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COURT RULES THAT BAKER ELECTION WILL GO FORWARD

LITTLETON, CO (Feb. 20, 2004) – District Court Judge J. Mark Hannen ruled today that the Feb. 24 election to decide the political fate of Arapahoe County Clerk & Recorder Tracy Baker will go forward as scheduled.

Baker had brought a legal challenge against Arapahoe County Assessor and designated election official Ed Bosier's ruling that recall proponents gathered sufficient petition signatures to force an election. In addition to questioning the manner by which signatures were gathered, Baker claimed that Bosier lacked legal standing to serve as the designated election official and should be disqualified because he had shown bias against Baker. Hannen ruled against Baker on all counts.

Key excerpts from the judge's ruling are as follows:

“Mr. Bosier was properly appointed to perform the duties of designated election official with respect to this recall petition. He had jurisdiction to review the petitions for sufficiency and to conduct protest hearings.”

“The Court finds and concludes that Mr. Bosier conscientiously performed the duties of designated election official. He treated all parties with fairness and conducted the protest hearings with impartiality. The assertion that he was biased is without substance.”

“Based on this review, the Court concludes that Mr. Bosier did not exceed his jurisdiction or abuse his discretion in determining that of the 45,027 signatures submitted, 37,261 are valid and 7,766 are invalid. Mr. Bosier’s determinations are supported by substantial competent evidence, and those determinations have been made in compliance with applicable laws. A total of 34,603 signatures is required for a recall election. The proponents of the recall have obtained a sufficient number of signatures.”

Bosier said he was pleased with the ruling and eager to proceed with the election. “This has been a complex and highly technical process, and a lot of people have worked very hard to make sure it has been managed with complete integrity,” Bosier stated. “The question of whether or not to remove Tracy Baker from office will now go before the voters of Arapahoe County, where it belongs.”

Sample ballots and other information about the special recall election can be found online at <http://www.co.arapahoe.co.us/AS/RecallElection.asp>.

About the Arapahoe County Assessor’s Office

The Assessor's Office discovers, lists, classifies and values all real and personal property in Arapahoe County. The Office is also responsible for maintaining public records, including ownership and parcel maps; submitting the Abstract of Assessment to the Colorado Division of Property Taxation; certifying values to taxing entities; and producing the warrant roll. The Arapahoe County Assessor, Ed Bosier, began working for the Office in 1987 as a certified appraiser/supervisor in Land Development. Voters first elected him to the Office of the Assessor in 1995. He is currently serving his third term, which expires January of 2007.

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