

STATE OF NEW MEXICO  
OFFICE OF THE ATTORNEY GENERAL



HECTOR H. BALDERAS  
ATTORNEY GENERAL

## Electronic Complaint Submission

### Submission Detail

**ECS Reference Number** NMOAG-ECS-20200915-8f35

**Final Submit Date** 9/15/2020 3:28:34 PM

**Disclosure of your complaint:** This complaint is a public record, thus available under provisions of the NM Inspection of Public Records Act.

**Disclosure to other entities:** This complaint, its content, and other information may be disclosed to other law enforcement and regulatory agencies.

**I understand this complaint and any submitted documents are public record and may be shared with other law enforcement and regulatory agencies.**

**DECLARATION:** By submitting this form, I attest that the information in this complaint is true and accurate to the best of my knowledge. I further understand that by submitting this form I may be called to testify as a witness in this matter.

**I understand declaration statement.**

*The New Mexico Office of the Attorney General cannot give legal advice regarding this complaint and will not act as your personal attorney. If you have questions regarding your rights please contact a private attorney.*

*Submission of this complaint is not confirmation that an investigation will be initiated.*

## Complaint Detail

<b>Complaint Type</b>	Charitable Organization Complaint
<b>Retained Attorney</b>	<input type="checkbox"/>
<b>Description of Complaint</b>	Roger Montoya, Co-founder and Artistic Director of IRS 501c3 and NM Attorney General certified charity Moving Arts Espanola, used the Moving Arts Espanola charity donor list to contact a previous donor by phone and solicit a campaign contribution to his NM House District 40 political campaign.

## Parties

### Complainant

Larry Sonntag

Person

### Address

[REDACTED]

### Contact information

[REDACTED]

## Complaint against

### Moving Arts Espanola - Charitable Organizations

Organization

#### Address

368 Eagle Drive  
Ohkay Owingeh, New Mexico 87532

#### Contact information

[MOVINGARTSESPANOLA@GMAIL.COM](mailto:MOVINGARTSESPANOLA@GMAIL.COM)

(505) 577-6629

<https://www.movingartsespanola.org/>

## Complaint Specifics

<b>Is this a complaint against a registration status of a charity?</b>	Yes
<b>Have charitable funds or other assets been lost, wasted or diverted from proper charitable purposes? Or, is there a danger that such a loss will soon occur?</b>	Yes
<b>Please explain</b>	The charitable donor list has been diverted to political campaign purposes
<b>Best estimate of the amount lost or at risk, if you know.</b>	Unknown
<b>Have you submitted your complaint or inquiry to the organization?</b>	Yes
<b>If yes, what was the response from the organization?</b>	Complaint was submitted to DR. STEVE COX, listed on the Moving Arts Espanola website as Board President. Response not received at the time of filing the NMAG complaint.
<b>Have you submitted your complaint or inquiry to any other government agency?</b>	Yes
<b>If yes, please list the name of the agency, address, telephone number and name of any person contacted.</b>	Complaint submitted to the Department of the Treasury, Internal Revenue Service via email: <a href="mailto:eoclass@irs.gov">eoclass@irs.gov</a> .
<b>Is a court action pending?</b>	No

## Transaction

## Documents



Roger Montoya\_email from Larry to Roger\_August 3-2020.pdf

Emails between complainant and Roger Montoya

### Comments

When Roger Montoya called the first time, he thanked me for a contribution to his political campaign. I told him there was a mistake, I did not contribute to his campaign. He said his records indicated a \$400 donation to his campaign but he would confirm and look into it.



Roger Montoya\_email from Roger admitting 501c3 records used for fundraising\_August 3-2020.pdf

Email from Roger acknowledging charity donor list was used for campaign solicitations

### Comments

In a second phone call and email Roger Montoya said he confirmed that I had contributed \$400 to his primary campaign. I again said that was wrong, the only donation I made involving him was to the charity Moving Arts Espanola he founded. He later confirmed by phone and in an email that my donation was to the charity group and there had been a cross over between the charity donation and his campaign donor list. He said a campaign worker projected a \$400 donation to his campaign based on the donation I made to his charity group. I told Roger Montoya there no reason for a 501c3 donor list to be used to solicit political campaign donations and this was a problem. He said, "I hear you loud and clear." Other than my case, which Roger Montoya admitted to using the Moving Arts Espanola charity donor list to solicit a political campaign contribution, how many other donors from his charity list were contacted for a political campaign purpose?

\*\*\* END OF COMPLAINT \*\*\*