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by Kathryn Ross
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From: Jason Chapman
To: [CELA](#)
Subject: RE: MUR 7359 re: Complaint
Date: Friday, July 13, 2018 4:58:51 PM
Attachments: [image001.png](#)
[Back up.pdf](#)

Ms. Ross:

Here is some backup material to the invoices and additional information. Thank you.

Jason T. Chapman
Texas Arbitration Mediation Services, Inc.
Attorney at Law
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El Paso, Texas 79901
(915) 533-8267
(915) 533-8818 fax

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News

Escobar files complaint against 'Keep El Paso Honest' Super PAC

By:

Estefania Seyffert (<https://www.ksm.com/meet-the-team/estefania-seyffert/323150239>)

✉ (mailto:eseyffert@elpasoproud.com)

Updated: Feb 27, 2018 11:40 PM MST



EL PASO, TEXAS (KTSM) - Congressional candidate Veronica Escobar filed a complaint with the Federal Election Commission on Monday against Super PAC Keep El Paso Honest and its treasurer for allegedly violating election rules.

The former El Paso County Judge said Keep El Paso Honest has not reported its year-end report, its 12-day pre-election report and its aggregate independent expenditures in excess of \$10,000.

"Campaigns are really an important part of Democracy and there are laws that govern how we conduct ourselves when it comes to money," said Escobar.

Keep El Paso Honest is the same PAC that has been paying for billboards and advertising against Escobar.

KTSM reached out to the general consultant for Keep El Paso Honest, Carlos Sierra about the allegations of not filing their campaign finance report on time.

In an email response, Sierra said he has, "personally spoken to and heard from thousands of voters in Congressional District 16. Not once have they asked or brought up filing an FEC report a few days late. They care about Veronica Escobar raising their taxes by almost 30 percent, while doubling her own taxpayer-funded salary. The voters care that under Veronica's leadership we got a bankrupt Children's Hospital, while the County took on more debt. The voters are genuinely concerned with Veronica going to Congress because everything she touches ends up failing. Again, that's what they care about, and not our PAC filing a few days late."

Escobar said this created concern for Democrats and herself. She told KTSM, "In this particular race, we have a Republican Super PAC that is trying to influence a Democratic primary, so we have a Republican Super PAC trying to insure that I lose and elect one of my opponents, Dori Fenenbock."

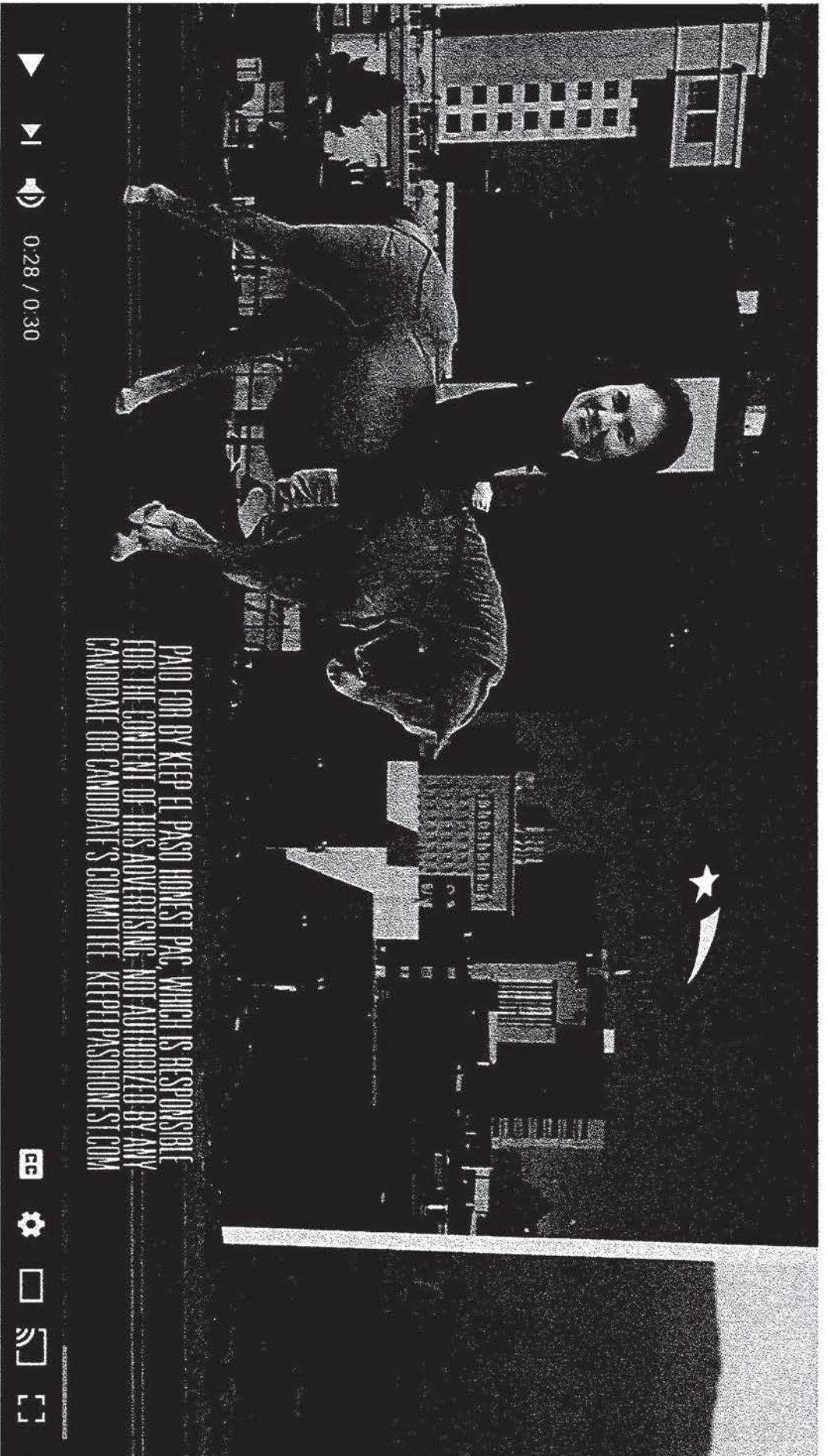
The Keep El Paso Honest website links to former EPISD Board Trustee Dori Fenenbock's campaign page. A week ago, KTSM asked Fenenbock if she was involved with the PAC and she said no.

"That's illegal and so PAC activity, Super PAC activity, is separate and apart from our campaign," Fenenbock told KTSM.

KTSM reached out to the Federal Election Commission to find out what the consequences for not filing a timely campaign finance report are, but did not hear back.

According to their site, fines could range from \$30 to \$16,000.

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Veronica Escobar: Bad for El Paso | Keep El Paso Honest

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Keep El Paso Honest
Published on Jan 18, 2018

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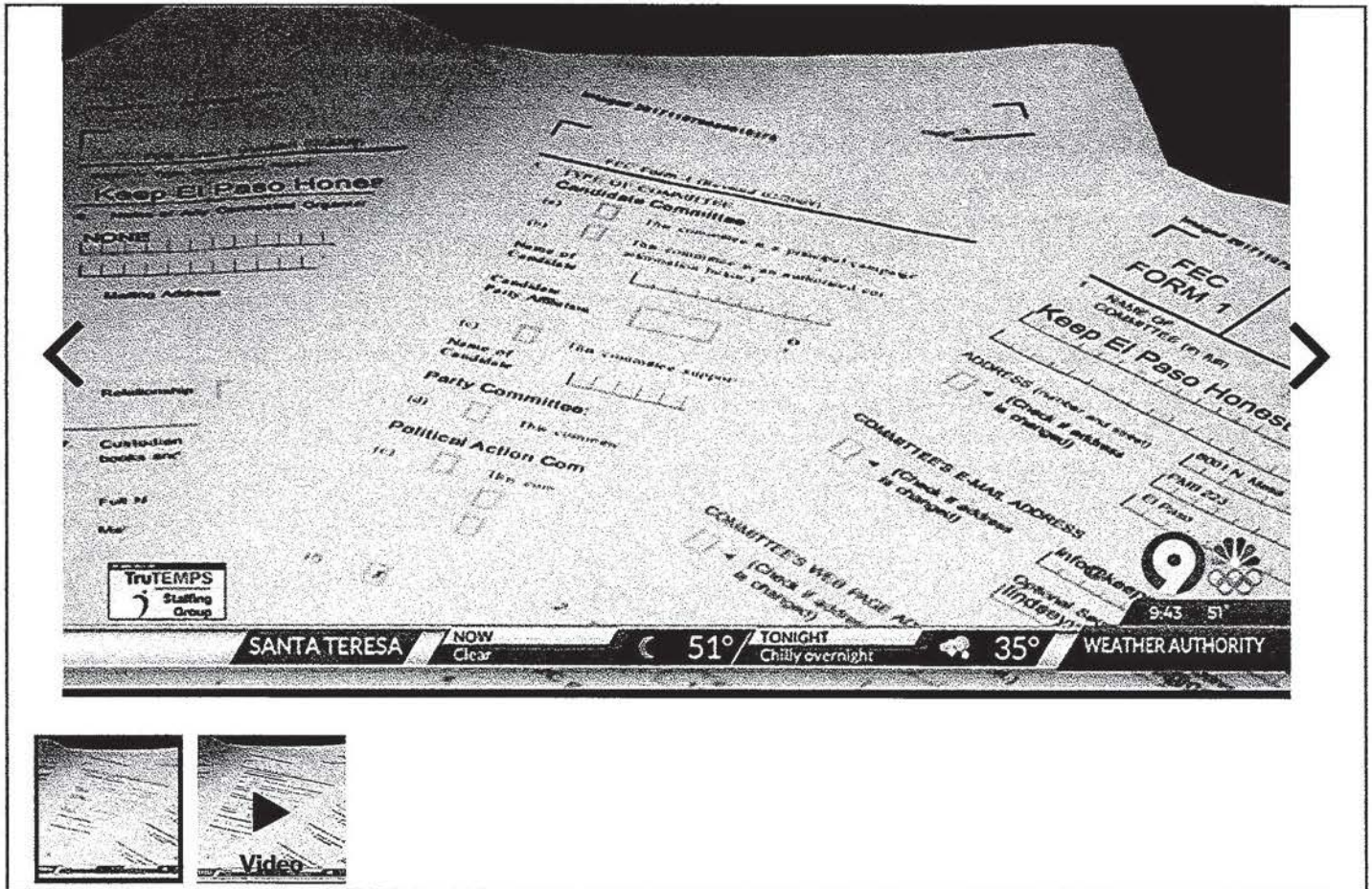
Fenenbock, Escobar talk truth in advertising

By:

Patrick Hayes (<https://www.ksm.com/meet-the-team/patrick-hayes/644401190>)

✉ (mailto:phayes@elpasoproud.com)

Updated: Feb 08, 2018 10:55 PM MST



EL PASO, Texas - Several candidates are looking to replace U.S. Rep. Beto O'Rourke in the U.S. House of Representatives, including former EPISD board president Dori Fenenbock and former El Paso County Judge Veronica Escobar.

On Thursday, both candidates told KTSM they are running positive campaigns.

However, a political action committee, or PAC, called Keep El Paso Honest is supporting Fenenbock and attacking Escobar.

Fenebock said she has nothing to do with the PAC, but does support the message it's trying to send.

"There's information that needs to come to light " Fenenbock said "The community deserves to have answers "

The attack ads accuse Escobar of voting to give herself a raise using taxpayer dollars.

According to Escobar, that commercial is misrepresenting the facts.

"Over the years, commissioners court has raised, lower and changed the salaries," Escobar said. "In fact, during the economic downturn, the commissioners court lowered our salaries and then after the downturn, we raised them back to where they were. "

The PAC's website endorses Fenenbock for Congress, while bashing Escobar.

"I do agree that people deserve to have information about someone's record," said Fenenbock. "She has a record. She gets to run on it. She doesn't get to run from it."

But, Escobar snapped back.

"If they're willing to lie like this about this one issue, I hope you don't trust this group or the people who repeat their misinformation," she said.

Early voting starts Feb. 20. The primary election is on March 6.

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<https://www.keeptexashonest.com/vote>

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7/12/2018

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Congressional candidate Veronica Escobar files complaint against Keep El Paso Honest PAC

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Escobar files complaint against 'Keep El Paso Honest' Super PAC

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PAC urges Republicans to vote against Escobar in Democratic primary to force runoff

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This year, a super pac called keep el paso honest ran a series of negative ads. the pac has so far ignored a series of deadlines to

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The anti-escobar keep el paso honest super pac has submitted no such reports. - scoopnest.com

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End of Results

Chat (4)

Anti-Escobar PAC fails to report campaign spending on advertisements

Madlin Mekelburg, USA Today Network Austin Bureau Published 3:25 p.m. MT Feb. 16, 2018



(Photo: RUBEN R. RAMIREZ/EL PASO TIMES FILE)

AUSTIN — A smiling portrait of former County Judge Veronica Escobar looks out at passersby from two identical billboards, positioned at intersections in different parts of El Paso's congressional district.

The text reads: "I doubled my salary and raised your taxes. We good?"

The billboards were purchased by a new political action committee called Keep El Paso Honest, which was formed last year with one objective in mind: ensure that Escobar is not elected to replace U.S. Rep. Beto O'Rourke in Congress.

More: [What you need to know about the March primary election in Texas \(/story/news/2018/02/12/what-you-need-know-voter-guide-march-2018-primary-election-el-paso/1066406001/\)](#)

The political action committee has spent more than \$10,000 in advertising this year, but has failed to report those expenditures to the Federal Election Commission, a violation of campaign finance laws, according to two experts.

"They are not following the guidelines that are prescribed by the FEC," said Victoria Farrar-Myers, a senior fellow at Southern Methodist University's Tower Center for Political Studies.

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Under federal campaign finance laws, any candidate or PAC that spends more than \$10,000 in a calendar year on communications to advocate for or against a particular candidate is required to submit a "48-Hour Report" detailing those expenses.

The Keep El Paso Honest Super PAC has submitted no such reports, even though Carlos Sierra, the political consultant behind the PAC, said they have spent over \$10,000.

"Since January 1, yes," Sierra said. "We have spent more than \$10,000."

Roger Borgelt, an Austin-based attorney who focuses on government-related issues, said the failure of the political action committee to disclose its spending, as required by law, is worrisome.

"That sounds like a problem to me," Borgelt said.

Sierra is amplifying his advertising efforts as the March 6 primary election draws closer, buying ad space on local television channels and radio stations, sending fliers to residents through the mail and purchasing billboard displays. The PAC supports former EPISD board president Dori Fenenbock.

Sierra said Super PACs like his are only required to file quarterly and monthly reports, but then referred questions to his attorneys, saying they are responsible for handling his campaign finance reports and he might not be aware of all the requirements.

7/12/2018

MUR735900041

PAC fails to report campaign spending on advertisements

"My attorneys handle that," he said. "That's not what I personally do. I just buy everything, design everything and run the PAC. I don't do the filings, the reporting. That's not what I do. My attorney can answer anything having to do with FEC and the filings."

Matthew Sanderson, the attorney Sierra identified, would not confirm that he represented Sierra or the Keep El Paso Honest PAC.

Heated race for Congress

While the district is seen as safely blue and is not counted among the few competitive Texas congressional races this cycle, the battle between the six Democrats running to fill the seat has been a tough one, verging on hostile.

Escobar and the five other Democrats vying to represent El Paso's 16th congressional district have been fighting a tough campaign and have collectively raised at least \$1.5 million ([/story/news/politics/2018/01/30/escobar-fenenbock-raise-combined-1-48-million-contributions-congressional-race/1081362001/](https://story/news/politics/2018/01/30/escobar-fenenbock-raise-combined-1-48-million-contributions-congressional-race/1081362001/)) to spend on campaign operations and advertising efforts.

That is separate from the money being raised and spent by Keep El Paso Honest.

Escobar said the PAC is working with Fenenbock to craft its message, using information her campaign shared with a blogger to build its attack ads.

"Keep El Paso Honest is a Republican Super PAC that is misleading voters to elect their candidate Dori Fenenbock," Escobar said.

Fenenbock said her campaign is not involved with the Keep El Paso Honest PAC, but said they are raising "important questions."

"They have raised some serious issues and concerns that I am hearing in the community as well, and people want answers," Fenenbock said.

Escobar and Fenenbock are the financial frontrunners in the crowded Democratic field vying for the seat. Escobar raised \$609,148 in 2017 and Fenenbock raised \$263,000 in contributions and loaned herself \$300,000.

Other candidates running in the Democratic Primary include former state Rep. Norma Chávez, immigration attorney Enrique Garcia, KTEP public radio executive John Carrillo, and retired Army Maj. Jerome Tilghman.

Republicans Alia Garcia-Ureste and Rick Seeberger are also competing for the seat.

Buy Photo



Seven candidates vying for the 16th Congressional District of Texas seat attend a candidate forum sponsored by the WE (fillintheblank) student political group from Coronado High School on Feb. 13. They are from left: Jerome Tilghman, Norma Chávez, Rick Seeberger, Veronica Escobar, Alia Garcia-Ureste, Dori Fenenbock and Enrique Garcia. (Photo: RUDY GUTIERREZ/EL PASO TIMES)

More: [Political consultant Carlos Sierra's PACs target Veronica Escobar's bid for Congress \(/story/news/politics/2017/11/16/el-paso-political-consultant-says-hes-out-ensure-escobar-loses-congressional-race/868998001/\)](https://story/news/politics/2017/11/16/el-paso-political-consultant-says-hes-out-ensure-escobar-loses-congressional-race/868998001/)

Federal Reporting Laws

Campaign finance reports that have been submitted to the Federal Election Commission shed little light on the Keep El Paso Honest PAC and its operations.

The PAC's reports for 2017 show that the group raised just \$250 and had a \$148 deficit at the end of December.

The only contribution listed was \$250 from Renegade Public Affairs, Sierra's political consulting firm. The only expense listed is \$250 paid to Renegade Public Affairs.

Sierra said he has now raised about \$125,000, but declined to name specific donors.

"They're all El Paso donors," he said. "I've given myself, obviously. I paid for the website and getting everything up and running, so I probably have about \$10,000 from myself and the rest is El Paso donors."

A report detailing spending from Jan. 1 through Wednesday is due to the Federal Election Commission on Feb. 22, a deadline Sierra said the committee would meet. His paperwork detailing his campaign finance information for the end of last year was submitted six days late.

More: [Escobar, Fenenbock raise combined \\$1.5 million, have more than \\$400,000 each in bank \(/story/news/politics/2018/01/30/escobar-fenenbock-raise-combined-1-48-million-contributions-congressional-race/1081362001/\)](#)

Farrar-Myers said Sierra could face penalties for failing to file spending reports on advertising money he spent this year, whether he realized he needed to submit the reports or not.

"Ignorance is no defense in the law," she said.

In order for Sierra to face penalties or fines, someone would have to report him to the Federal Election Commission, Farrar-Myers said. As a regulatory body, it does not pursue potential violations but investigates reports of wrongdoing.

But it might be too late for a complaint to make a difference, she said. Early voting starts on Feb. 20.

"This person is probably calculating a risk which says the FEC can fine me, but they don't take me out of the game," Farrar-Myers said. "We're so close to the primaries being decided that the risk and rewards scenario is the issue here."

Borgelt said the commission is not set up to handle these complaints quickly, which means most complaints are filed so a candidate can tell voters they took action — not because they expect to see results.

"That's why so much of the complaints that go on with the FEC and Texas Ethics Commission are for purely political purposes," he said. "Everybody kind of knows that nothing is going to happen until the election is over."

Brandon Rottinghaus, a political science professor at the University of Houston, said groups like the Keep El Paso Honest PAC have the ability to "rampage through an election," especially a primary contest where less voters come to the polls.

"In general, these kind of PACs have the potential to have a pretty dramatic impact on elections," he said. "These groups can serve as an accelerant in competitive races and magnify issues in a district."



DORI FENENBOCK (Photo: DIBEND D. DAMIDE/EL PASO)

Even though Fenenbock said her campaign is not affiliated with the Keep El Paso Honest PAC, Rottinghaus said she can capitalize on their messaging by using arguments it raises for her own campaign, and vice versa.

"The line of demarcation between the messaging from various groups is very thin," Rottinghaus said. "They can't officially coordinate, but it doesn't mean that the PAC can't see what line of argument is working and what line of argument is being pitched and follow up on it. That's a line that, at this point, is too murky to be actionable but is definitely something the campaigns need to walk carefully."

More: [House Democratic Whip talks DACA, endorsement of Escobar \(/story/news/politics/2018/01/25/house-democratic-whip-talks-dreamers-endorsement-veronica-escobar/1065917001/\)](#)

Ads against Escobar

7/12/2018

PAC fails to report campaign spending on advertisements
Sierra said Escobar became his "enemy" after the 2013 mayoral race in El Paso.

During the election, Sierra said he backed former Mayor Oscar Leeser and Escobar supported former city Rep. Steve Ortega, who ended up losing to Leeser. Sierra said Escobar attacked him personally after the election.

"I've never met Veronica Escobar," he said. "After that race, with Oscar and Steve Ortega, she became my enemy, not from my choosing but because we won the race."

Sierra is president of Sierra Public Affairs and is a partner at Renegade Public Affairs, which both offer consulting services to candidates seeking political office.

Sierra said he worked for Arizona Republican John McCain's presidential campaign in 2000 and continued to work in his office for 10 years. In 2016, Sierra said he was a field organizer for Libertarian candidate Gary Johnson, the former governor of New Mexico.



VERONICA ESCOBAR (Photo:
RUBEN R. RAMIREZ/EL PASO
TIMES FILE)

So far, ads from Sierra's PAC have attacked Escobar's record in El Paso's County government, claiming that she doubled her salary and that taxes saw a drastic increase under her leadership.

Escobar's salary was \$50,000 a year when she first took office as county commissioner in 2007. Her salary increased significantly when she was elected County Judge, which is a higher paying position than that of commissioners.

In Aug. 2016, Commissioners Court voted for salary increases that included raising the County Judge's annual salary from \$87,577 to \$112,000.

The pay increases were part of a staff recommendation to raise county elected officials' salaries to the 70 percent market level of what other 10 largest counties in Texas pay. A survey in 2016 indicated that of 11 positions studied, including County Judge and commissioners, eight were behind market levels when compared to other counties.

Escobar voted against the raise and said she couldn't vote for a salary increase for herself. Last year, the Commissioners Court gave itself a 1 percent pay increase bumping Escobar's salary to \$103,020 a year. Escobar and County Commissioner Carlos Leon were absent for the vote.

Escobar said her salary was similar to her predecessor who left office making \$98,000 a year.

"I ran for that seat and was elected to that office by the voters — and the position of county judge carries with it greater responsibility, duties and representation of more people, and a higher salary," Escobar said in an email. "But of course, they won't tell you that because it doesn't fit their narrative."

The other charge raised by the group is that Escobar raised property taxes while in office, without voter approval.

During Escobar's tenure, the County Commissioners Court approved more than \$250 million in certificates of obligation, including \$110 million in 2012 to improve the county's infrastructure and \$152 million to build the primary care clinics for the University Medical Center. The certificates of obligation don't require voter approval and are paid back through property taxes.

Property tax rates for the county and county hospital district have fluctuated since Escobar joined the Commissioners Court in 2007.

The County tax rate dropped by 2.1 cents per \$100 property valuation between fiscal year 2008 and 2010, before increasing by 8.9 cents through 2014. Since then, the tax rate has remained flat.

Escobar said she voted to increase taxes and said the property tax increases were "investments used to expand access to healthcare, improve public safety and improve quality of life."

El Paso Times reporter Aileen Flores contributed to this report.

Madlin Mekelburg is a reporter with the USA Today Network Austin Bureau; she may be reached at 512-479-6606; mmekelburg@elpasotimes.com; @madlinmek on Twitter.

Read or Share this story: <http://www.elpasotimes.com/story/news/politics/elections/2018/02/16/anti-escobar-pac-ramping-efforts-march-primary-el-paso/335407002/>

Political consultant Carlos Sierra's PACs target Veronica Escobar's bid for Congress

Aileen B. Flores, El Paso Times Published 12:24 a.m. MT Nov. 16, 2017 | Updated 10:53 a.m. MT Nov. 16, 2017



(Photo: MARK LAMBIE/EL PASO TIMES)

An El Paso political consultant with a rocky past has set up two political action committees with one goal in mind: to ensure former County Judge Veronica Escobar loses her bid for Congress.

Carlos Sierra, 35, said the Keep Texas Honest and Keep El Paso Honest PACs he started are not tied to any candidate seeking the 16th Congressional District seat. Rather, he said, their goals are to ensure Escobar does not win.

On its website (<http://www.keeptexashonest.com/>), the Keep Texas Honest PAC encourages people to vote for candidate Dori Fenenbock and attacks Escobar's record as county judge. Escobar served as county judge from January 2011 until August, when she resigned to run for Congress.

"She has increased the county budget, raised our taxes, has been bad for business, and has governed as Trump does — with utter incompetence and a ruthless disregard for decency. Keep Texas Honest will bring all this to light in the coming months," Sierra said about Escobar in an email reply to El Paso Times. "We already have a bully in the White House, we don't need to add another one to our dysfunctional Congress."

More: [Veronica Escobar announces run for Congress, resigns as county judge \(/story/news/politics/2017/08/25/escobar-announces-run-congress-resigns-county-judge/596435001/\)](http://www.elpasotimes.com/story/news/politics/2017/08/25/escobar-announces-run-congress-resigns-county-judge/596435001/)

Sierra is the president of Sierra Public Affairs and a partner in Renegade Public Affairs, both of which provide political consulting services to candidates and committees, according to his website.

Sierra worked as an intern for Arizona Republican U.S. Sen. John McCain's presidential campaign in 2000, eventually serving as the Southwest Coalition director for the McCain-Sarah Palin ticket. He also worked on the 2016 presidential campaign for former New Mexico Gov. Gary Johnson, who was running as a Libertarian at the time.

The Keep Texas Honest PAC filed its statement of organization with the Federal Election Commission on Oct. 2, with Lindsey Workman of Dublin, Ohio, listed as the PAC's treasurer, records show.

The filing shows the committee's address in Dublin, and lists two contact email addresses for Renegade Public Affairs — one for Workman and another for Sierra. An amended filing on Nov. 5 removes Sierra's email as a committee contact.

A statement of organization for the Keep El Paso Honest PAC was filed with the FEC two days later, on Nov. 7, with Workman as the treasurer. That filing lists an El Paso address for the committee and includes a generic contact email for the PAC and another email for Workman.

Political affiliations questioned

The two PACs are filed as nonqualified, nonparty, which means they have not been in existence for more than six months and are not an authorized committee of a candidate, according to the FEC.

Fenenbock's campaign officials said they're not connected to the political action committees.

Escobar lashed back, arguing that Keep Texas Honest is a Republican super-PAC and accused Fenenbock of trying to deceive El Pasoans into believing that she's a Democrat.

"I had understood earlier this summer that Dori was planning on a super-PAC. I am assuming that she and Mr. Sierra connected at some point," she said.

7/12/2018

Political consultant creates PAC opposing Escobar's congressional bid
Escobar claims Sierra is a Republican, and that Workman was a field organizer for the Republican National Committee.

Sierra's website and social media profiles identify his businesses as "nonpartisan" and "severely independent." His voting record was not immediately available Wednesday evening.

In her LinkedIn profile, Workman identifies herself as the national director of development for the Our America Initiative, a nonprofit political advocacy committee formed by Johnson, who served as the governor of New Mexico from 1995 to 2003 under the Republican party.

Escobar argued that considering Fenenbock's voting record "and now her Republican super-PAC, there should leave no doubt in anyone's mind that she is not a Democrat."

Fenenbock appears to have voted in a Democratic primary for the first time in 2016, according to voting records. She and her husband, Mark, have given more than \$23,000 in political contributions to state and federal candidates in the past two decades, with the vast majority to Republican candidates, records show. Most of the contributions were in Mark Fenenbock's name.



Dori Fenenbock (Photo: Courtesy)

More: [Fenenbock officially announces bid for Congress \(/story/news/2017/09/09/fenenbock-officially-announces-bid-congress/647587001/\)](https://story/news/2017/09/09/fenenbock-officially-announces-bid-congress/647587001/)

Christian Archer, Fenenbock's general consultant, said Escobar's comments about Fenenbock being a Republican are absurd. He countered that the former county judge's fundraisers are sponsored by prominent El Paso Republicans.

Archer also denied any connections with Sierra and his PACs, saying neither he nor Fenenbock know the political consultant.

Archer said the only communication they've had with Sierra is through a letter that he sent Fenenbock early in the campaign.

Archer said the letter stated that Sierra didn't trust Escobar and that he wanted to support Fenenbock's campaign.

"While there are people out there who don't like Veronica, that's their business. Our business is to show people why Dori is running for Congress and why she's the best qualified candidate," Archer said.

More: [Facebook removes spliced video by Fenenbock campaign that accuses Escobar lying \(/story/news/politics/2017/10/06/fenenbock-campaign-cuts-then-splices-video-escobars-speech-accuse-her-lying/741570001/\)](https://story/news/politics/2017/10/06/fenenbock-campaign-cuts-then-splices-video-escobars-speech-accuse-her-lying/741570001/)

Rocky political, personal road

Sierra's involvement in the congressional campaign seems to have already turned up the heat in the congressional race to replace U.S. Rep. Beto O'Rourke, who is running to unseat Republican U.S. Sen. Ted Cruz.

7/17/2018

Political consultant creates PAC opposing Escobar's congressional bid

More: [Ted Cruz vs. Beto O'Rourke called the 'marquee race in Texas' \(/story/news/politics/elections/2017/10/20/ted-cruz-beto-orourke-gear-up-for-2018-us-senate-run/774132001/\)](#)

But this isn't the first time that the contentious Sierra has involved himself with El Paso candidates for public office, stirring the already muddy political waters.

Sierra worked — or has claimed to have worked — for former El Paso Mayor Oscar Leeser and former city Reps. Carl Robinson and Lily Limón, as well as former El Paso county judge candidate Aliana Apodaca. All disassociated themselves from Sierra after the El Paso Times reported on his rocky career history and criminal record in 2014.

Leeser won the mayoral race in May 2013, defeating former city Rep. Steve Ortega, who was strongly supported and endorsed by Escobar.

Sierra told the Times in 2014 that he had a list of elected officials he was targeting. Among them were Escobar, former city Rep. Emma Acosta and County Commissioner Vince Perez.

"I know the reality of politics and that I'm going to be questioned and criticized," Sierra told the Times in a 2014 interview. "I don't think I'm done with El Paso politics. There's a lot more to be done."

Asked this week whether Escobar is still on his hit list, he said yes, adding, "Emma Acosta was at the top of that list, and we all know what happened to her."

Acosta lost her bid for mayor earlier this year.

As a city representative, Acosta led the fight to close the former Three Legged Monkey bar in her district after neighbors complained about the noise, traffic and other issues there. The bar was owned by Mike Armstrong, whom Sierra at one time described as a friend.

In 2014, Acosta filed a report with the El Paso Police Department after Sierra sent an email to several undisclosed recipients stating that his gloves were off and that he was "coming after" her, Escobar and Perez. The email obtained by the Times came from an account at Renegade Public Affairs a day after the newspaper posted a story about Sierra's legal troubles on its website in July 2014.

A month later, in August 2014, Sierra was sentenced to three years' probation in an Arizona courtroom after pleading guilty to a felony driving under the influence charge. That stemmed from an arrest in January 2013 in Scottsdale. He also had two previous DUI arrests in 2009 in Phoenix.

In 2012, Sierra was indicted in El Paso on two counts of indecency with a child, but the case was later dismissed, court records show.

Sierra has maintained his innocence on the indecency accusations, but has said he made poor choices by drinking and driving.

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More: [Nearly \\$1 million raised by Escobar and Fenenbock in El Paso congressional race \(/story/news/politics/2017/10/13/escobar-raises-300-000-first-month-fenenbock-so-far-sees-600-000-contributions/763413001/\)](#)

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POLITICS

El Paso Super PAC Is Shrouded in Mystery

A political action committee that targeted the winner of the primary is run by a hired gun with no apparent political allegiances.

BY **ROBERT MOORE**

DATE **MAY 10, 2018**

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NOTES **1 COMMENTS**



Carlos Sierra.

El Paso County Jail

If a Hollywood screenwriter was to create a character that embodies what people hate about politics, the character likely would look a lot like Carlos Sierra. A 36-year-old El Paso political consultant without any obvious fixed ideology, Sierra lurks in the darkest corners of the electoral process, apparently sneering at the rules and waging personal vendettas. He's often untruthful when talking to the media; the only publicly available photos of him are a string of jail booking mugshots.

When I recently asked him to comment about some of his political work, Sierra was his typical self. "I only talk to real journalists so don't ever email me again, you douchebag." His experience runs the political gamut: he's had top positions in Republican and Libertarian presidential campaigns; he worked on an effort to draft Democratic Vice President Joe Biden to run for president; and he's been a consultant on local races in El Paso. Sierra also has weaponized super PACs, the controversial political action committees that can accept unlimited donations and make endless expenditures attacking candidates. Super PACs feed public cynicism about the American political process, but they at least are required to publicly disclose where their money is coming from—although there are still ways to hide donor names—and how it is spent. This year, Sierra ran a super PAC called Keep El Paso Honest. The PAC ran a series of negative ads in El Paso's 16th Congressional District Democratic primary that targeted eventual winner Veronica Escobar, the former county judge in El Paso. Sierra and Keep El Paso Honest have so far ignored a series of Federal Election Commission deadlines for public disclosure of who funded the effort, and how the money was spent. That failure to file a disclosure report is clear violation of federal election law.

It also underscores problems with the federal agency that monitors election laws. In 2014, for example, the then-head of the Federal Elections Commission, Ann M. Ravel, wrote in the *New York Times* that she had largely given up on reining in abuses of the election law. "(T)he F.E.C. is failing in its job to ensure that voters know who is behind the rapidly proliferating political advertisements made possible by this extraordinary spending," she wrote then.

But there are others who refuse to give up on the notion that voters are entitled to know who is funding elections and how the money is being spent. One of them is Brendan Fischer, director of the federal reform program for the Campaign Legal Center in

Washington, D.C. When asked about Sierra's activities, Fischer said, "I've not seen an example previously of a Super PAC spending a significant amount of money on an election and then not filing any reports whatsoever."

As it turns out, Sierra has done this before.

Sierra grew up in El Paso and went to college at the University of Arizona. He served as a low-level staffer to Senator John McCain on his presidential campaigns and in his Arizona senate office. While working for McCain, he picked up two drunk-driving convictions in Arizona in 2009. In 2014, he was convicted a third time in Arizona for drunk driving, making it a felony. He also was accused of indecency with a child in El Paso in 2013, a charge that was later dismissed. After leaving McCain's office in 2011, Sierra formed his own political consulting firms—Renegade Public Affairs and Sierra Public Affairs. In 2012, he created a Super PAC called Opportunity for All that sent out a flier accusing Arizona U.S. Representative Raúl Grijalva, a progressive icon, of voting to cut Medicare. Sierra told Mother Jones that his intent was "moderating politics" by attacking more ideological Republicans and Democrats. "I know I will make enemies but our country needs an ass-kicking," he told the magazine. Grijalva called a press conference to denounce the mailer. "We saw we were gonna be victims to this bullshit, and so (we) decided we're gonna push back," Grijalva told Mother Jones. Sierra said he would disclose his contributors, but FEC records show that he never filed any campaign finance reports for Opportunity for All, and ignored three requests for additional information from the agency. There's no record of any FEC enforcement action against Opportunity for All, likely because it didn't receive a required formal complaint. Grijalva rolled to an easy victory in his 2012 primary with 66 percent of the vote.

Sierra has been on the fringes of the national political stage since. He served as campaign manager for former Louisiana Governor Buddy Roemer's 2012 presidential run, an effort best known for the candidate's complaints over not being allowed into televised primary debates because of near-invisible poll numbers. FEC records show that Sierra was paid \$76,850 to run the Roemer campaign, or about 10 percent of the failed candidate's total expenditures. He next surfaced nationally in 2015 as political and field director for Draft Biden. He was ousted from that role in October 2015 when Roll Call inquired about his criminal record. The PAC told Roll Call that Sierra was an unpaid volunteer, but campaign finance reports would later show that he was paid \$4,500 for "communications consulting services." Sierra then hooked on with former New Mexico Governor Gary Johnson's 2016

Libertarian Party presidential campaign. Sierra was paid \$44,000 to be Johnson's national field director. Sierra's last known political job was as campaign manager in 2017 for Jeffrey Sossa-Paquette, a Massachusetts Republican congressional candidate who paid him \$9,750 before dropping out of the race. That left Sierra free to focus on El Paso's Democratic congressional primary.

In November 2017, an Ohio political operative named Lindsey Workman filed the paperwork with the FEC to create Keep El Paso Honest. She and Sierra worked together on the Johnson presidential campaign, and she currently works as national development director for a libertarian organization called Our America Initiative, according to her LinkedIn profile. Workman also declined to comment. Keep El Paso Honest initially was registered with the FEC as a political action committee, which would allow individuals to donate up to \$5,000 under federal law. The PAC then could make contributions to candidates it supported. But in December, Keep El Paso Honest changed its registration to a Super PAC, which allowed it to accept unlimited campaign contributions and make independent expenditures to support or oppose candidates. Sierra told the El Paso Times in February that Keep El Paso Honest had raised about \$125,000, though he provided nothing to support that claim.

Sierra said his effort against Escobar, a former El Paso County commissioner and county judge, was personal. "We already have a bully in the White House, we don't need to add another one to our dysfunctional Congress," he said in a November email to the El Paso Times. Escobar's not sure why Sierra harbors such animus. "I don't think I've ever met him, or if I met him, I don't remember meeting him," she said.

Keep El Paso Honest ran a TV commercial in January and February claiming that Escobar had changed in her 10 years as county judge. The ad, which ran at least 120 times, had a cartoonish look and misogynistic flavor, slowly playing "The Old Gray Mare" as background music. The group purchased billboards that said that Escobar had doubled her salary and raised taxes during her tenure, an attack she called misleading. Keep El Paso Honest also purchased social media ads saying Escobar—a staunch critic of President Trump—was a hypocrite because her husband is an immigration judge. The group sent out mailers shortly before Election Day urging Republicans to cross over into the Democratic primary and support Dori Fenenbock, a former El Paso school board president.

Escobar easily defeated five opponents in the Democratic primary race to succeed Beto O'Rourke, who gave up the seat to challenge Republican Senator Ted Cruz. Her general

election race against Republican Rick Seeberger is viewed as little more than a formality in El Paso, which has elected only Democrats to Congress in the past 54 years. Even though Keep El Paso Honest's effort was a failure, Escobar said the public still deserves transparency. She filed complaints with the Federal Election Commission in February and April after Keep El Paso Honest failed to file required disclosures. "When we don't know who is financing campaigns, I think that's very dangerous for democracy," Escobar said.

Campaign finance law can sometimes be murky, such as the debate over whether Michael Cohen's \$130,000 payment to adult film star Stormy Daniels constituted an illegal contribution to Donald Trump's presidential campaign. But the law is very clear on the reporting responsibilities for PACs and Super PACs. They must file regular reports to the FEC disclosing who contributed money, and how the money was spent. Failure to file reports on time can lead to administrative fines or, in rare cases, criminal prosecution.

"The law is cut and dry that Super PACs have to file quarterly reports and they have to file pre-election reports for elections that they're spending money in, and it doesn't look like this group has done that," said Fischer of the Campaign Legal Center.

Escobar is running her fourth campaign and is not naïve about the dark arts that are common in El Paso politics. When she ran for re-election as county judge in 2014, an anonymous robocall went out to voters falsely saying she planned to tear down the county jail. But she feels the Keep El Paso Honest campaign is a new level of ugly politics. "You have someone, you know, this character Carlos Sierra, who is almost just brazen about it," said Escobar. "It is almost as though he is openly saying, you know, 'I challenge the FEC to come after me.'" On the crucial question of who funded the Super PAC campaign, Escobar believes disclosure is unlikely. "I don't think they have any intention of ever reporting who gave them the money."

Fischer, the campaign finance expert, is more optimistic about eventual disclosure. "This just seems like an incredibly clear-cut example of very basic reporting requirements and the FEC should do its job and make sure that voters do know who funded this group and also how they spent their money. That's the reason that disclosure and reporting laws are on the books, so the public knows who's trying to influence them and in what way they're trying to influence them."

Of course, Sierra's not talking. "This Texas campaign cycle was a tough one, but gotta keep on fighting against crappy politicians," he said in a blog post the day after the primary

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elections. “I got a bunch of interview requests today, but my mom taught me to not say anything if I have nothing nice to say so I refused all of them.”

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COMMENTS

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