

Commissioner of Political Practices
1209 Eighth Avenue
Post Office Box 202401
Helena, MT 59620-2401
Phone: 406-444-2942
Fax : 406-444-1643
www.politicalpractices.mt.gov

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POLITICAL PRACTICES

SIGNED/NOTARIZED

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 Rosalie Sheehy Cates
Complete Mailing Address 141 Kensington Missoula MT 59802
Rosalie.sheehy.cates@gmail.com
Phone Numbers: Work _____ Home 406 370 5590

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

Complete Name Jennifer Streano, Eli Parker, Jake Coolidge
Complete Mailing Address please see contact information on following page
Phone Numbers: Work _____ Home _____

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

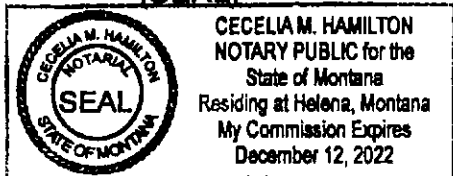
Verification by oath or affirmation

State of Montana, County of Lewis and Clark

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

[Signature]

Signature of Complainant



Subscribed and sworn to before me this 25th day of October, 2021.

Cecelia M. Hamilton
Notary Public

My Commission Expires: Dec. 12, 2022

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.

Contact information for respondents:

Parker, Eli
P O Box 7363, Missoula, MT 59807
Resident County: Missoula Office Sought: City Judge
(406) 439-3394
eliparker.municipaljudge@gmail.com

Streano, Jennifer
P O Box 7842, Missoula, MT 59807
Resident County: Missoula Office Sought: City Judge
(406) 239-2965
jenniferstreano@gmail.com

Coolidge, Jake
P O Box 9194, Missoula, MT 59807
Resident County: Missoula Office Sought: City Judge
(240) 925-7282
coolidgeforjudge21@gmail.com

Please see attachment for the citation of applicable statute, and the alleged violations.

Thank you very much for your attention to this complaint.

Complaints must be:

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

Section of MT law in question for political practices complaint against Jennifer Streano, Eli Parker and Jake Coolidge

44.11.602 COORDINATION

(1) A "coordinated expenditure" means any election communication, electioneering communication, or reportable election activity that is made by a person in cooperation with, in consultation with, under the control of, or at the direction of, in concert with, at the request or suggestion of, or with the express prior consent of a candidate or an agent of the candidate. The coordination of an expenditure need not require agreement, cooperation, consultation, request, or consent on every term necessary for the particular coordinated expenditure, but only requires proof of one element, such as content, price, or timing, to be met as a fact of a coordinated expenditure.

(2) When determining whether a communication or reportable election activity is coordinated the following may be considered, whether:

(a) it is based on information that is provided by the candidate or agent of the candidate directly or indirectly to the person funding or facilitating the communication or activity, or any person involved in creating, producing, or disseminating it.

(b) it was made by or through any candidate's agent in the course of the agent's involvement in the current campaign.

(c) the person funding or facilitating the communication or reportable election activity retains the paid services of a person or individual who:

(i) currently, or during the six months immediately preceding the election in which the candidate's name will appear on the ballot, received compensation from the candidate or the candidate's agent; and

(ii) the person or individual is involved in creating, producing, or disseminating the communication or reportable election activity.

(d) the communication or reportable election activity replicates, reproduces, republishes or disseminates, in whole or in substantial part, any material designed, produced and paid for, or distributed by the candidate, except as set forth in (3)(e).

(e) the candidate or the candidate's agent has made or participated in any discussion or in making any decision regarding the content, timing, location, media, intended audience, volume of distribution, or frequency of placement of the communication or activity.

(f) the person funding or facilitating the communication or reportable election activity has:

(i) established a written firewall policy designed to prevent the flow of information about the candidate's campaign plans, projects, activities, or needs from the persons providing services to the candidate to persons involved in the creation, production, or dissemination of the communication or activity; and

(ii) prior to the preparation or distribution of any communication or reportable election activity has distributed the firewall policy to all relevant employees, consultants, and clients affected by the policy; and

(iii) filed the firewall policy with the COPP.

(3) A "coordinated expenditure" does not mean any election communication, electioneering communication, or reportable election activity consisting of:

(a) an uncoordinated expenditure or an independent reportable election activity funded or facilitated by a person; (b) services, food, or lodging provided in a manner that they are not contributions by a person within the meaning of contribution as defined by 13-1-101, MCA, or these rules;

(c) the cost funded or facilitated by a person for any bona fide news story, commentary, blog, or editorial distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical of general circulation;

(d) activity by an individual acting solely on his or her own behalf independently of any candidate or the candidate's agent; or

(e) the independent use of statements, images, or other information that is appropriated from a public source.

(4) A "coordinated expenditure" does not exist solely because:

- (a) of personal or professional relationships between a candidate and other persons;
- (b) the person funding or facilitating the communication or reportable election activity has previously made a contribution to the candidate;
- (c) after publication or distribution, the person funding or facilitating the communication or reportable election activity informs the candidate or an agent of the candidate that the person has made an expenditure or funded the activity, provided that there is no other exchange of information, not otherwise available to the public, relating to details of the expenditure or funding the activity; or
- (d) the funding or facilitating of the communication or reportable election activity is made at the request or suggestion of a candidate or an agent of a candidate for the benefit of another candidate or political committee where the other potentially benefitted candidate or political committee has no involvement.

(5) A "coordinated expenditure" shall be treated and reported as an in-kind contribution from and expenditure by the person funding, facilitating, or engaging in the election communication, electioneering communication, or reportable election activity. Both the candidate and the committee shall report the coordinated expenditure and/or in-kind contribution as the case may be.

The December 2015 poll of the Montana Legislature on proposed NEW RULE VII (ARM 44.11.602) COORDINATION in MAR Notice No. 44-2-207 was as follows: 26 Senators voted the proposed rule is consistent with legislative intent; 20 Senators voted the proposed rule is contrary to legislative intent; 49 Representatives voted the proposed rule is consistent with legislative intent; and 36 Representatives voted the proposed rule is contrary to legislative intent.

History: 13-37-114, MCA; IMP, 13-1-101, 13-37-225, 13-37-226, 13-37-229, 13-37-232, MCA; NEW, 2016 MAR p. 28, Eff. 1/9/16.

I respectfully request investigation of the coordination and improper accounting of these expenses:

1. Coordinated project management expenses from Westridge Creative

Jennifer Streano, Eli Parker and Jake Coolidge are running for election in three separate Municipal Judge departments in Missoula. The three candidates created a slogan "Moving Justice Forward." On their C5 reports, the three candidates refer to "Moving Justice Forward" as a "platform." The candidates hired Westridge Creative, a Missoula firm, to create this platform, devise its joint strategies, and produce its coordinated materials.

Westridge Creative directly and identically billed the three candidates for the coordination of their activities and expenditures as reported on C5s at 9/15 and 10/15. Here is the description of services that each candidate used on their 9/15 C5 reports:

"Proj mgt [sic], coordination of Moving Justice Forward materials, voter targeting, campaign verification, yard sign placement work, strategy sessions."

Per these sworn reports, Westridge Creative coordinated the Moving Justice Forward platform's marketing materials and activities, and held strategy sessions. Each candidate paid an identical fee for these coordination activities. It was \$520 in the 9/15 report, and \$297 in the 10/15 report. These amounts are booked as a loan from Westridge Creative; however, the corresponding in-kind donation of 1/3 of the expense paid by each candidate was not booked by Ms. Streano, Mr. Parker or Mr. Coolidge. Each candidate should have contributed \$173 in September and \$99 in October, to the other two candidates.

(In September, the three candidates had already made in-kind contributions to one another for \$83 related to joint purchase of Moving Justice Forward magnets. Had they properly recorded \$173 in-kind for that month's coordination services from Westridge Creative, all the candidates would have exceeded the contribution limit of \$180 that was in effect until October 1.)

Westridge Creative provided its services as a loan to the campaigns, but there is little likelihood that MT law would allow coordinated activities to be "hidden" from public scrutiny simply by booking them as loans.

2. Coordinated printing and distribution of walk cards and mailers by Westridge Creative

- Ms. Streano reported a debt of \$755 to Westridge Creative for printing of 5,000 walk cards on 8/6/21. The description of the card in her 8/15 C5 says:
"Candidate picture with quote on front; Moving Justice Forward platform on back with candidate contact information."

In actuality, the back of the walk card features the pictures and names of Ms. Streano, Mr. Coolidge and Mr. Parker, under the Moving Justice Forward banner. This is clearly a coordinated printing of cards to promote all three candidates at the same time during door-to-door promotion. The expense is booked as a loan from Westridge Creative dated 8/6/21. Proper treatment as a coordinated expense would require Ms. Streano to book an in-kind contribution of 1/3 (\$252) to Mr. Parker and Mr. Coolidge, who benefitted from her walk cards. This amount is well in excess of the \$180 contribution limit that was in effect until October 1, 2021.

- On their 8/14 C5s, Mr. Parker and Mr. Coolidge both have \$728 charges from Westridge Creative for the same coordinated style of walk cards (front for the candidate, back for pictures of all three Moving Justice Forward candidates). The expense is booked as a loan from Westridge Creative. Proper treatment as a coordinated expense requires Mr. Parker and Mr. Coolidge to book in-kind contributions of 1/3 (\$242) to the other two candidates who benefitted from these materials. Again, the amount is well over the \$180 contribution limit that was in effect until October 1, 2021.
- The same (front for the candidate, back for pictures of all three Moving Justice Forward candidates) walk cards described above were reprinted for each of the three candidates on the 10/14 C5 report, costing each candidate \$488, booked as a loan from Westridge Creative. Each candidate should have made in-kind contributions to each other of \$162.
- Additional "front for the candidate, back for pictures of all three Moving Justice Forward" cards were printed and mailed by Westridge Creative for all three candidates, as reported on the 10/14 C5. This time Mr. Parker and Mr. Coolidge paid \$2000, and Ms. Streano paid \$1975. The appropriate in-kind contributions for their coordinated efforts are \$666 for the Mr. Parker and Mr. Coolidge, and \$658 for Ms. Streano.

3. Miscellaneous coordinated activities by Westridge Creative

- Westridge Creative loaned Ms. Streano \$210 to "design Moving Justice Forward logo, yard sign and letterhead" as reported on her 8/14 C5. The proper in-kind contribution would be \$70 to each of the other two candidates who benefitted from this design work.
- Westridge Creative loaned Mr. Parker \$892 for "development of Moving Justice Forward campaign materials, yard signs order, voter targeting, yard signs." The proper in-kind contribution would be \$297 to each of the other two candidates who benefitted.

- I have confined this complaint to 1) expenses that clearly report Westridge Creative's direct coordination of campaign activities between the three candidates; and 2) printing of various walk and post cards that bear the pictures of all three candidates on one side, and an individual candidate on the other. Many other expenses may meet the definition of coordination, as there is not even a semblance of an information and coordination firewall between the campaigns of Ms. Streano, Mr. Parker and Mr. Coolidge, as required in the statute cited above. As I reviewed all the reports of all three candidates, it appears that money raised by the three individual candidates was essentially pooled for management and coordination by Westridge Creative, with candidates splitting costs for identical activities and materials "even-Steven." In effect, a contributor giving to any of the candidates was giving, unreported, to all the candidates.

4. Summary of cited expenses

On the following page, please find a chart of all the expenses described here, referenced by C5 report for your convenience.

Summary of coordinated Westridge Creative Expenses for Moving Justice Forward candidates

Date of CS	Streano			Coolidge			Parker		
	Westridge service	Expense	Westridge service	Expense	Westridge service	Expense	Westridge service	Expense	
14-Oct	Moving Justice Forward project management & coordination	297	Moving Justice Forward project management & coordination	297	Moving Justice Forward project management & coordination	297			
	Reprint Moving Justice Forward + Streano walk cards	488	Reprint Moving Justice Forward + Coolidge walk cards	488	Reprint Moving Justice Forward + Parker walk cards	488			
	Print, mail Moving Justice Forward + Streano card	1,975	Print, mail Moving Justice Forward + Coolidge card	2000	Print, mail Moving Justice Forward + Coolidge card	2000			
14-Sep	Moving Justice Forward project management & coordination	520	Moving Justice Forward project management & coordination	520	Moving Justice Forward project management & coordination	520			
	Design, print 5000 Moving Justice Forward + Streano walk cards	755			Development of Moving Justice Forward campaign materials, yard signs order, voter targeting, yard signs	892			
14-Aug	Design Moving Justice Forward logo, yard signs, letterhead	210	Design, print 5000 Moving Justice Forward + Coolidge walk cards	788.25	Design, print 5000 Moving Justice Forward + Parker walk cards	788.25			
	Total Coordinated Expenses	4,245	Total Coordinated Expenses	4,093	Total Coordinated Expenses	4,985			

8/5 RSL
 Political practices complaint
 Streano, Parker & Coolidge