still not listening to me. Crystal's still out here. Nowhere to go. You got ole Shawn and Tamara over here just you know playing fricking cornholie with each other while Crystal's out here being chased by the cops. Giggle giggle Shawn, you idiot. You're an idiot. You're an indecent human being. You're an idiot and now you're getting sued." (Ex. 8, unofficial transcript of Benson's May 18 public comment at May 19, 2025 City Council meeting; Ex. 9, screenshot of Benson public comment from livestream video.)

29. My comment about City Attorney Lewis and City Attorney Niles “playing fricking cornholie” was intended to call out their inaction with respect to Crystal. When I was giving public comment, they appeared to be chatting with each other and laughing. My comment was intended to imply that they would rather have fun playing games like cornhole rather than take meaningful steps to help a disadvantaged member of the community.

30. I filed this litigation to hold the City of Englewood and the named Defendants accountable for their role in violating my First Amendment rights and retaliating against me for exercising my First Amendment rights. I am seeking compensation for the costs I incurred to hire an attorney to defend me against two criminal prosecutions and in two administrative hearings. I am challenging a policy enacted by City Manager Lewis which prohibits recording in the public areas of the Englewood Civic Center building because that policy conflicts with my rights under the First Amendment.

I declare under penalty of perjury under the laws of the State of Colorado that the foregoing is true and correct to the best of my knowledge, information and belief.

Signed on August 29, 2025.

s/ Regan Benson

Regan Benson