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Colorado Common Cause Files to Intervene in Gessler v. Denver

Colorado Common Cause today asked to become part of the lawsuit between Secretary of State Scott Gessler and Denver, on behalf of their members who are inactive voters in Denver.

“Denver is doing the right thing and Scott Gessler should not be able to stop Clerk Debra Johnson from sending ballots to legally registered voters,” said Jenny Flanagan, executive director of Colorado Common Cause.

Gessler asked a Denver court to prevent the clerk’s office from sending ballots to so-called “inactive” voters (those who miss just 1 general election) for the November 1 mail-only election because he believes it violates the law.

In their request to intervene in the case, Common Cause says the election code, particular in mail ballot election, demonstrates that the legislature intended to increase voter participation, not decrease participation in Colorado elections.

Common Cause also argues that the law violates both the U.S. and Colorado Constitutions.

“The right to vote is a fundamental right of every citizen.” said Flanagan.

The motion says that Gessler’s actions would violate the free speech and equal protection guaranteed in the First and Fourteenth amendments. The US and Colorado Constitution protect an eligible elector’s right to vote.

If the Common Cause motion is granted, the organization will participate in Friday’s hearing for a preliminary injunction in Denver District Court at 1:00 p.m. Common Cause is represented by local Denver attorney and Common Cause board member, Lee Gray, with Holland and Hart.

Documents available at [www.ColoradoCommonCause.org](http://www.ColoradoCommonCause.org)

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