

**Citizens Clean Elections Commission
Complaint re: Ken Bennett**

*18 JUL 25 PM 4 43 CCEC

1. Pursuant to A.R.S. § 16-956(A)(7), § 16-957, and Commission Rule R2-20-203, I submit this complaint against Ken Bennett, his campaign committee "Ken Bennett," and Christine Bauserman, an employee and/or contractor of Mr. Bennett and his campaign committee.

2. Mr. Bennett is a participating candidate for the Republican Party's nomination for Governor of Arizona. The address for Mr. Bennett and his campaign committee is 2150 Ewin Drive, Prescott, AZ 86305. (Exhibit 1)

3. Ms. Bauserman's address is 10628 East Oakwood Drive, Tucson, AZ 85749. (Exhibit 2)

4. My name is Tyler Montague. I reside at 534 North Orange Street, Mesa, AZ 85201. I am a qualified elector of the State of Arizona.

Legal Violation

5. It is my belief that Mr. Bennett, his campaign committee, and Ms. Bauserman have violated, and continue to violate, A.R.S. § 16-946(B)(4) as it relates to prohibitions on solicitations of qualifying contributions by persons employed, retained, or compensated by a participating candidate.

6. Section 16-946(B)(4) provides as follows:

B. To qualify as a qualifying contribution, a contribution must be:

...

4. Received unsolicited during the qualifying period or solicited during the qualifying period by a person who is not employed or retained by the candidate and who is not compensated to collect contributions by the candidate or on behalf of the candidate.

7. Attached to this Complaint and described in this letter is evidence showing that Ms. Bauserman has been compensated by Mr. Bennett for soliciting, receiving, and collecting qualifying contributions for his campaign.

8. Attached as Exhibit 2 is Ken Bennett's 2nd Quarter 2018 Campaign Finance Report. Please see the following entries:

- **Page 70, Schedule E1-Operating Expenses.** A payment to Christine Bauserman on 4/30/18 for \$2,500. The payment category is “Administration – Other.”
- **Page 70, Schedule E1-Operating Expenses.** A payment to Christine Bauserman on 5/14/18 for \$2,500. The payment category is “Administration – Other.”
- **Page 70, Schedule E1-Operating Expenses.** A payment to Christine Bauserman on 5/23/18 for \$2,500. The payment category is “Administration – Other.”
- **Page 70, Schedule E1-Operating Expenses.** A payment to Christine Bauserman on 6/01/18 for \$2,500. The payment category is “Administration – Other.”
- **Page 71, Schedule E1-Operating Expenses.** A payment to Christine Bauserman on 6/08/18 for \$2,500. The payment category is “Administration – Other.”
- **Page 71, Schedule E1-Operating Expenses.** A payment to Christine Bauserman on 6/18/18 for \$2,500. The payment category is “Administration – Other.”
- **Page 71, Schedule E1-Operating Expenses.** A payment to Christine Bauserman on 6/27/18 for \$2,500. The payment category is “Administration – Other.”

9. According to the 2nd Quarter Report, in less than two months, Mr. Bennett and his committee has paid Ms. Bauserman \$17,500 for “Administration – Other” expenses.

10. Upon information and belief, and based on the following facts, [a] these payments include compensation for Ms. Bauserman to solicit, receive, and collect qualifying contributions on behalf of Mr. Bennett and his campaign committee and [b] Mr. Bennett and his campaign committee continue to make payments to Ms. Bauserman during the present reporting period for this purpose.

11. Attached hereto as Exhibit 3 is an email from Bennett for Governor (info@kenbennett.com), signed by Ms. Bauserman, in which she is soliciting \$5.00 donations.

12. Attached hereto as Exhibit 4 are a series of Facebook posts from Ms. Bauserman in which she specifically solicits qualifying contributions on behalf of Mr. Bennett and his campaign committee.

- On June 23, 2018, Ms. Bauserman posts the link to the Arizona Secretary of State’s E-Qual system for qualifying contributions. She posted this in a thread

initiated on Mr. Bennett's Facebook page that begins, "Please make a \$5 contribution to my campaign."

- On June 29, 2018, Ms. Bauserman posted Facebook message stating, "Please NOW – give Ken \$5!"
- On July 1, 2018, Ms. Bauserman re-posted a plea from Mr. Bennett's Facebook page asking voters to "please find 5 more people to give \$5.00. <http://go.azsos.gov/gscb> Please do it today!" Mr. Bauserman separately posted on this thread "Give \$5.00 please"
- On July 5, 2018, Ms. Bauserman shared a Facebook post from Mr. Bennett's page asking for qualifying contributions. For example, this post says, "I need your help. I need you to not stop asking until you have five more \$5 donations for my campaign. . . . Keep asking until you know they gave online or you have the \$5 in your hand."
- On July 7, 2018, Ms. Bauserman shared another Facebook post from Bennett asking for qualifying contributions.

13. Attached hereto as Exhibit 5 is a video recording of Ms. Bauserman collecting qualifying contributions from voters on behalf of Mr. Bennett's campaign. Exhibit 5 also includes a declaration of the person who created the recording and witnessed Ms. Bauserman collecting the qualifying contributions.

14. Attached hereto as Exhibit 6 are declarations of persons who have seen and/or were solicited by Ms. Bauserman for qualifying contributions.

Conclusion

15. Based on these facts, and pursuant to A.R.S. § 16-957(A), the Commission should find reason to believe that Mr. Bennett, his campaign committee, and Ms. Bauserman have violated A.R.S. § 16-946(B)(4) by employing, retaining, or otherwise compensating a person for the solicitation of qualifying contributions.

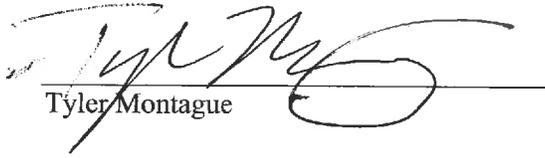
16. I ask that the Commission engage in all investigative measures pursuant to A.R.S. § 16-956(A)(7) to determine the extent of this violation.

17. The Commission should also impose all applicable penalties under A.R.S. § 16-942 including, without limitation, daily monetary penalties under Subsection (B) and an order of repayment to the Citizens Clean Election Fund under Subsection (D) from Mr. Bennett and Ms. Bauserman's personal monies of any amounts illegally spent.

18. Should it discover evidence that Mr. Bennett or Ms. Bauserman committed these violations knowingly, the Commission should refer this matter to the appropriate prosecutorial agencies under A.R.S. § 16-943.

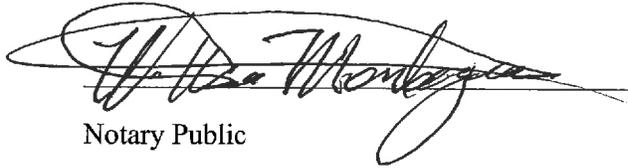
I declare under penalty of perjury that the foregoing is true and correct.

Dated: July 25, 2018


Tyler Montague

State of Arizona)
)
County of Maricopa)

SUBSCRIBED AND SWORN to before me this 25th day of July, 2018.


Notary Public

My commission expires:

18 Sept 2020

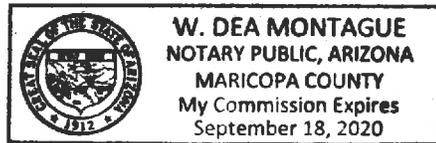


EXHIBIT 1

State of Arizona



Campaign Finance Report

KEN BENNETT

Committee #: 201800522

Treasurer: BENNETT, KEN
2150 Ewin Dr, Prescott, AZ 86305
Phone: (602) 541-9742
Email: ken@kenbennett.com
Candidate Name: BENNETT, KEN
Office Sought: Governor

2018 4th Report (2nd Quarter)

Election Cycle: 2017-2018
Date Filed: July 16, 2018
Reporting Period: April 1, 2018-June 30, 2018

Summary of Finances

| | |
|---|-------------|
| Cash Balance at Beginning of Reporting Period: | \$0.00 |
| Total Cash Receipts this Reporting Period: | \$44,320.00 |
| Total Cash Disbursements this Reporting Period: | \$36,113.79 |
| Cash Balance at End of Reporting Period: | \$8,206.21 |

Report ID: 181027

EXHIBIT 2

Schedule E1 - Operating expenses

| Name: | | Date | Amount | Cycle To Date |
|--|--|------------|--------------------|---------------|
| OFFICE MAX | | 04/25/2018 | \$51.74 Cash | \$90.64 |
| Address: | 1110 W Elliot Rd, , Tempe, AZ 85284 | | | |
| Category: | Overhead - Office supplies | | | |
| Name: | | 04/30/2018 | \$2,500.00 Cash | \$17,500.00 |
| Bauserman, Christine | | | | |
| Address: | 10628 E Oakwood Dr, Tucson, AZ 85749 | | | |
| Occupation: | Self Employed | | | |
| Category: | Administration - Other | | | |
| Name: | | 05/01/2018 | \$1,000.00 Cash | \$3,500.00 |
| Solutions Tech | | | | |
| Address: | 540 Homestead Mesa Dr, Chino Valley, AZ 86323 | | | |
| Category: | Administration - Other | | | |
| Name: | | 05/14/2018 | \$2,500.00 Cash | \$17,500.00 |
| Bauserman, Christine | | | | |
| Address: | 10628 E Oakwood Dr, Tucson, AZ 85749 | | | |
| Occupation: | Self Employed | | | |
| Category: | Administration - Other | | | |
| Name: | | 05/14/2018 | \$38.90 Cash | \$90.64 |
| OFFICE MAX | | | | |
| Address: | 1110 W Elliot Rd, , Tempe, AZ 85284 | | | |
| Category: | Overhead - Office supplies | | | |
| Name: | | 05/17/2018 | \$5,131.00 Cash | \$14,567.00 |
| Burns, Diane | | | | |
| Address: | 527 W Whiteley St, Apache Junction, AZ 85120 | | | |
| Occupation: | Owner, Petition Pros | | | |
| Category: | Professional Services - Other | | | |
| Name: | | 05/19/2018 | \$50.00 Cash | \$50.00 |
| Yavapai County Contractors Association | | | | |
| Address: | 810 E Sheldon St, Prescott, AZ 86301 | | | |
| Category: | Event Expenses - Other | | | |
| Name: | | 05/23/2018 | \$2,500.00 Cash | \$17,500.00 |
| Bauserman, Christine | | | | |
| Address: | 10628 E Oakwood Dr, Tucson, AZ 85749 | | | |
| Occupation: | Self Employed | | | |
| Category: | Administration - Other | | | |
| Name: | | 05/28/2018 | \$9,436.00 Cash | \$14,567.00 |
| Burns, Diane | | | | |
| Address: | 527 W Whiteley St, Apache Junction, AZ 85120 | | | |
| Occupation: | Owner, Petition Pros | | | |
| Category: | Administration - Other | | | |
| Name: | | 05/29/2018 | \$1,500.00 Cash | \$3,500.00 |
| Solutions Tech | | | | |
| Address: | 540 Homestead Mesa Dr, Chino Valley, AZ 86323 | | | |
| Category: | Professional Services - Informtion Tech Services | | | |
| Name: | | 06/01/2018 | \$2,500.00 Cash | \$17,500.00 |
| Bauserman, Christine | | | | |
| Address: | 10628 E Oakwood Dr, Tucson, AZ 85749 | | | |
| Occupation: | Self Employed | | | |
| Category: | Administration - Other | | | |

Schedule E1 - Operating expenses

| | | Date | Amount | Cycle To Date |
|--|---|------------|--------------------|---------------|
| Name: | Bauserman, Christine | | | |
| Address: | 10628 E Oakwood Dr, Tucson, AZ 85749 | 06/08/2018 | \$2,500.00 Cash | \$17,500.00 |
| Occupation: | Self Employed | | | |
| Category: | Administration - Other | | | |
| Name: | Nation Builder | | | |
| Address: | 448 S Hill St, Los Angeles, CA 90013 | 06/15/2018 | \$285.74 Cash | \$285.74 |
| Category: | Professional Services - InformtionTech Services | | | |
| Name: | Bauserman, Christine | | | |
| Address: | 10628 E Oakwood Dr, Tucson, AZ 85749 | 06/18/2018 | \$2,500.00 Cash | \$17,500.00 |
| Occupation: | Self Employed | | | |
| Category: | Administration - Other | | | |
| Name: | Bauserman, Christine | | | |
| Address: | 10628 E Oakwood Dr, Tucson, AZ 85749 | 06/27/2018 | \$2,500.00 Cash | \$17,500.00 |
| Occupation: | Self Employed | | | |
| Category: | Administration - Other | | | |
| Name: | Solutions Tech | | | |
| Address: | 540 Homestead Mesa Dr, Chino Valley, AZ 86323 | 06/27/2018 | \$1,000.00 Cash | \$3,500.00 |
| Category: | Professional Services - InformtionTech Services | | | |
| Name: | PayPal | | | |
| Address: | 2211 N 1st St, San Jose, CA 95131 | 06/30/2018 | \$120.41 Cash | \$120.41 |
| Category: | Administration - Bank fees/service charge | | | |
| Total of Operating Expenses | | | \$36,113.79 | |
| Total of Refunds, Rebates, and Credits Received | | | \$0.00 | |
| Net Total of Operating Expenses | | | \$36,113.79 | |

EXHIBIT 3

----- Forwarded message -----

From: **Bennett for Governor** <info@kenbennett.com>

Date: Fri, Jun 1, 2018 at 6:05 PM

Subject: Team Bennett Information

To: _____



We are on the ballot. And we are in the news. Ken is being personally attacked all over social media by the AZGOP Chairman Jonathan Lines as well as the State Committeeman Bruce Ash.

Ken needs \$5.00 donations as quickly as possible. Please help.

Ken is going to be all over AZ and he needs volunteers at the following:

1. Sat, June 2, 1;30 pm - 3:00 pm. Arrowhead Rep Women, Briarwood Country Club, [20800 N. 135th Ave, Sun City, AZ](#)

2. Cochise County:

Thunder Mtn Rep Women. 9:30 am to 10:30am. [2047 S Hwy 92, Sierra Vista, aZ](#)

3. Saturday, June 9th, Tempe, Glendale, Mesa

This is a very busy day. If you can help please let us know.

4. We want to setup volunteer and Team Meetings 'before' and 'after'. So if you know a good place, pizza, coffee, and can help, please let me know.

Call me: Christine, 520-235-2234

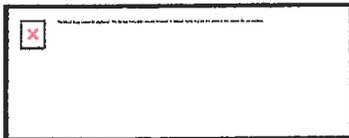
Volunteer Conference Call

Date: Sunday, June 3, 6:15 - 6:45pm

ODi0a Number : (712) 451-0826

Access Code: 418247

KenBennett.com



Ken Bennett for Governor 2018 · United States

This email was sent to rocpmi@gmail.com. To stop receiving emails, [click here](#).

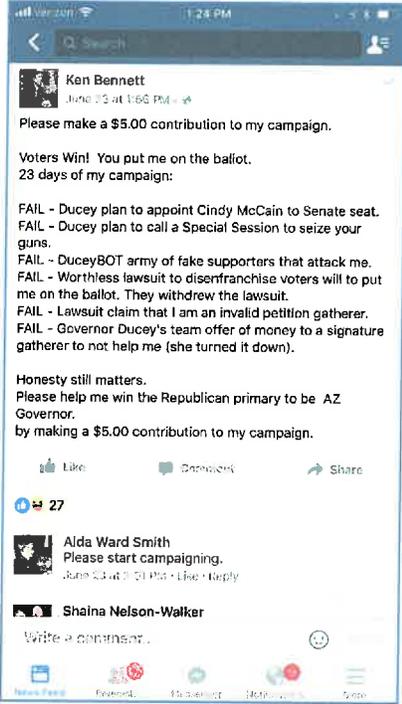
You can also keep up with Ken Bennett for Governor 2018 on [Facebook](#).

Created with [NationBuilder](#), software for leaders.

EXHIBIT 4

Christine Bauserman Bennett Solicitations

June 23



June 29

Christine Bauserman shared a post.
June 29 at 9:57 AM

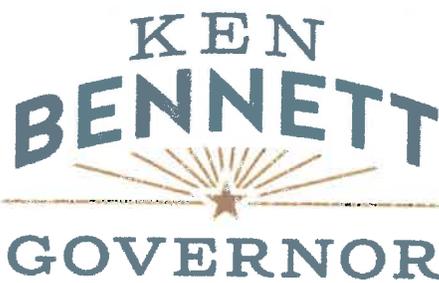
Please NOW - give Ken \$5.00!

Ken Bennett
June 29 at 9:56 AM

Please take 5 minutes today to make that \$5.00 donation.
www.kenbennett.com

Can you also ask 10 other people to make a \$5.00 donation over this weekend?

... See More



KENBENNETT.COM
Ken Bennett for Arizona Governor
Strong & Steady Leadership for Arizona. Support Ken Bennett fo...

Like Share

July 1

Christine Bauserman shared a post.
July 1 at 9:15 AM

Do you feel that Doug Ducey deserves to be re-elected governor of Arizona, or do you think that it is time to give a new person a chance?

| REGISTERED VOTERS | | June 2018 |
|---------------------------|--|-----------|
| Deserves to be re-elected | | 20 |
| Give new person a chance | | 59 |
| Unsure | | 15 |
| Total | | 100 |

Ken Bennett
July 1 at 9:03 AM

Please take just a few minutes and finish that task you have been meaning to do. 59% of AZ wants to give someone new a chance. We can win this but I need you - please find 5 more people to give \$5.00.
<http://go.azsos.gov/gscb>

Please do it today!

Like Share

Michael Vannoy
Good luck Ken!
June 30 at 7:04 PM • Like • Reply

Lynn Hoyt
I've done mine, down with Ducey!
June 30 at 0:31 PM • Like • Reply

Raven Terra Firma
Ducey does need to go but I could find nothing on how you stand on all issues Arizona has. Brief summary on them would be a great help to those who don't know who you are and how you feel on these issues.
July 1 at 1:53 AM • Like • Reply

Christine Bauserman
Give \$5.00 please.

Christine Bauserman
Sign up for emails and look here:
<https://www.kenbennett.com/news>



Raven Terra Firma
Already saw that page. That's why I came and said he needs more on the the issues at hand. What will he do to make Arizona a better place?

Write a reply...

Write a comment...

July 5



Christine Bauserman shared a post. ...

July 5 at 7:10 AM



Ken Bennett

July 5 at 7:07 AM

I hope you all had a great Independence Day with your families!!
I need your help today. First of all, THANK YOU for your support and donations! We got on the ballot, we won the lawsuit and we are going to get the 4,000, \$5.00 donations.
I need your help. I need you to not stop asking until you have five more \$5 donations for my campaign.
If everyone who gave gets 5 more - we will have this and then can start really running against Governor Ducey.
Keep asking until you know they gave online or until you have the \$5 in your hand.
Thank you! We are going to do this!

July 7



Christine Bauserman shared a post. ...

July 7 at 7:23 AM



Ken Bennett

July 7 at 7:22 AM

Please send me \$5.00 - it is small compared to what it will take to reverse Ducey's horrible plan STOP plan or your legal and psychiatric costs to prove you have the right to own a gun.

This weekend the marchers are back at the Capitol demanding gun control - hope Gov Ducey does not follow through on his promise to call a Special Session and cave to them like he caved to #RedForEd.

I believe the only reason he hasn't is because I am running.

###

EXHIBIT 5
Thumb
Drive

I, Jordan Torno, declare as follows:

1. I am a registered Arizona voter.
2. On 19 July, 2018 I attended a Ken Bennett event at the Green Valley Republican Club early afternoon and a Campaign Kegger with several candidates for various state positions at Legion Post 66. one of those candidates was Ken Bennett . 20 July, 2018, I attended A Ken Bennett Event at the Himmel Public Library
3. At this event, I observed Christine Bauseman collecting \$5.00 qualifying contributions on behalf of participating candidate Ken Bennett.
4. Ms. Bauseman repeatedly solicited and collected 'Clean Election' donations as well as urged people to ask their friends and family to donate to Ken Bennett's campaigns. Ms. Bauseman Repeatedly interrupted Mr. Bennett while he was speaking to inform people how urgent it was to collect donations due to their approaching deadline. She also approached me and others multiple times directly urging us to donate. At the end of the Himmel Library event she passed out several donation forms and set up a table at the front of the room to assist people in filling out the donations forms and collected donations from a majority of the people in attendance at the event. To my knowledge, over the three events that I attended I witnessed Ms. Bauseman collected at least 2 dozen donations, some of more than \$5.00. In addition, at the Campaign Kegger event Mr. Bennet approached me directly and asked me to fill out a donation form, I told him that I did not have the money to donate at the time to which he responded "Don't worry I have some extra money". He preceeded to urge me to fill out the form, when I returned the filled out form to him he collected it from me and a woman that he was talking to prior, that I had not previously met placed a \$5 bill on top of the form.
5. I created the video file of Ms. Bauseman collecting qualifying contributions at this event. A copy of the video file is submitted with my declaration.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: July 24, 2018

Signed by:



Printed name:

Jordan Torno

EXHIBIT 6

I, Jane C. Strain, declare as follows:

1. I am a registered Arizona voter.

2. On Friday 20 July, 2018 I was at the 1200 club in Sierra Vista, Az. This is a club of registered Republicans and Independents who meet for dinner and Republican Speakers.

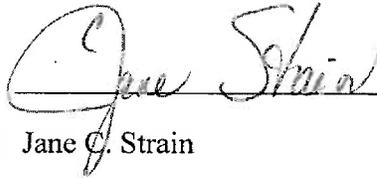
3. At this event, I observed Christine Bauserman collecting \$5.00 qualifying contributions on behalf of participating candidate Ken Bennett.

4. Ms. Bauserman asked me as I stood after the meeting if I could fill out the \$5.00 form as she walked by with a bunch of forms. I rejected her offer and did not fill out a form or contribute the \$5.00. She talked for a few more moments about the challenges of collecting the qualifying contributions form and campaign work. We then parted.

5. I declare under penalty of perjury that the foregoing is true and correct.

Dated: July 24, 2018

Signed by:

A handwritten signature in cursive script, appearing to read "Jane Strain", written over a horizontal line.

Printed name: Jane C. Strain

I, Heather Floyd declare as follows:

1. I am a registered Arizona voter.
2. On July 14, 2018, I was at the LD14 Meeting in Benson, AZ and on July 20, 2018 I was at the 1200 Club Meeting in Sierra Vista, AZ.
3. At these events, I observed Christine Bauserman collecting \$5.00 qualifying contributions on behalf of participating candidate Ken Bennett.
4. At the LD14 meeting, Ms. Bauserman, gave a speech on behalf of Ken Bennett and announced she was collecting \$5 contributions for Ken Bennett to see her at the close of the meeting to contribute.
5. At the 1200 Club meeting, Ken Bennett gave a speech and mentioned the \$5 contributions. At the close of the meeting Ms. Bauserman went table to table asking for the \$5 contributions, I did not notice where Mr. Bennett was during this time period. Ms. Bauserman did approach our group and specifically ask for the \$5 contributions for Mr. Bennett's campaign.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: July 24, 2018

Signed by



Printed name: Heather Floyd

I, Nicholas Wright, declare as follows:

1. I am a registered Arizona voter.
2. On July 19, 2018, I was at Ken Bennett event at the Green Valley Republican Club early afternoon and a Campaign Kegger with several candidates for various state positions at Legion Post 66, one of those candidates was Ken Bennett. July 20, 2018 I attended a Ken Bennett Event at the Himmel Public Library.
3. At this event, I observed Christine Bauserman collecting \$5.00 qualifying contributions on behalf of participating candidate Ken Bennett.
4. Ms. Bauserman solicited and collected several "Clean Election" donations as well as made announcements to ask friends and family to donate to Ken Bennett's campaign. Ms. Bauserman interrupted Ken Bennett a couple times to make announcements of the \$5 donations. Ms. Bauserman would also inform the audience that the deadline was approaching quickly and the money needed to be collected as soon as possible. At the event in Green Valley, Ms. Bauserman had collected up to 5 donations to my knowledge. At the Legion Post 66 event Ms. Bauserman approached me and several others asking for donations. After I had given my donation, Ken Bennett approached a friend of mine to get him to donate as well. My friend told Mr. Bennett that he did not have any money and I heard Mr. Bennet tell my friend not to worry and that he had extra money to donate for him. After this an elderly woman that appeared to know Mr. Bennett gave 5 dollars to Mr. Bennett then gave us 5 more dollars after my friend had filled out the form. Meanwhile to my knowledge, Ms. Bauserman had taken several donations as well and I saw her with a stack of money. At the Himmel Public Library, Ms. Bauserman made 2 announcements that they needed donations for the "Clean Election" deadline. I saw her take several more donations while at the library.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: July 24, 2018

Signed by: 
Printed name: ~~XXXX~~ Nicholas Wright