

STATE OF COLORADO
SECRETARY OF STATE
1700 BROADWAY #550
DENVER, COLORADO 80290

BEFORE THE SECRETARY OF STATE, COLORADO DEPARTMENT OF STATE,
ADMINISTRATIVE HEARING OFFICER

AHO Case No. _____

ED Case No. 2025-37

In the Matter of

ELECTIONS DIVISION OF THE SECRETARY OF STATE,

Complainant,

vs.

TIDES CENTER, INC.,

Respondent.

COMPLAINT

Pursuant to § 1-45-111.7, C.R.S. (2025), the Elections Division of the Secretary of State files this complaint against Tides Center, Inc. (“Respondent”).

BACKGROUND

1. To provide voters with information about the sources of election-related communications, Colorado law requires entities spending a certain amount on political communications to include in those communications a disclaimer identifying the person who paid for the advertisement. If the person is a non-natural person, like a corporation, the disclaimer must also identify the person’s registered agent.

2. Here, Tides Center, Inc., a non-profit corporation, through one of its Programs called With Many Hands, ran over \$7,000 worth of digital advertisements supporting a petition effort to qualify a ballot measure for the November 2025 coordinated election in the City of Greeley. These advertisements failed to indicate that they were “paid for by” Tides Center and did not identify any registered agent.

3. Accordingly, the Elections Division brings this action for appropriate relief.

PARTIES

4. Complainant is the Elections Division (“Division”) of the Colorado Secretary of State.

5. Respondent is Tides Center, Inc., a non-profit corporation based out of California. Tides Center, Inc. conducts programs in local communities nationwide, including one called With Many Hands.

JURISDICTION AND VENUE

6. The Division has jurisdiction under § 1-45-111.7.

7. The Division files this complaint with a hearing officer consistent with § 1-45-111.7(5)(a)(IV).

8. This complaint is filed within 30 days of the Division’s February 26, 2026, Notice of Investigation. § 1-45-111.7(5)(a)(IV).

9. Venue is proper before the hearing officer under § 1-45-111.7(5).

ALLEGATIONS

10. On May 6, 2025, the Greeley City Council passed Ordinance 2025-15, which approved the City’s financing of pre-development site services for a private investor developing an entertainment district in the City.

11. After Ordinance 2025-15 was enacted, one or more citizens began an effort to repeal the ordinance.

12. After obtaining the City Clerk’s approval of the petition form on June 27, 2025, the proponents of the repeal measure began obtaining signatures on the petition to place the repeal of Ordinance 2025-15 on the November 2025 ballot.

13. In late June, Respondent learned of the petition effort and began running advertisements on social media supporting the citizen petition effort and encouraging Greeley voters to sign the petition. After the required number of signatures were obtained and the City

Clerk approved the petition on June 27, 2025, a successful protest was filed on August 8, 2025, and the proposed ballot measure to repeal the ordinance was not placed on the November 2025 ballot.

14. On August 5, 2025, Tom Donkle filed a campaign finance complaint with the City Clerk alleging that With Many Hands violated campaign finance law by failing to register with the City as an issue committee supporting the referendum petition, failing to file a 48-hour Direct Ballot Issue or Ballot Question Expenditure Report, and failing to have a compliant “paid for by” disclaimer on the advertisements.

15. The Clerk initiated a review of the Donkle complaint, but determined that a potential conflict of interest existed. Accordingly, the Clerk referred the Donkle complaint to the Division pursuant to Section 1-45-111.7(10)(c)(I), C.R.S. and Section 2-128(g) of the Greeley Code.

16. During its review and investigation of the Donkle complaint, the Division determined that Respondent spent \$7,318.45 on twelve Facebook advertisements supporting the petition effort.

17. In general, the advertisements were an effort to persuade citizens to sign the petition.

18. The first advertisement ran on June 24, 2025. The last advertisement ran on August 1, 2025.

19. On July 28, 2025, Respondent spent \$237.07 on a Facebook advertisement. With this advertisement, Respondent had spent more than \$5,000 on advertisements supporting the petition. Based on its investigation, the Division determined that there was insufficient evidence to establish that after the threshold was met Tides made any one expenditure in excess of \$1,000 to support the petition effort.

20. Each of the advertisements indicated that they were “sponsored” by With Many Hands. However, the Division’s investigation determined that Tides had paid for the advertisements with a credit card in Tides’s name, and that the advertisements were created and produced by Tides employees.

21. The advertisements also failed to identify Tides’s registered agent.

COLORADO CAMPAIGN FINANCE LAW

22. “Any person who makes a direct ballot issue or ballot question expenditure shall, pursuant to section 1-45-107.5(5), state their name in any communication that is . . . distributed to persons who are eligible to vote on the ballot issue or ballot question and is produced or funded, either in whole or in part, by the person who made the direct ballot issue or ballot question expenditure.” § 1-45-108.4(4), C.R.S.

23. Under section 107.5(5), that statement must (I) say that “The communication has been ‘paid for by (full name of the person paying for the communication’; and (II) identif[y] a natural person who is the registered agent if the person identified in subsection (5)(a)(I) of this section is not a natural person.” § 1-45-107.5(5)(a).

24. A “direct ballot issue or ballot question expenditure” means “direct spending in support of or opposition to any single ballot issue or ballot question by a person who does not otherwise meet the requirements of an issue committee.” § 1-45-103(7.2).

CLAIM ONE FAILURE TO INCLUDE COMPLIANT DISCLAIMER (§ 1-45-108.3(4), C.R.S.)

25. All preceding allegations are incorporated.

26. In 2025, the Committee distributed to eligible voters in the City of Greeley over \$7,000 worth of advertisements on Facebook, advocating for the referendum petition.

27. The advertisements encouraged voters to sign the petition.

28. The advertisements did not identify the person paying for the advertisements, or that person’s registered agent.

29. The Division is entitled to relief under Article XXVIII of the Colorado Constitution and the Fair Campaign Practices Act, § 1-45-101 et seq.

PRAYER FOR RELIEF

WHEREFORE, the Elections Division prays for judgment and relief as follows:

1. Penalties as set out under 8 CCR 1505-6, Rule 23.4.3.
2. Such other relief as the Hearing Officer may deem appropriate.

CLAIMS NOT PURSUED

1. The Donkle complaint made additional allegations against Tides and With Many Hands. Specifically, that they were acting as an unregistered issue committee under Colorado law, and that they were failing to file 48-hour Direct Ballot Measure expenditure reports.

2. As to the former, the Division's investigation did not uncover sufficient information to suggest that Tides or With Many Hands had "a major purpose" of supporting or opposing the petition referendum. *See* Colo. Const. art. XXVIII § 2(10) (defining issue committee). The Division's investigation additionally determined that With Many Hands did not meet the definition of a "person." *See* Colo. Const. art. XXVIII § 2(11) (defining issue committee).

3. As to the latter, the Division determined that it had insufficient information establishing that Tides had made an expenditure greater than \$1,000 after it had crossed the \$5,000 spending threshold. Accordingly, the Division determined that the Committee had not failed to file any 48-hour reports.

4. The Division is entitled to relief under Article XXVIII of the Colorado Constitution and the Fair Campaign Practices Act, § 1-45-101 et seq.

Respectfully submitted this 30th day of March, 2026

PHILIP J. WEISER
Attorney General

/s/ Peter G. Baumann

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CERTIFICATE OF SERVICE

This is to certify that I will cause the foregoing to be served this 30th day of March, 2026, by email and/or U.S. mail, addressed as follows:

Tides Center, Inc.
C/O Attorney Gloria Chun
C/O Tomas Garduno
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With a copy to Attorney Christopher Beall (christopher@rklawpc.com)
Third-Party Complainant

/s/ Peter G. Baumann