

IN THE MATTER OF ANNA (CAMI) BREMER AND THE COMMITTEE TO ELECT CAMI BREMER

2022-21

MOTION TO DISMISS

The Elections Division of the Secretary of State’s Office (“Division”) moves the Deputy Secretary of State (“Deputy Secretary”) to dismiss the above-entitled Complaint on the basis that it finds that Respondents cured the violations alleged in the Complaint and substantially complied with their legal obligations under Colorado campaign and political finance laws and there is insufficient evidence to support the allegation regarding financial record destruction made in the Complaint.

Procedural Background

John Pitchford¹ (“Complainant”) filed a Complaint with the Elections Division (“Division”) on April 26, 2022, under section 1-45-111.7(2)(a), C.R.S. alleging Anna (Cami) Bremer (“Respondent Bremer”) and the Committee to Elect Cami Bremer (“Respondent Committee”; collectively “Respondents”), violated Colorado campaign finance law.² Respondent Bremer is registered in TRACER as a 2022 candidate for county commissioner in El Paso County District 5 with the registered candidate committee “Committee to Elect Cami Bremer.”³ Complainant checked the box on the complaint form indicating that Respondents had an inaccurate or incomplete filing.⁴ Complainant also filled out the field without checking the box to indicate a violation of “other” and stated “[i]nstructed donor to destroy bank/financial information.”⁵

Complainant specifically alleged that Respondents “accepted a prohibited \$5,000 donation and it appears [they] made an effort to retain the donation by improperly reporting [they] had made a refund of \$2,500 of an over the limit donation by Colorado Springs Forward State Political Action

¹ Complainant has filed six complaints related to the allegations raised in this complaint, 2022-08 against Colorado Springs Forward Political Funding Committee, 2022-20 against Holly Williams, 2022-21 against Anna (Cami) Bremer, 2022-25 against Colorado Springs Forward IEC, 2022-26 against Holly Williams, and 2022-27 against Anna (Cami) Bremer. A motion to dismiss complaint 2022-08 was granted in part and remanded in part on May 18, 2022.

² Exhibit A - Complaint. Complainant names “Anna (Cami) Bremer” as the Respondent on the Complaint form. The complaint narrative alleges potential campaign finance violations against the candidate committee, Committee to Elect Cami Bremer. Thus, the Division will analyze the Complainant’s allegations as against both the candidate and the candidate committee.

³ <https://tracer.sos.colorado.gov/PublicSite/SearchPages/CandidateDetail.aspx?SeqID=50121>.

⁴ Exhibit A - Complaint.

⁵ *Id.*

Committee.”⁶ Complainant also alleged Respondents “falsely reported a refund of a donation” and “requested that [Colorado Springs Forward State Political Action Committee] destroy the [contribution refund] check.”⁷

The Division notified Respondents of the Complaint on April 26, 2022.⁸ The Complaint in total is 109 pages and includes documentation related to complaint 2022-08 filed by Complainant against Colorado Springs Forward State Political Funding Committee (“Political Committee”) on February 28, 2022.⁹ The Complaint included the prior responses from the Political Committee from March 21, 2022, and April 11, 2022, in which the Political Committee explained the circumstances of the \$5,000 contribution from the nonprofit Colorado Springs Forward (“Nonprofit”).¹⁰ The Political Committee explained that the September 30, 2021, contribution made to Respondents was made from the Nonprofit’s “general corporate funds” and were not drawn from the Political Committee and provided a copy of the check.¹¹ The Political Committee also explained that the contributions should not have been made at all, and that the person who made the contributions did not realize that they were prohibited, should not have been made by the Nonprofit, and could not have cleared from the Political Committee.¹²

On May 10, 2022, the Division sent Respondents a Notice of Initial Review and Opportunity to Cure.¹³ In its Initial Review, the Division determined that the Complaint alleged facts that, if true, could support a factual and legal basis for violations of Colorado campaign finance law.¹⁴ The Division also determined that one or more of the alleged violations may be curable under section 1-45-111.7(4), C.R.S.¹⁵

On May 16, 2022, the Division sent requests for information to Respondents, Complainant, the Political Committee, and the Nonprofit.¹⁶ On May 22, 2022, Complainant submitted three separate email responses to the Division along with multiple attachments.¹⁷ The Nonprofit did not submit

⁶ *Id.*

⁷ *Id.*

⁸ Exhibit B – Notice of Complaint.

⁹ Exhibit A – Complaint.

¹⁰ Exhibit A – Complaint. *See* Political Committee’s Responses, dated March 21, 2022, on page 15, and April 11, 2022, on page 18. The Division confirmed by speaking with Kennedy that the responses were on behalf of the Political Committee but made in coordination with the Nonprofit.

¹¹ Exhibit A – Complaint. *See* Political Committee’s Responses, dated March 21, 2022, on page 15, and copy of check on page 16.

¹² Exhibit A – Complaint. *See* Political Committee’s Response dated April 11, 2022, on page 18.

¹³ Exhibit C – Notice of Initial Review and Opportunity to Cure.

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ Exhibit D - Complainant RFI; Exhibit E - Respondent RFI; Exhibit F - Nonprofit RFI; Exhibit G - Political Committee RFI.

¹⁷ Exhibit H - Complainant RFI Response Email 1; Exhibit I - Complainant RFI Response Email 2; Exhibit J - Complainant RFI Response Email 3.

a response to the Division's request for information.¹⁸ The Political Committee submitted a response explaining that the Nonprofit moved offices several years ago and it is likely that Respondents sent the contribution return checks to the address listed in TRACER for the Political Committee and that the contribution return was not received by the Nonprofit.¹⁹

On May 24, 2022, Respondents submitted a response to the Division's request for information, a completed Notice of Intent to Cure form, and cure documentation.²⁰ In its cure documentation, Respondents noted that they amended their campaign finance report originally filed on November 1, 2021, to address the allegations raised by the Complaint.²¹ Respondents also attached other supporting documentation including TRACER screen shots, copies of checks, and screen shots of bank account information, including entry for a Wells Fargo stop payment request.²² Respondents provided copies of the \$5,000 check dated September 30, 2021, made out Respondent Bremer, a Wells Fargo search results page for the \$2,500 contribution return check showing no results, and the \$5,000 check dated February 28, 2022, made out to Colorado Springs Forward from Respondent Committee.²³

Based on the Division's review of the Complaint and cure submission from Respondents, the Division now moves the Deputy Secretary to dismiss the Complaint pursuant to section 1-45-111.7(4)(e)(II), C.R.S. because Respondents cured the violations alleged in the Complaint and substantially complied with their legal obligations under Colorado campaign and political finance laws and there is insufficient evidence to support the allegation regarding financial record destruction made in the Complaint.

Factual Findings

The Division makes the following factual findings. Respondent Bremer is registered in TRACER as a 2022 candidate for county commissioner in El Paso County District 5 with the registered candidate committee "Committee to Elect Cami Bremer."²⁴ The 2022 primary election will be held on June 28, 2022, and the general election will be held on November 8, 2022.

The Nonprofit, Colorado Springs Forward, is a registered nonprofit corporation with the Colorado Secretary of State's Office.²⁵ The Political Committee, Colorado Springs Forward State Political Funding Committee, is a registered political committee with the Colorado Secretary of State's

¹⁸ In addition to sending the initial requests for information to the Nonprofit, the Division sent a follow up reminder regarding the RFI, spoke with the Chairman of the Board of the Nonprofit, Lynette Crow-Iverson, and separately provided the RFI to Crow-Iverson.

¹⁹ Exhibit K - Political Committee RFI Response.

²⁰ Exhibit L - Intent to Cure, RFI Response, and Documentation.

²¹ *Id.*

²² *Id.*

²³ *Id.*

²⁴ See <https://tracer.sos.colorado.gov/PublicSite/SearchPages/CandidateDetail.aspx?SeqID=50121>.

²⁵ See

<https://www.coloradosos.gov/biz/BusinessEntityDetail.do?quitButtonDestination=BusinessEntityResults&nameTyp=ENT&masterFileId=20141293440&entityId2=20141293440&fileId=20141293440&srchTyp=ENTITY>.

Office.²⁶ Additionally, there is an independent expenditure committee registered with the Colorado Secretary of State's Office named Colorado Springs Forward IEC.²⁷ The registered agent for the IEC and the Political Committee is Katie Kennedy.²⁸ The registered agent for the Nonprofit is Phil Lane and the Chairman of the Board for the Nonprofit is Lynette Crow-Iverson.²⁹

Complainant alleges that Respondents accepted a prohibited \$5,000 contribution from the Nonprofit, inaccurately reported the return of a \$2,500 contribution to the Political Committee, and "instructed donor to destroy bank/financial document."

The Political Committee's³⁰ mailing address shown in TRACER is 111 S. Tejon Street Suite 307, Colorado Springs, CO 80903. The address listed on the website of the Nonprofit is 13 S. Tejon St., Suite 200, Colorado Springs, CO 80903.³¹

On November 1, 2021, Respondents filed their required report of contributions and expenditures.³² Respondents reported a \$5,000 contribution accepted on October 25, 2021, from Colorado Springs Forward State Political Funding Committee and a \$2,500 returned contribution on October 27, 2021, to the Colorado Springs Forward State Political Funding Committee.³³

As part of Respondents' cure submission, Respondents explained that in mid-October, they received a contribution check (#1336) dated September 30, 2021, for \$5,000 from the Nonprofit.³⁴ Respondents explained that they believed the contribution was from the Political Committee, and issued a check on October 26, 2021, for \$2,500 to "Colorado Springs Forward" as they believed it was over the \$2,500 limit for contributions from a Political Committee and mailed it to the address listed on the check, 111 S. Tejon Street #307, Colorado Springs, CO 80903.³⁵

Respondents further explained that the Nonprofit subsequently notified them that the \$5,000 contribution from the check dated September 30, 2021, "was not written from the correct account and that the entire amount should be returned."³⁶ Respondents realized that the previously written

²⁶ See <https://tracer.sos.colorado.gov/PublicSite/SearchPages/CommitteeDetail.aspx?OrgID=30265>.

²⁷ See <https://tracer.sos.colorado.gov/PublicSite/SearchPages/CommitteeDetail.aspx?OrgID=31400>.

²⁸ See <https://tracer.sos.colorado.gov/PublicSite/SearchPages/CommitteeDetail.aspx?OrgID=30265> and <https://tracer.sos.colorado.gov/PublicSite/SearchPages/CommitteeDetail.aspx?OrgID=31400>.

²⁹ Katie Kennedy directed the Division to Lynette Crow-Iverson for communications with the Nonprofit and Crow-Iverson confirmed that she was the appropriate point of contact with the Nonprofit. See <https://www.coloradosos.gov/biz/BusinessEntityDetail.do?quitButtonDestination=BusinessEntityResults&nameTyp=ENT&masterFileId=20141293440&entityId2=20141293440&fileId=20141293440&srchTyp=ENTITY> and <https://coloradospringsforward.org/board/>.

³⁰ See <https://tracer.sos.colorado.gov/PublicSite/SearchPages/CommitteeDetail.aspx?OrgID=30265>.

³¹ See <https://coloradospringsforward.org/>.

³² Exhibit M - November 1, 2021, Report.

³³ *Id.*

³⁴ Exhibit L – Intent to Cure, RFI Response, and Documentation.

³⁵ *Id.* Respondents refers to a "PAC" associated with Colorado Springs Forward when explaining activity related to the Political Committee.

³⁶ Exhibit L – Intent to Cure, RFI Response, and Cure Documentation.

\$2,500 refund check had not been cashed and requested a stop payment of the \$2,500 check.³⁷ Respondents then issued a \$5,000 check dated February 28, 2022, to Colorado Springs Forward to return the entire contribution, and the check was posted on March 5, 2022.³⁸

On May 27, 2022, Respondents amended their November 1, 2021 (“Amended Report”), report of contributions and expenditures, to accurately reflect the \$5,000 contribution from the Nonprofit, and the return of the \$5,000 entirety of the contribution from the Nonprofit.³⁹ The Amended Report was also amended to reflect the return of \$2,500 to the Political Committee was not cashed.⁴⁰

Respondents provided a copy of the September 30, 2021, check for \$5,000 from the Nonprofit (Colorado Springs Forward printed on check) to “Cammie Bremer.”⁴¹ Respondents provided a Wells Fargo search results page for the \$2,500 contribution return check showing no results, and the \$5,000 check dated February 28, 2022, made out to Colorado Springs Forward from Respondent Committee.⁴² Respondents also provided a Wells Fargo screenshot that showed a stop payment request for check #1052 with the amount \$2,500, made payable to Colorado Springs Forward and written on October 26, 2021.⁴³

Respondents explained their request for the destruction of the \$2,500 returned contribution check was a “courtesy request that the check not be deposited, and either returned to [Respondents] or destroyed, but certainly not cashed.” Respondents explained this was “by no means a request to destroy evidence, it was simply a friendly request to do what was right and ethical, as I was doing the same to clear this all up.”⁴⁴

The Political Committee also previously provided explanations regarding the circumstances of the \$5,000 contribution from the Nonprofit made to Respondents related to complaint 2022-08.⁴⁵ The Political Committee explained that the September 30, 2021, contribution made to Respondents was made from the Nonprofit’s funds and was not made by the Political Committee. The Political Committee also provided a copy of the \$5,000 contribution check dated September 30, 2021, from Colorado Springs Forward to “Cammie Bremer.”⁴⁶

Complaint 2022-08 filed against the Political Committee involved allegations related to the same \$5,000 contribution and partial return at issue in this Complaint, along with another \$5,000

³⁷ *Id.*

³⁸ *Id.*

³⁹ Exhibit N - November 1, 2021, Report amended May 27, 2022.

⁴⁰ *Id.*

⁴¹ Exhibit L - Intent to Cure, RFI Response, and Documentation.

⁴² *Id.*

⁴³ *Id.*

⁴⁴ *Id.*

⁴⁵ Exhibit A – Complaint. *See* Political Committee’s Responses, dated March 21, 2022, on page 15, and April 11, 2022, on page 18.

⁴⁶ Exhibit A – Complaint. *See* Political Committee’s Responses, dated March 21, 2022, on page 15, and copy of check on page 16.

contribution that had similar circumstances but was made to the Committee to Holly Williams.⁴⁷ In communications regarding complaint 2022-08, Respondent Bremer provided the following explanation regarding the \$2,500 returned contribution check in which they requested the Nonprofit destroy the \$2,500 refund check it was found:

Check #1052 for the \$2500 over the PAC limit was sent on 10/26, and mailed to the address on the check (111 S. Tejon, Colorado Springs, CO). This was properly documented in the original TRACER report. Upon being notified by CSF that the original check I received from them was not written from the correct account and that the entire amount should be returned, I checked my bank statements and realized check #1052 had not been deposited. So I asked that if that check was located by CSF that it be destroyed, and I wrote check #1054 on 2/28 for the full return of \$5000. That second check was deposited and has cleared my account.⁴⁸

The Division determines that Respondents have cured the violations alleged in the Complaint and substantially complied with Colorado campaign finance law and there is insufficient evidence to support the allegation regarding financial record destruction made in the Complaint.

Analysis

The Division moves the Deputy Secretary of State to dismiss the above-entitled Complaint on the grounds that Respondents have cured the violations alleged in the Complaint and substantially complied with Colorado campaign finance law and there is insufficient evidence to support the allegation regarding financial record destruction made in the Complaint.

I. The Division moves to dismiss the allegations in the Complaint regarding Respondents' acceptance of a prohibited contribution and failure to accurately report the contribution and return on the grounds that Respondents cured the alleged violations and substantially complied with the law under section 1-45-111.7(4)(f), C.R.S.

1. Respondents violated Colorado campaign finance law by accepting a prohibited contribution and failing to accurately report the October 25, 2021, Nonprofit contribution, and associated return.

Respondents violated Colorado campaign finance law by accepting and failing to accurately report the contributor information for the October 25, 2021, contribution and associated returned contribution for the nonprofit Colorado Springs Forward.

Under Colorado law, all candidate committees must report contributions received and expenditures made.⁴⁹ Additionally, candidate committees are required to accurately disclose contributions,

⁴⁷ Exhibit A – Complaint.

⁴⁸ Exhibit A – Complaint. See April 13, 2022, Email from Cami Bremer with subject [External]Re: CPF Complaint Question CO Springs Forward 2022-08 on page 108.

⁴⁹ Section 1-45-108(1)(a)(I), C.R.S.

including the name of each person who contributes twenty dollars or more to the candidate committee.⁵⁰ A contribution to a candidate shall be deemed a contribution the candidate's candidate committee.⁵¹

It is unlawful “for a corporation or labor organization to make contributions to a candidate committee or political party, and to make expenditures expressly advocating the election or defeat of a candidate; except that a corporation or labor organization may establish a political committee or small donor committee which may accept contributions or dues from employees, officeholders, shareholders, or members.”⁵²

Pursuant to Rule 10.6 of the Secretary of State's Rules on Campaign and Political Finance, if a committee receives a contribution in excess of the contribution limit, the committee must return the excess to the contributor within ten days of receipt or within three days after receiving notification from the appropriate filing office, whichever is sooner, and will not be held liable.⁵³

In this case, Respondents violated Colorado campaign finance law by accepting a prohibited contribution and failing to accurately report the contribution and associated partial return to the Nonprofit. Respondents incorrectly reported the \$5,000 contribution and \$2,500 returned contribution as being made by the Political Committee, rather than the Nonprofit. Respondents accepted a prohibited contribution and reported the incorrect contributor related to the contribution and partial contribution return.

Therefore, the Division finds that Respondents violated section 1-45-108(1)(a)(I), C.R.S., Colo. Const. art. XXVIII, § 3(4)(a), and Rule 10.6 of the Rules on Campaign and Political Finance by accepting the prohibited contribution from the Nonprofit and failing to accurately report the contribution and returned contribution.

2. *Respondents cured their violations of section 1-45-108(1)(a)(I), C.R.S., Colo. Const. art. XXVIII, § 3(4)(a), and Rule 10.6 by returning the prohibited contribution and amending their reporting to include the correct contribution information.*

The Division must next assess whether Respondents cured the violation.⁵⁴ Respondents violated Colo. Const. art. XXVIII, § 3(4)(a), and Rule 10.6, by accepting a prohibited corporate contribution from the nonprofit, Colorado Springs Forward, accepted on October 25, 2021. Respondents also violated section 1-45-108(1)(a)(I), C.R.S., which requires candidate committees

⁵⁰ Section 1-45-108(1)(a)(I), C.R.S.; COLO. CONST. art. XXVIII, § 2(11), and 8 CCR 1505-6, Rule 10.2.1.

⁵¹ COLO. CONST. art. XXVIII, § 2(3).

⁵² COLO. CONST. art. XXVIII, § 3(4)(a).

⁵³ 8 CCR 1505-6, Rule 10.6.

⁵⁴ Section 1-45-111.7(e)(I), C.R.S.

to report all contributions and expenditures by failing to accurately report the contribution from and returned contribution to the Nonprofit.⁵⁵

Respondents cured the violations regarding accepting the prohibited contribution by issuing a check to return the prohibited contribution to the Nonprofit, which was posted on March 5, 2022. Respondents cured the reporting violation by amending their November 1, 2021, report of contributions and expenditures to reflect the contribution was received from the Nonprofit, and the contribution was returned in whole to the Nonprofit.

The Division therefore determines that Respondents violated section 1-45-108(1)(a)(I), C.R.S., Colo. Const. art. XXVIII, § 3(4)(a), and Rule 10.6, by accepting a prohibited corporate contribution and by failing to accurately report the contributor information and cured the violations.

3. *The Deputy Secretary of State should grant the Division's Motion to Dismiss because Respondents substantially complied with their legal obligations.*

Finally, the Division must assess whether Respondents substantially complied with their legal obligations pertaining to Colorado campaign finance laws.⁵⁶ To determine whether Respondents substantially complied with their legal obligations, the Division must consider: (1) the extent of Respondents' noncompliance; (2) the purpose of the provisions violated and whether those purposes were substantially achieved despite the noncompliance; and (3) whether the noncompliance may properly be viewed as an intentional attempt to mislead the electorate or election officials.⁵⁷

A. The extent of Respondents' noncompliance was minimal.

The Division finds that the extent of Respondents' noncompliance was minimal regarding the violations alleged in the Complaint.

The Division finds that the extent of Respondents' noncompliance was minimal because, Respondents returned the prohibited contribution and made amendments to correct required disclosure reports before the date of the 2022 primary and general election, on which Respondent Bremer will appear on the ballot. Furthermore, despite Respondents' initial failures to correctly report the contribution made by the nonprofit Colorado Springs Forward and associated return, Respondents had reported a contribution and return in the correct amounts and on the correct dates from an associated organization, the Political Committee. Respondents' initial reporting provided information that allowed the electorate and election officials to review and inspect their campaign finance activity. Further, after receiving notice of the Complaint, Respondents amended their

⁵⁵ Section 1-45-108(1)(a)(I), C.R.S.

⁵⁶ Section 1-45-111.7(e)(I), C.R.S.

⁵⁷ Section 1-45-111.7(4)(f), C.R.S.

November 1, 2021, campaign finance report to include accurate information regarding the contribution and associated return.

The circumstances of this Complaint including Respondents' acceptance of a prohibited contribution, failure to accurately report contributor information, the return of the contribution and amendments to required reporting, supports the finding that the extent of Respondents' noncompliance was minor. Respondents accepted a \$5,000 prohibited contribution but returned it substantially prior to the 2022 elections greatly diminishing any undue benefit accrued to Respondents. Respondents' inaccurate reporting limited the public's ability to inspect the campaign finance activity of Respondents and identify a prohibited contribution but was ultimately corrected prior to the 2022 election dates. Additionally, the contribution that was incorrectly reported was for \$5,000 which Respondents timely reported the date of the contribution, amount of the contribution, and although incorrect was attributed to an organization associated with the actual contributor. Accordingly, the Division determines that the extent of Respondents' noncompliance was minimal.

B. The purpose of the provisions violated was substantially achieved despite Respondents' noncompliance.

The Division finds that the purpose of the provisions violated was substantially achieved despite Respondents' noncompliance. The Colorado Constitution and the Colorado Fair Campaign Practices Act both state that the interests of the public are best served by limiting campaign contributions, establishing campaign spending limits, full and timely disclosure of campaign contributions, and strong enforcement of campaign laws.⁵⁸ Full and timely disclosure of campaign contributions along with limiting large campaign contributions from wealthy individuals, corporations and special interest are intended to prevent corruption, prevent disproportionate level of influence over the political process, and ensure transparency in the political process. The Division finds that the purpose of the provisions was substantially achieved despite Respondents' noncompliance.

Respondents have rectified the prohibited contribution and reporting violations alleged in the Complaint. Specifically, Respondents have returned the prohibited corporate contribution and amended the report at issue to include the correct contributor information for the contribution made by the Nonprofit and return of the entirety of the \$5,000 prohibited contribution. Although, the prohibited contribution was accepted and incorrectly reported, the contribution was returned, and reports amended to reflect the correct information prior to the 2022 primary and general elections on which Respondent Bremer will appear. Respondents' return of the prohibited contribution minimizes any benefit received by Respondents and greatly reduces the possibility of undue influence or corruption. Similarly, the amended disclosure reports allow the public and election

⁵⁸ COLO. CONST. art XXVIII, § 1; *see* section 1-45-102, C.R.S.

officials to inspect Respondents' CPF activity prior to the 2022 elections to ensure transparency, identify potential corruption, and undue influence.

Thus, the Division finds that purpose of the provisions violated was substantially achieved despite Respondents' noncompliance.

C. Respondents did not intend to mislead the electorate or the election officials.

The Division finds that Respondents did not intend to mislead the electorate or election officials. The information available to the Division indicates that Respondents' initial acceptance of a prohibited corporate contribution and failure to accurately report contribution information have been rectified. Additionally, the initial reporting of the \$5,000 contribution as being made by the Political Committee, which was still over the limit for contributions from Political Committees and Respondents' efforts to return \$2,500 indicate Respondents' efforts to comply with their campaign finance obligations. Respondents initially reported the contribution and associated return of the contribution made by the Nonprofit as being made by the Political Committee, the two organizations have similar names as the nonprofit is called Colorado Springs Forward, and the Political Committee is named Colorado Springs Forward State Political Funding Committee. Respondents explained their assumption that the prohibited contribution was from the Political Committee given that the Political Committee had previously supported candidates.

While not all of Respondents' campaign finance activity was accurately reported, Respondents had reported the contribution amount and partial return of the contribution, and associated dates. The contribution information reported by Respondents regarding these transactions allowed the public and election officials to know that a contribution had been made, the amount of the contribution, that a partial return had been made, and the date of the contribution, despite identifying the incorrect contributor. Moreover, Respondents have taken steps to correct the reporting issues identified.

Respondents also submitted a notice of intent to cure and a response to the Division's requests for information, which included copies of checks related to the Complaint. Ultimately, Respondents returned the prohibited contribution and corrected required disclosure reports prior to the 2022 elections on which Respondent Bremer will appear.

The information available to the Division including Respondents' efforts to cure, return of the prohibited contribution and reporting of a still over the limit contribution with the correct amount and date, indicate that the noncompliance was not an intentional attempt to mislead the electorate or election officials.

Thus, the Division moves the Deputy Secretary of State to allegations in the Complaint regarding Respondents' acceptance of a prohibited contribution and reporting violations on the grounds that Respondents cured the violations and substantially complied with the law under section 1-45-111.7(4)(f), C.R.S.

II. The Division moves the Deputy Secretary of State to dismiss the allegation regarding Respondents’ request for destruction of the \$2,500 contribution refund check because there is insufficient evidence to support a violation of Colorado campaign finance law as alleged in the Complaint.

The Division moves to dismiss the allegation regarding Respondents’ request to destroy a contribution check because there is insufficient evidence to support a violation of Colorado campaign finance law as alleged in the Complaint.

Under Colorado law:

A committee must maintain all financial records for 180 days after any general election cycle in which the committee received contributions. If a complaint is filed against the committee, the committee must maintain financial records until final disposition of the complaint any consequent litigation.⁵⁹

On April 13, 2022, Respondents requested that if the Nonprofit located the \$2,500 contribution refund check that it be destroyed. According to the Political Committee, the Nonprofit never received the contribution refund checks.⁶⁰

The Political Committee’s mailing address shown in TRACER is 111 S. Tejon Street Suite 307, Colorado Springs, CO 80903.⁶¹ The address listed on the website of the Nonprofit is 13 S. Tejon St., Suite 200, Colorado Springs, CO 80903.⁶² Respondents mailed the returned contribution to the address listed on the check, 111 S. Tejon Street #307, Colorado Springs, CO 80903, the address of the Political Committee.⁶³ According to Respondents, they were told the correct address by the Chairman of the Board of the Nonprofit, as 13 S. Tejon Street, Suite 200, Colorado Springs, CO 80903.⁶⁴

Complainant alleges that Respondents violated campaign and political finance law by instructing the Nonprofit to destroy the \$2,500 contribution refund check if it was located. There is insufficient evidence to show Respondents violated campaign and political finance law by instructing the Nonprofit to destroy the \$2,500 contribution refund check or to show that the contribution refund check was destroyed.

Based on the information available to the Division, the Division determines that there is insufficient evidence to support a violation of Colorado campaign finance law as alleged in the

⁵⁹ 8 CCR 1505-6, Rule 10.5 and COLO. CONST. art XXVIII, § 3(9).

⁶⁰ Exhibit G - Political Committee RFI Response.

⁶¹ See <https://tracer.sos.colorado.gov/PublicSite/SearchPages/CommitteeDetail.aspx?OrgID=30265>.

⁶² See <https://coloradospringsforward.org/>.

⁶³ *Id.* Respondents refer to a “PAC” associated with Colorado Springs Forward when explaining activity related to the Political Committee.

⁶⁴ Exhibit L - Intent to Cure, RFI Response, and Documentation.

Complaint regarding Respondents' requested destruction of the \$2,500 returned contribution check.

Conclusion

For the reasons stated above, the Division moves to dismiss the Complaint on the basis that Respondents cured the violations alleged in the Complaint and substantially complied with their legal obligations under Colorado campaign and political finance laws and that there is insufficient evidence to support a violation of Colorado campaign finance law as alleged in the Complaint regarding Respondents' requested destruction of the \$2,500 returned contribution check.

Dated this 10th day of June 2022.

/s/ Luis Lipchak
Luis Lipchak
Elections Division
1700 Broadway, Suite 550
Denver, CO 80290

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this Motion to Dismiss was served by electronic transmission to:

Respondent – Anna Bremer
cami.bremer@gmail.com

Cortney Salt, Registered Agent for Committee to Elect Cami Bremer
cortney@numail.cc

Complainant – John Pitchford
pitchfordjh@yahoo.com

Deputy Secretary of State – Christopher Beall
chris.beall@coloradosos.gov

on this 10th day of June 2022.

Luis Lipchak
Elections Division
1700 Broadway, Suite 550
Denver, CO 80290