

September 1, 2025

Via email

Board of Ethics & Campaign Practices
City of Albuquerque City Clerk
600 2nd St. NW
Albuquerque, NM 87120

Re: BOE 03-2025 Telles v. Forrester

Dear Chair Marks and Esteemed Board Members,

WRITTEN STATEMENT AND ENTRY OF APPEARANCE

On behalf of Complainant, Stephanie W. Telles, and pursuant to the August 15, 2025, procedural timeline order of the Office of the City Clerk, undersigned counsel hereby submits the following:

(a) Written Statement of Issues to Be Addressed

The central issue before the Board is whether Respondent, Scott Forrester, campaign manager for City Council Candidate Ahren Griego, engaged in conduct constituting violations of the City Charter, Election Code, Open and Ethical Elections Code, and the Rules of the Board of Ethics and Campaign Practices by:

Offering financial consideration (retirement of campaign debt) to Complainant in exchange for withdrawal of a lawful ballot challenge;

Threatening retaliatory legal action if Complainant proceeded with her challenge and succeeded;

Engaging in activity amounting to a coordinated and undisclosed campaign-related exchange, undermining the transparency and fairness required under the City's ethical and electoral rules

(b) Proposed Witnesses

- Stephanie W. Telles, Complainant.
- Two campaign volunteers, direct recipients of Respondent's communications.
- Additional fact witnesses as identified in the complaint narrative and timeline.

(c) Nature of Witness Testimony

Ms. Telles will testify to the direct communications she received from Respondent, the nature of the offer, and the threats made.

Two campaign volunteers will testify to communications they personally received from Respondent regarding offers of assistance with Complainant's campaign debt in exchange for Complainant's withdrawal of her ballot challenge.

Additional fact witnesses will provide context and corroboration of the sequence of events described in the filed complaint and addendum.

(d) Documentary Evidence

The following documents are submitted and/or incorporated by reference as part of Complainant's evidence:

- Notarized Complaint Form (July 16, 2025)
- Ethics Complaint Letter (July 15, 2025)
- Addendum of Violated City Code Provisions (July 18, 2025)
- Appeal Letter and Supporting Addendum (July 18, 2025)
- Facial Sufficiency Compliance Review Analysis
- Procedural Timeline Notice (August 15, 2025)

Additional evidence to be provided prior to the hearing includes:

- Photographic copy of the text message referenced in the complaint narrative, demonstrating direct communication of the offer.
- Certified phone records (pending request from the phone company) to corroborate the sequence of calls and timeline of events.

These materials, together with any supplemental documentation, demonstrate in reasonable detail the violations of the City's Codes and ethical standards as required under Rule 5(A)(3)(g) of the Board's Rules.

(e) Jurisdiction & Sufficiency of the Complaint

Counsel for Respondent has argued that Complainant failed to cite specific sections of the City Code and that the allegations are therefore factually insufficient. These claims are unfounded for the following reasons:

Specific Code Provisions Were Cited.

On July 18, 2025, Complainant filed an Addendum of Violated City Code Provisions, expressly identifying:

- Open and Ethical Elections Code, Part 6 (Coordinated Expenditures);
- Rules of the Board of Ethics and Campaign Practices, Sec. 5(A)(3)(g); and
- City Charter Articles XIII & XVI governing ethical conduct in elections.

These citations satisfy the requirement of Section 5(A)(3)(g) that a complaint include the sections or parts of the Codes or Rules Complainant believes in good faith were violated.

Promises of Financial Benefit Constitute Coordinated Expenditures.

Respondent contends that no "expenditure" occurred because no funds were exchanged. This is an overly narrow interpretation. Under the Open and Ethical Elections Code, a coordinated expenditure includes any "cooperation, consultation, or concert" between a candidate and another person or agent regarding campaign activity. The offer or agreement to retire campaign debt in exchange for withdrawal from a ballot challenge constitutes an attempted contribution requiring disclosure, regardless of whether the promise was fulfilled.

Ethical Standards Under the City Charter.

While Complainant's Addendum specifically cited Articles XIII and XVI, the same conduct also implicates Article XII (Code of Ethics), which prohibits conduct undermining public confidence and using influence for improper advantage. The Complaint and Addendum provided sufficient factual notice of unethical influence to encompass this provision, and Complainant hereby clarifies that reliance.

Article XII (Code of Ethics) of the City Charter requires that all officials, candidates, and those acting on their behalf uphold public trust by avoiding conduct that creates an appearance of impropriety or undermines public confidence in government. The alleged conduct, offering to retire Complainant's campaign debt in exchange for withdrawing a lawful ballot challenge, constitutes an improper attempt to use political influence for private campaign advantage. This is precisely the type of unethical activity Article XII was designed to prevent and falls squarely within the enforcement authority of the Board of Ethics.

The 2025 Rules for the Election Code and the Open and Ethical Elections Code (OEEC), issued under Article XVI of the City Charter, expressly mandates transparency through Part 1, Section 4, which defines a "Disclaimer" as a disclosure identifying the person(s), organization(s), or committee(s) responsible for funding or authorizing campaign materials. It further requires that campaign communications conspicuously disclose who paid for and authorize them, to prevent hidden or improper influence.

Article XIII (Election Code) reinforces fairness and accountability by holding candidates responsible for campaign conduct and requiring detailed reporting and disclosure of campaign finances, subject to oversight by the Board.

Taken together, these provisions embody the principles of transparency, fairness, and avoidance of improper influence. Respondent's alleged conduct, offering undisclosed financial support in exchange for the withdrawal of a ballot challenge, strikes at the heart of these Charter-based ethical standards.

Notice and Due Process Have Been Satisfied.

Respondent received notice since July 18, 2025, of both the specific conduct alleged and the City Code provisions at issue, through Complainant's filed Addendum, Appeal, and Facial Sufficiency Compliance Review

The Respondent will have a full and fair opportunity to contest those allegations at the September 10, 2025, hearing.

Accordingly, the complaint is facially sufficient, properly within the jurisdiction of the Board, and appropriately set for evidentiary hearing.

ENTRY OF APPEARANCE

Undersigned counsel hereby enters an appearance on behalf of Complainant, Stephanie W. Telles, in this matter.

Complainant expressly reserves the right to submit supplemental documentary evidence, including the referenced text message and certified phone records, as well as any additional witnesses or exhibits, up to three (3) days before the scheduled hearing on September 10, 2025, in accordance with the procedural rules

I appreciate your courtesy, cooperation and prompt attention to this matter.

Very truly yours,



Jessica C. Roth

Cc: Client
Attorney for Respondent