

**BEFORE THE SECRETARY OF STATE  
STATE OF COLORADO**

**CASE NO.**

---

**IN THE MATTER OF THE COMPLAINT FILED BY COLORADO ETHICS  
WATCH REGARDING ALLEGED CAMPAIGN AND POLITICAL FINANCE  
VIOLATIONS BY THE LAKEWOOD SAFE STREETS COMMITTEE**

---

Claimant Colorado Ethics Watch (“Ethics Watch”), by and through undersigned counsel, pursuant to Colo. Const. art. XXVIII and C.R.S. § 1-45-101. *et seq.*, asserts this Complaint against the Lakewood Safe Streets Committee, an unincorporated association, and in support thereof alleges as follows:

1. Ethics Watch is a nonprofit organization that uses legal actions to hold public officials and organizations accountable for unethical activities that undermine the integrity of state and local government.

2. Ethics Watch is a “person” as that term is defined by Colo. Const. art. XXVIII, § 2(11) and C.R.S. § 1-45-103(13) and therefore is authorized to bring a complaint under section Colo. Const. art. XXVIII, § 9(2)(a) and C.R.S. § 1-45-111.5(1.5).

3. The City of Lakewood is a home rule municipality that has not adopted a charter, ordinance, or resolution that addresses the matters covered by Article XXVIII of the Colorado Constitution and the Fair Campaign Practices Act.

4. Upon information and belief, Defendant the Lakewood Safe Streets Committee (“Committee”) is an unincorporated association formed to accept contributions and make expenditures in support of a proposed ballot question for the 2009 Lakewood municipal ballot (the “Lakewood Impound Initiative”) that would ask “Shall the Lakewood Municipal Code be amended to require impounding of motor vehicles driven by unlicensed drivers; require bonds to be posted; and further requiring that impound land acquisition fees be paid?”

5. At a hearing held on Friday, August 21, 2009, Daniel L. Hayes, who upon information and belief serves as treasurer for the Committee, testified that he spent several thousand dollars for circulators to attempt to obtain sufficient signatures to qualify the Lakewood Impound Initiative for the ballot.

6. Paid petition circulators operating on behalf of the Committee were circulating petitions as early as April 24, 2009. Upon information and belief, the first signatures were collected around that date.

7. The major purpose of the Committee is to support the Lakewood Impound Initiative, and the Committee has accepted or made contributions or expenditures in excess of \$200.

8. The Committee has not registered as an issue committee with the Lakewood City Clerk. Certain members of the Committee submitted a letter to the Lakewood City Clerk, a copy of which is attached as **Exhibit 1**, agreeing to accept subpoenas from the City Clerk and stating that Defendant Hayes, who is not a resident of Lakewood, is the treasurer of the Committee and should have “full access to all notifications, inquisitions and instructions.” The letter does not contain all registration information required by C.R.S. § 1-45-108(3) and is not an issue committee registration statement.

**CLAIM FOR RELIEF**  
(Violation of C.R.S. 1-45-108(3))

9. Ethics Watch repeats Paragraphs 1 – 8 above.

10. C.R.S. § 1-45-108(3) requires an issue committee to register with the appropriate officer, in this case the Lakewood City Clerk, before making or receiving any contributions. The Committee has not registered with the Lakewood City Clerk.

11. The Committee received a contribution on or about April 24, 2009 when it used contributed funds to hire petition circulators to obtain signatures for the Lakewood Impound Initiative.

12. Pursuant to Colo. Const. art. XXIX, § 10, the Lakewood Safe Streets Committee should be fined \$50 per day from the date it received its first contribution through the date it finally registers as an issue committee.

WHEREFORE, Colorado Ethics Watch respectfully requests that the administrative law judge enter an order imposing upon Defendant Lakewood Safe Streets Committee a fine of \$50 per day, from April 24, 2009 or such other date as may be established at trial, through the earlier of the date of trial or Defendant’s registration as an issue committee, and granting such further relief as deemed proper.

DATED: August 26, 2009.

---

Luis Toro, # 22093  
Chantell Taylor, # 33059  
Colorado Ethics Watch  
1630 Welton Street, Suite 415  
Denver, CO 80202  
303-626-2100

### **Certificate of Service**

I hereby certify that on this 26<sup>th</sup> day of August, 2009 a true and correct copy of the foregoing complaint was hand delivered to the Secretary of State, Elections Division, and served by placing the same in the U.S. Mail, postage prepaid, to:

Lakewood Safe Streets Committee, c/o  
Virginia Hartup  
9647 W. Arizona Avenue  
Lakewood, CO 80232

Lakewood Safe Streets Committee, c/o  
Lara Center  
12785 W. 19<sup>th</sup> Place  
Lakewood, CO 80215

---

Doug Staggs