

THE STATE OF MONTANA

Commissioner of Political Practices  
1205 Eighth Avenue  
Post Office Box 202401  
Helena, MT 59620-2401  
Phone: 406-444-2942  
Fax : 406-444-1643  
www.politicalpractices.mt.gov

Campaign Finance and Practices

Complaint Form (08/17)

FOR OFFICE USE ONLY

RECEIVED

2018 SEP 13 P 1:56

HAND DELIVERED

SIGNED/NOTARIZED

Type or print in ink all information on this form except for verification signature

Person bringing complaint (Complainant):

Complete Name Nancy Keenan  
Complete Mailing Address 303 N. Ewing  
Helena, MT 59601  
Phone Numbers: Work 406-442-9520 Home \_\_\_\_\_  
ex 102

Person or organization against whom complaint is brought (Respondent):

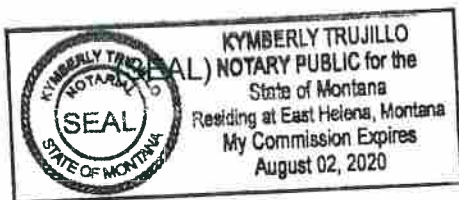
Complete Name Randy Pinocci  
Complete Mailing Address PO Box 1538 Helena, MT 59624  
Phone Numbers: Work \_\_\_\_\_ Home \_\_\_\_\_

Please complete the second page of this form and describe in detail the facts of the alledged violation.

Verification by oath or affirmation

State of Montana, County of Lewis & Clark

I, Nancy Keenan, being duly sworn, state that the information in this Complaint is complete, true, and correct, to the best of my knowledge and belief.



Nancy Keenan  
Signature of Complainant

Subscribed and sworn to before me this 13<sup>th</sup> day of September, 2018.

Kimberly Trujillo  
Notary Public

My Commission Expires:

# MONTANA DEMOCRATS

HAND DELIVERED

9/13/18

Commissioner of Political Practices  
1205 Eighth Avenue  
Post Office Box 202401  
Helena, MT 59620-2401

Commissioner Mangan;

Please accept this formal complaint against Randy Pinocci and any other candidates that received loans from Tony O'Donnell, alleging violations of MCA 13-37-229 (f), ARM 44.11.405 (1) and (2).

I also write to ask you to investigate a violation of MCA 13-35-215 (1)b by PSC Commissioner O'Donnell. Based on findings in the Blatnick v. Garcia ruling, O'Donnell provided a loan to Rodney Garcia which was used to induce the people of Garcia's district to vote for him. O'Donnell has indirectly induced people to vote by approaching a candidate with the offer of a loan. By Garcia's accounting of the situation he may not have run without securing a loan from O'Donnell. There are likely other candidates that were approached with this same arrangement.

MCA 13-25-215 (1) b states...

**Illegal consideration for voting.** A person, directly or indirectly, individually or through any other person, may not:

- (1) before or during any election, for voting or agreeing to vote or for refraining or agreeing to refrain from voting at the election or for inducing another to do so:
- (b) approach any candidate or agent or person representing or acting on behalf of any candidate and ask for or offer to agree or contract for any money, gift, loan, liquor, valuable consideration, office, place, or employment for the person or any other person;

We have reasonable suspicion that Randy Pinocci has received a similar offer as Garcia from O'Donnell. O'Donnell has already illustrated an interest in Pinocci campaign just as he did with Garcia's race when he and his wife gave maximum donations to the Pinocci for PSC campaign.

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2018 SEP 13 P 1:48  
COMMISSIONER OF  
POLITICAL PRACTICES

Pinocci reportedly gave his campaign a loan for \$3,000.00 on 4/17/18. This is not only the same amount as the Garcia's "personal" loan but is also within 3 days of the Garcia reported loan. This flat \$3000.00 loan differs from Pinocci's other reported expenditures in that it is unclear what that money was used for. Except for the \$1000.00 Pinocci used as startup money for his campaign, he reports loans to his campaign for specific items and amounts as well as files addendums with the COPP for those items.

For example, on 4/30/18 Pinocci reported \$6,917.50 for 64 separate transactions (sample addendum attached). On 5/24/18 Pinocci reported \$1,680.36, again with an addendum of transactions. And on 6/20/18 Pinocci reported \$336.16 with an addendum of transactions. However, Pinocci does not report that level of detail for the \$3,000 loan on 4/17/18.

I believe that these two incidences have very similar circumstances associated with them and thus merit at least further investigation of O'Donnell loaning practices.

Best,



Nancy Keenan, Executive Director

Montana Democratic Party

Name: Randy Pinocci for PSC  
 P.O. Box 1538  
 Helena, MT 59624

Report Date: May 6, 2018  
 Report Period: Addendum for Beginning - May 1, 2018

RECEIVED

| Date     | Vendor Name                      | Vendor Address                              | Description of Purchase   | Purchase Amount |
|----------|----------------------------------|---|---|-----------------|
| 02/04/18 | MT Secretary of State            | P.O. Box 202801, Helena, MT 59620-2801      | Filing for Office   | \$1,063.12      |
| 02/06/18 | McDonalds                        | 2000 14th Street, SW, Great Falls, MT 59404 | Meal while putting up signs   | \$13.20         |
| 02/11/18 | Denny's                          | 3715 31st St SW, Great Falls, MT 59404      | Meal while meeting with campaign volunteers   | \$37.83         |
| 02/12/18 | 3 Rivers Communications          | 202 5th St S, Fairfield, MT 59436           | Wireless and land line costs for campaign   | \$44.00         |
| 02/12/18 | Havre Daily News                 | 119 2nd St, Havre, MT 59501                 | Newspaper Subscription to Havre Daily News  | \$54.00         |
| 02/13/18 | Allegra Bozeman                  | 39 S Tracy Ave, Bozeman MT 59715            | 254808 - deposit for design on remit Env Design; Added logos (Facebook)                             | \$27.50         |
| 02/15/18 | Warden Paper                     | PO Box 1162, Great Falls, MT 59403          | Qty: 1500, 6 3/4 - 24 Remittance Envelope Stock   | \$64.50         |
| 02/15/18 | Rikkis Pizza & Pasta GF          | 1220 9th St S, Great Falls, MT 59404        | Pachyderm Meal at Pachyderm Meeting on 2/15/18 at Rikki's   | \$13.25         |
| 02/16/18 | Allegra Bozeman                  | 39 S Tracy Ave, Bozeman MT 59715            | 254808 - remainder of payment for design revision to YS design, changed Commissioner to Commission  | \$12.50         |
| 02/18/18 | Blaine County RCC                | Box 488, Chinook, MT 59523                  | Lincoln Reagan Dinner - 5 Tickets for Randy and Volunteers \$50 ea                                  | \$250.00        |
| 02/19/18 | PrintRunner                      | 8000 Haskell Ave., Van Nuys CA 91406        | Qty: 400, 2 x 24 inch sticker to cover old campaign signs   | \$325.00        |
| 02/20/18 | Burger King                      | 1605 10th Ave S, Great Falls, MT 59405      | Meal while putting up signs   | \$10.58         |
| 02/20/18 | Town Pump                        | 505 N W Bypass, Great Falls, MT 59404       | Fuel for putting up signs   | \$77.94         |
| 02/20/18 | Arby's                           | 801 10th Ave S, Great Falls, MT 59405       | Meal in Great Falls putting up signs  | \$9.76          |
| 02/22/18 | Warden Paper                     | PO Box 1162, Great Falls, MT 59403          | 500 sheets, Paper Stock, 11x17, 80# Cover   | \$45.00         |
| 02/22/18 | Burger King                      | 1605 10th Ave S, Great Falls, MT 59405      | Meal while putting up signs   | \$5.39          |
| 02/27/18 | Allegra Bozeman                  | 39 S Tracy Ave, Bozeman MT 59715            | 255089 - design revision to YS design; increased size of last name                                  | \$17.50         |
| 02/27/18 | Allegra Bozeman                  | 39 S Tracy Ave, Bozeman MT 59715            | 255013 - design revision to remit env design; made state bigger                                     | \$17.50         |
| 03/02/18 | Winslow Studio                   | 81295 Gallatin Road, Bozeman, MT 59718      | Campaign Family Picture for palm card   | \$550.00        |
| 03/02/18 | Conoco - Town Pump 2 East Helena | 418 W Main St, East Helena, MT 59635        | Travel to Bozeman for campaign photos from Winslow Studio   | \$81.02         |
| 03/02/18 | Stephanie Poff                   | 1928 N 22nd Ave #1, Bozeman, Montana 59715  | Hair for campaign family photos   | \$30.00         |
| 03/02/18 | Bamboo Garden                    | 421 W Main St., Bozeman, MT 59715           | Dinner in Bozeman for campaign photos at Winslow Studio   | \$72.50         |
| 03/04/18 | Cracker Barrel Store             | 5620 S Frontage Rd, Billings, MT 59101      | Meal while putting up signs   | \$12.99         |
| 03/04/18 | Exxon Belgrade MT                | 691 Jackrabbit Ln, Belgrade, MT 59714       | Food while traveling for campaign event   | \$4.97          |
| 03/04/18 | Exxon Belgrade MT                | 691 Jackrabbit Ln, Belgrade, MT 59714       | Fuel while traveling for campaign event   | \$82.51         |
| 03/10/18 | Holiday Stationstore             | 1601 Fox Farm Rd, Great Falls, MT 59404     | Fuel for travel to Pachyderm Meeting, put up signs, meet with campaign supporters                   | \$38.41         |
| 03/10/18 | Beef o Brady's                   | 1600 Fox Farm Rd, Great Falls, MT 59404     | Campaign volunteers meeting on 3/10/18 at Beef o' Brady's   | \$36.06         |
| 03/16/18 | Valley Co RCC                    | PO Box 534, Glasgow, MT 59230               | Valley Co Lincoln Day Dinner - 2 tickets for Randy & Volunteer \$35 ea                              | \$70.00         |
| 03/16/18 | Econo Print                      | 3211 1st Ave N, Billings, MT 59101          | 280407 - Ensuring the lowest rate palm card, 1st order. Qty: 2500                                   | \$998.11        |
| 03/16/18 | Econo Print                      | 3211 1st Ave N, Billings, MT 59101          | 280092 - Business Cards, Qty: 3500  | \$619.89        |
| 03/17/18 | Taco Johns                       | 724 S Central Ave, Sidney MT 59270          | Meal while traveling to Richland Co Republican Central Committee No Host Dinner, & putting up signs | \$32.19         |
| 03/18/18 | East End Cenex                   | 1803 North Merrill, Glendive, MT 59330      | Fuel while traveling to Terry, MT meet and greet  | \$41.77         |
| 03/18/18 | East End Cenex                   | 1803 North Merrill, Glendive, MT 59330      | Meal while traveling to Terry, MT meet and greet  | \$10.66         |
| 03/18/18 | Dawson County RCC                | PO Box 552, Terry, MT 59349                 | Lincoln Reagan Dinner - 2 tickets for Randy and Volunteer \$25 ea                                   | \$50.00         |

|          |                           |  |   |            |
|----------|---------------------------|--|---|------------|
| 03/18/18 | T&E Whistle Stop          | 1320 N Merrill Ave, Glendive, MT 59330             | Fuel, traveled for Glendive Event   | \$50.00    |
| 03/19/18 | Comfort Inn - Glendive    | 1918 North Merrill Ave, Glendive MT 59330          | Terry, MT meet and greet  | \$78.04    |
| 03/19/18 | Fergus County RCC         | PO Box 124, Lewistown, MT 59457                    | Lincoln Reagan Dinner - 2 tickets for Randy and Volunteer \$30 ea                         | \$60.00    |
| 03/22/18 | Burger King               | 1605 10th Ave, South, Great Falls, MT 59405        | Meal while putting up signs   | \$14.36    |
| 03/23/18 | United States Post Office | 215 1st Ave N, Great Falls, MT 59401               | Postage to mail receipts to Helena MT   | \$1.42     |
| 03/23/18 | McDonalds                 | 2000 14th Street, SW, Great Falls, MT 59404        | Dinner while putting up signs   | \$6.60     |
| 03/24/18 | McDonalds                 | 2000 14th Street, SW, Great Falls, MT 59404        | Dinner while putting up signs   | \$9.70     |
| 03/24/18 | Bob's Valley Market       | 7507 N Montana, Helena, MT 59602                   | Dinner while putting up signs   | \$40.62    |
| 03/27/18 | Atlantic Inkjet           | 4981 N Irwindale Ave, Irwindale, CA 91706          | Order of ink for printing flyers at home  | \$156.21   |
| 03/27/18 | Arby's                    | 1300 3rd St NW, Great Falls, MT 59404              | Meal while putting up signs   | \$7.29     |
| 04/03/18 | Buffalo Wild Wings        | 117 NW Bypass, Great Falls, MT 59404               | Meal while putting up signs   | \$25.50    |
| 04/05/18 | McDonalds                 | 1710 3rd Street NW, Great Falls, MT 59404          | Lunch while putting up signs  | \$8.20     |
| 04/06/18 | Bob's Valley Market       | 7507 N Montana, Helena, MT 59602                   | Fuel for putting up signs   | \$94.39    |
| 04/07/18 | Home Depot                | 1500 Market Pl Dr, Great Falls, MT 59404           | Materials for signs   | \$341.98   |
| 04/07/18 | Aces Tavern               | 900 8th Ave NW, Great Falls, MT 59404              | Dinner for volunteers while putting up signs  | \$50.90    |
| 04/07/18 | The Home Depot            | 1500 Market Pl Dr, Great Falls, MT 59404           | Materials for signs   | \$40.62    |
| 04/07/18 | McDonalds                 | 2000 14th Street, SW, Great Falls, MT 59404        | Meal while putting up signs   | \$5.15     |
| 04/08/18 | Mountain View Co-Op       | 2 Millegan Rd, Ulm, MT 59485                       | Meal while putting up signs   | \$11.96    |
| 04/09/18 | McDonalds                 | 1710 3rd Street NW, Great Falls, MT 59404          | Dinner while putting up signs   | \$5.20     |
| 04/10/18 | Phillips County RCC       | PO Box 910, Malta, MT 59538                        | Lincoln Reagan Dinner - 2 tickets for Randy and Volunteer \$25 ea                         | \$50.00    |
| 04/11/18 | Great Northern Hotel      | 2 S 1st St E, Malta, MT 59538                      | Lodging while traveling for campaign event  | \$87.74    |
| 04/16/18 | Home Depot                | 1500 Market Pl Dr, Great Falls, MT 59404           | Materials for signs   | \$21.34    |
| 04/16/18 | The Home Depot            | 1500 Market Pl Dr, Great Falls, MT 59404           | Materials for signs   | \$4.76     |
| 04/21/18 | Office Depot, Office Max  | 1601 Market Pl Dr Suite #55, Great Falls, MT 59404 | Paper stock purchase  | \$34.99    |
| 04/23/18 | Signs Now                 | 323 N Last Chance Gulch, Helena, MT 59601          | Vinyl 8x13.5 Leviathan Decals to update signs for PSC race                                | \$400.00   |
| 04/24/18 | Burger King               | 1605 10th Ave, South, Great Falls, MT 59405        | Meal while out putting up signs   | \$8.29     |
| 04/24/18 | McDonalds                 | 2000 14th Street, SW, Great Falls, MT 59404        | Meal while putting up signs   | \$5.00     |
| 04/25/18 | LD Products               | 3700 Cover St, Long Beach, CA 90808                | Ink cartridge, Epson T252XL Black, Magenta and Cyan                                       | \$119.49   |
| 04/25/18 | PS Print                  | 2861 Mandela Parkway Oakland, CA 94608             | Ensuring the lowest rate palm card, with facebook logo and updated score chart, Qty: 5000 | \$433.10   |
| 04/30/18 | Burger King               | 315 Northwest Bypass, Great Falls, MT 59404        | Meal while putting up signs   | \$5.00     |
|          |                           |  | Total   | \$6,997.50 |

**Statement of facts:**

Describe in detail the alleged violation(s) and cite the statute or statutes you believe have been violated. Please attach copies of documentary evidence to support the facts alleged in your statement.

If the space provided below is insufficient, you may attach additional pages as necessary.

**Complaints must be:**

- signed
- notarized
- delivered in person or by mail.