

CITY OF ALBUQUERQUE
BOARD OF ETHICS AND CAMPAIGN PRACTICES

COLLEEN AYCOCK and
JUDY YOUNG,

Complainants/Appellants,

vs.

BOE Case No. 02-2020

DONALD F. HARRIS,

Respondent/Appellee.

DECISION BY THE BOARD OF ETHICS AND CAMPAIGN PRACTICES

THIS MATTER came before the City of Albuquerque Board of Ethics and Campaign Practices (“the Board”) on an appeal from the finding by the City Clerk that a Complaint submitted by Colleen Aycock and Judy Young (“Complainants”) against Donald F. Harris (“Respondents”) failed to comply with the requirements set forth in the Rules and Regulations of the Board of Ethics & Campaign Practices.

Complainants alleged that various actions taken by Respondent violated the Code of Ethics (City Charter Article XII). As authorized by this Board’s Rules, the City Clerk reviewed the Complaint and found that it failed to comply with the requirements for a valid complaint. In particular, in a letter dated April 24, 2020, the City Clerk determined that the Complaint (i) did not allege a specific violation of the Election Code, Code of Ethics, Open and Ethical Elections Code or Rules and Regulations of the Board or City Clerk; and (ii) did not allege a violation that occurred in the prior 120 days.

As authorized by Section 4(A)(4) of this Board’s Rules and Regulations, Complainants appealed the City Clerk’s rejection to the Board.

The Board held a hearing to consider the appeal on May 13, 2020. The Board previously had been provided with a copy of the Complainants' Complaint and supporting documentation and the City Clerk's rejection letter. At the hearing, the Board considered additional presentations made by Colleen Aycock on behalf of Complainants and Respondent.

The Board then considered the materials and presentations in open session. The Board unanimously voted to deny the appeal and to affirm the action of the City Clerk rejecting the Complaint.

Any appeal from this decision of the Board must be taken to the Second Judicial District Court within the time limits set forth in Article XII § 8(f) of the City Charter.

Dated this 14th day of May, 2020.

/s/ Andrew G. Schultz

Andrew G. Schultz
Chair, Board of Ethics and Campaign Practices