

NOVEMBER 5

BALLOT MEASURE GUIDE ON KEY INITIATIVES

— COLORADO —

Amendment H – Creates an independent judicial discipline board to address incidents of misconduct by state judges.

- Currently, discipline of state judges for official misconduct is handled by the Colorado Supreme Court. The Court isn't required to make any information about these proceedings public.
- An investigation by journalists uncovered multiple ethics scandals involving the state Supreme Court, including efforts to cover up instances where misconduct went unpunished.
- Amendment H would remove the Colorado Supreme Court from disciplinary decision-making and have this process handled by an independent, neutral commission instead. Supreme Court justices would also be barred from dismissing a case, hiding decisions from public view, or participating in decisions where they may have a conflict of interest. **VOTE "YES" ON AMENDMENT H TO IMPROVE TRANSPARENCY AND ACCOUNTABILITY IN OUR COURTS.**

Amendment I – Allows judges to deny bail to individuals accused of first-degree murder.

- Colorado judges are currently required to set a bail amount for any individual charged with a crime. Judges can set restrictive bail conditions if they believe a person is especially violent or likely to commit a crime if released from jail while awaiting trial.
- Amendment I would allow judges to deny bail completely in first degree murder cases when they suspect the defendant is guilty. If they are later found innocent, this means they will have been forced to spend time in jail for a crime they didn't commit.
- There is significant bias within Colorado's legal system. On average, bail amounts are set higher for Black and Brown Coloradans and Coloradans experiencing homelessness. Coloradans of color and low-income Coloradans are also more likely to be confined in jail before trial, impacting their health, employment, and housing.
- Amendment I erodes the principle that people are innocent until proven guilty and unnecessarily opens the door to greater racial and wealth bias in our court systems. **VOTE "NO" ON AMENDMENT I TO PROTECT CORE CONSTITUTIONAL RIGHTS.**

Amendment J – Repeals Colorado's overturned ban on same-gender marriage.

- In 2006 Colorado's state constitution was amended to ban the recognition of marriages between two people of the same gender. Then in 2015 the Supreme Court ruled that marriage equality is a national right, blocking the ban from being enforced.
- Since then, however, the Supreme Court has become much more conservative and could overturn its previous ruling if a case is brought before it. If that happens, Colorado's marriage equality ban would go back into effect.
- Amendment J would repeal the ban from the state constitution, protecting LGBTQ+ couples' right to marry from any future attacks. **VOTE "YES" ON AMENDMENT J TO DEFEND MARRIAGE EQUALITY IN COLORADO.**



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Amendment 79 – Amends the state constitution to protect the right to abortion care from government interference.

- In 2022, the U.S. Supreme Court overturned Roe v. Wade, allowing states to ban or severely restrict access to abortion care. Colorado legislators responded by passing new laws establishing the right to abortion care and expanding access.
- However, these protections could be repealed by future lawmakers. The state constitution also currently bans health insurance plans for teachers, firefighters, and other public employees from covering abortion care.
- All Coloradans deserve the freedom to make personal decisions about their reproductive health care, including whether to receive an abortion. Amendment 79 will strengthen state abortion protections and remove barriers to abortion care. **WE URGE YOU TO VOTE “YES” ON AMENDMENT 79.**

Amendment 80 – Requires the state to support private schools and allows extremists to censor what’s taught in schools.

- Existing state law already allows Colorado parents to send their children to any school they choose, even if they live outside that district. Colorado public schools serve roughly 95% of all students, but many have struggled to stretch scarce resources due to the state’s “Taxpayer Bill of Rights” (TABOR). The state also ranks low in teacher pay despite the high cost of living.
- The language in Amendment 80 would mandate the state divert public education funds to support private schools. These schools are unregulated, and many discriminate against students of color, LGBTQ+ students, and students with disabilities. Amendment 80 would also be used to justify efforts to ban discussion or content about race, religion, LGBTQ+ rights, sexual health education, and more.
- Amendment 80 threatens to widen racial, regional, and income-based disparities in education while opening a backdoor to censorship in our classrooms. The measure would divert vital resources to bankroll private schools, including those that discriminate against communities most impacted by HIV. **VOTE “NO” ON AMENDMENT 80 TO PROTECT OUR PUBLIC SCHOOLS.**

Proposition JJ – Allows the state to keep additional sports tax revenue to fund water conservation efforts.

- Sports betting was legalized in Colorado by a 2019 voter-approved amendment. That measure also allowed the state to collect revenue from related taxes and use those funds for water storage and conservation projects.
- Colorado’s “Taxpayer Bill of Rights” (TABOR) prohibits the state from keeping any additional revenue raised over initial estimates without voter approval. Otherwise, the state must give back roughly \$5 million a year to casinos and online gambling sites.
- Droughts are becoming more frequent and severe in Colorado due to climate change. These conditions disproportionately harm Black, Latine, Indigenous, and low-income communities. **VOTE “YES” ON PROPOSITION JJ TO PROTECT OUR STATE’S VULNERABLE WATER SUPPLY.**



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Proposition KK – Creates a firearms tax to fund violence prevention and supportive services.

- Gun violence negatively impacts public health, contributing to mass shootings, domestic violence, suicides, and hate crimes, for example. Meanwhile, funding to help those who've experienced violence and trauma has decreased sharply.
- Under Proposition KK, gun manufacturers and dealers with at least \$20,000 in annual profits from gun sales would pay a 6.5% excise tax. All revenue raised by the tax would fund community services such as behavioral and mental health care, assistance to victims of crime, and violence prevention programs.
- This measure will increase investment in services that address both the roots and impacts of gun violence. **WE RECOMMEND VOTING "YES" ON PROPOSITION KK TO HELP SAVE LIVES AND BUILD SAFER COMMUNITIES.**

Proposition 128 – Requires people convicted of certain crimes to serve longer sentences before they're eligible for parole.

- State law allows people serving time in jail to apply for parole after they've completed at least 75% of their sentence, or sooner if they earn credits for good behavior. The parole board then grants parole on a case-by-case basis.
- There's little evidence that harsher sentences deter crime. Yet under Proposition 128, many individuals would serve years or even decades longer in prison regardless of their behavior. As a result, people would have less incentive to follow prison rules or take advantage of rehabilitation services.
- Colorado's prison population has grown steadily since the pandemic while parole rates have fallen. Proposition 128 will turbocharge these trends, costing the state millions in added costs and diverting resources from the community services that actually reduce crime.
- Proposition 128 will drain state budgets and worsen mass incarceration, a key driver of HIV-related disparities. **VOTE "NO" ON PROPOSITION 128.**

Proposition 130 – Requires the state to set aside over \$350 million for increased police benefits and hiring.

- Colorado spends more on law enforcement than nearly 40 other states, yet Proposition 130 would divert critical state funds to increase already historically large police budgets. There would be no oversight for how these funds are spent, and funds couldn't be used to expand alternative response or diversion programs.
- Increased policing has not been shown to reduce crime but has led to greater criminalization of people of color, low-income communities, LGBTQ+ people, and other communities most impacted by HIV. The constant growth in police budgets also prevents increased investment in healthcare, housing, education, and other programs that DO help reduce crime and bring us closer to ending the epidemic.
- Proposition 130 will defund important community services and make our communities less safe. **VOTE "NO" ON PROPOSITION 130.**



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