



August 20, 2025

Board of Ethics & Campaign Practices  
City Clerk's Office  
City of Albuquerque  
600 2nd St. NW  
Albuquerque, NM 87102

**RE: BOE 03-2025 Telles v. Forrester**

Dear Board Members:

I hope this letter finds you well. I am in receipt of the Clerk's letter dated August 15, 2025 regarding the procedures for the September 10, 2025 hearing. I will represent Mr. Forrester at that hearing. Mr. Forrester was not informed by the City that he had the opportunity to participate in the August 13, 2025 hearing. This letter is in response to that outcome and to get clarity on what Mr. Forrester will be responding to at that hearing.

I am at a loss. No specific section(s) or part(s) of the code were ever cited in any complaint. After reviewing all relevant documents, including Ms. Telles' original Complaint, Event Timeline, Appeal of Complaint Rejection, and the Appeal Addendum I still am uninformed of what provision of the Ethics Code is alleged to have been violated.

As is required by the Rules by the Board of Ethics & Campaign Practices for the Election Code, the Open and Ethical Election Code, and the Code of Ethics of the City Charter, a complaint must contain: A description, in reasonable detail of the alleged violation, including the section(s) or part(s) of the Codes or Rules of the Board that Complainant believes in good faith to have been violated. [See Section 5(A)(3)(g) of Ethics Code].

July 15, 2025 complaint states, "an unlawful attempt to influence the outcome of an election for Albuquerque City Council." The Relief requested by Ms. Telles was, "I respectfully request an investigation into these allegations as potential violations of state

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Jacob R. Candelaria | Devrim Tiryaki | Antonio "Moe" Maestas, of counsel

election law, ethics rules, and criminal statutes.” No specific section(s) or part(s) of the code were cited..

In Ms. Telles’ Appeals letter she admonishes the Board for an “overly rigid interpretation of the rules” but once again fails to cite any specific section(s) or part(s) of the code in her second bite of the apple. Ms. Telles’ Further states, [e]ven without precise citations, the conduct described in my complaint reasonably suggests violations ... .” No it does not. A proper complaint must include *the section(s) or part(s) of the Codes or Rules of the Board that Complainant believes in good faith to have been violated*.

The Board Chair was overly kind and allowed for the Appeals Addendum and testimony to also go into the record. Still, after a third bite at the apple, no *section(s) or part(s) of the Codes or Rules of the Board that Complainant believes in good faith to have been violated* were contained in the documents or articulated.

The motion was not clear. Did the Board reverse the Clerk’s decision, based on the complaint or appeal? Or was it persuaded by the Appeals Addendum? Nonetheless, let me address the three allegations in Telles’ Appeals Addeundum.

### **1. Open and Ethical Elections Code: Part 6: Coordinated Expenditures**

I could not find, within the City Code, anything resembling *Open and Ethical Elections Code: Part 6: Coordinated Expenditures*. Although not explicitly cited in her Appeals Addendum, I’m pretty sure she meant to cite the Rules by the City Clerk for the Election Code and the Open and Ethical Election Code (hereinafter, Election Code). Part 6 simply defines the term *coordinated contribution*, which must be reported as such.

Ms. Telles’ story does not allege any expenditures, much less how the coordinated contribution fits into her complaint, Does Ms. Telles allege that a campaign expense was made and not reported? Per the complaint, nothing was ever spent. How can a campaign report an expense that doesn’t exist?

In Ms. Telles’ last and final argument before the Board she tries to redact her previous definition of "expenditure." At minute 40:13 of the hearing there is one last pathetic attempt to reinvent and redefine the meanings of words. At what can only be described as a pre-padawan attempt at a Jedi mind trick Ms. Telles publicly exclaimed:

“May I? May I? Um, you know, I, earlier I said I didn’t believe that there was an expenditure, um, exchanged, ‘cause money wasn’t exchanged, however, I would

like to amend that because, um, I, I do believe that there was an expenditure because an expenditure doesn't necessarily mean something has to be, um, received it just, ahh, there was any agreement to do so which captures maybe an unfulfilled promise. So the promise was the expenditure, um, in this case and, um, there was agreement, there was consultation and there was a request between, um, Mr. Forrester and between me and not just myself, but two other of my volunteers or additional people, um, that could be argued from your, your, what you pointed out with the three pieces of the election code, um, and so even if nothing was ultimately received I think the, um, coordination itself, ah, is not necessarily in the delivery, um, and could be argued that the city charter and the rules, um, state that there is an agreement to do so, so the language is kind of broad that might be able to allow you to accept that.

Per the on-line dictionary *merriam-webster.com* the word expenditure means: the act or process of expending. The word expending means: to pay out / spend. The word spend means: to use up or pay out / expend. The word expend means: to pay out / spend. The word expenditure does not mean a promise to spend.

I don't wish to back bend any further in an exercise of intellectual gymnastics but even in the most twisted version of Ms. Telles' thought process, no Rules by the Board of Ethics & Campaign Practices for the Election Code, the Open and Ethical Election Code, and the Code of Ethics of the City Charter provision has been alleged to have been violated in paragraph 1.

## **2. Rules of the Board of Ethics and Campaign Practices: Section 5(A)(3)(g)**

Section 5(A)(3)(g) must be read in context of Section 5(A)(3), which reads: *A complaint shall be considered facially sufficient if the complaint contains the following: (g) A description, in reasonable detail of the alleged violation, including the section(s) or part(s) of the Codes or Rules of the Board that Complainant believes in good faith to have been violated.*

The key words here are "including the section(s) or part(s) of the Codes or Rules ... ." The allegations must point to - chapter and verse - what code or rule was violated. Ms. Telles' original complaint and supporting letter stated four criminal statutes. That complaint was rejected in the City's July 17, 2025 letter which correctly stated, "The Board of Ethics does not have jurisdiction to enforce New Mexico State Statutes. Therefore, we are not referring your complaint to the Board of Ethics and Campaign Practices."

Ms. Telles simply doubles-down on the original complaint's argument in her Appeals Addendum. The argument that her complaint "[c]learly show(s) good-faith allegations of unethical influence on the candidate qualification process" does not meet the requirements of Section 5(A)(3)(g). Her Appeals Addendum to her complaint remains factually insufficient.

### **3. General Ethical Conduct: City Charter Articles XIII & XVI**

Once again, more of the same. Telles states, "[t]he allegations are contrary to the ethical standards established by the Charter." What ethical standards? Article VIII of the City Charter is 18 pages. Article XVI of the City Charter is 8 pages. There was no mention of any chapter, paragraph or line of what she believes has been violated.

### **CONCLUSION:**

There is no mention in the original complaint, the Appeal of Complaint, or the Appeal Addendum of any violations of the Code of Ethics, the Election Code, or the Board's Rules.

The 6th Amendment of the US Constitution lays the foundation for a very important principle. Due process demands that the accused shall enjoy the right... to be informed of the nature and cause of the accusation. This guarantees that a person accused has the right to be informed of the specific charges being brought against them. Mr. Forrester has been denied that basic civil right.

**I respectfully request that you explain to me, from the record and in writing, the alleged violation, including the exact provision, section(s) or part(s) of the Codes or Rules of the Board that the board considered may have been violated.** Since four of the Board members voted to overturn the Clerk's rejection, it seems fitting that each of the four should write, from the record, which section(s) or part(s) of the Codes or Rules of the Board they believe were violated.

Only this way can Mr. Forrester be in a position to fairly respond. Thank you.

Sincerely,

/S/\_\_\_\_\_  
Antonio Maestas  
Attorney at Law

cc: Board Members  
CABQ City Attorney  
Ms. Stephanie Telles