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## STATE ETHICS COMMISSION

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10/3/2023

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### PRESS RELEASE

***State Treasurer Laura Montoya found to have knowingly accepted \$10,000 in “straw donor” campaign contributions in violation of Campaign Reporting Act***

*Albuquerque, NM, October 3, 2023* – State Ethics Commission Hearing Officer, the Honorable Alan C. Torgerson (Ret.) has concluded that, while a candidate, New Mexico State Treasurer Laura Montoya violated the Campaign Reporting Act by knowingly receiving \$10,000 in “straw donor” campaign contributions given by two companies managed by Gary Plante, a property developer, and by misreporting those contributions as received from Adelante Sandoval, a political committee, and not Mr. Plante’s companies. [Read Hearing Officer Torgerson’s Findings of Fact and Conclusions.](#)

In the matter of *Eichenberg v. Montoya*, Case No. 2022-006 (State Ethics Commission), former State Treasurer Tim Eichenberg filed a complaint against current State Treasurer Montoya, alleging violations of the Campaign Reporting Act (“CRA”) relating to: (i) campaign contributions that Montoya had reported as received from Adelante Sandoval; and (ii) contributions that Adelante Sandoval had received from two limited liability companies, Sheriff’s Posse Road 1 and Sheriff’s Posse Road 2. Following an investigation by the Commission’s general counsel, Walker Boyd, and his determination that probable cause supported CRA violations, Hearing Officer Torgerson held a public hearing on August 21, 2023.

On September 29, 2023, Hearing Officer Torgerson issued a decision, concluding that Montoya violated Section 1-19-34.7(D) of the CRA by knowingly accepting a

contribution that had been made by one person (the Sheriff's Posse Road companies) in the name of another person (Adelante Sandoval). Hearing Officer Torgerson also concluded that Montoya violated Section 1-19-34.3(A) by incorrectly reporting the \$10,000 contributions as from Adelante Sandoval, when she knew, or was deemed to have known, they were contributions from the Sheriff's Posse Road companies. Based on these statutory violations, Hearing Officer Torgerson imposed a civil penalty of \$1,000.00.

“Straw donor contributions, like those uncovered in this administrative case, undermine transparency in our elections,” said Jeremy Farris, the State Ethics Commission’s Executive Director. “If wealthy individuals want to give thousands of dollars to candidates for office, that’s their right; but they can’t do it in secret. New Mexicans *also* have a right know who is spending money to influence their votes. The State Ethics Commission works to ensure they do.”

Secret election spending through straw donors is a serious violation of the CRA, which requires transparency regarding money in New Mexico elections. Through administrative cases, lawsuits, and advisory opinions, the State Ethics Commission works to enforce and to incentivize compliance with the CRA.

### **About the State Ethics Commission**

The State Ethics Commission is an independent, constitutional state agency with the authority to enforce civil violations of New Mexico’s governmental ethics and disclosure statutes, including the Procurement Code. The Commission is comprised of three Democratic Commissioners, three Republican Commissioners, and one independent Commissioner who is registered as “decline to state.” New Mexico voters approved the creation of Commission in the state Constitution in November 2018. The Commission commenced operations in 2020, and the hearing in this matter was the first in a Commission administrative case.

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For more information about the State Ethics Commission, visit [www.sec.nm.gov](http://www.sec.nm.gov).