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Pennsylvania Department of State
302 North Office Building
401 North Street
Harrisburg, PA 17120
ra-voterreg@pa.gov

RE: Campaign finance reporting violation by Scott Presler and Early Vote Action

On behalf of Public Citizen and the voters of Pennsylvania, we are filing this complaint against Scott Presler and his political action committee, Early Vote Action (EVA), for failing to file and disclose significant expenditures to influence Pennsylvania's 2025 retention election. Presler and EVA spent significant but unknown sums to influence voters to "Vote No" on the retention of Justices Christine Donohue, Kevin Dougherty and David Wecht on the November 2025 state ballot. They failed to register and disclose the sources and expenditures of their campaign spending with the Pennsylvania Secretary of State as required under 25 P.A. ST § § 2600 and 1621.

Background

During the 2025 judicial cycle, Scott Presler and Early Vote Action (EVA) executed a paid ground and media strategy to unseat Democratic Pennsylvania Supreme Court Justices Christine Donohue, Kevin M. Dougherty, and David Wecht. Despite the significant expenditures for "Vote No" in specific opposition to these candidates, neither appears to have filed campaign finance reports in Pennsylvania. Presler and EVA spent money on paid field staff, digital media, direct mail, and voter-contact texting. This paid electoral activity was coordinated with public calls to action in multimedia platforms, including print advertisements and social media as well as being promoted in national and local media appearances by Presler and Early Vote Action.

Pennsylvania election law includes retention elections as subject to the state's campaign finance registration and disclosure requirements. Section 1621(c) reads: "The word 'election' shall mean any retention, primary, special, municipal or general election at which candidates appear on the ballot for nomination or election or at which questions are to be voted on by the electors of this Commonwealth." The same election code requires registration and regular disclosure filings of money spent to influence an election in excess of \$250 per reporting period. The purpose is to provide voters with critical information who is spending how much to influence their vote choices.

Judging from extensive news coverage as well as self-declarations by Presler and EVA, they spent considerably above that threshold specifically to encourage voters to "Vote No" on the

retention of the three justices. Yet, neither Presler nor EVA registered and disclosed that campaign spending, leaving voters unaware who, and how much, was spent to influence their vote choices.

This is not the first time Presler has neglected to file required disclosure records. Public Citizen filed a [complaint](#) against Presler on March 13, 2026, for failing to register and disclose his lobbying activities at the federal level under the Lobbying Disclosure Act. Soon thereafter he registered an associated entity as conducting his lobbying activities. We now ask the State of Pennsylvania to ensure proper registration and disclosure by Presler and EVA in their state campaign activities.

Documented Paid Operations & Electoral Activity

1. Paid Field Staffing & Ground Deployment

- Paid Staffing: To maintain a presence across key swing counties (e.g., Bucks, Erie, Chester, and Northampton), Early Vote Action employed at least two dozen paid full-time staff members dedicated to Vote No field operations in Pennsylvania.
- Scope of Work: Paid staff set up targeted voter registration booths at county fairs, farmers markets, and gun shows, while handing out physical literature instructing conservative voters to vote "No" on nonpartisan retention questions. In another documented media example, EVA sent tens of thousands of postcards to get the Amish to "vote no"
- Documented Coverage: [WHYY News](#) — PA 2025 Election: MAGA Activists Target State Supreme Court (Details EVA's 28 paid full-time workers operating across Pennsylvania); [Washington Examiner](#) — Getting Amish to vote 'no' is key in Pennsylvania Supreme Court race.

2. Paid Voter Contact and Text Messaging Campaigns

- Paid Text Blitzes: In the final weeks of the campaign, EVA deployed high-volume peer-to-peer SMS blasts targeting low-propensity conservative voters in suburban counties. In Bucks County alone, EVA paid for and sent over 100,000 targeted text messages urging voters to vote "No" on judicial retention.
- P2P Mechanics: These campaigns paired "Vote No" reminders with voter turnout pushes, instructing voters on how to fill out nonpartisan sections of their mail-in or in-person ballots.
- Documented Coverage: [Wikipedia](#) — 2025 Pennsylvania Supreme Court Election Campaign Overview (Cites Fox News and campaign reporting on the 100,000+ text deployment)

3. Paid Digital Media & Literature ("Vote NO" Marketing)

- Digital Ads & Print Literature: EVA and allied conservative groups produced digital ad buys and custom voter materials painting the three justices as "radical" for past rulings on COVID-19 emergency measures and election laws.
- Custom Promotional Items: Paid campaign items included custom stickers and print pamphlets distributed in front of government centers during early mail-in voting windows.

- Documented Coverage: [WITF](#) — Partisan Tensions Flare in Pennsylvania Supreme Court Retention Election (Covers paid literature, field setups, and digital spend targeting the justices);

For these reasons, Public Citizen urges the Pennsylvania Secretary of State to take appropriate actions to ensure that Presler, EVA and others comply with the state's campaign finance registration and disclosure laws.

Signed,

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