

November 8, 2023

City of Santa Fe
Ethics and Campaign Review Board

RE: Complaint 2023-3

Dear Members,

This letter serves as our response to Complaint 2023-3, filed anonymously and received by this campaign on November 2, 2023. We are within the ten business day window to respond to the complaint.

We urge the Board to dismiss this complaint, for the following reasons.

First, the complaint is incomplete. The name, address, zip code, telephone, work number, and email address of the complainant is blank. Our campaign does not know who filed this complaint, nor whether the filer has standing to file a complaint.

Second, the complaint cites a violation of the "Purpose and Intent" section of the Code [9-2.2(B) and (c):

9-2.2 (B) and (C)

(B) That political campaign contributions and expenditures be fully disclosed to the public and that secrecy in the sources and application of such contributions be avoided

(C) That the public's right to know how political campaigns are financed far outweighs any right that this matter remain secret and private

But the complainant fails to provide argument or evidence of how these "Purpose and Intent" sections were violated.

Third, the complaint states that our campaign report "did not adhere to the stipulation of segregating individual expenses as mandated by the regulation." But complainant fails to state the section of the Code she or he refers to. In fact, we can find no such mandate in any of the City's ordinances, rules, or regulations that describe or require "segregating individual expenses."

Fourth, the complainant further cites Section 9-2.11(A)(5), which reads:

[Statements shall contain the following information:] The full name and complete mailing address of each individual or business to whom an expenditure has been made, the purpose of each campaign expenditure and the date each expenditure was made. This report shall be itemized with the total amount paid to each individual or business for the goods, services or facilities provided.

In our report, we list exactly what is prescribed by this section:

- “*Full name*”: SWEL
- “*Complete mailing address of each individual or business to whom an expenditure has been made*”: 1523 Mountain Rd NW, Albuquerque NM 87104
- “*The purpose of each campaign expenditure*”: Reimbursements for mailers, walk cards, and consulting
- “*The date each expenditure was made*”: 10/19/23

Section 9-2.11(A)(5) concludes by stating: “This report shall be itemized with the total amount paid to each individual or business for the goods, services or facilities provided.”

This section requires the **report** to be “*itemized with the total amount paid to each individual or business*” not each **expenditure** to be itemized. Our campaign itemized our report as required by ordinance. In fact, for years, candidates for municipal office have described their expenditures similarly (see Appendix 1).

For these reasons, we respectfully request that the Board dismiss this complaint.

Sincerely,

Sandra Wechsler
Campaign Manager

Example 2

In the highlighted section below from Roman Tiger Abeyta's 10/26/21 report, these expenditures are not further itemized.

City of Santa Fe

CAMPAIGN FINANCE STATEMENT / EXPENDITURES

(Continued)

Date Expended	Name of Individual or Business and Mailing Address Purpose of Expenditure	Method of Payment	Amount
10/12/21	VANTIVE ECOMMERCE FUNDS DIS CCD ROMAN TIGER ABEYTA	Elect	\$50.70
10/18/21	Foundation Blue Site Media 512 Northwood Cir, VA 2625 Digital Advertising	Elect	\$1,945.76
10/12/21	New Mexico Assoc. of Realtors 549 S Guadalupe St Santa Fe, NM 87501	Check	\$500.00
10/25/21	Foundation Blue Site Media 512 Northwood Cir, VA 2625 Digital Advertising	Elect	\$1,566.12
10/25/21	Maki Campaign Solutions 1539 Escondida Ct. Santa Fe, NM 87507 Website/Facebook Ads/Mail Outs/Thank You Cards	Check	\$6,455.75
10/14/21	ACTBLUEDONATE FEE	Elect	\$22.57

Example 3

In the highlighted section below, "websites, social media" or also not further itemized.

City of Santa Fe

CAMPAIGN FINANCE STATEMENT / EXPENDITURES

Name of Candidate Roger Michael Carson

Position Sought City Councilor District No. One

Reporting Period 10/8/2021 TO 10/26/2021

Total of Expenditures this Reporting Period: \$3,292.20

Cumulative Total of Expenditures to Date (Including this Report): \$13,386.83

Date Expended	Name of Individual or Business and Mailing Address Purpose of Expenditure	Method of Payment	Amount
10/19/21	Enterprise Bank and Trust 301 Griffin, Santa Fe NM 87501 Account Analysis	AWD	\$3.33
10/20/21	George Garcia Eldorado, Santa Fe NM 87501 Sign Placement	Check	\$250.00
10/22/21	US Post Office Federal Loop, Santa Fe NM 87501 Stamps	AWD	\$290.00
10/25/21	The Home Depot 952 Richards Road, Santa Fe NM 87507 Stakes, materials	AWD	\$18.55
10/25/21	Office Depot 562 N. Guadalupe, Santa FE NM 87501 lables	AWD	\$87.82
10/26/26	Late Nite Grafix 20 Mimosa Road, Santa Fe 87508 websites, social media,	check	\$2,642.50

(ATTACH ADDITIONAL PAGES AS REQUIRED)

Page Total \$3,292.20