

Charge against student wearing NOBAMA shirt dropped

By Howard Pankratz
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Criminal charges against a junior at Dakota Ridge High School, who wore a T-shirt saying “NOBAMA” before an appearance and speech last fall by Michelle Obama at the school, were dropped Thursday.

Blake Benson, 17, was one of three students at the school who chose to “stay and campaign” for Sen. John McCain when Michelle Obama spoke at the school on Nov. 3.

At the time of his arrest, Benson was holding a McCain-Palin campaign sign.

He was handcuffed and taken to the school’s administrative office, said Dan Recht, a Denver lawyer who took the case on behalf of the American Civil Liberties Union, which represented Benson.

Benson was given a “promise to appear” citation by a Jefferson County sheriff’s deputy and accused of “interference with staff of an educational facility,” said Recht. The Jefferson County Sheriff’s Department decided not to forward the citation to prosecutors, effectively dropping the case.

Recht said Benson also was given a one-day suspension by the school. Shortly after the incident, the school rescinded the suspension.

Recht said he learned Thursday that authorities would not pursue the interference charge.

“There is no more classically protected speech than peacefully protesting against one candidate and for another,” said Recht. “What Blake Benson was doing is as American as apple pie.”

Jacki Kelley, spokesperson for the Jefferson County Sheriff’s Department, said that the decision to drop the charge was made three weeks after the incident after a consultation with the Jefferson County district attorney’s office.

She said that the two agencies decided that “in the interest of justice,” the case would not be pursued.

Kelley said that an internal-affairs investigation is currently ongoing to see what, if any, punishment the deputy who issued the citation should receive.

She said that the male deputy is still with the department and has not been suspended.

Howard Pankratz: 303-954-1939 or hpankratz@denverpost.com