

Petition circulator gets charged with trespassing at Carbondale City Market

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Monday was the deadline to file petitions for initiatives to get on the November ballot in Colorado. But zealous petition circulating on deadline recently led one 37-year-old man to be charged with trespassing at the Carbondale City Market.



Petition circulators should be aware that they cannot petition on private property without permission from the property owners.

The 37-year-old was charged with misdemeanor trespassing while circulating a petition on City Market property and after refusing when he was asked to leave, said Carbondale Police Chief Gene Schilling.

Public property is safe ground for petition circulators, and private property is fine too as long as permission is granted. But recent court rulings have left some gray areas, such as allowing petition circulators in common areas shared by multiple businesses, said Schilling.

Generally, petition circulators can be on sidewalks, too, as long as they are leaving plenty of space on the sidewalk and aren't obstructing traffic, said the chief.

In the last couple of years, Carbondale police have also run into trouble with aggressive circulators. One year, when activists were trying to get a GMO question on the ballot, Schilling said some circulators were pushing to the point of verbal harassment at the annual Mountain Fair, held in the town's Sopris Park.

The police department eventually negotiated with them and relocated them to just outside the park entrance, he said.

But this is the first year where circulation tactics led to charges, Schilling said.

In 2013, a federal judge overturned a Colorado law banning compensation of petition circulators per signature.

Schilling suspects the circulators that have been giving his officers trouble are paid per signature, motivating them to push harder to sign on more petitioners.

This year, circulators were trying to get a pair of questions aimed at regulating the oil and gas industry on the November ballot. Though Schilling couldn't say for sure, he believed the man charged with trespassing was gathering signatures for that cause.