



LEAGUE OF CONSERVATION VOTERS



August 4, 2017

The Honorable Xavier Becerra
Attorney General
State of California Department of Justice
1300 I Street
Sacramento, CA 95814-2919

Re: Criminal Complaint

Dear Mr. Attorney General:

We are writing you on behalf of the League of Conservation Voters, Inc. (“LCV”) and the California League of Conservation Voters (“CLCV”) to report an apparently criminal effort by imposters to infiltrate the inner workings of our organizations. LCV is a non-profit environmental advocacy organization with nearly two million members throughout the United States that advocates for sound environmental policies. CLCV is a non-profit environmental organization whose mission is to protect and enhance the environment and the health of all California communities.

As best we can determine, at least three operatives used false identities to meet with dozens of individuals who work on our staff, serve on our boards, or donate to our organizations. We believe these actions started in December 2016 in CLCV’s office in Oakland, California, and relied extensively on deception, misrepresentation, and fraud. These individuals sought and obtained confidential information about our operations and strategic goals, and tried to use our organizations to gain access to senior elected officials in California and in Washington, D.C. They also sought – and obtained – private information about staff and others’ personal and family lives, some of whom are California residents.

At least two of these imposters could be associated with Project Veritas and Project Veritas Action Fund (hereafter “Project Veritas”), which were founded by James O’Keefe and have been reported to make surreptitious undercover video recordings that are selectively edited to create false and incendiary impressions, raising the prospect that we have been covertly filmed without consent. We do not know whether the operatives are aware that we have identified them and the fraud they have perpetrated.

This fraudulent course of conduct may violate multiple laws, including laws against fraud, racketeering, conspiracy, unfair business practices, trespass, and invasion of privacy. If these individuals surreptitiously recorded interactions with LCV and CLCV, they may have also violated eavesdropping laws. We urge you to investigate immediately and take action to stop this apparent criminal enterprise.

The rest of this letter provides more detail on the facts as we currently understand them. We are still learning the full extent of these activities, and as we learn more and our knowledge of what transpired deepens or changes, we will share the new information with you.

Chronology

To the best of our knowledge, the infiltration started in December 2016 when Christian Hartsock entered a CLCV office in Oakland, California, pretending to be “Trent Maynard” and claiming to represent an unnamed potential donor. There are reports that Hartsock has been involved in many James O’Keefe and Project Veritas “undercover” videos.¹ In fact, *Rewire* reports that Hartsock participated in a recent Project Veritas effort that took place last year.²

An ensuing meeting took place on January 13, 2017, at the CLCV office in Los Angeles, California. Hartsock stated that he represented “Lester Rosen,” whom he described as a wealthy, but politically inexperienced, individual who was motivated to donate to progressive causes because of the election of Donald Trump. Hartsock represented himself as working at GeoStrategies and the Breakthrough Development Group (presenting a business card for the latter with his false identity Trent Maynard), and he mentioned the possibility of a large donation to CLCV. We believe that the Breakthrough Development Group is the name of a front group previously used by Project Veritas.³ Hartsock also inquired whether CLCV staff could connect Rosen to California elected officials.

We now believe that the “Lester Rosen” that Hartsock claimed to represent is fictitious. In January 2017, however, CLCV staff identified a real person with the same name living in California, causing the CLCV staff to believe he was a viable donor prospect. CLCV invited Hartsock to the “Blue Ball” on Treasure Island on Inauguration Day, which was organized to raise funds for organizations protecting environmental programs likely to be targeted by the incoming Trump Administration. At this event, Hartsock met other CLCV staff and sought introductions to other environmental organizations and environmental leaders.

¹ *Christian Hartsock column*, RENEWAMERICA.COM, <http://www.renewamerica.com/columns/hartsock> (last visited Aug. 3, 2017).

² Sharona Coutts, *D.C. Group Alleges Propaganda Effort to Frame Progressives Inciting Violence at Inauguration*, REWIRE (Jan. 11, 2017, 7:46 PM), <https://rewire.news/article/2017/01/11/dc-group-alleges-propaganda-effort-frame-progressives-inciting-violence-inauguration/>.

³ Ryan Grim, *Counter-Sting Catches James O’Keefe Network Attempting To Sow Chaos At Trump’s Inauguration*, HUFFINGTON POST (updated Jan. 18, 2017), http://www.huffingtonpost.com/entry/counter-sting-catches-james-okeefe-network-attempting-to-sow-chaos-at-trumps-inauguration_us_5873e26fe4b043ad97e516f7.

In March, Hartsock introduced CLCV staff to a person we now believe is Daniel Sandini, but who held himself out as “Dan Logan,” an investment advisor at the firm “Logan Investments.” Like Hartsock, Sandini has been linked to James O’Keefe and Project Veritas. According to the *Washington Post*, Sandini was part of the Project Veritas attempted “sting” targeting a consulting firm with ties to the Democratic Party in 2016.⁴

Sandini claimed that he was the investment advisor for Rosen and later that he was taking over as Rosen’s donor advisor and that he was looking to have additional donors work with him to support groups such as CLCV. In a follow up email, Sandini invited a senior CLCV staffer to dinner and inquired “how can CLCV get me access to some of the high level players we are talking about?” In the following months, Sandini aggressively sought out LCV staff and donors in California and Washington, D.C. He took staff and donors out to lunch and dinner. He gave indications in several of his meetings of the potential for contributions of the magnitude of four million dollars per year for multiple years. He sent bottles of wine as a thank you after one meeting. He traveled to Washington, D.C., to meet LCV staff and attend a private reception to celebrate the People’s Climate March. He also tried to make connections with other environmental groups, once contributing \$2,000 via PayPal to attend a Green Latinos’ event in California.

In May, Sandini traveled to a CLCV event in San Francisco with cufflinks that he said he intended to present to Kevin de Leon, the California Senate President pro Tem, who was slated to speak at the event. When Senator de Leon was unable to attend, Sandini told CLCV staff he was extremely disappointed. In June, he attended a private reception hosted by LCV in Washington, D.C., which was also attended by several U.S. Senators.

The third imposter, Ann Vandersteel, made her appearance in June 2017, posing as “Ann Steel,” the widow of a wealthy oil investor. We believe that, in reality, Vandersteel is a conservative commentator on YourVoice America Radio.⁵ Vandersteel appears to have falsely described herself to LCV as the widow of a wealthy oil investor who had decided to become politically active because of the opposition to President Trump. In June, following Sandini’s introduction of her to LCV staff, she received a complimentary invitation to LCV’s annual Capital Dinner, its largest fundraising event. In July, she was given extensive briefings from LCV staff in LCV’s Washington, D.C. office about confidential LCV priorities.

As part of their fraud, Sandini, Vandersteel and Hartsock went to extensive lengths to conceal their true identity from LCV and CLCV. Steps that they took included creating accounts

⁴ Kristine Phillips, *James O’Keefe’s undercover video stings damaged liberal icons. Can a new lawsuit take him down?*, WASHINGTON POST (June 8, 2017), https://www.washingtonpost.com/news/the-fix/wp/2017/06/08/james-okeefes-undercover-video-stings-damaged-liberal-icons-can-a-new-lawsuit-take-him-down/?utm_term=.bc5144da5afd.

⁵ *The Hosts*, YOURVOICE AMERICA.TV, <https://www.yourvoiceamerica.tv/the-hosts/> (last visited Aug. 3, 2017).

on LinkedIn⁶ and Facebook⁷ using their false identities. They also used email aliases matching these false identities in order to correspond with CLCV and LCV.

Potential Secret Recordings

Our staff report that during meetings, Sandini would leave his phone or other possible recording devices, such as cufflinks, on the table, which raises the possibility that we have been recorded without our consent. We are deeply concerned that if surreptitious, unauthorized videos or recordings were made, these individuals could make deceptive edits to create unfair, malicious, and false impressions.

These concerns are amplified by the possibility that James O’Keefe and Project Veritas could be associated with the work of the three operatives. We know that both Hartsock and Sandini have been reported to have previously worked for O’Keefe and Project Veritas in projects involving surreptitious recordings. We also know that there are reports that O’Keefe and Project Veritas have a history of making deceptively edited videos to advance their political views. In 2009, for example, O’Keefe released a video that was described as “heavily edited to the point of being willfully misleading.”⁸ O’Keefe had to pay \$100,000 to settle a lawsuit arising from the video.⁹ The next year, he was arrested at the offices of U.S. Senator Mary Landrieu and pled guilty to the crime of entering federal property under false pretenses.¹⁰ His deceptive 2011 video of National Public Radio executives led one commentator to write, “O’Keefe did not merely leave a false impression; he manufactured an elaborate, alluring lie.”¹¹ Last year, the chair of the ethics committee of the Society of Professional Journalists told the *Washington Post*, “James O’Keefe is not an ethical journalist He obviously has an agenda, goes directly to surreptitious reporting methods and has a history of distorting facts or context.”¹²

⁶ Daniel L. Logan III, LINKEDIN.COM, <https://www.linkedin.com/in/daniellloganiii/> (last visited Aug. 3, 2017); Ann Steel, LINKEDIN.COM, <https://www.linkedin.com/in/ann-steel-931a21142/> (last visited Aug. 3, 2017); *Breakthrough Development Group*, LINKEDIN.COM, <https://www.linkedin.com/company-beta/7314341/> (last visited Aug. 3, 2017)

⁷ Daniel Logan, FACEBOOK.COM, <https://www.facebook.com/daniellloganiii> (last visited Aug. 3, 2017); Ann Steel, FACEBOOK.COM, <https://www.facebook.com/ann.steel.67> (last visited Aug. 3, 2017).

⁸ Chris Rovzar, *Just How Heavily Edited Was the ACORN-Sting Video?*, N.Y. MAGAZINE (Apr. 2, 2010, 4:35 PM) http://nymag.com/daily/intelligencer/2010/04/just_how_heavily-edited_was_th.html.

⁹ Tony Perry, *Conservative activist pays \$100,000 to former ACORN worker*, L.A. TIMES (Mar. 7, 2013), <http://articles.latimes.com/2013/mar/07/local/la-me-0308-acorn-20130308>.

¹⁰ Campbell Robertson, *Guilty Pleas in Landrieu Incident*, N.Y. TIMES (May 26, 2010), <http://www.nytimes.com/2010/05/27/us/politics/27landrieu.html>.

¹¹ Michael Gerson, *The NPR video and political dirty tricks*, WASHINGTON POST (Mar. 17, 2011), https://www.washingtonpost.com/opinions/the-npr-video-and-political-dirty-tricks/2011/03/17/ABbyMym_story.html?utm_term=.a088f9b9fed2.

¹² Paul Farhi, *Is it okay for James O’Keefe’s ‘investigative reporting’ to rely on deception?*, WASHINGTON POST (Oct. 19, 2016), https://www.washingtonpost.com/lifestyle/style/is-it-okay-for-james-okeefes-investigative-reporting-to-rely-on-deception/2016/10/19/f32fd46a-962e-11e6-9b7c-57290af48a49_story.html?utm_term=.e66a4e957fa2.

Whether the three operatives were acting under the direction of O'Keefe and Project Veritas or were engaged in a copycat effort of their own design, like the discredited multi-year secret recordings carried out against Planned Parenthood,¹³ the risks to the public interest, California residents, and CLCV and LCV are the same. We are especially concerned that this fraudulent and potentially criminal conduct is ongoing. These operatives were clearly seeking to use LCV and CLCV to gain access to other organizations and public officials, with whom we assume they intend to continue their fraudulent behavior. Swift intervention is essential to protect the public interest.

Conclusion

We have been the target of a months-long campaign of fraud and deception designed to undermine our mission and disrupt our nationwide efforts, including in California, to advance our conservation objectives. These deceptions were used to gain access to our confidential strategic plans, learn the identities of our donors, participate in meetings with state and federal elected leaders, and possibly to record conversations without permission. We have reason to believe that any information they obtained will be used to intentionally harm CLCV, LCV, and others and to interfere with the critical mission of our organizations.

The actions of these individuals do nothing to further legitimate political discourse. Instead, they use deception, infiltration, and potentially secret recordings and deceptive editing to advance an agenda. And, importantly, their actions may also be illegal and criminal. The pattern of conduct by the small group of individuals who infiltrate organizations in order to disrupt and discredit constitutionally protected activities by making false and malicious misrepresentations must end. We feel an urgent need to expose this specific instance before additional harm is done.

We are bringing these facts to your attention with the request that you promptly investigate, take action against to stop this ongoing fraud, and hold those responsible to account. If you would like additional information, please contact our outside counsel, Tom Perrelli, at Jenner & Block, LLP.

Sincerely,



Gene Karpinski
President, League of Conservation Voters



Sarah Rose
CEO, California League of Conservation Voters

¹³ Jackie Calmes, *With Planned Parenthood Videos, Activist Ignites Abortion Issue*, N.Y. TIMES (July 21, 2015), https://www.nytimes.com/2015/07/22/us/with-planned-parenthood-videos-activist-ignites-abortion-issue.html?_r=0.

Xavier Becerra
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cc:

Mr. Robert Morgester
Senior Assistant Attorney General
eCrime Unit
Office of the Attorney General
1300 I Street
Sacramento, CA 95814

Mr. Thomas Perrelli
Jenner & Block, LLP
1099 New York Avenue, N.W.
Suite 900
Washington, DC 20001-4412