

Bond Case Briefs

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ELECTIONS - COLORADO

Jones v. Samora

Supreme Court of Colorado - January 27, 2014 - P.3d - 2014 CO 4

Recalled town trustee and citizens group brought election contest, asserting that numbered stubs were left on absentee ballots during initial stages of counting and thus violated voters' right to cast secret ballots. Following a bench trial, the District Court entered judgment setting aside results of recall election. Election judge, town, and newly elected mayor and trustees petitioned for review.

The Supreme Court of Colorado held that election judges' failure to remove numbered stubs from absentee ballots prior to counting ballots did not violate state constitution's section governing secrecy of ballots and prohibiting marked ballots. Ballot was secret when both in-person and absentee voters voted, and there was no indication that secrecy or integrity of entire election was put in jeopardy by election judges' error.