

## STATE ETHICS COMMISSION

RAMONA GOOLSBY,

Complainant,

v.

HOWIE MORALES,

Respondent.

## ORDER APPROVING SETTLEMENT AGREEMENT AND DISMISSING COMPLAINT

On February 2, 2024, at an open meeting, the Commission voted to approve the attached settlement agreement with respondent, resolving the claims in this matter. Pursuant to that agreement, the complaint against respondent is hereby DISMISSED. Pursuant to NMSA 1978, Section 10-16G-10(F) (2021), the complaint and the settlement agreement are subject to public disclosure.

SO ISSUED, this 2nd day of February 2024.

HON. WILLIAM F. LANG, Chair JEFFREY L. BAKER, Commissioner STUART M. BLUESTONE, Commissioner HON. CELIA CASTILLO, Commissioner HON. DR. TERRY MCMILLAN, Commissioner RONALD SOLIMON, Commissioner JUDY VILLANUEVA, Commissioner

No. 2023-36



## STATE ETHICS COMMISSION

Jessica Randall, Deputy General Counsel 800 Bradbury Drive Southeast, Suite 215 Albuquerque, NM 87106 505. 859. 9625 | Jessica.Randall@sec.nm.gov Hon. William F. Lang (Chair)
Jeffrey L. Baker
Stuart M. Bluestone
Hon Dr. Terry McMillan
Hon. Celia Castillo
Ronald Solimon
Dr. Judy Villanueva

Jeremy D. Farris, Executive Director

January 18, 2024

Morales4NM c/o Holly Agajanian 490 Old Santa Fe Trail, Ste. 400 Santa Fe, NM 87501

Via email: holly.agajanian@exec.nm.gov

Re: Goolsby v. Lt. Governor Howie Morales (Morales4NM), No. 2023-036: Offer of Settlement

Dear Ms. Agajanian,

I am writing to confer with you about some recent developments in this case and to offer to resolve this matter with a settlement agreement. As you know, this administrative matter concerns alleged violations of the Campaign Reporting Act by your client, Howie Morales ("Respondent"), in his capacity as a candidate seeking election to the Office of Lieutenant Governor.

On September 14, 2023, the State Ethics Commission referred this matter to the secretary of state in accordance with Section 1-19-34.4(C) of the Campaign Reporting Act. Under Section 1-19-34.4(C), the subject of a complaint alleging a violation of the Campaign Reporting Act is entitled to a thirty-five (35) day window to voluntarily correct any alleged violations before the State Ethics Commission undertakes an investigation and final adjudication of the complaint. On September 21, 2023, the secretary of state declined to certify voluntary compliance, citing a conflict of interest. After the complaint was returned to the State Ethics Commission, we exchanged a number of communications regarding the investigation and potential settlement of this administrative matter.

On December 5, 2023, we received correspondence from disclosure auditor Anastacio Trujillo with the Office of the Secretary of State indicating that the Respondent, Lt. Governor Morales, and his campaign committee Morales4NM requested that the auditor review their amended filings of his various campaign reports to certify voluntary compliance with the Campaign Reporting Act. *See* attached correspondence. Mr. Trujillo wrote that "all reporting periods appear as amended and all reported transactions within those reports comply with the Campaign Reporting Act requirements." Upon review of the amended filings, the above statement is correct.

Given your client's voluntary amendment of his reports of contribution, and in light of the unique procedural posture of this matter (i.e., the Secretary of State's refusal to ascertain

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voluntary compliance on account of a conflict of interest), I propose that this matter be resolved by way of a settlement agreement. The terms of the settlement are as follows: in exchange for your client's correcting the errors of his campaign reports, I will recommend dismissal to the commission at the next Commission meeting scheduled for February 2, 2024.

If you agree to this proposal, please sign or have your client sign below, and I will supply this letter as well as the supporting documentation to the Commission at the next regular meeting to demonstrate a mutual resolution, compliance with those terms, and a proposed order of dismissal.

I am requesting a response to my request on or before January 18, 2023.

Sincerely,

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Jessica J. Randall

Morales4NM c/o Holly Agajanian

Date:

1/18/24