



Court Rejects Sham Legal Attack on the Graduated Income Tax

FOR IMMEDIATE RELEASE

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DENVER, Colo — Proponents of the graduated income tax measure on this November's ballot claimed victory as a judge issued a ruling late Wednesday rebuffing unfounded claims by deep-pocketed interests seeking to keep voters from deciding Amendment 87.

The decision by Denver District Judge Heidi L. Kutcher said: "After applying the applicable law and facts relevant in this matter, the Court concludes Mr. Michael A. Hancock did not meet his burden to establish the failure of Petition Entities to fully register Paid Circulators and for Paid Circulators to not complete the Secretary's training raises a "violation of any provision of this article or any other law that, in either case, prevents fraud, abuse, or mistake in the petition process." Therefore, the Court DISMISSES this matter."

"We are elated and relieved by the judge's decision," said **Chris deGruy Kennedy, co-chair of the Protect Colorado's Future coalition**, which is backing Amendment 87. "But we also know that these anonymous, dark money donors will continue to throw every roadblock they can contrive to keep voters from deciding on this question of tax fairness."

deGruy Kennedy said he fully expects the plaintiffs in this case to appeal, a matter that would go directly to the Colorado Supreme Court on an expedited basis.

The plaintiff in the case, Michael Hancock of Aurora (no relation to Denver's former mayor), appeared in court for a Monday hearing accompanied by a half dozen lawyers from Brownstein Hyatt Farber Schreck, raising questions about who is actually paying what are assuredly substantial legal bills. The high-powered and expensive legal action comes at a time when voters are also being pummeled with text messages and mailers that flat-out lie about the graduated income tax, suggesting that opponents will stop at nothing to take the question of income tax fairness out of voters' hands.

Despite repeated legal attacks, the PCF coalition is confident in its legal theory and evidence. Importantly, the allegations levied by the Brownstein lawyers did not include any evidence or accusations of fraud.

"The entire spectacle is an effort to distract Coloradans from the real question," said **Kiyana Newell, Policy and Research Director of New Era Colorado**. Newell is a party to the legal action because she and deGruy Kennedy are proponents of the measure and brought forward the graduated income tax question. "The real question is whether Coloradans are ready to make the wealthiest pay their fair share. We believe they are."

The graduated income tax question would not only cut income taxes for a majority of businesses and individuals, it would raise \$2 billion in much-needed funding for healthcare, childcare, and K-12 education. A tax calculator on the website shows voters exactly what their change in taxes would be under the amendment:
<https://protectcoloradosfuture.com/tax-calculator/>.

The effort to get the graduated income tax question before voters has been long and difficult and included about 1,000 volunteers. Of the 13 statewide questions that had to collect signatures to get on the ballot this year, 12 of them bought their way on, paying a lump sum to petition circulating firms to manage the entire process. Only one campaign – PCF's – did this process the hard way, building a coalition of grassroots organizations to get the bulk of the signatures and ultimately raising the funds to get about a third of the signatures via paid firms.

About the PCF Coalition

Protect Colorado's Future is a coalition of more than 100 organizations, including groups focused on education, healthcare, child care, food security, older adults, the environment, rural communities, and local government. Learn more at protectcoloradosfuture.com.

Protect Colorado's Future Steering Committee:

- Bell Policy Center
- Colorado Center on Law and Policy

- Colorado Fiscal Institute
- Colorado Statewide Parent Coalition
- Great Education Colorado
- New Era Colorado
- Colorado Organization for Latina Opportunity and Reproductive Rights (COLOR)
- Colorado Consumer Health Initiative
- Colorado Cross Disability Coalition
- Colorado PTA
- Colorado Workers for Innovative and New Solutions
- Conservation Colorado
- Counties & Commissioners Acting Together
- Growing Our Future coalition
- Hunger Free Colorado
- Progress Now Colorado
- Provecho Collective
- Save the Children Action Network – Colorado
- Western Colorado Alliance

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