

Commissioner of Political Practices
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Phone: 406-444-2942
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www.politicalpractices.mt.gov

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Campaign Finance and Practices

Complaint Form (08/17)

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

Person bringing complaint (Complainant):

Complete Name Ben Darrow

Complete Mailing Address P.O. Box 7235
Missoula, MT 59807

Phone Numbers: Work 406-880-3417 Home 406-880-3418

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

Complete Name David B. Kendall, Deputy Treasurer/Chair of Missoula County Democratic Central Committee

Complete Mailing Address 4021 Heritage Way / P.O. Box 9305
Missoula, MT 59802 / Missoula MT 59807

Phone Numbers: Work 202-384-1700 Home 406-543-2265

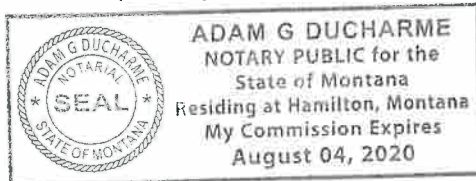
Please complete the second page of this form and describe in detail the facts of the alleged violation.

Verification by oath or affirmation

State of Montana, County of MISSOULA

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

(SEAL)



Ben Darrow
Signature of Complainant

Subscribed and sworn to before me this 6th day of March, 2019.

[Signature]
Notary Public

My Commission Expires:

Benjamin M “Ben”. Darrow
P.O. Box 7235, Missoula, MT 59807
ben@darrowlawmt.com

March 6, 2019

Dear Commissioner Mangan:

Please accept this complaint regarding the failure to report and other political practices violations by Mr. David B. Kendall, vice-treasurer of the Missoula County Democratic Central Committee, a political party committee organized pursuant to Montana law. I allege that Mr. Kendall has violated Montana political practices law in three clear ways, two of which are under the jurisdiction of the Commissioner of Political Practices. Specifically, the facts show that Mr. Kendall did the following:

1. Used the “Paid for by” disclaimer without authority or approval to send false and accusatory letters in the name of the Missoula Democratic Central Committee when in fact those letter were not approved by the central committee or E-board and were actually funded by other individuals in violation of § 13-35-225, MCA.
2. Created a clandestine technology team to work on the Missoula Democrats website without informing other members or leadership and without reporting in-kind contributions to the Missoula Democrats by this clandestine team, which apparently were employees of a communications firm Confluence Communications in violation of § 13-35-229, MCA
3. Violated Montana political corruption law through the above actions and by holding illegally closed meetings, facilitating and engaging in fraudulent mediations and criminal defamation, intimidation, failing to disclose possible conflicts caused by his work for the dark money think-tank Third Way, and other acts which violate the ethical duties of public officials found in § 2-2-105, MCA, and § 2-2-145, MCA, and the disclosure requirements of § 2-2-131, MCA, all violations which are within the jurisdiction of the Missoula County Attorney because Mr. Kendall is a local public official. Accordingly, I am referring these matters to the county attorney.

FACTS

I am an elected member of the Missoula County Democratic Central Committee, as a precinct committeeman from Hellgate 96E in Missoula, MT. Mr. David Kendall is a Deputy Treasurer and Chair of the Missoula County Democratic Central Committee. In the end of 2017 to the present, our central committee has been beset with conflict. At the end of 2017. I asked Mr. Kendall about why a Mr. Dan Tenenbaum was administrator to our website and was being assigned as the point person for each new sign-up, as Mr. Tenenbaum was neither a member of our committee nor was his activity announced to others; in response, Mr. Kendall removed administrative privileges for users who attended the DNC convention as delegates or appointees of Bernie Sanders, including myself, and two others. Members attempted to hold another member accountable through a removal petition during this time and began resorting to seeking to record the meetings of the central committee.

On June 25, 2018, the Executive Board of the Missoula County Democratic Central Committee met at the Missoula County courthouse and, because a member attempted to record this public meeting, quickly adjourned without doing business. Exhibit A and Recording A Eboard June 2018. On July 2, 2018, Mr. Kendall sent out a mailing detailing proposed rules changes to the Missoula Democratic Central Committee Rules. Exhibit B. On July 6, 2018 Mr. Kendall sent out a mailing to remove an officer for attempting to record a public meeting. Exhibit C. Mr. Kendall sent out a letter directly to me on or about December 18, 2018 threatening “legal ramifications” for backing up the data from the Missoula Democratic Nationbuilder website. Exhibit D. All of these mailings had the following disclaimer: “Paid for by Missoula County Democrats, Pam Walzer, Treasurer P.O. Box 9305 Missoula, MT 59807.” *Id.* In fact, none of these documents were approved by the Missoula Central Committee or Executive Board and all of them were actually funded by individuals. These letters all contained factual errors that were designed to harm certain other members of the local Democratic party, for example, the letter regarding Rules changes claimed that some of the rules were the product of a successful mediation when in fact the mediation failed.

I responded to the December 2018 letter from Mr. Kendall denying any impropriety regarding data of the Missoula Democrats. Exhibit E. At approximately the same time, a blog post appeared to be updated or modified on the Missoula Democrats web page, www.missoulademocrats.org. Exhibit F. This modification included a statement about the technology team that helped put the web page together, stating:

“It was a group effort to build this website. Precinct Committeewoman (sic) from Target Range 97, Stacy Hunt and her colleagues Tim Gunderson and Megan Emjsh (sic) provided great support upfront and solved several technical problems.

Danny and Bracha Tanenbaum who are brand new to the Missoula Dems, stepped up and got the website of the finish line using their wealth of experience with web design.” *Id.*

Tim Gunderson and Megan Emish are employees of Stacy Hunt at Confluence Communications. <http://confluencec.com/about/> last accessed 3/8/2019. Interestingly, Mr. Kendall applied to be Technology Director in July of 2017, and Chair in November of 2017, and Ms. Stacy Hunt applied to be Technology Director in July of 2018, and neither mentioned their work or this clandestine technology team at that time. Exhibit H, for example. Similarly, prior to July of 2018, Hunt and the Tenenbaums attended exactly one meeting of the Missoula Democrats, both the same day in 2017, and at that meeting Mr. Kendall did speak about technology, but did not mention or introduce these members of the clandestine technology team. Upon examining the data from the list that I had backed up, it became clear there was missing and deleted information on this list that relates to this above mentioned blog post. Exhibit G. Specifically, this list, a complete copy of which has been provided the Missoula County Sheriff's Office, is missing the names and data of the users in the Missoula Democrats Nationbuilder database, specifically users with the nationbuilder_id's of 3, 5, 6, 10, and 12. *Id.* Interestingly, the two “colleagues” who do in fact work for Confluence Communications are not found in the database, and Bracha Tanenbaum (or Tenenbaum) does not appear in the database until months

after the supposed date of the blog post, March 23, 2017. Nationbuilder gives “social capital” to active users and through this activity there also appears to be a “sock puppet” account that did the vast majority of work; that account is under the name of the Missoula Democrats communications email. *Id.* Since Mr. Kendall’s letter to me accused me of data impropriety, I am especially interested in the identity of the missing users who likely had complete access to the Missoula Democratic website and data.

COMPLAINT

I allege that Mr. Kendall has violated Montana political practices reporting requirements in the following ways:

1. Mailing letters with disclaimers that do not reflect who actually paid for the communications in violation of MCA § 13-35-225. I allege at least three instances of this incorrect disclaimer. Each of the above letters were sent by individuals and, after the fact, in some cases the payment was reported as an in-kind donation. This appears to have happened with the Petition for Removal mailed on July 6, and specifically concealed that Ms. Jennifer Cady paid for the petition to remove Anita Green be distributed. This is important because Ms. Green had an Order of Protection active against Ms. Cady, OP-2018-133 in Missoula Municipal Court made active through service on July 10, 2018. The meeting recording of July 25, 2018 indicates that Mr. Kendall recognized these in-kind donations (at 30:12), the restraining order (at 30:55), the specific in-kind donation of mailing (at 31:40) and the payment by Ms. Cady for the removal petition and the payment by Mr. Kendall for the Rules changes (at 32:15) (cannot remember any receipt for rules changes). E-board 7-25-2018 recording. No statement was made by any person at the meeting or through the other communications used by the central committee to indicate that Ms. Cady paid for this petition which was used to remove an elected officer just days before the State Democratic Party Platform Convention. The rules letter also makes a material mis-statement that the rules changes “were part of an agreement reached during a recent mediation”, when in fact the mediation failed. Exhibit C. The subsequent rules changes were used by allies of Ms. Cady, along with her petition to remove, to pass new rules and suspend Ms. Green for her activism of recording a public meeting. I allege that Mr. Kendall and others have been using the Paid for by disclaimer from the Missoula Democratic Central Committee for their own private purposes to harm other members of the committee. I understand that the Commissioner of Political Practices does not get involved in petty party squabbles, but in this case, a party leader is using funds to pay for communications designed to harm other elected officials without approval and with the effect of circumventing Orders of Protection and providing other false impressions to the community.
2. Mr. Kendall, in violation of MCA § 13-35-229, has failed to report the in-kind contribution by employees of Confluence Communications for the website work they did. I do not know if this contribution would constitute an illegal corporate

contribution because I do not know the structure of Confluence Communications. There is also a suspicious number of missing or deleted user accounts in Nationbuilder and as detailed above, that appear to have been used very early in the administration of the website. Exhibit G. These might indicate additional in-kind un-reported contributions or other members of Mr. Kendall's clandestine technology team. I contacted every prior technology director and committee chair and none of them had ever heard of the members of the team mentioned by Mr. Kendall. It is possible that this team was merely a sleeper cell and did no real work, though that is not the impression from the blog post.

3. Mr. Kendall as engaged in Official Misconduct in violation of MCA § 13-35-204 and other related statutes. Because Mr. Kendall is a local public official, I intend to refer that matter to the Missoula County Attorney. Mr. Kendall, in addition to the above violations, has repeatedly violated Montana Open Meeting laws.

For the above reasons, Mr. Kendall has been using the Missoula Democrats disclaimer to advance a personal agenda that has resulted in direct harm to other members of the committee. Additionally, Mr. Kendall has installed and concealed a clandestine team to work on the website. Interestingly, the past two technology directors who worked with the website through 2017-2018, deny knowing any of the clandestine team. Mr. Kendall's actions rise to the level of Official Misconduct because of the civil rights violations regarding open meetings, and concealed fraudulent behavior. Finally, Mr. Kendall has served as Chair and as Treasurer of our organization for some time and is or should be aware of these laws. As a possible motive for his activity, Mr. Kendall's employer is Third Way, a Washington D.C. think tank funded by Wall Street Dark Money. Third Way has specifically advocated that the Democratic Party avoid the populist efforts of Bernie Sanders, and the targets of Mr. Kendall's illegal activity were Bernie delegates at the 2016 DNC convention.

For these reasons I ask that the Commissioner conduct an investigation to determine the merit of the above allegations. Please let me know if you have any questions.

Sincerely,



Ben Darrow
Hellgate Committeeman 96E
2016 DNC Rules Committee Member

Meeting called to order by Dave Kendall, Chair at 5:30 pm. In attendance were: Charley Carpenter, Klaus von Stutterheim, Steve Wells, Erin Doherty, Pam Walzer, Jennifer Cady, Anita Green.

Also attending were Central Committee members Rebecca Dayton, Ben Darrow and guest Lisa Davey (candidate for Technology Director)

Anita announced that she would be recording the meeting. There were objections. Klaus moved to deny recording. Jennifer seconded. Discussion. Klaus voted to close the discussion, Jennifer seconded. Motion passed. Anita challenged that Dave could not legally stop her, refused to not record, and would not leave the meeting when Dave requested that she do so. Klaus moved to adjourn the meeting, Jennifer second. Passed. Adjourned at 5:34 pm.

Respectfully submitted,

Pam Walzer, Treasurer

Quorum: 8/12

X - Chair

X - Vice Chair

AB - Recording Secretary

AB - Communications Director

X - Treasurer

X - Volunteer Coordinator

VAC -Technology Director (vacant)

X - State Committeeman

X - State Committeewoman

X - Alternate State Committeeman

AB - Alternate State Committeewoman

AB - Congressional Committeeman

X - Congressional Committeewoman



Missoula County Democrats

PO Box 9305, Missoula, Montana 59802



July 2, 2018

Central Committee Members
Missoula County Democrats

Dear Central Committee members,

At the next central committee meeting on Tuesday, July 10th (in the county courthouse at 7 PM), we will be considering several amendments to the bylaws. The proposed changes are enclosed. You are receiving them by regular mail as required notice under the bylaws.

Here is a list of the changes by rule number and the primary author.

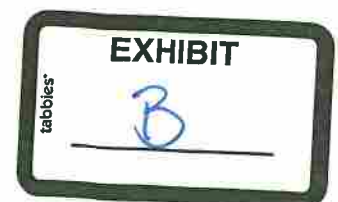
- Rule 2. Alternate committee members. (Dave Kendall)
- Rule 12. Recording of meeting by record secretary (Ben Darrow)
- Rule 16. Making technology director elected by central committee (Ben Darrow)
- Rule 19. Suspension of officers and committee members (Ben Darrow)
- Rule 20. Rules of conduct (Charley Carpenter)
- Rule 21. Neutral of chairperson and vice chairperson (Jennifer Cady)

It is worth noting that one the amendments—the proposed rules of conduct—were part of an agreement reached during a recent mediation among several Missoula Democrats. We will have a full report on the mediation at the meeting.

Please be sure to attend this important meeting!

Very truly yours,

David Kendall
Chairperson



Notation Key

- Additions to the bylaws are underlined or deletions are shown as strike outs.
- Text shown in smaller type is for additional context.
- The current full version of the bylaws is available at <https://www.missoulademocrats.org/rules>

Rule 2: Central Committee Organization and Membership

- A. The Missoula County Democratic Central Committee shall be organized and shall operate as provided in the election laws of the State of Montana and the rules of the Democratic Party of Montana.
- B. At each primary nominating election of even numbered years there shall be elected a committeeman and committeewoman from each election precinct in the county. Any elector may be placed in nomination for committeeman and committeewoman of any precinct by writing, so stating and signed by such elector and filed at the office of the County Clerk within the time provided by law.
- C. Qualified electors who have officially declared by filing an intention to run as a write-in candidate form in the time and manner prescribed by law will also be counted in the primary nominating election. Undeclared write-ins will not be counted but individuals may apply for vacant precinct committeewoman and committeeman positions, subject to the provisions of Rule 4B.
- D. Those committeewomen and committeemen who shall reside within the limits of any incorporated city or town shall constitute ex-officio the city central committee and shall have the same power and jurisdiction as the Democratic Party in such city affairs as the Missoula County Democratic Central Committee has in county-wide affairs, except to fill vacancies as provided for in these rules.
- E. The Committee may appoint alternate committeewomen and men for each precinct. The committee shall not limit the number of alternates for each precinct. The voting rights and duties of alternates shall be prescribed by the Central Committee and shall not be in conflict with Democratic state party rules or the state laws of Montana.

Rule 12: Record Secretary

- A. The Record Secretary shall keep full minutes of the County Convention, the County Central Committee, regular and special meetings and meetings of the Executive Committee and furnish the Chairperson a copy of the minutes for approval at the next meeting. The Record Secretary shall record all meetings of the County Central Committee and Executive Committee in order to ensure an accurate record.
- B. The Record Secretary shall sign all certificates of election of delegates and alternates to State Democratic Conventions.
- C. The Record Secretary shall have custody of all books, records, and papers of the County Central Committee and the Executive Committee, except such as shall be in the custody of the Treasurer or Corresponding Secretary.
- D. The Record Secretary shall perform such other duties as may be delegated by the Chairperson or assigned by the Executive Committee.
- E. The Record Secretary shall provide a copy of these rules to all members. All members shall be provided a Central Committee membership list.

Rule 16: Additional Office

A. Issues Director. The Issues Director shall chair the Issues Committee, and shall consult with the Executive Committee concerning the program for regular meetings of the Central Committee, and such special issue forums as the Executive Committee might approve.

B. Technology Director. The Technology Director shall oversee the operation of the Missoula County Democrats' website, as well as its official social media pages, and other technology. The Technology Director shall make recommendations to the Executive Committee concerning modifications of existing technology or acquisition of new technology. ~~The Technology Director shall be appointed by the Executive Committee.~~

C. Volunteer Coordinator. The Volunteer Coordinator will assist the state party, and Democratic and endorsed non-partisan candidates, as requested, in recruiting volunteers for campaigns for elective office or endorsed ballot initiatives. The Volunteer Coordinator shall be a point of contact for candidates, campaigns, and for persons hoping to volunteer.

Rule 19: Removal or Suspension of Officers and Committee Members

A. Party officers may be removed from office for cause by a two-thirds (2/3) affirmative vote of the total membership of the County Central Committee present at a special meeting called on fifteen (15) days notice by mail. The notice shall contain the charges preferred and signed by not less than ten (10) per cent of the members of the committee. The special meeting shall take place to grant a full hearing of the charges prior to the vote, with the officer against whom complaints were made present, if he or she so wishes.

B. Committee members who are elected in contested elections may be removed pursuant to state law regarding recall elections. Committee members who are appointed or elected by acclamation may be removed by the above procedure to remove an officer for good cause, including, physical or mental lack of fitness, incompetence, violation of these Rules, official misconduct, or conviction of a felony offense.

C. In the event charges are presented against an Officer of the Executive Committee, the Central Committee may vote, by majority vote, to suspend an officer from position on the Executive Committee. Any such motion must include provision for temporary replacement of the suspended officer's duties.

Rule 20 Rules of Conduct [NEW]

This Rule governs conduct of members and guests at all meetings of the Central Committee (Members) and the Executive Committee (Officers), and at programs sponsored by the Central Committee. It also applies, as indicated to the conduct of Members and Officers of the Central Committee in other public settings including social media.

A. Discussion at meetings should proceed in an orderly fashion, as directed by the presiding officer. Neither Members, Officers, nor guests should interrupt a speaker recognized by the presiding officer, and shall seek recognition of the presiding officer if they wish to speak during discussion. Members officers and guests shall refrain from questioning the motives of other participants during discussion of an issue, and shall restrict themselves to the content of the issue under discussion.

B. Members and Officers shall not disparage each other, or other Democrats, at meetings or otherwise in public. The following provisions apply to Officers but not to Members:

1. Officers are obligated to support nominees of the party: communications disparaging party nominees or Democratic party organizations may be grounds for removal as an Officer.

2. Officers shall not disparage candidates for nomination in public. Officers may debate the merits of particular candidates, but shall refrain from public communication which, if repeated after the primary, would constitute a violation of paragraph 1.

C. Members shall not disparage, defame or threaten other members directly, indirectly, or by implication, at meetings, in public, on social media or in private communication. This prohibition includes but is not limited to the following:

1. Members and Officers shall strive to use dispute resolution methods pursuant to these Rules. Any Member or Officer who is the victim of a crime may report the matter to the appropriate entity.

2. Members and Officers shall not contact or threaten to contact another Member or Officer's employer, or the officers or members of another organization, to complain about the conduct of another Member or Officer at meetings, in public, on social media, or at sponsored programs.

D. Conduct that violates the provisions of this Rule may be remedied as follows:

1. If the conduct occurs during a meeting, the presiding officer may rule a member out of order and, in an egregious case, may expel the Member, Officer, or guest from the meeting pursuant to Robert's Rules of Order. Expulsion may be appealed to the body, and overturned by majority vote.

2. If the conduct occurs outside of a formal meeting, the following procedures shall be applied:

a. An aggrieved party may make a complaint concerning a violation of this Rule to the Chair, Vice-Chair, Record Secretary, or Treasurer. The officer to whom a complaint is made (the Convening Officer) shall ascertain whether any of the other officers are implicated in the violation.

b. The Convening Officer shall appoint a committee of two officers and two members of the central committee to assist the Convening Officer in investigating the complaint. None of the appointees may be implicated in the complaint. The person complained about shall be given notice of the complaint, and of the appointment of the investigatory committee. The complaining party, or the person complained about, may make a prompt objection to the Convening Officer to the appointment of any members of the investigation committee.

c. The committee shall speak to the parties involved, and to such witnesses as are identified by the parties involved, and shall review written communications that are directly relevant to the complaint.

d. At the completion of its investigation, the Convening Officer shall convey the investigative committee's recommendation to the Executive Board. Both parties

involved matter and the Executive Board meeting that considers the recommendations. Recommended actions may include:

- i. No action.
- ii. Direction of one party to provide a remedy to the aggrieved party, including potentially the direction to apologize to another.
- iii. Censure
- iv. Suspension of a person for a period not more than 6 months from meetings;
or
- v. Removal of an Officer from the Executive Board.

e. The Executive Board shall discuss the recommendation of the investigative committee, and may take action different from that recommended by the investigative committee. In reaching its decision the Executive Board may consider mitigating and aggravating factors. Notwithstanding the provisions of Rule 19, if the investigative committee recommends removal, and the Executive Board approves the recommendation, then the Central Committee may remove the officer at its next scheduled meeting by a majority vote. The quorum for a Central Committee meeting considering an Executive Board recommendation of removal based on a violation of these rules shall be the same as for a normal Central Committee meeting.

E. Violations of this Rule are not excused by a prior violation (or alleged violation) by another party.

F. Complaints about violations made in bad faith or over de minimis violations may be themselves considered to be violations, and may be the subject of a complaint by the person complained about.

Rule 21: Neutrality Before a Primary, Non-coordination; Neutrality of Chairperson and Vice-Chairperson

A. No funds of the County Central Committee or the City Central Committee shall be expended during the primary on behalf of one or more Democratic candidates against any other Democratic candidates unless: upon a two-thirds (2/3) vote of the Central Committee members present when evidence exists that a candidate(s) does not exhibit a persuasive history of support for the Party platform and issues. Candidates shall be eligible for endorsements in non-partisan races.

B. During decisions regarding expenditures of funds or use of resources, candidates for office that may be affected by expenditures shall not participate to avoid coordinating inappropriately with the Central Committee.

C. Absent Montana Democratic State Party Executive Board support of a proven statewide or federal incumbent or Missoula Democratic Central Committee support for a candidate under Rule 21, Section A, the Chairperson and Vice Chairperson shall maintain neutrality throughout any contested Democratic primary.

D. The Chairperson and Vice Chairperson of the Missoula County Democrats shall resign these positions if they file to run for elective office in a contested primary.

Missoula County Democrats

PO Box 9305, Missoula, Montana 59802



July 6, 2018

Central Committee Members
Missoula County Democrats

Dear Central Committee members,

A set of recent incidents involving Anita Green have prompted several members of the central committee including myself to ask for her removal from the EBoard as the state committeewoman. The attached petition specifies what has happened and why Anita's behavior has been highly disruptive to the EBoard's functioning and threatening to individuals and the party.

This petition will be acknowledged at the central committee meeting on Tuesday, July 10th at 7 p.m. in the Missoula County Courthouse. This mailing constitutes a formal notice.

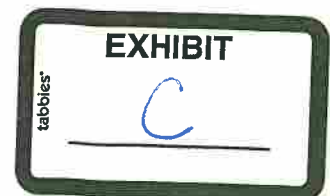
Many of us have been working very, very hard to address and prevent conflicts that stymie the work we should be doing to elect Democrats. One of those efforts was a mediation, which was held on June 25th. At Tuesday night's meeting, we will hear a full report on the mediation. Let me note here that it successfully addressed some, but not all the conflicts we've been experiencing.

One of the issues not resolved was the petition to remove Erin Doherty from her EBoard position as congressional committeewoman. Therefore, a vote on removing Anita and Erin will be scheduled for the September 11th central committee meeting.

These conflicts will test the ability of Missoula Democrats to address them and move forward. I urge you to attend the meetings in July and September (the central committee doesn't normally meet in August). Everyone's input on these very tough problems is critical.

Very truly yours,

David Kendall
Chairperson



NOTICE OF SPECIAL MEETING AND PETITION TO
REMOVE ANITA GREEN AS AN OFFICER OF THE
MISSOULA COUNTY DEMOCRATIC EXECUTIVE BOARD

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Rule 19, of the Missoula County Democrat Central Committee Rules, that a Special Meeting has been scheduled on September 11, 2018, at 6:00 p.m., to hear evidence on this Petition to Remove Anita Green as an Officer of the Missoula County Democrats Executive Board. The meeting will be held at the Missoula County Courthouse, 200 W. Broadway, Missoula, Montana.

The charges in support of this Petition are as follows:

1. Actions Designed to Impede the Orderly Conduct of Executive Board (“EBoard”) Meetings.

At a prior EBoard meeting a request was made by an individual to audio record the meeting. After an objection, it was voted overwhelming that the meeting NOT be audio recorded. Subsequent to that meeting, and at the June 27, 2018 EBoard meeting, the Chair called the meeting to order. At this point, Anita Green (“Green”) pulled out a phone with a recording device and stated she was recording the meeting and the rest of the EBoard could not stop her. A motion was made, seconded, and an overwhelming majority of the EBoard again voted down the request to record the meeting. Green continued to record the meeting, repeatedly stating, “You cannot stop me.” Green knew, or should have known, that this conduct would disrupt and impede the further orderly conduct of the meeting.

2. Failure to Comply with the Rulings of the Chair. (See Roberts Rules of Order, Rules 72 and 73)

Following the above disruption of the June 27, 2018 EBoard meeting, Green continued to record the meeting, holding up her recording device in front of everyone and continuing to say, “You cannot stop me.” Our Chair again requested that Green stop recording the meeting. As she would not stop

recording, the Chair then ruled Green out of order and asked her to leave the meeting. Green refused again stating, "You cannot stop me." At this point the Chair indicated he would entertain a motion to adjourn the meeting. The motion was made, seconded, and the meeting was adjourned. Green's refusal to comply with the rulings of the Chair resulted in the adjournment of the EBoard meeting without the conduct of any Missoula County Democrats business being heard.

3. Threatening Behavior and Lewd and Obscene Name Calling Directed at other EBoard Officers.

Following the premature adjournment of the June 27, 2018 EBoard meeting, our Chair requested that everyone leave the building. The Vice Chair then had a conversation with the Chair about how we could, going forward, have a meeting when one member would not comply with the rulings of the Chair. The Chair told the Vice Chair that he wanted everyone to pack up as he was responsible for locking up the meeting room. The Vice Chair, following the direction of the Chair, then told the group as a whole that, "Let's go everyone, Dave needs to lock up." During this entire time, and without permission of others present, Green continued to hold up her phone while those in attendance were packing up their belongings to leave.

After the Vice Chair encouraged everyone to pack up so the room could be locked, Green came around the table and aggressively approached the Vice Chair (who was not speaking to her) and said, "I will leave when you do bitch!" Green's tone was aggressive and her body language was defiant. Green had one hand on her hip and wagged her index finger at the Vice Chair as she spoke. Both the Vice Chair, and others present, have reported to the Chair that Green's behavior was physically and emotionally intimidating.

4. Threatening and Intimidating Behavior Towards the Vice Chair Immediately Following the June 27, 2018 EBoard Meeting

Immediately Following the June 27, 2018 EBoard meeting, those present left the building. As many meeting attendees were trying to get away from Green, she pursued them holding up her phone. The Chair yelled out that people should know that Green was still recording them. Green proceeded to stop within ten (10) feet of the Vice Chair's car and would not leave the area. The Vice Chair, who was concerned for her safety and her property, was not able to get to her car. The Vice Chair had to call someone to pick her up and wait until Green left the area before she could safely get to her car.

5. Previous Actions Designed to Impede the Orderly Conduct of Business and Harm the Democratic Party.

Due to continuing name calling and nasty comments in our EBoard Google Group, the Chair was forced to implement an EBoard policy to deny email posts to the Google group that were out-of-order. The new policy EBoard policy to review and moderate all posts to the Google Group was to be moderated by the Chair, Vice Chair, and Communications Director. After sending out notice of the new policy, Green demanded that the Vice Chair not be involved in making those decisions or else she would bypass established grievance procedures and threatened to go straight to the press.

In an email to the Chair and the Communications Director dated June 8, 2018, Green wrote:

“[The Vice Chair] will not be allowed to moderate the emails. If you allow her to do so I will share all that we have discussed in these emails publicly. I will share them on my Facebook, Instagram, I will contact various reporters and I will contact various queer organizations in town and relay that I have experienced discrimination based upon my transgender status by the Missoula County Democrats vice chair and congressional committeewoman. If you think for one second I’m bluffing, go ahead and wait and see. I may be many things, but I’m not a liar. I am good to my word.”

After many hours of work on the part of many EBoard members and discussions involving nearly all the EBoard members, Green relented on her threat and agreed to pursue four of seven options that the Chair had outlined as ways to address her grievances against the Vice Chair. Subsequently, she chose to pursue instead a different approach of having a general Eboard discussion of transphobia among EBoard members. The Chair informed Green that such a discussion would be out-of-order because it involved charges against specific EBoard members and that such charges would need to be pursued in accordance with the rules. Much time and effort was again spent by EBoard members in dealing with this threat of disorderly conduct prior to the June 27, 2018 EBoard meeting.

Notice of Special Meeting and Petition to Remove Anita Green as
an Officer of the Executive Board of the Missoula County Democrats
Pursuant to Rule 19 submitted by:

Jennifer Cady Jennifer Cady 7/2/2018
Name Signature Date

Roberta L. Crane Roberta L. Crane 7/2/2018
Name Signature Date

Jeanne A. Bowes Jeanne A. Bowes July 2, 2018
Name Signature Date

David Kendall David Kendall 7/2/2018
Name Signature Date

Pam Walzer Pam Walzer 7/3/2018
Name Signature Date

Charles Carpenter Charles Carpenter 7/5/2018
Name Signature Date

Name Signature Date

Notice of Special Meeting and Petition to Remove Anita Green as an Officer
of the Executive Board of the Missoula County Democrats

(Continuation Page)

Jennifer L. Rohrer Jennifer L. Rohrer 7/5/2018
Name Signature Date

Joanne Puccinelli Joanne Puccinelli 7/5/2018
Name Signature Date

Klaus von Stutterheim Klaus von Stutterheim 7/5/2018
Name Signature Date

Name Signature Date

Name Signature Date

Name Signature Date

Name Signature Date

Notice of Special Meeting and Petition to Remove Anita Green as an Officer
of the Executive Board of the Missoula County Democrats

(Continuation Page)

| | | |
|--------------------------|-------------------------|---------------|
| <u>David A. Severson</u> | <u>Dave A. Severson</u> | <u>7-5-18</u> |
| Name | Signature | Date |
| <u>Kate Anderson</u> | <u>Kate Anderson</u> | <u>7-5-18</u> |
| Name | Signature | Date |
| <u></u> | <u></u> | <u></u> |
| Name | Signature | Date |
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| Name | Signature | Date |
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| Name | Signature | Date |

Missoula County Democrats
PO Box 9305, Missoula, Montana 59802



December 22, 2018

Mr. Benjamin Darrow
2509A Granary
Missoula, Montana 59808

Dear Ben,

It has come to the attention of the Missoula Democratic Executive Board that on September 19th, 2018, you exported personal data of over 2500 interested individuals from the Missoula County Democrats Nation Builder account, without explicit permission from the owner of the data (Missoula County Democrats) to utilize this data. At the time of your export you did not hold a role within the organization that required you to access the volunteer database or one that allowed you to export or use this data. This information included names, email addresses, phone numbers, physical addresses, social media data, and where they encountered Missoula County Democrats to be added into the database (i.e. picnic or original list).

The Missoula County Democrats take stewardship of personal information very seriously. We are appalled you took this information without official cause. The only exports that have been authorized have been for understanding the export process and for managing the volunteer database.

We respectfully request that you delete this data, as it does not belong to you, nor do you have a responsibility that requires you to use it. Similarly, we insist you do not use the data. Use of the personal data taken from our database without full written permission will be subject to any and all legal ramifications.

Please send your response to the Executive Board directly, through me or anyone else on the Board.

Sincerely,

David Kendall
Chairperson



BENJAMIN M. DARROW
P.O. Box 7235, Missoula, MT 59807
(406) 647-0417 • (406) 880-3418

December 29, 2018

Missoula Democrats/E-Board
c/o Dave Kendall
PO Box 9305
Missoula, MT 59807

Dear E-Board:

The letter sent to me on December 22, 2018 has brought to my attention a concerning issue for the Missoula Democratic Central Committee: Technological Security. I deny I have done anything improper, in fact, it would be foolish to **not backup information** from our website. Below is my direct response to the concerns raised in your letter.

1. I deny that I did anything without permissions, and in fact, had negotiated a return to staffer privileges in March of 2018 (which included the permission set to allow export). I have asked the Technology director to preserve certain activity logs to ensure I can prove the concerns in the letter false. I also request my privileges to the website be restored.
2. I did export the list for the purposes of backup, with privileges, but have never used it for anything. I have been entrusted with lists (specifically utilizing Nationbuilder) and routinely perform backups of said lists for **non-profits**, candidates and the party for years and have never had a complaint like this. The list has always been open to any member with staffer privileges or above. It should be noted that Nationbuilder stores no private information about people in our database. That aspect is one of the advantages to switching to this system over our old system which I also backed up. I have emails to verify that I had permissions. There was no inappropriate use whatsoever. I continue to believe in transparency and therefore you should be aware that I also backed up the list in March of 2018.
3. Please send me the meeting minutes and any audio from the meeting where the decision to send the letter of December 22, 2018 was made. If you cannot provide this information, please let me know. If the board discusses this in the future, please let me know so I can attend/participate and correct the record.

Finally, neutrality requires equal enforcement of the rules. Please consider this before jumping to conclusions without cause.

Sincerely,


Benjamin M. Darrow





[Home](#) / [Blog](#)

Welcome to the new website for Missoula Democrats

Posted by David B. Kendall 59sec on March 23, 2017

Welcome to the new website for Missoula Democrats!

We're happy to offer updated content from the previous website, plus new tools that will give us more **ways** to organize.

It was a group effort to build this website. Precinct Committeewomen for Target Range 97, Stacy Hunt and her colleagues Tim Gunderson and Megan Emjsh provided great support upfront and solved several technical problems.

Danny and Bracha Tanenbaum who are brand new to the Missoula Dems, stepped up and got the website over the finish line using their wealth of experience with web design.



Bob Jaffe with Cedar Mountain Software, which hosted the previous website, has donated his time and resources over many years. He made the transition the new website seamless.


Thank you all!


Please let us know what think and how we can improve the website's usefulness to you and others. We have a ton of learning to do. You can send me an email at chair@missoulademocrats.org.


Here's to a great new tool for Missoula Democrats! -Dave Kendall, Chairperson

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 SIGN IN WITH FACEBOOK

 SIGN IN WITH TWITTER

Email address

JOIN

Follow @missouladems

 [Subscribe with RSS](#)



The first 20 signups to missoulademocrats.org Nationbuilder page, indicating that Users 3, 5, 6, 10 and 12 have been deleted. The source file for this data is in the possession of the Missoula County Sheriff's Office.

| ID | received_capital_amount | nationbuilder_id | first_name | last_name | full_name | email | created_at | updated_at | email1 |
|----|-------------------------|------------------|-----------------|-----------|---------------------------|--------------------------------------|-----------------|-----------------|--------------------------------------|
| 1 | 5sc | 1 | NationBuilder | Support | NationBuilder Support | help@nationbuilder.com | 2/6/2017 23:33 | 2/6/2017 23:33 | help@nationbuilder.com |
| 2 | 59sc | 2 | David B. | Kendall | David B. Kendall | david@ekendalls.net | 2/6/2017 23:33 | 4/10/2018 15:12 | david@ekendalls.net |
| 3 | 19sc | 4 | Stacy | Hunt | Stacy Hunt | missoula@stacyhunt.net | 2/20/2017 23:53 | 8/8/2018 20:41 | missoula@stacyhunt.net |
| 4 | 5sc | 7 | Daniel | Tenenbaum | Daniel Tenenbaum | drtenenbaum@gmail.com | 3/18/2017 16:54 | 1/12/2018 15:40 | drtenenbaum@gmail.com |
| 5 | 29sc | 8 | Peggy | Pabustan | Peggy Pabustan | Peggy.pabustan@gmail.com | 3/21/2017 9:43 | 3/25/2017 6:49 | Peggy.pabustan@gmail.com |
| 6 | 379sc | 9 | Missoula County | Democrats | Missoula County Democrats | communications@missoulademocrats.org | 3/21/2017 21:42 | 7/24/2017 21:16 | communications@missoulademocrats.org |
| 7 | 36sc | 11 | Travis | | Travis | swift13@me.com | 3/27/2017 19:57 | 3/27/2017 23:18 | swift13@me.com |
| 8 | 27sc | 13 | Kerri | Bizjak | Kerri Bizjak | kerribizjak@live.com | 3/30/2017 19:24 | 9/14/2017 22:37 | kerribizjak@live.com |
| 9 | 93sc | 14 | Ben | Darrow | Ben Darrow | bendarrow@gmail.com | 4/1/2017 12:54 | 6/29/2018 14:09 | bendarrow@gmail.com |
| 10 | 16sc | 15 | Stacy Kuiper | Hunt | Stacy Kuiper Hunt | | 4/5/2017 3:38 | 4/5/2017 3:38 | |
| 11 | 24sc | 16 | Renee | Barlow | Renee Barlow | | 4/5/2017 3:38 | 4/5/2017 3:38 | |
| 12 | 18sc | 17 | Denise | Nebel | Denise Nebel | | 4/5/2017 3:38 | 4/5/2017 3:38 | |
| 13 | 66sc | 18 | Marie | Welch | Marie Welch | | 4/5/2017 3:38 | 4/5/2017 3:38 | |
| 14 | 16sc | 19 | Beckie | Squires | Beckie Squires | | 4/5/2017 3:38 | 4/5/2017 3:38 | |
| 15 | 2sc | 20 | Danny | T-bomb | Danny T-bomb | | 4/5/2017 3:38 | 4/5/2017 3:38 | |



Missoula County Democrats

Name: Stacy Kuiper Hunt

Address: 9975 O'Brien Creek, Missoula, MT 59804

Precinct:

Office Sought: Communications Director

Instructions: All officer positions in the Missoula County Democrats are subject to election at the May 9, 2017 County Convention; incumbent officers are permitted to run for re-election on the same terms as new candidates for any officer position.

Every qualifying applicant will be nominated by the Nominations Committee for the positions for which they submit this form. Nominations will also be taken from the floor. All nominees will be limited to a 1 minute speech at the Convention; this form is your opportunity to provide more detail than can be expressed in a single minute.

Only Central Committee members may vote at the County Convention. A list of Central Committee members is available at the website. To be elected to an officer position, a candidate must get more than 50% of the votes cast for the position. When no candidate gets more than 50%, a new ballot for the position will be prepared, dropping off the candidate(s) with the lowest number of votes.

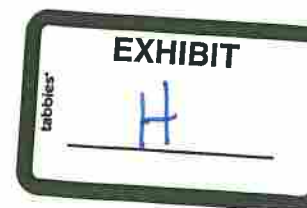
A person may be nominated for more than one officer position, but may only occupy a single position. Please prepare a separate form for each position to which you wish to be nominated.

The duties and responsibilities of each officer and of the officers collectively are set forth in the Missoula County Democrats bylaws, which are posted to the website.

Officers of the Missoula County Democrats may sometimes be considered public figures, and have in the past been the subject of negative press attention for matters unrelated to their service as an officer. The County Convention is open to the public, as are meetings of the Central Committee.

Please submit completed forms, electronically, to the Nomination Committee by emailing a copy to Anita Green (anitagreenmt@gmail.com) or Charley Carpenter (carpentc@carpenterlawfirmplc.com). If you have questions or concerns regarding the process, service as an officer, or any items on the form, please contact Charley or Anita.

1. Briefly describe your previous experience and community involvement:



Stacy Hunt has been on the Central Committee (Target Range 97) for 18 months and has been a Missoula resident since 2008. She is originally from Pittsburgh, Penn. and has lived in Maryland and Seattle, Wash.

Stacy's community involvement includes past board positions with the Missoula Urban Demonstration Project and Partnership for Children, and participation in supporting Missoula Rises. Stacy has represented energy efficiency and renewable energy interests in Washington, D.C. and has been an activist for all things rational, scientific, and just for many years.

Stacy owns Confluence Communications, a full-service marketing, communications and outreach company with a focus on special events, meetings, and competitions. Stacy has worked as a professional senior communications specialist and program manager for nearly two decades. Her experience is largely with complex federal and state government programs focused on energy efficiency, renewable energy, and technology. Stacy supports communications, stakeholder engagement, and outreach programs for organizations like the U.S. Department of Energy, National Renewable Energy, and the State of Colorado Secretary of State's Office. Stacy is a published writer, a strong editor, and a compelling program representative with her clients. Stacy graduated with a BA in Nonfiction/Business Writing and Gender Studies from the University of Pittsburgh.

Loads more about Stacy and her work can be found here: <http://stacyhunt.net/> and information on Confluence can be found here: <http://confluenceec.com/>

2. Which of your skills and abilities are you willing to volunteer as part of your service on the next Executive Board?

I'm happy to volunteer time to develop strong communications strategies and plans, and to supervise the implementation of these communications plans. I'm also happy to write, edit, and review/revise material from other Officers and Members.

3. Please describe your specific qualifications for the specific position you are seeking.

In addition to the information provided above, my full resume can be found here: <http://stacyhunt.net/wp-content/uploads/2017/12/Stacy-Kuiper-Hunt-Dec-4-2017.pdf>

4. Please describe your philosophy on group decision-making and conflict resolution:

That's a tough one. My philosophy is that effective group decision-making involves 2/3 planning and synthesizing group input and 1/3 facilitation toward a decision. The 1/3 facilitation effort may not result in **consensus**, but must result in a decision that has adequately considered all perspectives and potential outcomes. So, organize topics and decisions upfront, get proper review and feedback, and ultimately, the decision must come down to a common decision amongst "jurors."

5. Do you have the time to dedicate to the job?

Yes. I can commit 5-7 hours per week to this job, but it will behoove the Committee to ensure that the Technology Director and I are properly integrated and supported. There are some

weeks/months that will be very difficult for me to divide my attention because of work and family, so having redundancy is important.

6. What are your top goals for the Missoula County Democrats in the future? How would you propose achieving such goals?

I'd like to see us creatively addressing issues like Democratic voter turnout. The old strategies didn't seem to work, and still don't seem to be working. I'd like us to look at other counties (in MT and the nation) to see what has mobilized voters, so that we can replicate some of those best practices.

I'd like to see us integrate absentee committee members better – some of the busiest people could be our best resources if we tapped into them better, and better allowed remote participation. Simple technology changes (Google Hangouts and a dedicated tech person at each meeting) could expand participation.

I'd like the upcoming strategic planning session to result in actionable project and communications plans, with specific roles, responsibilities, and deadlines. I would like us to be held accountable to action.

I'd like to have a more professional approach to each other as Committee members. This recent nonsense created drama that has detracted immensely from our penultimate goal – to get more democrats elected into office in Montana. We need to create management and communication systems that prevent our Members and Officers from detracting from our mission.

We only have so much energy to spend. Spend it more wisely.