

# Independent Ethics Commission

## Complaint Form Instructions

### Notice about complaints:

The Independent Ethics Commission (IEC) cannot assess criminal penalties, award injunctive relief, or award damages to complainants. Rather, a covered individual found to have breached the public trust for private gain is liable for double the amount of the financial equivalent of any benefits obtained by such actions. The manner of recovery and additional penalties may be provided by law.

The IEC's personal and subject matter jurisdiction is limited and is generally described in the IEC's Handbook, which is available on the IEC website.

### How do I file a complaint?

- The IEC complaint form is attached below.
- The complaint form should be downloaded and completed electronically or by hand (electronic completion and filing is preferred).
- All complaint form fields are required. Provide as much relevant information and answer all questions as completely as you can.
- Additional information about filing complaints may be found in IEC Rule 7, the Complaint FAQ, and the IEC's Handbook.
- The complainant's signature is required. As such, anonymously submitted complaints are discouraged and, in the IEC's discretion, may not be accepted.
- Completed complaint forms may be printed or scanned and may be hand-delivered, mailed, faxed, or e-mailed. The use of e-mail is encouraged. All relevant attachments must be included.
- The IEC's contact information is:
  - E-mail: [iecinfo@state.co.us](mailto:iecinfo@state.co.us)
  - Mail: 1300 Broadway, Suite 240, Denver, CO 80203
  - Fax: (303) 501-1143

### What happens when I file a complaint?

- The IEC will determine if the complaint is timely, whether it has jurisdiction over the complaint, and whether the complaint is frivolous or non-frivolous. The IEC must treat the complaint as confidential unless it rules the complaint is non-frivolous.
- The IEC may conduct a preliminary investigation prior to making the determinations above.
- If the IEC determines that a complaint is timely, jurisdictional, and non-frivolous, the IEC will notify the respondent and provide a copy of the complaint. The respondent has a right to file a response within 30 days. The IEC's staff will also conduct an investigation.
- The IEC will hold a hearing, during which the complainant and respondent may present evidence, examine and cross-examine witnesses, and make legal arguments.
- The IEC will issue a written decision.

### Am I entitled to be represented by counsel?

- Yes. Both parties have the right to be represented by legal counsel of their choosing. Parties must obtain legal counsel at their own expense.

Independent Ethics Commission – Formal Complaint Form

Before the Independent Ethics Commission  
of the State of Colorado

*For Commission Use Only*

Received date: \_\_\_\_\_

Case No.: \_\_\_\_\_

The Complainant is: Anne Landman  
(name)

Mailing Address: 671 Moonridge Circle  
Grand Junction, CO 81505

Daytime telephone number: 970-216-9842

Email address: landman.anne@gmail.com

The Respondent is: Mesa County Clerk Tina Peters  
(name)

Mailing Address: 2663 Eagle Ridge Drive  
Grand Junction, CO 81503

Daytime telephone number: 970-261-4302

Email address: TinaPeters2022@gmail.com

When did the alleged violation occur: Spring, 2022 - Specific date of financial transfer is unknown

Describe the specific acts or things complained of, with facts that provide a full understanding of the alleged violation(s). If possible, cite the specific ethical standards alleged to have been violated and describe how the violation(s) occurred. Use additional pages if necessary. Attach any documentary evidence you wish to submit.

I allege that Mesa County Clerk & Recorder Tina Peters is violating Article XXIX of the Colorado Constitution by utilizing an out-of-state legal defense fund that by all appearances accepted as much as \$800,000 from a single donor, My Pillow CEO Mike Lindell.

Peters is the elected Clerk and Recorder of Mesa County, Colorado, a statutory county that falls under the jurisdiction of Article XXIX of the Colorado Constitution and thus the IEC.

After learning about the potential for incurring fines in relation to her Tina Peters Legal Defense Fund under IEC Complaint #22-07, Peters took down her original fundraising website, StandWithTina.org, based in Colorado, and moved her fundraising to Mike Lindell's "Legal Offense Fund" based out of state, in Minnesota and/or Wisconsin. Thereafter she and her allies started directing donors to give to Lindell's fund rather than her original site, StandWithTina.org.

Description of acts or things complained of (continued):

On April 5, 2022, Peters was a featured speaker at an "Election Truth Rally with Mike Lindell" held on the steps of the state Capitol in Denver at 200 E. Colfax Ave.

<https://fecunited.com/events/colorado-election-truth-rally-with-mike-lindell/>

At the rally, a 9News Denver reporter asked My Pillow CEO Mike Lindell on camera, "How much have you raised for Tina Peters' Legal Defense Fund?" Lindell answered, "I don't know, I put all the money in myself." When the reporter asked Lindell how much that was, Lindell responded, "I don't know, I probably put in 3,4,5, maybe \$800,000 of my own money." When the reporter asked Lindell if he was a close friend or family member of Peters, he responded "I just met her that day," [referring to the CyberSymposium Lindell held in South Dakota on August 10-12, 2021], and Lindell vehemently denied to the reporter that he had any type of close personal friendship or familial relationship with Peters, calling it a "stupid question." 9News video of the above conversation: <https://www.youtube.com/watch?v=TO8I50YvuFM&t=101s>

On April 7, 2021, however, Peters issued a statement to the media claiming she had no knowledge of Lindell's spending on her legal defense. It reads in part:

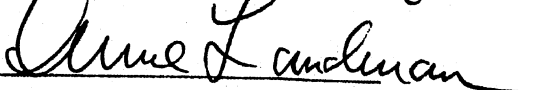
"Mike Lindell, is the CEO of My Pillow and while speaking to reporters at the rally, Lindell guessed that he had invested hundreds of thousands of dollars into legally defending election integrity efforts. Tina Peters is focused on running a race to become the next Secretary of State of Colorado and has no knowledge of Lindell's spending."

In response to this statement, 9News then ran a video montage of numerous occasions wherein Peters and her allies urged people to give to her legal defense through Lindell's Legal Offense fund. The video montage can be seen here: <https://www.youtube.com/watch?v=7K2b0eZSjgg>

(Continued to attached page)

Advisement regarding remedies and penalties: Pursuant to Colo. Const. art. XXIX, § 6, a covered individual found to have breached the public trust for private gain is liable for double the amount of the financial equivalent of any benefits obtained by such actions. The manner of recovery and additional penalties may be provided by law. The Commission does not assess criminal penalties, award injunctive relief, or award damages to complainants.

I hereby acknowledge that the facts presented herein are true to the best of my knowledge, and I will cooperate in the process regarding this complaint and will appear at any proceeding of the Independent Ethics Commission if the complaint is scheduled for a hearing.

Signature: Anne Landman 

Attorney (if applicable): Trey Rogers and Andrew Ho

Dated at Denver (City), Colorado, this 9th day of May, 2022.

Created by Article XXIX of the Colorado Constitution, the Independent Ethics Commission may review and hold hearings on matters falling within its jurisdiction as outlined in Article XXIX.

IEC Advisory Opinion 13-01 requires the public disclosure of donor names and donation amounts. This mandatory requirement seeks to protect against individuals seeking to improperly influence public officials. Within the first three sentences of Advisory Opinion 13-01, the IEC wrote, “Contributions to [a criminal legal defense] fund, including the name of donors, the relationship of the donor to the officer, and the amounts of the donations and expenditures **must be** publicly disclosed.”<sup>1</sup> The Independent Ethics Commission’s (“IEC”) use of the word “must” creates a mandatory provision. Peters has been operating under a cloud of secrecy as donors and the donated amounts have not publicly disclosed. Indeed, a public official receiving approximately \$800,000 from a single donor and unknown amounts from other anonymous donors triggers the concerns Advisory Opinion 13-01 seeks to avoid.

Advisory Opinion 13-01 is clear that contributions to a legal defense fund are gifts under Article XXIX.<sup>2</sup> Peters’ claim of ignorance of Lindell’s contributions does not avoid a violation of Article XXIX, especially when Peters instructs her donors to give to Lindell’s fund. Further, Peters must agree and accept funds used for her legal defense fund thus negating her claims of ignorance. Peters’ legal defense fund, funded by donors to Lindell who then contribute to Peters, fails to disclose the names of the donors, the relationship of the donor to Peters, and the amounts of the donations. This legal defense fund also fails to collect an affidavit from the donor identifying the nature of the relationship with Peters and denying pending or foreseen business with Peters and her office.<sup>3</sup> Peters’ decision to shut down her original fundraising website, direct donors to contribute to Lindell’s fund, and secretly obtain \$800,000 of Lindell’s contributions exacerbates, rather than mitigates, the ethical concerns addressed in Advisory Opinion 13-01. This blatant attempt to circumvent Article XXIX is unsuccessful once Peters accepts Lindell’s gifts.

I allege that Tina Peters is committing a violation of Article XXIX by accepting and utilizing funds for her legal defense that are obtained through Lindell’s site.

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<sup>1</sup> Advisory Opinion 13-01, p. 1 (emphasis added).

<sup>2</sup> *Id.* p. 4.

<sup>3</sup> *Id.* p. 10.