



PO Box 100741
Denver, CO, 80250
coloradoethicsinstitute.org

4th Judicial District Attorney
Investigations Division
105 E. Vermijo Ave.
Colorado Springs, CO 80903

Aug. 23, 2022

To Whom it May Concern:

The Colorado Ethics Institute (CEI) is a nonprofit organization that works to ensure public officials comply with ethics codes, transparency rules, and their oaths of office. For members of the General Assembly, part of that oath is to support “the laws of the state of Colorado.”

In order to provide accountable representation that is aware of a district’s needs and public policy interests, state law requires candidates for the General Assembly to have resided in the district they intend to represent for at least one year prior to the November General Election.

In the last 10 months, Sen. Dennis Hisey used a Colorado Springs address — 3793 Winter Sun Drive – as his “residence” for purposes of his voter registration; to declare his candidacy to represent Senate District 11 in the General Assembly; and to vote in the June 2022 Republican Primary Election.

But public records and the attached investigative memo provide what seems to be ample evidence that Mr. Hisey resides in SD11 in name only. As a matter of his day-to-day life, Hisey is regularly present and appears to reside at a home at 24 Circle C Road in Fountain, which he and his wife have owned since 2008 (Senate District 12 under new legislative maps).

Given Sen. Hisey’s apparent efforts to claim a district of residency where it does not exist (and to seek to represent voters who are miles from where he appears to spend his days and nights), **I am writing to request that your office conduct a thorough investigation into whether he illegally cast a ballot in an election for which he was ineligible, as well as any other potential violations of Colorado law.**

Consider:

- according to public records, Sen. Hisey and his wife, Kathy Hisey, purchased the property at 24 Circle C Road in Fountain in 2008;

- since 2018, Sen. Hisey has represented Colorado Senate District 2, based on that Fountain residence;
- on Oct. 12, 2021, Colorado's Independent Legislative Redistricting Commission approved new Senate District boundaries based on the 2020 Census. In those maps, 24 Circle C Road is now in SD12, which is represented by Sen. Bob Gardner, who is not up for re-election this year. Numerous media reports at the time, including by Axios Denver and the Colorado Sun, said Sen. Hisey was "drawn out of his district";
- on Oct. 21, 2021, Sen. Hisey changed his voter registration from 24 Circle C Road to 3793 Winter Sun Drive in Colorado Springs, which is in the newly drawn SD11 (under state law, Nov. 8, 2021, was the deadline for Sen. Hisey to establish residency in SD11 in order to run for the seat in the 2022 election cycle);
- on Nov. 21, 2021, Sen. Hisey filed a candidate affidavit (*attached*) certifying his candidacy for the 2022 election using the Winter Sun Drive address in SD11;
- on his Personal Financial Disclosure (PFD) form for SD11 filed in January of this year, Sen. Hisey lists as his "residence" phone the same number he listed on his PFD for Senate District 2 filed in Jan. of 2020 (*attached Hisey SD2 PFD for 2020; and Hisey SD11 PFD for 2022*). According to an Aug. 16 Whitepages search, that number is still in use by a Kathy Hisey at 24 Circle C Road in Fountain;
- according to public records, the property at 3793 Winter Sun Drive is owned by Thomas Luckett;
- I am unaware of the relationship between Mr. Luckett and Sen. Hisey, but public records show a Thomas Luckett was previously registered to vote at Sen. Hisey's 24 Circle C Road address in Fountain;
- Mr. Luckett purchased the property at 3793 Winter Sun Dr. in 2020. As of Aug. 17, 2022, there are no public records to indicate he sold the home to Sen. Hisey;
- according to an Aug. 17 search of El Paso County assessor's data, Sen. Hisey and his wife still own the property at 24 Circle C Road.
- assessor's office data and a Lexis search of property records show the Winter Sun Drive property is the only one Mr. Luckett owns, which does not immediately suggest he converted his home to a rental property for Sen. Hisey;
- according to Colorado Secretary of State's Office records, Sen. Hisey voted in the June 2022 Republican Primary Election with a ballot connected to his 3793 Winter Sun Drive registration;
- Colorado Secretary of State's records show that, as of Aug. 17, 2022, Kathy Arlene Hisey is still registered to vote using the 24 Circle C Road address in Fountain;
- Finally, an Investigative Memo from H. Ellis Armistead & Associates LLC (*attached*) details numerous instances between May and August of this year that make clear Sen. Hisey does not reside on Winter Sun Drive, but continues to reside at 24 Circle C Road — including as recently as the morning of Aug. 5. Among their findings:
 - at least two instances of a vehicle registered to and driven by Sen. Hisey leaving the Fountain property in the morning and traveling to the State Capitol, where it parked in Sen. Hisey's assigned spot;
 - no fewer than 10 instances when Sen. Hisey's vehicles were observed being in use or being kept at the Fountain property;

- no fewer than 4 instances when Sen. Hisey engaged in typical homeowner activities at or from the Fountain property, including answering the door early in the morning (Aug. 5); mowing the lawn (July 24); conversing with a neighbor (July 21); and running errands to a bank and post office in Fountain (July 18);
- Sen. Hisey's cell phone no. lists back to the Fountain property address;
- over the course of the investigation, Sen. Hisey was not seen engaging in any typical homeowner activities at the Colorado Springs property.
- an inquiry of US Post Office records revealed Sen. Hisey was not receiving mail at the address associated with the Colorado Springs property;
- over the course of the investigation, Sen. Hisey was seen 0 times at the Colorado Springs property;
- over the course of the investigation, Kathy Hisey was seen 0 times at the Colorado Springs property;

Given that ample evidence points to Hisey continuing to reside in SD12, there is time for him to do the right thing and withdraw as a candidate for election in SD11 — a district in which he does not appear to truly reside. While that is out of your hands, the emphasis your office has placed on public officials voting where they *truly* reside suggests that your office will, as you need to do, investigate this matter thoroughly and take all steps necessary to ensure that the appropriate laws are enforced.

Please feel free to contact me at curtis@coloradoethicsinstitute.org if you have questions.

Sincerely,



Curtis Hubbard
Colorado Ethics Institute

cc:
4th Judicial District Attorney Michael J. Allen;

H. ELLIS ARMISTEAD & ASSOCIATES, LLC
Legal Investigations
1001 Bannock St, Suite 311
Denver, CO 80204
303-825-2373
www.armisteadinvestigators.org

INVESTIGATIVE MEMO

To: Colorado Ethics Institute
Prepared By: H. Ellis Armistead
Date: August 19, 2022
Subject: Investigation of Dennis Hisey

In May 2022, I was asked by counsel for the Colorado Ethics Institute to conduct an inquiry regarding the actual residence of State Senator Dennis Hisey. The goal of the inquiry was to determine if Hisey was residing at the home of Thomas Lockett.

The inquiry was conducted by reviewing public records and intermittent observation of Hisey's residence in Fountain, Colorado, and a residence in Colorado Springs owned by Thomas Lockett.

The two addresses that were the focus of the inquiry were:

- 3793 Winter Sun Drive, Colorado Springs, Colorado, and
- 24 Circle C Road, Fountain, Colorado.

Indicators of Dennis Hisey use of 3793 Winter Sun Drive, Colorado Springs, Colorado, for official residence purposes:

- Voter registration since October 2021, which was changed from the prior address of 24 Circle C Rd. in Fountain.
- Candidate committee information filed with Secretary of State (uses dual addresses, also using PO Box 5840, Colorado Springs, Colorado although Hisey Candidate Affidavit uses only PO Box).
- Political contribution attributed to Dennis Hisey at this address on March 28, 2022, of \$90 to El Paso County Republican Central Committee for "Delegate Fees."

- As of July 2022, a 1998 Dodge Ram pickup was registered to Dennis Hisey at 3793 Winter Sun Drive, which was added to the prior address used for registration (P.O Box 5840, Colorado Springs, Colorado) that was used beginning in November 2021, which was changed from the prior address of 24 Circle C Rd. in Fountain.
- Over the course of the inquiry, there was a single instance when Dennis Hisey's vehicle was seen parked in front of 3793 Winter Sun Drive.

NOTE: Hisey does not own or have any recorded interest in real property located at the 3793 Winter Sun Drive address. Instead, records on file with the El Paso County Assessor's Office revealed that Thomas Lockett is the sole owner of the property.

Indicators of Dennis Hisey use of 24 Circle C Road, Fountain, Colorado, for actual residence purposes:

Records

- Voter registration through October 2021, at which time was changed to stepson's home in Senate District 11 (NOTE: Dennis Hisey's spouse, Kathy Hisey, is a registered voter in Colorado, and her voter registration has stayed constant and is currently at 24 Circle C Road address);
- El Paso County Assessor's Office records reveal Dennis and Kathy Hisey are the sole owners of the property.
- Two vehicles 2015 Cherokee Trailhawk and a 2012 Buick LaCrosse have been registered to Dennis and Kathy Hisey at 24 Circle C. Road, Fountain, Colorado. However, in November 2021, the auto registration address for the 2012 Buick LaCrosse, owned solely by Dennis Hisey, was changed to PO Box 5840.
- Personal political contribution from Dennis Hisey at this address on March 21, 2022, of \$50 to small donor committee (Coloradans for Colorado); seven (7) personal political contributions from Kathy Hisey at this address between January 14, 2022, and July 4, 2022, totaling \$790.00.
- Dennis Hisey's cell phone, 719 351-2121 lists back to 24 Circle C. Road.

- A third-party inquiry of US Post Office records revealed that Hisey was not receiving mail at 3793 Winter Sun Drive.

Observation

- Over the course of May-August, 2022, the historic Hisey residence (24 Circle C Road, Fountain, CO) and the claimed current residence (3973 Winter Sun Drive, Colo. Springs, CO) that are associated with Dennis Hisey were viewed from adjacent, public roadways to determine where he could be located.
- On May 2, 2022, Dennis Hisey's Jeep Trailhawk was observed in the morning hours at 24 Circle C Road and later in the morning, the vehicle was observed at the Colorado State Capitol in an assigned parking space in the circle around the Capitol
- On May 9, 2022, Dennis Hisey's Jeep Trailhawk was observed leaving 24 Circle C Road. Hisey was positively identified as the driver. Later in the morning the vehicle was again observed parked at the State Capitol.
- Over the course of the inquiry, there were no fewer than 8 occasions during May-August when two (2) of Dennis Hisey's vehicles were observed as being in use or being kept at 24 Circle C. Road. Both vehicles registered to Dennis Hisey were seen at this address on the following dates: May 2, May 9, July 20, July 23, July 25, July 27, August 5, August 7.
- Hisey engaged in typical homeowner activities at or from the house at 24 Circle C Road including:
 - early morning, weekend presence at house, answering front door (at 8:53 a.m. on August 5).
 - mowing the lawn in front of and around the house (at 10:20 a.m. on July 24) (photo attached);
 - conversing with other property owner in the neighborhood (at 8:58 am on July 21) (photo attached); and
 - running errands from and returning to the house he co-owns with Kathy Hisey at 24 Circle C Road in Fountain to commercial establishments (bank and post office) located within Fountain

(approximately between 6:28 am, leaves house at 9:57 am, truck observed back at house at 1:03 p.m. on July 18) (photo attached).

- Over the course of the investigation, Hisey was not seen engaging in any typical homeowner activities at 3973 Winter Sun Drive.
- Over the course of the investigation, Kathy Hisey was not seen engaging in any typical homeowner activities at 3973 Winter Sun Drive.
- Over the course of the May-August investigation, Dennis Hisey was seen 0 time(s) at the 3973 Winter Sun Drive residence, owned by Mr. Luckett; one of his vehicles was seen at this address 1 time.
- Over the course of the May-August investigation, Kathy Hisey was seen 0 time(s) at the 3973 Winter Sun Drive residence, owned by Mr. Luckett.



Dennis Hisey driving his truck to run errands from his Fountain residence to post office in Fountain on July 18, 2022



Dennis Hisey (in circle) chatting with neighbor at 24 Circle C Road, Fountain at 8:58 a.m. on July 24, 2022



Dennis Hisey mowing lawn of 24 Circle C Road, Fountain, on July 21, 2022

HEA: 08/19/2022

Colorado Secretary of State
Elections Division
1700 Broadway, Ste. 200
Denver, CO 80290
Ph: (303) 894-2200 x 6383
Fax: (303) 869-4861
www.sos.state.co.us



Space Below For Office Use Only

CANDIDATE AFFIDAVIT

[Art. XXVIII, Sec. 2(2) & 1-45-110(1), C.R.S.]

- State, County, School District, and Special District Candidates file with the Secretary of State
- Municipal Candidates file with the Municipal Clerk

This affidavit certifies that I, **DENNIS C HISEY**, a member of the Republican political party/organization (if applicable), am a candidate for the 2022 election, [Art. XXVIII, Sec. 2(2)] for the office of **Colorado Senate**, District **Senate District 11**.

I understand that campaign finance activities in Colorado are governed by Article XXVIII of the Colorado Constitution, Article 45, Title 1 of the Colorado Revised Statutes (C.R.S.) (also known as the Fair Campaign Practices Act (FCPA)), and the Secretary of State's Rules Concerning Campaign and Political Finance.

I also acknowledge that I am accepting Voluntary Campaign Spending Limits.

I further certify that I am familiar with the provisions of the Colorado Fair Campaign Practices Act (FCPA) as required in §1-45-110 of the Colorado Revised Statutes.

Date: 11/21/2021

Physical Address of Candidate: 3793 WINTER SUN DRIVE
COLORADO SPRINGS CO 80925

Mailing Address: P.O. BOX 5840
COLORADO SPRINGS CO 80931

Business Phone: (719) 391-4540

Residence Phone: (719) 351-2121

FAX: (719) 391-4540

E-Mail Address: DENNISHISEY2@GMAIL.COM

Web Address: WWW.DENNISHISEY.COM

Colorado Secretary of State
Elections Division
1700 Broadway, Suite 200
Denver, CO 80290
Ph: (303) 894-2200
Fax: (303) 869-4861
Email: cpfhelp@sos.state.co.us
Website: www.sos.state.co.us

RECEIVED

JAN 10 2020

ELECTIONS
COLORADO SECRETARY OF STATE



Doc ID: 244771 Doc Date: 01/10/2020 # of Pgs: 004
Type: Personal Financial Disclosure (Private)
Cand/Comm: DENNIS CHARLES HISEY

PERSONAL FINANCIAL DISCLOSURE STATEMENT

For annual filing requirements. File in accordance with the appropriate statutes.

1-45-110(2)(a), 12-9-201(2)(h), 12-47.1-301(1)(g), 12-60-301(1)(g), 24-6-202, 24-51-207(4), 24-35-207(6), C.R.S.

Personal financial disclosure statements filed for ballot access purposes must be filed within 10 days of filing a candidate affidavit. Judges running for retention, judges appointed to a court of record, and candidates running for Regional Transportation District are only required to file their PFD on or before the January 10 following such retention, appointment, or election.

A fine of \$50 per day will be assessed for late filings related to ballot access. Attach extra pages as necessary.

[Art. XXVIII, Sec. 10 (2)(a), Colorado Constitution and 1-45-110, C.R.S.]

Name of Official: Dennis Hisey

Office Held / Sought: Colorado Senate District 2

Mailing Address (include city, state, and zip): 24 Circle C Road, Fountain, CO 80817

Business Phone: 719-351-2121

Residence Phone: 719-391-4540

Check the appropriate response(s)

I am filing this disclosure because:

☐ I am filling a vacancy ☐ I am seeking election to office ☒ This is my annual filing

I am filing as:

☒ Office Holder/Incumbent Senate District 2
(OFFICE/DISTRICT NUMBER)

☐ Candidate _____
(OFFICE/DISTRICT NUMBER)

☐ State Board/Agency/Commission Member _____
(OFFICE)

☐ Judge ☐ Supreme Court ☐ District Court _____
ENTER JUDICIAL DISTRICT

☐ Court of Appeals ☐ County Court _____
ENTER COUNTY AND JUDICIAL DISTRICT

Other: _____
(OFFICE)

Name of Official: Dennis Hisey

Office Held / Sought: Colorado Senate District 2

Income:

List the names of any source(s) of income, including capital gains for yourself, your spouse, or minor child(ren) residing with you.

Source of Income (Name of Employer)	Recipient of Income (Individual receiving income - Self, Spouse, Minor Child(ren))
State of Colorado	Self
El Paso County Retirement	Self
Waugh & Goodwin, LLP	Spouse

Assets:

List the name of each business, insurance policy, or trust where there is a financial interest in excess of \$5000 for you, your spouse, or minor child(ren) residing with you.

Name of Business, Insurance Company, or Trust	Who is the person with this financial interest?
Northwestern Mutual Insurance	Self
Jackson National Insurance	Spouse
Old United Insurance	Spouse
AICPA Group Insurance	Spouse
Minnesota Life Insurance	Self

List the LEGAL description (as shown on the books of the county assessor) of all real property in Colorado (including an option to buy) in which you have a direct or indirect interest with a fair market value in excess of \$5000. Property that must be listed includes residential, investment property, condominium, rental property and any mineral, water, coal, and rights to sand and gravel.

STREET ADDRESSES DO NOT SATISFY STATUTORY REQUIREMENTS.

Legal Description of Property	Owner of Record
Lot 9, 10 blk 4 Little Ranches of the Fountain	Dennis & Kathy Hisey

Liabilities:

List the name of each creditor for you, your spouse, or minor child(ren) living with you to whom is owed an amount in excess of \$1000 including the interest rate.

Name of Creditor	Interest Rate(%)	Person Liable for Debt
Wells Fargo Home Mortgage	3.63	Dennis & Kathy Hisey
CarMax	2.7	Dennis & Kathy Hisey
CarMax	3.95	Dennis & Kathy Hisey

List all offices, directorships, and fiduciary relationships held by you, your spouse, or minor child(ren) living with you.

Name of Organization	Position Held	Person Holding the Position
El Paso County 4-H Foundation	Board Member	Self
El Paso County 4-H Foundation	Secretary	Spouse

List the name of any person, firm, or organization that retains a person to lobby on its behalf if you share directly or indirectly in the compensation received for lobbying activity.

Name of Person, Firm, Corporation, or Organization Retaining Lobbyist

List any business with which you or your spouse are associated and which does business with or is regulated by the State of Colorado. (e.g., attorney, real estate, medical profession, etc.)

Name of Business	Nature of Business	Person Involved
Waugh & Goodwin, LLP	Public Accounting Firm	Spouse

Name of Official: Dennis Hisey

Office Held / Sought: Colorado Senate District 2

Candidate/Incumbent
Signature:

D. Hisey

Date: 1-5-2020

**INCUMBENTS
(FOR ANNUAL UPDATE PURPOSES ONLY)**

As an alternative to listing income above, you may file a copy of your federal income tax return, plus a certified statement of any investment not reflected in your income tax return. Please note that any information required on this form and not included in a federal income tax return must still be provided.

[Print Form](#)

Colorado Secretary of State
Elections Division
1700 Broadway, Ste. 200
Denver, CO 80290
Ph: (303) 894-2200
Fax: (303) 869-4861
Email: cpfhelp@sos.state.co.us
Website: www.sos.state.co.us



Below Space for Office Use Only

RECEIVED
JAN 1, 2022
ELECTIONS
SECRETARY OF STATE

PERSONAL FINANCIAL DISCLOSURE STATEMENT

For annual filing requirements. File in accordance with the appropriate statutes

1-45-110(2)(a), 12-9-201(2)(h), 12-47.1-301(1)(g), 12-60-301(1)(g), 24-6-202, 24-51-207(4), 24-35-207(6), C.R.S.

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A fine of \$50 per day will be assessed for late filings related to ballot access. Attach extra pages as necessary.

[Art. XXVIII, Sec. 10 (2)(a), Colorado Constitution and 1-45-110, C.R.S.]

Name:	Dennis Hisey
Mailing Address (include city, state, and zip):	P.O. Box 5840, Colorado Springs, CO 80931
Business Phone:	719-351-2121
Residence Phone:	719-391-4540

Check (✓) the appropriate response(s)

I am filing this disclosure because:

☐ I am filling a vacancy. ☒ I am seeking election to office. ☒ This is my annual filing

I am filing as:

<input checked="" type="checkbox"/>	Office Holder/Incumbent	Senate District 2	(OFFICE/DISTRICT NUMBER)
<input checked="" type="checkbox"/>	Candidate	Senate District 11	(OFFICE/DISTRICT NUMBER)
<input type="checkbox"/>	State Board/Agency/Commission Member		(OFFICE)
<input type="checkbox"/>	Judge		(SUPREME COURT/COURT OF APPEALS/ or COUNTY or JUDICIAL DISTRICT)
<input type="checkbox"/>	Other		(OFFICE)

Name:	Dennis Hisey
Office Sought:	Senate District 11

INCOME:

List the names of any source(s) of income, including capital gains for yourself, your spouse, or minor children residing with you.

Source of Income (Name of Employer)	Recipient of Income (Individual receiving income – Self, Spouse, Minor Children)
State of Colorado	Self
El Paso County Retirement	Self
Bruckner Truck Sales	Spouse

ASSETS:

List the name of each business, insurance policy, or trust where there is a financial interest in excess of \$5000 for you, your spouse, or your minor children residing with you.

Name of Business, Insurance Company or Trust	Who is the person with this financial interest?
Northwestern Mutual Insurance	Self
Jackson National Insurance	Spouse
Minnesota Life Insurance	Self
Colonial Life	Spouse

List the **LEGAL** description (as shown on the books of the county assessor) of all real property in Colorado (including an option to buy) in which you have a direct or indirect interest with a fair market value in excess of \$5000. Property that must be listed includes residential, investment property, condominium, rental property and any mineral, water, coal, and rights to sand and gravel. STREET ADDRESSES DO NOT SATISFY STATUTORY REQUIREMENTS.

Legal Description of Property	Owner of Record
Lot 9, 10 blk 4 Little Ranches of the Fountain	Dennis & Kathy Hisey

Name:	Dennis Hisey
Office Sought:	Senate District 11

LIABILITIES:

List the name of each creditor for you, your spouse, or minor children living with you to whom is owed an amount in excess of \$1000 including the interest rate.

Name of Creditor	Interest Rate (%)	Person Liable for Debt
Wells Fargo Home Mortgage	3.63	Dennis & Kathy Hisey

List all offices, directorships and fiduciary relationships held by you, your spouse, or minor children residing with you.

Name of Organization or Trust	Position Held	Person Holding the Position
El Paso County 4-H Foundation	Board Member	Self
El Paso County 4-H Foundation	President	Spouse

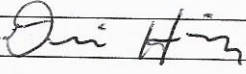
List the name of any person, firm, or organization that retains a person to lobby on its behalf if you share directly or indirectly in the compensation received for lobbying activity.

Name of Person, Firm, Corporation, or Organization Retaining Lobbyist

List any business with which you or your spouse is associated, and which does business with, or is regulated by, the State of Colorado (e.g., attorney, real estate, medical profession, etc.)

Name of Business:	Nature of Business:	Person Involved:
Bruckner Truck Sales	Truck & Trailer Sales	Spouse

Name:	Dennis Hisey
Office Sought:	Senate District 11

Signature: 	Date: 1-1-2022
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INCUMBENTS
(FOR ANNUAL UPDATE PURPOSES ONLY)

As an alternative to items 1 through 7, you may file a copy of your federal income tax return, plus a certified statement of any investments not reflected in your income tax return. Please note that any information required on this form and not included in a federal income tax return must still be provided.

Email

[EXTERNAL] Annual P...

Priority
Normal

Due Date

From  kathyhisey@msn.com

To  [Campaign Finance](#)

Cc  dennishisey2@gmail.com

Bcc

Subject [EXTERNAL] Annual Personal Financial Disclosure - Dennis Hisey SD2 & SD11

Regarding  [\[EXTERNAL\] Annual Personal Financial Disclosure - Dennis Hisey SD2 & SD11](#)

Created On 1/1/2022 1:56 PM

Date Sent

File Name	File Size (Bytes)
Dennis Hisey 1-1-2022 Disclosure SD2 & SD11....	1,282,632
1 - 1 of 1 (0 selected)	
Page 1	

Happy New Year!

Please find attached a copy of the annual disclosure for Dennis Hisey, current officeholder Senate District 2, candidate for Senate District 11.

Thank you,

Kathy Hisey

KathyHisey@msn.com

Duration