



July 15, 2011

Dear Members of Boulder City Council,

Common Cause is a nonpartisan, nonprofit organization that is dedicated to restoring the core values of American democracy, reinventing an open, honest and accountable government that serves the public interest, and empowering ordinary people to make their voices heard in the political process.

We encourage the Boulder City Council to consider a resolution that would allow Boulder city voters to affirm their support for a constitutional amendment (or amendments) establishing that: 1) only human beings, not corporations, have constitutional rights, and 2) money is not speech, so regulating political contributions and expenditures is not equivalent to limiting political speech.

Time and again, Boulder voters have demonstrated a commitment to reducing the influence of money on the political process. In 1999, Common Cause and the League of Women Voters worked with our members in Boulder and other community allies to advance public financing for Boulder elections. Voters overwhelmingly approved this program with the goals of reducing the influence of large contributions on the political process and assuring that candidates would be able to run on the strength of their ideas and fundraising would not be a barrier to participation in Boulder elections.

In 2002, Boulder county voters approved statewide campaign finance reform (Amendment 27) with 74% of the vote. This measure included contribution limits, voluntary spending limits, a ban on contributions from corporations and labor unions, and stronger disclosure requirements for campaign contributions.

In the last several years have seen aggressive attacks on sensible campaign finance rules, and the worse was seen last year in *Citizens United* when free speech rights were, in essence, extended to corporations. The US Supreme Court stepped out of bounds to declare money in politics no longer threatened the public interest. Those who want to regain control of our elections must speak out to reverse the damage done by the *Citizens United* decision and decades of abuse of our political process.

Boulder voters have shown that they want reforms that limit big money and encourage greater participation from ordinary citizens.

It is entirely appropriate for local governments to facilitate elections whereby their constituents can inform their state and federal representatives as to how their constitution should read. It has been an American tradition dating back to before the Revolutionary War for local governments to explicitly communicate to their representatives particular actions to take both in regard to policy and constitutional structure. For instance, the city of Boston pressed its representatives to a colonial

assembly to adopt reforms discouraging representatives who accepted appoints from the King of England to continuing to serve. In 1768, Windham, Connecticut instructed its representatives to call for the creation of a congress for the colonies.

Moreover Boulder City Councilors swear to support the Constitution of Colorado and The United States in their oath of office. If you perceive, as we do, that the current five member majority of the US Supreme Court has defiled the Constitution through declaring corporations have constitutional rights and that unlimited political spending equals free speech then it is entirely appropriate that you would act to rectify that.

We strongly encourage the Boulder City Council to advance this measure, so Boulder voters can express their opposition to the court rulings that undermine their ability to shape their democracy.

Thank you for your consideration,

Elena Nunez
Program Director, Colorado Common Cause
enunez@commoncause.org
(303) 292-2163 office
(720) 339-3273 cell