

OFFICE OF THE SECRETARY OF STATE, ELECTIONS DIVISION  
STATE OF COLORADO

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IN THE MATTER OF COLORADO PALESTINE COALITION, REEMA WAHDAN AND  
ABDULLAH ELAGHA

L2024-03

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**NOTICE OF INITIAL REVIEW AND INVESTIGATION**

Katrenna Kirkland (“Complainant”) filed the above captioned Complaint with the Elections Division of the Secretary of State’s Office (“Division”) on June 18, 2024, alleging violations of Colorado lobbying laws against Colorado Palestine Coalition (“Respondent Coalition”), Reema Wahdan (“Respondent Wahdan”) and Abdullah Elagha (“Respondent Elagha”).<sup>1</sup> Among other things, Complainant alleges that Respondents are professional lobbyists and are operating a lobbying firm without having registered in violation of Colorado law.<sup>2</sup> The Division notified Respondents Wahdan and Elagha of the Complaint on June 18,, 2024.<sup>3</sup> This Notice of Initial Review and Investigation serves as notice of the Complaint with respect to Respondent Coalition.<sup>4</sup>

The Division has completed its Initial Review.<sup>5</sup> For the reasons stated below, the Division initially determines that in the Complaint the Complainant has identified potential violations of Colorado lobbying laws and has alleged sufficient facts to support a basis for those allegations. The Division therefore will investigate.<sup>6</sup>

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<sup>1</sup> Complaint L2024-03.

<sup>2</sup> *Id.* The Complaint consists of twenty-seven pages, with the first page being the Secretary of State’s one-page Lobbyist Complaint Form. Complainant names Colorado Palestine Coalition as a respondent on the first page form. However, in the first sentence on the Complaint’s second page, Complainant alleges “Colorado Palestine Club (a.k.a. Colorado Palestine Coalition)” with the other Respondents are “operating as professional lobbyists . . . .” In the Complaint’s remaining pages, Complainant calls this Respondent “Colorado Palestine Club.” Nonetheless, because Complainant identified Colorado Palestine Coalition as one of the Respondents on the Lobbyist Complaint Form, the Division will treat this Complaint as being against Colorado Palestine Coalition (in addition to the two individual Respondents) and refer to this Respondent as “Respondent Coalition.”

<sup>3</sup> Notice of Complaint L2024-03.

<sup>4</sup> Complainant did not include in the Complaint any contact information regarding Respondent Coalition. Rule 5.1.2 of the Secretary of State’s Rules Concerning Lobbyist Regulation specifies the minimum information that a complaint must contain. 8 CCR 1505-8, Rule 5.1.2. This Rule does not require the complainant to include a respondent’s contact information. On its own, the Division has located an email address for this Respondent to deliver a copy of this Notice of Initial Review and Investigation.

<sup>5</sup> Rule 5.3.1 requires the Division to conduct an initial review of the complaint. 8 CCR 1505-8, Rule 5.3.

<sup>6</sup> See Rule 5.3.2, 8 CCR 1505-8.

## ANALYSIS

Any person who believes that a professional lobbyist or lobbying firm has violated Colorado lobbying law may file a complaint with the Colorado Secretary of State.<sup>7</sup> Pursuant to Rule 5.3.1, the Division must initially review a complaint upon its receipt to determine: (1) whether the complaint specifically identified one or more violations of section 24-6-301 et seq., C.R.S.; and (2) whether the complaint alleged sufficient facts to support a basis for the violations of law alleged in the complaint.<sup>8</sup> After completing its Initial Review, the Division is required to take one of two steps: dismiss the complaint if the Division determines that the complaint does not contain the allegations required by Rule 5.3.1 or conduct an investigation.<sup>9</sup>

### *The Complaint identifies one or more potential violations of section 24-6-301 et seq.*

Complainant alleges that Respondents are professional lobbyists who operate a lobbying firm.<sup>10</sup> Essentially, Complainant alleges that Respondents have lobbied in several ways in Colorado without registering as professional lobbyist or registering their lobby firm, as required by Colorado lobbying laws.

Section 24-6-303(1), C.R.S., states:

- (1) Before lobbying, a professional lobbyist shall file an electronic registration statement with the secretary of state that contains:
  - (a) His or her full legal name, business address, and business telephone number;
  - (b) The name, address, and telephone number of his or her employer, if applicable;
  - (c) The name, address, and telephone number of the client for whom he or she will be lobbying; and
  - (d) The name, address, and telephone number of any other professional lobbyist for whom he or she is lobbying on a subcontract basis.<sup>11</sup>

Section 24-6-301(3.5)(a) defines “lobbying” to include direct communication (or soliciting others to communicate) with a “covered official” for the purpose of aiding in or influencing that covered official in “the drafting, introduction, sponsorship, consideration, debate, amendment, passage, defeat, approval, or veto” on:

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<sup>7</sup> 8 CCR 1505-8, Rule. 5.1.1.

<sup>8</sup> 8 CCR 1505-8, Rule 5.3.1

<sup>9</sup> *Id.*

<sup>10</sup> Complaint L2024-03, page 2. The pages of the Complaint are not numbered, so reference to “page 2” as an example refers to the second page of the Complaint.

<sup>11</sup> Rule 2.1.1 also requires that a professional lobbyist register before lobbying. 8 CCR 1508, Rule 2.1.1.

1. any bill, resolution, amendment, nomination, appointment, or report, whether or not in writing, pending or proposed for consideration by either house of the Colorado General Assembly, or committee thereof, or;
2. any other matter pending or proposed in writing by a covered official for consideration by either house of the General Assembly, or committee thereof.<sup>12</sup>

Under the statutory definition, lobbying can occur regardless of whether the General Assembly is in session.<sup>13</sup> A “covered official” includes but is not limited to a member of the Colorado General Assembly, the director of research of the legislative council of the General Assembly or any member of legislative council staff.<sup>14</sup>

The registration requirements of Section 24-6-303(1), C.R.S., apply only to a “professional lobbyist.” Section 24-6-301(6) defines a “professional lobbyist” as “a person, business entity, including a sole proprietorship, or an employee of a client, who is compensated by a client or another professional lobbyist for lobbying.”<sup>15</sup> A “client” essentially is the person who hires one or more lobbyists to lobby on behalf of that person.<sup>16</sup>

Unlike a professional lobbyist, a “volunteer lobbyist” under Colorado law is a lobbyist who is not being compensated for lobbying.<sup>17</sup> Specifically, section 24-6-301(7), C.R.S., defines “volunteer lobbyist” as:

any individual who engages in lobbying and whose only receipt of money or other thing of value consists of nothing more than reimbursement for actual and reasonable expenses incurred for personal needs, such as meals, travel, lodging, and parking, while engaged in lobbying or for actual expenses incurred in informing the organization making the reimbursement or the members thereof of his lobbying.”<sup>18</sup>

Volunteer lobbyists need not register with the Secretary of State before lobbying but must register with the Colorado General Assembly.<sup>19</sup>

Section 24-6-301(3.6), C.R.S., defines a “lobbying firm” as:

a person or entity employing one or more professional lobbyists to lobby on behalf of a client that is not the person or entity. “Lobbying firm” includes a self-employed professional lobbyist.

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<sup>12</sup> Section 24-6-301(3,5)(a), C.R.S. The definition of “lobbying” includes certain other activities that do not appear to apply to the pending Complaint.

<sup>13</sup> *Id.*

<sup>14</sup> Section 24-6-301(1.7), C.R.S.

<sup>15</sup> Section 24-6-301(6), C.R.S.

<sup>16</sup> Section 24-6-301(1), C.R.S.

<sup>17</sup> Section 24-6-301(7), C.R.S.

<sup>18</sup> *Id.*

<sup>19</sup> 8 CCR 1505-8, Rule 2.2.1. See also Rule 36(c)(2), Joint Rules of the Colorado General Assembly.

There is no requirement under Colorado law that a lobbying firm must register.<sup>20</sup> However, a lobbying firm must file certain disclosure reports with the Secretary of State.<sup>21</sup>

On the second page of the Complaint, the Complainant alleges:

[t]he members and directors of the Colorado Palestine Club (a.k.a.) Colorado Palestine Coalition), Reema Wadhan and Abdullah Elagha are operating as professional lobbyists, operating a lobbying firm without registration in violation of § 24-6-303, C.R.S. . . .<sup>22</sup>

Therefore, the Complainant sufficiently alleges that Respondents are professional lobbyists who failed to register before engaging in lobbying.<sup>23</sup> If this allegation is true, the individual Respondents' failure to register is a violation of section 24-6-303(1). The Division initially determines that the Complainant alleges in the Complaint a violation of section 24-6-303, C.R.S., and therefore alleges one or more potential violations of section 24-6-301 *et seq.*, C.R.S.

***The Complaint contains sufficient facts to support a basis for  
the violations of law alleged in the Complaint.***

As noted, the Complainant alleges in the Complaint that Respondents Wadhan and Elagha through their lobbying firm lobbied as professional lobbyists without first registering.<sup>24</sup> As to their lobbying efforts, Complainant alleges:

On November 28th 2023, at 9:46am after disrupting a session of the state house with 'from the river to the sea' chants, Mr. Elagha met with Iman Jodah, Jen Bacon, Javier Madry [*sic*] and Tim Hernández privately to discuss policy . . .<sup>25</sup>

On November 28, 2023, Iman Jodah, Jen Bacon, Javier Madry and Tim Hernández were members of the Colorado General Assembly.<sup>26</sup> Members of the General Assembly are "covered officials" under section 24-6-301(1.7), C.R.S. and cannot be lobbied by a professional lobbyist before that lobbyist registers with the Secretary of State.<sup>27</sup>

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<sup>20</sup> 8 CCR 1505-8, Rule 3.3.1.

<sup>21</sup> *Id.*

<sup>22</sup> Complaint L2024-03, page 2. The quoted sentence continues by mentioning subsections 3.5, 3.6 and 6. Complainant presumably mentions these subsections because they contain the definitions of lobbying, lobbying firm and professional lobbyist, respectfully, in section 24-6-301, C.R.S.

<sup>23</sup> Complaint L2024-03, page 2.

<sup>24</sup> *Id.*

<sup>25</sup> Complaint L2024-03, page 3.

<sup>26</sup> <https://leg.colorado.gov/legislators/iman-jodeh>; <https://leg.colorado.gov/legislators/jennifer-bacon>; <https://leg.colorado.gov/legislators/javier-mabrey>; <https://leg.colorado.gov/legislators/tim-hernandez>.

<sup>27</sup> Section 24-6-303(1), (4), C.R.S.

Complainant also alleges:

[a]t some point between May 15th 2021 and February 13 2023, Mr. Elagha and Terry Burnsed claimed to Cassis Tingley of the DU Clarion that they engaged in ‘direct political action to pressure Colorado representatives to end the training exchange program between Colorado law enforcement and Israeli military forces . . . ’<sup>28</sup>

Based on these allegations in the Complaint, the Division initially determines that the Complainant has alleged in the Complaint sufficient facts, if true, to support a basis for the violations of law alleged in the Complaint.

### **CONCLUSION**

For the reasons stated above, the Division initially determines pursuant to Rule 5.3.1 that the Complainant identified in the Complaint one or more potential violations of section 24-6-301 *et seq.*, C.R.S., and alleged sufficient facts to support a basis for those alleged violations of law. Pursuant to Rule 5.3.2(b), the Division will conduct an investigation. This Notice of Initial Review and Investigation shall serve as notice to Respondents and Complainant under Rule 5.3.2(b) that the Division has decided to conduct an investigation.

Please note that all documents and records related to the alleged violations in these Complaints, including email communications, financial records, and other relevant documentation, must be maintained until the final agency decision has been reached or appeals have been exhausted.

Dated July 9, 2024.

/s/ James Scott  
James Scott  
Campaign and Political Finance Legal Analyst  
Elections Division  
Colorado Secretary of State

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<sup>28</sup> Complaint L2024-03, page 2. Complainant did not name Terry Burnsed as a respondent in the Complaint. However, the Division reserves the right to add Mr. Burnsed as a respondent, as this matter proceeds.

## CERTIFICATE OF SERVICE

I certify that a true and correct copy of this Notice of Initial Review and Investigation was served this 9th of July, 2024, by electronic transmission to:

**Complainant –**

Katrenna Kirkland

[theonemisskitty@gmail.com](mailto:theonemisskitty@gmail.com)

**Respondents –**

Colorado Palestine Coalition

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/s/ James Scott

James Scott

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