

https://www.abqjournal.com/news/ethics-complaint-filed-against-district-4-city-councilor-brook-bassan/article_88ab5b1e-790c-11ee-8ede-375ce933b2f1.html

FEATURED

Ethics complaint filed against District 4 City Councilor Brook Bassan

By Alaina Mencinger / Journal Staff Writer

Nov 1, 2023



A District 4 resident filed an ethics complaint against City Councilor Brook Bassan earlier this week, alleging Bassan's policy analyst changed the address on her voter registration in order to contribute to the campaign and potentially vote for the candidate.

Given the proximity to Election Day, Bassan called the complaint a “dirty trick” to distract voters.

In the complaint, David Esdale, who has lived in the district for four years, wrote he was concerned Bassan was “using her position as a City Councilor and direct supervisor of (policy analyst Dawn Marie) Emilio to encourage and consent for Emilio to change her voter registration and vote for Bassan.”

Emilio told the Journal via email she would not be voting in District 4, but from the district in which she currently resides.

City Clerk Ethan Watson has three days after submission to review the complaint and see if it meets certain requirements. Watson said letters to both parties should be sent Thursday indicating whether the complaint will be referred in full or in part to the Board of Ethics. There is also a potential opportunity for the recipient to come into “voluntary compliance.”

But there won't be any closure on the complaint until after voting.

The complaint was filed during a pre-election “blackout” period, which, per the city charter, prohibits the board from adjudicating a complaint. The board is not scheduled to meet until Nov. 10, three days after the election.

Two voter registration cards were attached in the complaint. On a card signed in 2017 by Emilio, the policy analyst listed an address near Unser and Irving on the West Side.

In April 2023 — two months before she signed Bassan's nominating petition and contributed \$5 to the campaign — she changed her address to Bassan's.

Emilio wrote she moved into Bassan's house in Northeast Albuquerque for personal reasons for a significant amount of time, but has since moved out.

In an email to the Journal, Bassan said when Emilio first moved in, they were both uncertain how long she would stay. Bassan said she was unaware that the policy analyst had re-registered at the address, but Emilio was "entitled to do so."

"It's a shame that someone opening their home to another when they are in need is being turned into false allegations and exploited for political purposes," Emilio said in a statement.

Esdale said he learned of the registration change from an email sent out by District 4 candidate Abby Foster. Foster's campaign manager Neri Holguin acknowledged the team helped Esdale file the complaint. Esdale said he worried about "turmoil" over out-of-district votes, given recent debates about election integrity.

"It was very distressing that there seemed to be evidence," Esdale said. "It's about as local as we can get; it's my city councilor. So sure, I'm upset about it."

But Bassan called it a "last-minute dirty trick" to distract voters from issues like crime.

"I'm disgusted that the mayor's team is so desperate to win this election that they're willing to falsely attack this young woman, knowing full well their complaint will be dismissed as baseless after the election," Bassan said.

Holguin previously represented Mayor Tim Keller in the 2021 mayoral election, when ethics complaints flew back and forth between Keller and then-mayoral candidate Manuel Gonzales.

Both Bassan and Foster, as District 4 candidates, were required to procure 500 signatures to qualify for the race. Both far exceeded the minimum. Bassan had 570 verified signatures, and Foster had 595. Both had a few dozen signatures that were rejected.

Bassan needed 403 qualifying contributions — \$5 donations from at least 1% of the district's voters — to qualify for public financing. She received 411 contributions. Foster is privately financed.

In 2019, when Bassan first ran for District 4, Eric Shimamoto filed an ethics complaint against her in late November. The complaint was later dismissed voluntarily by Shimamoto.

Alaina Mencinger covers city and county government for the Albuquerque Journal. She can be reached at amencinger@abqjournal.com or at 505-823-3864.

Alaina Mencinger

Staff Writer

Monday, October 30, 2023

Bassan's Bumpy Campaign Trail: Ethics Complaint To Accuse Councilor Of Voter Fraud; Cites Alleged Fake Registration By Her Top Aide; Meanwhile She Admits "Mistake" In Claiming Bachelor's Degree, Plus: Machine Gun Manny And How ABQ Dodged A Bullet



Councilor Bassan

Foes of ABQ GOP City Councilor [Brook Bassan](#) are amping up the pressure as the November 7 city election draws closer and coming with surprise hits on Bassan's character that could jar voters in the Councilor's NE Heights district.

They are charging her with engaging in voter fraud and also misrepresenting her educational background.

While favored to win re-election, the latest developments in the Bassan race could put a large chink in her armor and raises the possibility of a much closer race or even an upset, if enthusiasm for her is dampened among her supporters.

A defeat would be devastating for the conservative wing of the nine member council and could tip policy more towards Mayor Keller who now often faces a 5 to 4 majority against him.

Let's get to it. . .

As ethic violations go, the one being leveled against Bassan is anything but run-of-the-mill. This comes from the camp of Bassan's opponent, Democrat and attorney [Abby Foster](#):

An ethics complaint will be filed today with the City Board of Ethics alleging that Councilor Brook Bassan has engaged in voter fraud to support her re-election. Dave Esdale, a District 4 resident, will be filing the complaint. On April 25, 2023, Brook Bassan's policy analyst Dawn Marie Emilio—a City employee—changed her voter registration to show she resides at the home of Brook Bassan. . . Ms. Emilio's voter registration card shows she is registered at 9000 Modesto Ave NE, the Emilio registration

home of Councilor Bassan, but is maintaining a different mailing address for a home on the Westside, not in District 4. Her previous voter registration card from 2017 shows she was registered at an address on the Westside.

After Ms. Emilio changed her voter registration in April, on June 6, 2023, city records show she signed Councilor Bassan's nominating petition for her reelection campaign and contributed \$5 towards her public financing effort. By signing the petition and contributing \$5, Ms. Emilio swore she was a District 4 resident. It appears Ms. Emilio intends to use Bassan's residence to allow her to vote in the

upcoming city election as a resident of Council District 4. The ethics complaint to be filed will allege (Councilor Bassan) violated numerous city and state laws.

Strange indeed. And serious.

This latest blow-up comes only days after District 6 Council candidate Abel Otero suspended his campaign after being caught lying when he said he had served time in prison

THE RESPONSE



Is Bassan aware of all this? I asked her for an explanation. She said our Saturday inquiry was the first she had heard of the accusations but did not respond when I asked for comment.

However, we did get a statement from Dawn Marie Emilio who lashed out at the Foster camp and offered an explanation as to why she registered to vote in Bassan's district:

Joe, I heard you may be writing something. This is a sad and pathetic example of how low some will go to score political points. I have lived in District 4 on and off for years, even before working for City Councilor Brook Bassan. I previously worked for Councilor Brad Winter. Though it's none of their business, Brook opened her home to me for personal reasons and I moved in for a significant period of time. It's a shame that someone opening their home to another when they are in need is being turned into false allegations and exploited for political purposes. I have since moved out of her home and will cast my ballot in this election from the district in which I currently reside, just as I have always done.

The implication of Foster's allegation is that Bassan engaged in a conspiracy with her aide who serves at her will.

There's little time before the election for the Ethics Board to schedule a full-blown hearing on the matter but Foster's camp and/or the outside groups still have time to mail the charges directly to voters.

As for Dawn Marie voting on the westside when she is registered in District 4, same day voter registration would allow her to switch her registration back to where she is currently residing.

Veteran good government advocate Peter St. Cyr says if there was "cheating" going on with voter registration in District 4 it "undermines citizen engagement in the electoral process while trust in government has already plunged to single digits." He says if there is truth to the allegation "Councilor Bassan needs to withdraw from the race."

SURPRISE #2

Meanwhile, the Foster forces have more ammo for another mail hit and it again goes to Bassan's character. From the [newspaper](#):

On her campaign website and the City of Albuquerque website, Bassan listed a bachelor's in criminology; in a 2023 ABQ Journal questionnaire, she wrote she had an associate's. Bassan has an associate's and said she has since corrected both websites, calling the errors an "oversight." She provided a record of the degree. Bassan also told the ABQ Journal in a 2019 candidate questionnaire



Abby Foster

she had a bachelor's degree. . . "It was a mistake," Bassan said. "Truly, I never ran on being a criminal psychologist, never ran on a criminal justice degree. It was truly a mistake. . . I apologize to everyone, because I certainly did not try to say a bachelor's degree intentionally." . . Bassan said she attended UNM for one semester, but didn't graduate. . .She graduated from ITT Technical Institute in 2007.

How many candidates over the decades have been busted by the seemingly innocent Journal questionnaire? Too many to remember but Bassan definitely joins the list for not just once but twice submitting an erroneous answer to the questionnaire.

Foster's camp casts doubt on Bassan's claim that she simply made a mistake. They say they have a recording of a radio interview with Rock of Talk AM 1600 in which Bassan states she has a bachelor's degree. (We have not heard the interview.)

What's also surprising is that the Journal did not do a stand alone story on Bassan's "mistake" on their questionnaire as they often have in the past. Instead they lumped it in with a profile story on the council race. Missing your own scoop?

Bassan has proven to be a popular moderate councilor but in this election year she has stiffened her opposition to Mayor Keller in her Republican leaning district. If the ethics charge has legs and Bassan must admit to a "mistake" or worse, her credibility could take a severe hit, even if re-elected.

SIDEBAR

Chasing an upset, Foster piles more baggage on Bassan:

Bassan's campaign is being managed by consultant Jay McCleskey, who ran former Sheriff Manny Gonzales' unsuccessful campaign for Mayor in 2021. Bassan's reelection campaign team includes the same individuals caught up in the voter forgery [scandal](#) that denied Gonzales hundreds of thousands of dollars in public financing.

And that makes for this natural segue. . .

MACHINE GUN MANNY



Keller and Gonzales

It was always unlikely but imagine if now former Bernalillo County Sheriff Manny Gonzales--aka Machine Gun Manny--had defeated Mayor Keller in the 2021 election? Today the Mayor would have a possible indictment [hanging over him](#) charging him with trafficking in

guns--one of the most pressing issues facing our violence challenged city:

Former Bernalillo County Sheriff Manuel Gonzales and Undersheriff Rudy Mora are named — but not charged — in an alleged scheme to illegally acquire machine guns for firearms dealers and gun enthusiasts in Albuquerque and elsewhere.

The Feds say the sensational allegations occurred in 2020 while Gonzales was Sheriff. If they had been revealed with Gonzales as Mayor he would have been pressured to resign the Mayor's office and if he did it would have made current City Council President Pat Davis the Mayor by appointment.

How would a Davis mayoralty differ from Keller's? Well, we will never know and that's a good thing since it would have taken the election of Machine Gun Manny to set those wheels in motion.

By the way in that three way '21 mayoral contest Keller defeated Gonzales 56% to 26% with 18 percent for Eddy Aragon. When Gonzales was re-elected Sheriff in 2018 he beat his GOP opponent 55 to 45.

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(c)NM POLITICS WITH JOE MONAHAN 2023

Posted by: Joe Monahan / Monday, October 30, 2023

**Thursday, October 26,
2023**

A New Edition Of Other Voices; Reader Pushes Back Against Suggestions To Make State PERA Retirees More Comfortable



In this week's edition of Other Voices the other voice is anonymous and has a rebuttal to another reader who made in-depth suggestions to make the retirements of those covered by the state retirement plan--[PERA](#)--more comfortable:

Joe, In your October 19 [edition](#) of reader Vox Populi retired APD officer Dan Klein expresses his discontent over the recent COLA for PERA retirees and asks his fellow retirees to call on their legislators and the governor to seek a remedy. These retirees, of course, have every right to do so, but they may want to display caution in drawing too much attention to the public retirement system.

Right-wing politicians have been targeting organized labor since the days of Reagan, with a particular eye on public employee unions. Excessive demands at the expense of the taxpayer are not the way to build support. At a time when few, if any, employees still can participate in a defined benefit program, let alone one with any COLA at all, PERA offers retirement after 25 years at any age with full benefits.

That benefit ranges anywhere from 2 percent per year of service to 3.5 percent per year of service. The benefit is then adjusted for the average salary for the highest consecutive 36 month period. At the top end, a PERA retiree receives just under 90% of their annual salary.

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PERSONAL INFORMATION

This information not to be copied.

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|---|----------------------|---------------|---------------------------------|-------------|-------------------------------|--------------------------------------|
| 1 | NAME Last EMILLIO | First DAWN | Middle Name or Initial MARIE | Gender F | Birth Date [REDACTED] 1985 | Social Security Number [REDACTED] |
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PHYSICAL STREET ADDRESS WHERE YOU LIVE NOW

| | | | | |
|---|--|---------------------------|---------------------|--------------|
| 2 | Street Address 10208 Delbert Ave NW | Apartment, Unit, or Lot # | City Albuquerque | Zip 87114 |
|---|--|---------------------------|---------------------|--------------|

ADDRESS WHERE YOU GET YOUR MAIL (if different from above)

| | | | |
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| 3 | Mailing Address | City | Zip |
| | | | WALK |

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| 4 | If you are changing your name on this application, under what full name were you previously registered? Last, First, Middle | 5 | E-Mail Address (*optional) WALK |
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|---|---|--|--|---|
| 6 | POLITICAL PARTY NOTE: You must name a major political party to vote in primary elections. ▶▶▶▶ Party: <u>D</u> | DAYTIME TELEPHONE NUMBER (optional) 7 [REDACTED] | May the county clerk make this telephone number public for election purposes? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | POLL WORKER Would you like to serve as an election day precinct worker? <input type="checkbox"/> YES <input type="checkbox"/> NO |
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| 8 | I hereby authorize you to cancel my previous registration in the following county and state. | City or Township | County | State |
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9 Please answer the following questions:

Are you a citizen of the United States? Yes No

Will you be at least eighteen years of age on or before the next general election? Yes No

If you checked "NO" to any of the questions above, do not complete this form. If you have been convicted of a felony and are currently on parole or supervised probation, do not complete this form.

TODAY'S DATE: 09 / 12 / 17

BE0194805 

ATTESTATION OF QUALIFICATION

I swear/affirm that I am a citizen of the United States and a resident of the state of New Mexico; that I have not been denied the right to vote by a court of law by reason of mental incapacity; that I am, or will be at the time of the next election, 18 years of age; and, if I have been convicted of a felony, I have completed all conditions of parole and supervised probation, served the entirety of a sentence or have been granted a pardon by the governor. I further swear/affirm that I am authorizing cancellation of any prior registration to vote in the jurisdiction of my prior residence, and that all the information I have provided is correct.

SIGN YOUR FULL NAME OR MARK ON THE YELLOW LINE BELOW:

Samuel E. Fuller

| | | |
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| 10 | Name of person who assisted you in filing out this form: | VRA ID # |
|----|--|----------|

DO NOT WRITE IN SHADED AREAS - FOR OFFICIAL USE ONLY

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|--|-------------------------|------|-----------------------------|------------|------------|--------|------|
| Accepted for filing in County Registration Records | PCT. | MUN. | PRC. DIST. | REP. DIST. | SEN. DIST. | SCHOOL | C.C. |
| Date: _____ / _____ / _____ | County Clerk: <u>AW</u> | | Filing Clerk: <u>1/1/17</u> | | | | |

MOISTEN, FOLD UP AND SEAL HERE BEFORE MAILING

MOISTEN TO SEAL

MOISTEN TO SEAL

ATTACH COPY OF ID INFORMATION HERE (IF REQUIRED) SEE "REGISTRATION ID REQUIREMENTS" ON BACK OF RECEIPT

DO NOT ATTACH OR ENCLOSE ORIGINAL ID INFORMATION

SP&G-1 (2015)

PERSONAL INFORMATION

This information not to be copied.

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|---|--------------------|-------|------------------------|--------|------------|------------------------|
| 1 | NAME Last | First | Middle Name or Initial | Gender | Birth Date | Social Security Number |
| | EMILLIO DAWN MARIE | | | F | /1985 | |


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|---|--|---------------------------|--|-------------|-------|
| 2 | PHYSICAL STREET ADDRESS WHERE YOU LIVE NOW | | | City | Zip |
| | Street Address | Apartment, Unit, or Lot # | | ALBUQUERQUE | 87122 |

| | | | | |
|---|---|-------------|-------|------------|
| 3 | ADDRESS WHERE YOU GET YOUR MAIL (if different from above) | | | SOS ONLINE |
| | Mailing Address | City | Zip | |
| | 10344 MOGOLLON DR NW | ALBUQUERQUE | 87114 | |

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| 4 | If you are changing your name on this application, under what full name were you previously registered? Last, First, Middle | EMILLIO DAWN M | 5 | E-Mail Address (optional) |
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| 6 | POLITICAL PARTY NOTE: You must name a major political party to vote in primary elections: ▶▶▶▶ | Party | If you choose NO PARTY check this box <input type="checkbox"/> | 7 | DAYTIME TELEPHONE NUMBER (optional) May the county clerk make this telephone number public <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | POLL WORKER Would you like to serve as an election day precinct worker? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| | | REP | | | | |

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| 8 | I hereby authorize you to cancel my previous registration in the following county and state. | City or Township | County | State |
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| 9 | Please answer the following questions: | | ATTESTATION OF QUALIFICATION | |
| | Are you a citizen of the United States? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | I swear/affirm that I am a citizen of the United States and a resident of the state of New Mexico; that I have not been denied the right to vote by a court of law by reason of mental incapacity; that I am, or will be at the time of the next election, 18 years of age; and, if I have been convicted of a felony, I have completed all conditions of parole and supervised probation, served the entirety of a sentence or have been granted a pardon by the governor. I further swear/affirm that I am authorizing cancellation of any prior registration to vote in the jurisdiction of my prior residence; and that all the information I have provided is correct. | |
| Will you be at least eighteen years of age on or before the next general election? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | | |
| If you checked "NO" to any of the questions above, do not complete this form. If you have been convicted of a felony and are currently on parole or supervised probation, do not complete this form. | | TODAY'S DATE: Month Day Year 4/25/2023 11:16:23 AM | | |
| | | SIGN YOUR FULL NAME OR MARK ON THE YELLOW LINE BELOW:  | | |

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| 10 | Name of person who assisted you in filing out this form: | VRA ID # |
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| Accepted for filing In County Registration Records | PCT. | MUN. | PRC DIST. | REP. DIST. | SEN. DIST. | SCHOOL | C.C. |
| Date / / | | | | | | | |
| County Clerk | | | | | | | Filing Clerk |

SP&G-1 (2015)

Brook Bassan's 2023 Nominating Petition for her Re-Election Campaign

7-14 Bassan Petition Data .XLSX

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A470 fx Bernalillo

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| 1 | County N | Petition Type | Petition Title | F | Line N | Full Name | Address | City | State | Zip | Date | Voter | Status | Reject | User N | User C | |
| 470 | Bernalillo | Qualification as a Candidate | Brook Bassan PT | E | 1 | 8 DAWN MARIE EMILLIO | 9000 MODESTO AVE NE | ALBUQUE NM | 87122 | 6/6/23 0:00 | 2288696 | Accepted | | | Ashley Sai Bernalillo | | |
| 471 | Bernalillo | Qualification as a Candidate | Brook Bassan PT | E | 1 | 9 BROOK L BASSAN | 9000 MODESTO AVE NE | ALBUQUE NM | 87122 | 6/6/23 0:00 | 1555857 | Accepted | | | Ashley Sai Bernalillo | | |

Brook Bassan's 2023 \$5 Contribution for her Re-Election Campaign

7-14 Bassan QC Data .XLSX

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| 1 | Count | Petition Type | Petition Title | P | Line N | Full Name | Address | City | State | Zip | Date | Voter | Status | Reject | User N | User C | |
| 332 | Bernalillo | Qualifying Candidate Contribution | Brook Bassan QC | E | 4 | 6 DAWN MARIE EMILLIO | 9000 MODESTO AVE NE | ALBUQUE NM | 87122 | 6/6/23 0:00 | 2288696 | Accepted | | | Ashley Sai Bernalillo | | |
| 333 | Bernalillo | Qualifying Candidate Contribution | Brook Bassan QC | E | 4 | 7 BROOK L BASSAN | 9000 MODESTO AVE NE | ALBUQUE NM | 87122 | 6/6/23 0:00 | 1555857 | Accepted | | | Ashley Sai Bernalillo | | |
| 334 | Bernalillo | Qualifying Candidate Contribution | Brook Bassan QC | E | 7 | 2 THOMAS HENRY WALMSLEY J | 8715 DESERT FINCH LN NE | ALBUQUE NM | 87122 | 6/9/23 0:00 | 2539574 | Accepted | | | Ashley Sai Bernalillo | | |
| 335 | Bernalillo | Qualifying Candidate Contribution | Brook Bassan QC | F | 9 | 2 RODNEY IVNN ZWAHLEN | 8717 GLENDALE AVE NE | ALBUQUE NM | 87122 | 6/9/23 0:00 | 16029620 | Accepted | | | Ashley Sai Bernalillo | | |