



Office of the City Clerk
 P.O. Box 1293
 Albuquerque, NM 87103
 Phone (505) 924-3650 Fax (505) 924-3660
 www.cabq.gov/clerk

2019 NOV 25 PM 1:44

RECEIVED
 ALBUQUERQUE CITY CLERK

Katy Duhigg, City Clerk

State of New Mexico)

) s.s.

County of Bernalillo)

COMPLAINT FORM

1. Complainant's Information			
Last Name Shimamoto		First Name Eric	
Mailing Address [REDACTED]		City Albuquerque	State NM
			Zip Code [REDACTED]
Daytime Phone Number (include area code) [REDACTED]		Email Address kcemigre@hotmail.com	

2. Respondent's Information			
Last Name Bassan		First Name Brook	
Mailing Address [REDACTED]		City Albuquerque	State NM
			Zip Code [REDACTED]
Daytime Phone Number (include area code) [REDACTED]		Email Address brookfordistrict4@gmail.com	

3. If Respondent is a Candidate, the office or position sought
City Council, District 4

4. Has this complaint been filed with any law enforcement agencies? If so, list all agencies and attach copies of all complaints submitted. Additional pages may be attached to this form if the space provided below is not adequate.

No.

5. Describe in reasonable detail the alleged violation(s), including the Section(s) or Part(s) of the Election Code, Code of Ethics, Open and Ethical Elections Code, or Rules and Regulations of the Board of Ethics or City Clerk that you believe were violated, explain how you believe the Election Code, Code of Ethics, Open and Ethical Elections Code, or Rules and Regulations of the Board of Ethics or City Clerk were violated, the date of the alleged violation(s), and include any other pertinent information. Additional pages may be attached to this form if the space provided below is not adequate.

See attached narrative.

6. Describe the inquiry undertaken regarding the alleged violation. Additional pages may be attached to this form if the space provided below is not adequate.

The facts in this complaint are based entirely upon a review of Respondent's Facebook page and the Facebook page of the Republican Party of Bernalillo County.

7. List and attach evidence that supports your allegations, including but not limited to:
 - a. The names/telephone numbers of persons whom you believe may be witnesses to the facts;
 - b. A copy or picture of any political advertisement(s) Complainant references;
 - c. A copy of each document the Complainant references; and
 - d. Any other evidence supporting your allegations.

Additional pages may be attached to this form if the space provided below is not adequate.

Exhibit A: 10-16-2019 RPBC Facebook post and image

Exhibit B: Image of 10-18-2019 Bassan Campaign Facebook video post

Exhibit C: 10-25-2019 RPBC Facebook post

Exhibit D: 10-25-2019 RCBP Facebook post and image

Exhibit E: 10-30-2019 RPBC Facebook post

Exhibit F: 10-30-2019 images from RPBC Facebook post

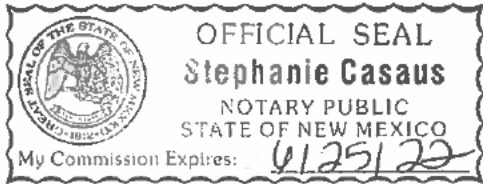
Exhibit G: 11-6-2019 RPBC Facebook post

In addition to unknown members of the Bassan campaign staff, potential witnesses include:

Brook Bassan

Dawn Koerner

I, ERIC SHIMAMOTO, hereby swear and affirm under penalty of perjury that, to the best of my knowledge, information, and belief, formed after a reasonable inquiry under the circumstances, each factual contention of this Complaint is supported by evidence.



[Signature]
Complainant (Signature)

ERIC SHIMAMOTO
Print or type name of Complainant

Sworn or affirmed before me, the undersigned authority by Eric Shimamoto this 25 day of November 2019.

[Signature]
Notary Public

If, after a reasonable inquiry under the circumstances, you are unable to certify that certain specifically identified factual contentions of the Complaint are supported by evidence, you may certify as follows:

I, _____, hereby swear and affirm under penalty of perjury that, to the best of my knowledge, information, and belief, there are grounds to conclude that the specifically identified factual contentions of this Complaint are likely to be supported by evidence after a reasonable opportunity for further inquiry

Complainant (Signature)

Print or type name of Complainant

Sworn or affirmed before me, the undersigned authority by _____ this _____ day of _____ 20__.

Notary Public

All exhibits or attachments referenced in the complaint must be included with the Complaint.

Respondent is a candidate running for the position of Albuquerque City Councilor from District 4. A review of her campaign finance disclosures reveals that she has reported \$2,964.67 in in-kind contributions during the 2019 election cycle. (Bassan campaign disclosure statements 7, 9, and 10)

None of those in-kind contributions came from the Republican Party of Bernalillo County ("RPBC"), although one \$50 contribution did come from the Republican Party of New Mexico, and lists its purpose as "CAMPAIGN SIDEKICK APP WALK LIST FOR SEPT 2019 AND OCTOBER 2019." (Bassan campaign disclosure statement 7)

On or about October 16, 2019, RPBC posted on its Facebook page an image inviting volunteers to join RPBC "as our field team works with Book [sic] Bassan's campaign to canvas her City Council district in NE Albuquerque." The image asked volunteers to show up at "10AM, SATURDAY OCTOBER 19TH." (Ex. A)

On or about October 18, Respondent posted a video on her campaign's Facebook page in which she said, "[t]he other thing that I wanted to let you know, in addition to walking tomorrow, please message us if you want to meet. We're going at 10AM." (Ex. B)

On or about October 25, 2019, RPBC posted on its Facebook page to thank volunteers "for coming out yesterday and spending their valuable time to test out our cellular phonebanking system." RPBC reported that they "were able to make a couple thousand calls," and that, "twenty people were able to save the RNC, the Trump team, and our own state and local parties thousands of man hours and potentially millions of dollars in potentially lost productivity." (Ex C)

Also on or about October 25, 2019, RPBC again posted an image inviting volunteers to join RPBC "as our field team works with Book [sic] Bassan's campaign to canvas her City Council district in NE Albuquerque." That image asked participants to show up at "10AM, SATURDAY OCTOBER 26TH." (Ex D)

On or about October 30, 2019, RPBC published on its Facebook page a series of images depicting postcards encouraging voters to vote absentee for various Republican candidates, including Respondent, in the local election taking place on November 5, 2019. (Ex. E)

The images show hundreds of postcard mailers apparently addressed to voters who had requested an absentee ballot for the local election. (Ex. F)

On or about November 6, 2019--the day after the local election--RPBC posted on its Facebook page that RPBC had worked to support three candidates in that election and that its goals during the election had included:

- Running an effective absentee ballot chase program
- Assisting candidates with walk-and-knock operations
- Pushing Republican voters to the polls with phonebanking

(Ex. G)

Toward that end, RPBC reported that its volunteers had:

knocked on doors for all three winnable campaigns, making thousands of direct voter contacts (and thousands of phone calls) to let voters know who their Republican candidates were.

(Id.)

The post then continued, noting that Respondent is a candidate in the runoff election, and declaring:

It is the goal of the Republican Party of Bernalillo County to assist Brook in her efforts to get elected and to stop radical progressive policies from being implemented in Albuquerque. Election Day is December 10th and we're hitting the ground running.

(Id.)

That statement was followed by a solicitation of donations in order to "rally Republican voters who will begin voting again NEXT WEEK!" (Id.) And the post again invited volunteers to join RPBC, "as our field team works with Book Bassan's campaign to canvas her City Council district in NE Albuquerque in the coming weeks." (Id.)

Upon information and belief, Respondent has accepted in-kind contributions from RPBC in the form of its compiling an absentee voter mailing list, purchasing postcards and postage, producing content for mailers, sending campaign materials to voters in Bernalillo County, purchasing campaign software, generating walk-lists for canvassing, and canvassing, in an aggregate amount that exceeds the applicable limits contained in Section 4(d) of the Election Code and Section 6(E) of the Open and Ethical Elections Code, and none of which has been reported by Respondent. Instead, Respondent is unlawfully accepting in-kind donations without reporting them as required by Section 4(c) of the Election Code.



JOIN US THIS SATURDAY! GOTV FOR BROOK!



Get Out The Vote OPERATIONS

**Saturday 10/19 for Brook Bassan's
ABQ City Council District 4 Campaign**

THIS RACE IS NECK & NECK!

**10AM, SATURDAY OCTOBER 19TH
JOIN BCGOP'S FIELD TEAM AT
LOMA DEL NORTE PARK
(map below)**

You're welcome to join the Republican Party of Bernalillo County as our field team works with Brook Bassan's campaign to canvas her City Council district in NE Albuquerque. Feel free to bring your friends and family!

NOTE: This is GREAT PRACTICE for New Candidates running in 2020.
You can learn how to use Campaign Sidelick and work on communicating with voters at their front door.

We'll be canvassing Brook's likely Republican voters to make sure they know when and where to vote (absentee voting has already begun on the 8th, early voting begins on the 18th, and Election Day is November 5th).

Come out and meet your fellow Republicans, blow off steam, get a bit of exercise, and let good Republican voters know the best way to support a great candidate!

We'll be using our new Campaign Sidelick smartphone application, so make sure to download it (it's a far better system than Advantage).

If you can, please let us know you'll be showing up!

For more information, please contact:

Tony Marino, BCGOP Field Coordinator
amarino0451@gmail.com

Brook Bassan, City Council District 4 Candidate
brookfordistrict4@gmail.com

As always, if you're a BCCC member, your dues can be paid at BCGOP.ORG

13

1 Comment 9 Shares

Like

Comment

Share



More Details

Get Out The Vote OPERATIONS

**Saturday 10/19 for Brook Bassan's
ABQ City Council District 4 Campaign**

THIS RACE IS NECK & NECK!

**10AM, SATURDAY OCTOBER 19TH
JOIN BCGOP'S FIELD TEAM AT
LOMA DEL NORTE PARK
(map below)**

You're welcome to join the Republican Party of Bernalillo County as our field team works with Brook Bassan's campaign to canvas her City Council district in NE Albuquerque. Feel free to bring your friends and family!

NOTE: This is GREAT PRACTICE for New Candidates running in 2020.
You can learn how to use Campaign Sidelick and work on communicating with voters at their front door.

We'll be canvassing Brook's likely Republican voters to make sure they know when and where to vote (absentee voting has already begun on the 8th, early voting begins on the 18th, and Election Day is November 5th).

Come out and meet your fellow Republicans, blow off steam, get a bit of exercise, and let good Republican voters know the best way to support a great candidate!

We'll be using our new Campaign Sidelick smartphone application, so make sure to download it (it's a far better system than Advantage).

If you can, please let us know you'll be showing up!

For more information, please contact:

Tony Marino, BCGOP Field Coordinator:
amarino0451@gmail.com

Brook Bassan, City Council District 4 Candidate:
brookfordistrict4@gmail.com

As always, if you're a BCCC member, your dues can be paid at BCGOP.ORG

Exhibit A



Like Follow Share ...

View 5 more comments



Brook Bassan for ABQ District 4 was live.

October 18



Brook Bassan for ABQ District 4

@Brook4District4

Home

About

Videos

Posts

Events

Photos

Community

Create a Page



Watch together with friends or with a group

Start Watch Party

41

3 Comments 1 Share 339 Views

Exhibit B



Republican Party of Bernalillo County

October 25 at 6:29 AM



UPDATE ON VOLUNTEER ACTIVITIES

We would like to thank all of our AMAZING volunteers for coming out yesterday and spending their valuable time to test out our cellular phonebanking system!

We had two goals:

- 1) Support our city council and school board candidates by making GOTV calls
- 2) Test out our system to make sure we understood its ins and outs during a low turnout election year to prepare for 2020

After two days of practice with the system we discovered some glitches, some technical difficulties, and some training issues (thank you AGAIN to our volunteers for their patience).

We were able to make a couple thousand calls, inform good Republican voters about their candidates, and let those voters know where and when to vote.

Even more importantly, we were able to identify a host of issues with the system and relay those to the RNC, the Trump team, and the system developers themselves.

At the end of the day, twenty people were able to save the RNC, the Trump team, and our own state and local parties thousands of man hours and potentially millions of dollars in potentially lost productivity (which equates to votes).

Again, we cannot say "THANK YOU" enough to all involved!



Exhibit C



TOMORROW MORNING

**Get Out The Vote
OPERATIONS**

**Saturday 10/26 for Brook
Bassan's**

**ABQ City Council District 4
Campaign**

**THIS RACE IS NECK &
NECK!**

**10AM, SATURDAY OCTOBER 26TH
JOIN BCGOP'S FIELD TEAM AT
LOMA DEL NORTE PARK
(map below)**

You're welcome to join the Republican



3 Shares

Exhibit D

**Get Out The Vote
OPERATIONS**

**Saturday 10/26 for Brook
Bassan's**

**ABQ City Council District 4
Campaign**

**THIS RACE IS NECK &
NECK!**

**10AM, SATURDAY OCTOBER 26TH
JOIN BCGOP'S FIELD TEAM AT
LOMA DEL NORTE PARK
(map below)**

You're welcome to join the Republican
Party of Bernalillo County as our field
team works with Book Bassan's
campaign to canvas her City Council
district in NE Albuquerque. Feel free to
bring your friends and family!



Republican Party of Bernalillo County

October 30 at 5:55 PM · ⚙️



FINAL DAY TO CHASE ABSENTEE BALLOTS!!



👍 1

Exhibit E



Exhibit F





BERNALILLO COUNTY REPUBLICANS STRIKE BACK AGAINST DEMOCRATS' MEGA MONEY

Election Success Recap and a Path Forward

Last night's election results were a breath of fresh air for Republicans in Bernalillo County!

"ABQ City Councilor Trudy Jones and APS Board Member Peggy Muller-Aragon both won re-election.

"ABQ City council candidate Brook Bassan won a hard-fought race and secured her position as frontrunner in a December 10th runoff election.

The insidious left-wing activist-inspired 'Democracy Dollars' ballot initiative was defeated.

Our Bernalillo County Party's goals for this election were threefold:

- 1) Support our Republican candidates in winnable districts by:
 - Running an effective absentee ballot chase program
 - Assisting candidates with walk-and-knock operations
 - Pushing Republican voters to the polls with phonebanking

2) Test out our phonebanking system and make sure we understood its ins and outs during a low turnout election year to prepare for 2020

3) Inspire confidence in the Republican Party of Bernalillo County amongst volunteers, officeholders, candidates, and donors by demonstrating our operating capabilities

FIRST: Data-driven campaigning is essential in today's Republican Party. If we're able to effectively target and mobilize Republicans, we can turn out more voters. This is why our absentee ballot chase program was effective in their districts...

-Trudy Jones won over 64.5% of absentee votes

-Peggy Muller-Aragon won 59.2% of absentee votes

-Brook Bassan won 52.3% of absentee votes

These results are exceptional, especially considering the sheer volume of absentee ballots Democrat activists and organizers were gathering, as well as the amount of money spent to push overall turnout for the Democracy Dollars ballot initiative (we all remember COZ's 2018 outcome!). Between these three candidates and the BCGOP, we had less than \$150,000. We were opposed by at least three times that amount of Democrat money!

Additionally, our amazing volunteers knocked on doors for all three winnable campaigns, making thousands of direct voter contacts (and thousands of phone calls) to let voters know who their Republican candidates were.

(NOTE: Municipal elections don't display party affiliations next to candidate

(NOTE: Municipal elections don't display party affiliations next to candidate names on the ballot, so we have to compensate for this.)

SECOND: The Campaign Sidekick smartphone app RPNM has purchased got a thorough round of testing. We were able to effectively use it for walk-and-knock operations in urban areas (the more rural, the harder it is to utilize due to weaker cell reception). Again, we must give a HUGE THANK YOU to our volunteers for testing the phonebanking portion of the app. It had its hiccups and glitches, a host of which we were able to identify. Its difficulties involve: training volunteers to use the application on a large variety of smartphone models and operating systems; requiring a great degree of manual dexterity to use; requiring smartphone accessories (headphones); uploading voter data. If the application becomes more user-friendly and easier for volunteers to learn, it can become an important asset.

THIRD: It's extremely important to us that our volunteers, officeholders, candidates, and donors know that the Republican Party of Bernalillo County will respect their time, money, and reputations when we conduct operations. Our primary goal as a party is to help ensure that REPUBLICANS GET ELECTED.

This means the BCGOP will continue to

- A) Use all of our resources as wisely as possible (donations and volunteer hours).
- B) Build the infrastructure that acts as a springboard for all Republican candidates.
- C) Communicate effectively with Republican voters in ways which help (and not hurt) our candidates: chances of being elected; flattering communications; accurate data and targeting; well-executed and timely messages.

OUR IMMEDIATE PATH FORWARD

Beginning today, November 6th, Brook Bassan's race for Albuquerque City Council District 4 is entering its runoff phase. Brook's opponent, Ane Romero, is an experienced liberal/progressive Democrat activist who's run for office before - against former State House Rep Sarah Maestas Barnes. Ane has been endorsed by Albuquerque's leftist Mayor, Tim Keller, and our radical anti-borders, gun-grabbing governor, Michelle Lujan Grisham. It's extremely important that Republicans keep every possible city council seat in Albuquerque. We all know that each piece of legislation the Democrats pass here will consequently be pushed in every county and municipality across the state, so we have to stop them here and now. Keller has already implemented a public property gun ban in the city, so we know what's coming next.

It is the goal of the Republican Party of Bernalillo County to assist Brook in her efforts to get elected and to stop radical progressive policies from being implemented in Albuquerque. Election Day is December 10th and we're

implemented in Albuquerque. Election Day is December 10th and we're hitting the ground running. Since Brook cannot accept donations (she chose a public financing option), she has to rely on limited funding.

Please consider donating to the Republican Party of Bernalillo County so we can rally Republican voters who will begin voting again NEXT WEEK!

Donations can be made at:

bcgop.org

If you would like to explore other options for assisting our Party and our Candidates, please contact us by email:

bcgoprtd@gmail.com

You're welcome to join the Republican Party of Bernalillo County as our field team works with Brook Bassan's campaign to canvass her City Council district in NE Albuquerque in the coming weeks. Feel free to bring your friends and family!

NOTE: This is GREAT PRACTICE for New Candidates running in 2020. You can learn how to use Campaign Sidekick and work on communicating with voters at their front door.

As always, if you're a Bernalillo County Party Central Committee member, your dues can be paid at:

BCGOP.ORG

Our mailing address:

Republican Party of Bernalillo County

PO Box 92422

Albuquerque NM 87199

What's a secret to WINNING?



Exhibit G

