

BEFORE THE COMMISSIONER OF
POLITICAL PRACTICES OF THE STATE OF MONTANA

Montana Secretary of State v. ACLU of Montana No. COPP 2022-CFP-021	DISMISSAL
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On October 20, 2022, the Montana Secretary of State’s office filed a campaign practices complaint against ACLU of Montana. The complaint alleged that ACLU of Montana mailed and advised applicants to mail voter registration applications to an address other than the county election administrator.

SUBSTANTIVE ISSUES ADDRESSED

Proper return by mail of a voter registration form to the appropriate county election administrator as required by Mont. Code Ann. § 13-35-604.

FINDINGS OF FACT

The foundational facts necessary for this Decision are as follows:

Finding of Fact No. 1: ACLU of Montana is an affiliate of the national ACLU organization.¹ ACLU of Montana’s main office is located in Missoula, however the organization is active across the state of Montana. (Commissioner’s Records.)

Finding of Fact No. 2: As part of this complaint, the Montana Secretary of State’s office included an email message its Elections department received from Big Horn County election administrator Dulcie Bear Don’t Walk. Dated September 27, 2022, the email message states that “Just a quick mention I have had a few voters

¹ <https://www.aclumontana.org/en/about/about-us>

come in the morning in a huff about getting voter registration cards from the ACLU and that the ACLU wants them to send the cards to them. They were going on about a breach of privacy why do they want the card back with all their info instead of the counties". The email message did not state any specific name/s of applicant/s ACLU of Montana had advised to return voter registration applications to the organization instead of the Big Horn County elections officer or election administrator Bear Don't Walk, or otherwise provide or refer to specific correspondence sent by ACLU of Montana encouraging applicants to return a voter registration application to an address other than that of the applicant's county elections office. (Commissioner's Records.)

Finding of Fact No. 3: On October 21, 2022, ACLU of Montana, through Graybill Law Firm, PC, provided a formal response to this complaint to COPP. In its response, ACLU of Montana states that "The ACLU did not, at any time, "mail or advise an applicant to mail a voter registration or absentee ballot application to any address other than the county election administrator's address" in the applicant's county. ACLU of Montana did confirm that it had mailed blank voter registration forms and blank envelopes to recipients in Montana but stated that all forms and associated correspondence noted that completed forms needed to be returned to the applicant's county election office.

The response also included a copy of the letters sent by ACLU of Montana to various Montana recipients regarding voter registration information (Exhibit A). In one letter, ACLU of Montana writes "You can register to vote by filling out and returning the enclosed form via mail by October 11 or by returning it in person at your county elections office up through Election Day". It goes on to state that "If you have questions or want more information on how or where to vote, please call your county elections office". Each letter sent by ACLU of Montana additionally includes phone numbers for the elections office in Big Horn, Blaine, Daniels, Glacier, Lake, Pondera, Rosebud, Roosevelt, Sanders, Sheridan, and Valley counties. Recipients also received a blank Montana Voter Registration Application, accompanied by a list of mailing addresses for every Montana county's election administrator and a message of "Please place completed registration application and related documents in an envelope, affix postage, and send to your county Election Administrator office". (Commissioner's Records.)

Finding of Fact No. 4: On October 24, 2022, Commissioner of Political Practices Jeff Mangan contacted Big Horn County Election Administrator Dulcie Bear Don't Walk regarding the allegations

made in the SOS's complaint. In this conversation, Election Administrator Bear Don't Walk indicated she was not shown a communication, but that an individual had come in concerned about how the ACLU had received his contact information, which she replied it likely came from the publicly available voter list. She also stated she had heard from other citizens that they were concerned about their privacy, but that they did not provide or show any specific communication/s. Election Administrator Bear Don't Walk also stated she herself had been mailed voter registration information from ACLU of Montana and it did not include any direction to return to the ACLU, but just the opposite, return to the local election office. (Commissioner's Records.)

DISCUSSION

In this matter, the Montana Secretary of State's office ("the SOS Office") alleges that ACLU of Montana mailed and advised applicants to mail completed voter registration applications to an address other than that of the county election administrator. COPP considers the allegation in full.

Mont. Code Ann. § 13-35-604, the specific statute referenced by the Office in this matter, states that:

"A third-party registrar may not mail or advise an applicant to mail a voter registration or absentee ballot application to any address other than the county election administrator's address in the applicant's county of residence".

On September 27, 2022, Big Horn County Elections Administrator Dulcie Bear Don't Walk emailed the SOS Office to forward concerns her office had received potentially concerning ACLU of Montana (FOF No. 2). The SOS Office did not provide any additional information in it's complaint, including name/s of individuals specifically advised by ACLU of Montana to return voter registration applications to them or copies of any document/s or correspondence/s sent by ACLU of Montana encouraging individuals to return

voter registration applications to the organization rather than the individual's county elections office.

In responding to this complaint, ACLU of Montana disputed the Office's allegations. ACLU of Montana provided COPP with a letter and associated documents provided to potential voters regarding voter registration (FOF No. 3, Exhibit A). The information provided by ACLU of Montana in and with this letter is very clear that completed voter registration applications were to be returned to the county elections office; ACLU went so far as to include a list with the mailing address of each county's election administrator and a message of "Please place completed registration application and related documents in an envelope, affix postage, and send to your county Election Administrator office" (emphasis added) (FOF No. 3, Exhibit A). ACLU of Montana's letter makes no direct request that completed voter registration forms be sent anywhere other than the individual's county elections office.

Further, the investigation concluded no ACLU of Montana communication was shared with either Election Administrator Bear Don't Walk (FOF No. 4) or the Montana Secretary of State that included information contrary to Montana law.

The COPP is unable to identify a single specific instance where ACLU of Montana encouraged individuals to return a voter registration application to any address other than the individual's county elections office.

PROCESS

Following the Respondent's response in this matter, the SOS Office hand delivered a letter addressed to the Commissioner (Exhibit B). In this letter, the SOS Office describes what can only be considered its new process for handling what they describe as complaints. As an example, in this matter, the SOS Office referred an emailed 'complaint' it had received from an election administrator to the Commissioner of Political Practices as a formal Campaign Finance and Practices (CFP) Complaint. The SOS Office additionally submitted two related 'complaints' that were received by the SOS Election and Voter Services Division to the Commissioner of Political Practices as formal CFP Complaints. The SOS Office states this new process is necessary "in order for the State to formally document and log the allegations and disposition".

As described by the SOS Office, this process is unworkable. In all three cases referred by the SOS Office, the formal complaints filed with the Commissioner were based entirely on concerns raised and reported to the SOS of possible election information and security issues. Both the SOS Office and the COPP receive similar concerns, issues, and allegations daily, via email and phone calls. The COPP addresses such concerns informally, by providing education and guidance where appropriate, referring the matter to the appropriate state or local agency, including the formal complaint process when necessary. The COPP receives hundreds of such inquires prior to every election, and most are easily and immediately resolved informally. COPP would note that any unique concern, issue, or allegation raised informally and any

communications, guidance, or referrals made by COPP are documented by COPP staff.

A formal CFP Complaint filed with the Commissioner, however, must be handled according to the process provided for by Montana law and rule. “...Upon the submission of a written complaint by any individual, the commissioner **shall investigate** any other alleged violation of the provisions of chapter 35 of this title, this chapter, or any rule adopted pursuant to chapter 35 of this title or this chapter”. At a minimum, this process required COPP staff to process the formal Complaint and make it available on the agency website, requires the Commissioner request a formal written response from the subject of the complaint and make this response available on the agency’s website, and requires the Commissioner to issue a final agency decision.

In this matter, the SOS Office filed a formal CFP Complaint with COPP, delaying resolution of the issues. Had the issues been referred to the Commissioner by the SOS Office informally, via email message or telephone call, they could have been easily & immediately addressed through the informal process. Instead, because the SOS Office filed a formal CFP Complaint on an issue that never rose to a level of a potential violation, COPP was required process the formal CFP Complaint, request ACLU of Montana provide a formal written response, and issue a formal agency decision, a much more time consuming process.

FINDINGS

In this matter, the Commissioner examines dismissing the Complaint as frivolous under *Landsgaard v. Peterson, et al.*, COPP-2014-CFP-008.

“Complaints identified as frivolous will be swiftly dismissed so as to lessen the burden on participants (contributors, candidates, ballot committees and others) frivolously accused of campaign practice violations”, *id.* at page 3, Mont. Admin. R. 44.11.106(4) (formerly Mont. Admin R. 44.10.307(3)(2014).

“Most COPP complaints raise a campaign practice issue and initiate a valuable civic debate that justifies the social cost. Some complaints, however (labeled frivolous by this Decision) do not raise a legitimate issue and still assess a social cost. The targets of a frivolous complaint (legislators, contributors and others) bear the monetary cost of defending against a COPP complaint and the social cost associated with the stigma of being accused of wrong doing. The Commissioner’s staff (and the public) bear the cost of applying limited public resources to less worthy complaint issues rather than prosecution of serious campaign violations. The Commissioner should, and hereafter will, reduce the effect of such frivolous complaints.”

Landsgaard, p. 5.

As articulated in law and rule, should the Commissioner receive a complaint that does not provide evidentiary support for the allegations presented or that does not make sufficient allegations to state a potential violation under the Commissioner’s jurisdiction, the Commissioner *may* dismiss the complaint as a frivolous, Mont. Admin. R. 44.11.106(4). This administrative rule has been in place in Montana campaigns since the implementation of the laws and rules establishing the Commissioner’s office in 1976.

In its Complaint, the SOS Office argues that the COPP must handle the issue with alacrity because:

[w]ith the proximity to the election, the activity ongoing, and the number of violations continue to increase, it is of paramount importance that your office issue a sufficiency finding and sufficiency determination documenting regarding [sic] [ACLU's] illegal voter registration activities”.

Even this statement is frivolous, unsupported and untrue. The underlying allegation in this matter lacks any evidentiary or legal support, much less allegations of “activity ongoing”, “the number of violations continue to increase” concerning “illegal voter activities”.

The SOS also alleges that “[o]ur department and county election offices fielded numerous complaints from voters concerned about their privacy related to the [ACLU's] illegal voter registration activity”. To this point, COPP would note that the SOS's Complaint refers to an email message from a county election administrator received by the SOS on September 27, 2022. The formal CFP Complaint was not filed by the Office until October 20, 2022. At the very same time, a similar issue involving potential voter registration activity² was forwarded to the COPP and immediately reviewed and remedied informally, including follow up with both the Office and local election office.

Upon receipt of the CFP Complaint some 20+ days after sending the original email message to the SOS, the election administrator in this matter confirmed to the COPP that the complaints she had received were privacy concerns over public access to the voter registration mailing list (available by

² MontPIRG, *SOS v. MontPIRG*, 2022-CFP-023

purchase through the Montana Secretary of State), and that she herself had received the ACLU of Montana mailer which contained explicit instruction to return any completed voter registration form to the local election administrators.

The Complaint itself does not reference an address to return the forms to, and the complaint fails to allege facts that would give rise to a potential violation of Mont. Code Ann. § 13-35-604.

The allegations against the ACLU of Montana are unsupported by evidence of a potential factual violation, are indefinite, unsubstantiated and therefore dismissed as “frivolous”, Mont. Admin R. 44 11.106(4).

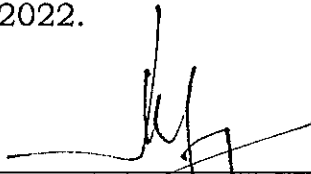
COSTS

The COPP’s campaign finance and practice complaint process is free and accessible to anyone alleging a genuine violation of the laws. As discussed above, the cost of COPP staff time in addressing and investigating allegations, and the Commissioner in making a determination are public costs; as are the costs to the group herein defending against the frivolous complaint. That being said, there is no provision in Montana law which allows the Commissioner to assess the costs of frivolous complaints or proceedings in campaign finance complaints. Therefore, although the relief was requested by the Respondent ACLU of Montana, the Commissioner must dismiss the request for relief as it is beyond the office’s grant of authority.

DECISION

The Commissioner hereby dismisses the Complaint as frivolous and dismisses the Respondent's request for relief in this matter.

DATED this 27th day of October 2022.



Jeffrey A. Mangan
Commissioner of Political Practices
Of the State of Montana
P.O. Box 202401
1209 8th Avenue
Helena, MT 59620
Phone: (406)-444-3919

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RECEIVED
COMMISSIONER OF
POLITICAL PRACTICES

October 21, 2022

Jeff Mangan
Commissioner of Political Practice
P.O. Box 202401
Helena, MT 59620-2401
Jeff.mangan@mt.gov

Re: *Secretary of State v. ACLU of Montana*, COPP-2022-CFP-021

Dear Commissioner Mangan:

This office represents the ACLU of Montana and the ACLU of Montana Foundation (together, "ACLU") in connection with *Secretary of State v. ACLU of Montana*, COPP-2022-CFP-021 ("Complaint").

The Complaint has no merit and should be dismissed. The ACLU did not, at any time, "mail or advise an applicant to mail a voter registration or absentee ballot application to any address other than the county election administrator's address in the applicant's county of residence." Section 13-35-604, MCA.

The ACLU has an established commitment to ensuring that indigenous communities in Montana are not excluded from the franchise. Consistent with this commitment, the ACLU of Montana Foundation sent two mailings to Montanans eligible to register to vote. The mailings advise recipients of the upcoming general election and urge recipients to register to vote. They include voter registration forms and blank envelopes.

The registration forms included in each mailing are clear:

Please place completed registration application and related documents in an envelope, affix postage, and send to your county Election Administrator office.

Registration Cards at 2 (emphasis added). Below this language, the registration forms list the mailing address for each county election administrator.

The ACLU cover letters contain the same instructions:

You can register to vote by filling out and returning the enclosed form via mail by October 11 or by returning it in person at your county elections office up through Election Day.

ACLU Letter 1 at 1; ACLU Letter 2 at 1 (emphasis added). Nothing in the mailings—not the registration forms, the cover letters, or the blank return envelopes—instructs applicants to send registration forms to the ACLU.



Commissioner Mangan
October 21, 2022

I have attached complete copies of both mailings to this letter, including the outgoing envelopes, letters, blank return envelopes, and registration cards.

Because the mailings did not contravene the requirements of § 13-35-604, MCA, the Complaint should be dismissed.

In addition to dismissing the Complaint, you should assess fees against the Secretary.

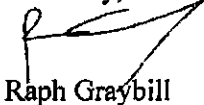
The only basis for the Complaint appears to be an email the Secretary received from a county clerk on September 27, 2022. The Secretary does not appear to have undertaken any informal clarification or verification of the matters described in the clerk's email. She does not provide any follow up communications she had with the clerk, despite her statutory responsibilities for election administration. And the Secretary did not contact the ACLU for clarification before filing; if she had, she would quickly have learned that the ACLU's mailings are entirely consistent with Montana law.

Instead, the Secretary waited nearly a month to file her Complaint on the same day she filed complaints against the Montana Public Interest Research Group ("MontPIRG") and Forward Montana. The ACLU, MontPIRG, and Forward Montana all recently defeated the Secretary in a voting rights trial challenging a bevy of new voter suppression laws in Montana. It recently came to light that the Secretary was broadcasting voter registration information inconsistent with the Court's determination in that trial. The three groups presented the Secretary with this information and threatened to seek a Temporary Restraining Order to enforce the Court's order. Though the Secretary appears to have had the Big Horn County clerk's email for nearly a month, it was only on the heels of these developments in the voter suppression litigation that the Secretary filed her Complaint.

This office has previously admonished complainants who abuse the complaint process. Even meritless complaints that are quickly resolved expend taxpayer time and resources, and undermine the legitimacy of the process. The Secretary should be held to the same, or a higher, standard as other complainants.

The ACLU looks forward to your prompt resolution of this matter. Please do not hesitate to contact me with any questions.

Sincerely,



Raph Graybill
GRAYBILL LAW FIRM, P.C.

cc:

Austin James
austin.james@mt.gov

ACLU
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
Montana

P.O. Box 1968
Missoula, MT 59806

IMPORTANT DOCUMENTS
ENCLOSED



MONTANA VOTER REGISTRATION APPLICATION

Fields marked with an asterisk (*) are required. If you do not provide all of the required information, your application to register to vote will not be complete. UNDER FEDERAL AND/OR STATE LAW ALL ELECTORS MUST PRESENT ID WHEN VOTING. Please type or print clearly using black or blue ink. COMPLETE FORM AND SUBMIT TO COUNTY ELECTION OFFICE.

ELIGIBILITY REQUIREMENTS AND IDENTIFYING INFORMATION

NOTE: VOTER REGISTRATION REQUIRES U.S. CITIZENSHIP

1 Check all that apply: New Registration Name Change Address Change Signature Update Other

2 Are you a citizen of the United States?* Yes No

Will you be at least 18 years of age on or before the next election?* Yes No

Will you be a Montana resident for at least 30 days before the next election?* Yes No

If you checked "No" in response to any of these questions, do not complete this form.

3 Last Name* First Name* Middle Name (Optional) Suffix (Jr., Sr., Etc.)

4 Date of Birth* Contact Phone Number (Optional) Email Address (Optional)
month / day / year

5 Select one of the following identification (ID) options and provide the required information:*
 Montana driver's license or Montana state ID card number _____
 The last 4 digits of my Social Security Number (SSN) _____
 I am unable to provide my Montana driver's license number, Montana state ID card number, or the last four digits of my SSN. I am presenting an original version (in person) or attaching a readable copy (by mail) of the following item(s):
 Military ID card, a tribal photo ID card, a United States passport, or a Montana concealed carry permit.
OR
 Photo ID with my name (including, but not limited to, a school district or postsecondary education photo ID) AND a current utility bill, bank statement, paycheck, government check, or other government document that shows my name and current address.

6 Montana Residence Address* City* County* Zip Code*

7 Mailing Address (required if differs from residence address) City State Zip Code

8 If applicable, check one of the following:
 Military Domestic (or military spouse or dependent) - only if on active duty and will be absent from place of registration
 Military Overseas (or overseas military spouse or dependent) U.S. Citizen Overseas

PREVIOUS REGISTRATION INFORMATION - will be used to provide cancellation information to former jurisdiction
REQUIRED IF NAME CHANGED OR IF PREVIOUSLY REGISTERED TO VOTE IN ANOTHER MT COUNTY OR IN ANOTHER STATE

9 Previous City, County and State Residence Address of Previous Registration Previous Registration Name

RECEIVE YOUR BALLOT IN THE MAIL

Yes, I request an absentee ballot to be mailed to me for ALL elections in which I am eligible to vote as long as I reside at the address listed on this application. I understand that if I file a change of address with the U.S. postal service, I must complete, sign, and return a confirmation notice mailed to me by the county election office.

If your mailing address differs during certain times of the year please add the seasonal mailing address information in this space, or contact your county election office. Seasonal mailing address for the period of

/ / through / / Seasonal Mailing Address: _____

APPLICANT AFFIRMATION

I affirm under penalty of perjury that the information on this application is true, that I am a citizen of the United States, that I will be at least 18 years old on or before the next election, that I will have been a resident of Montana for at least 30 days prior to the next election, and that I am not serving a felony conviction in a penal institution nor have been found to be of unsound mind by a court. I understand that if I have given false information on this application, I may be subject to a fine or imprisonment, or both, under federal and/or state law.

Signature* Date*

THE AFFIRMATION ON THIS APPLICATION FOR VOTER REGISTRATION MUST BE SIGNED BY THE APPLICANT - FAILURE TO DO SO WILL PREVENT APPLICATION FROM BEING PROCESSED.

For county use only

Date Senate House Precinct / Split Ward School

Please place completed registration application and related documents in an envelope, affix postage, and send to your county Election Administrator office.

<u>County</u>	<u>Election Administrator Address</u>	<u>County</u>	<u>Election Administrator Address</u>
Beaverhead	2 S Pacific St No 3	Dillon MT 59725	McCone
Big Horn	PO Box 908	Hardin MT 59034	Meagher
Blaine	PO Box 278	Chinook MT 59523	Mineral
Broadwater	515 Broadway St	Townsend MT 59644	Missoula
Carbon	PO Box 887	Red Lodge MT 59068	Musselshell
Carter	Box 315	Ekalaka MT 59324	Park
Cascade	Box 2305	Great Falls MT 59403	Petroleum
Chouteau	Box 459	Fort Benton MT 59442	Phillips
Custer	1010 Main	Miles City MT 59301	Pondera
Daniels	Box 247	Scobey MT 59263	Powder River
Dawson	207 West Bell	Glendive MT 59330	Powell
Deer Lodge	800 Main	Anaconda MT 59711	Prairie
Fallon	Box 846	Baker MT 59313	Ravalli
Fergus	712 W Main	Lewistown MT 59457	Richland
Flathead	290 B North Main	Kalispell MT 59901	Roosevelt
Gallatin	310 W Main Rm 210	Bozeman MT 59715	Rosebud
Garfield	Box 7	Jordan MT 59337	Sanders
Glacier	512 E Main	Cut Bank MT 59427	Sheridan
Golden Valley	PO Box 10	Ryegate MT 59074	Silver Bow
Granite	Box 925	Philipsburg MT 59858	Stillwater
Hill	315 4th St	Havre MT 59501	Sweet Grass
Jefferson	Box H	Boulder MT 59632	Teton
Judith Basin	Box 427	Stanford MT 59479	Toole
Lake	106 4th Ave E	Polson MT 59860	Treasure
Lewis & Clark	316 N Park Ave Rm 168	Helena MT 59623	Valley
Liberty	Box 459	Chester MT 59522	Wheatland
Lincoln	512 California	Libby MT 59923	Wibaux
Madison	Box 366	Virginia City MT 59755	Yellowstone
			Circle MT 59215
			White Sulphur Springs MT 59645
			Superior MT 59872
			Missoula MT 59801
			Roundup MT 59072
			Livingston MT 59047
			Winnett MT 59087
			Malta MT 59538
			Conrad MT 59425
			Broadus MT 59317
			Deer Lodge MT 59722
			Terry MT 59349
			Hamilton MT 59840
			Sidney MT 59270
			Wolf Point MT 59201
			Forsyth MT 59327
			Thompson Falls MT 59873
			Plentywood MT 59254
			Butte MT 59701
			Columbus MT 59019
			Big Timber MT 59011
			Choteau MT 59422
			Shelby MT 59474
			Hysham MT 59038
			Glasgow MT 59230
			Hariowton MT 59036
			Wibaux MT 59353
			Billings MT 59107

August 1, 2022



P.O. BOX 1968
Missoula, MT 59806

Montana

**VOTER REGISTRATION INFORMATION ENCLOSED.
THIS IS NOT AN OFFICIAL BALLOT.**

Dear Neighbor,

November's upcoming election is one of the most important in our lives. You've heard that before, but in a few weeks your vote will determine the future of our families and communities.

Indigenous people in Montana have the power to shape that future. You can register to vote by filling out and returning the enclosed form via mail by October 11 or by returning it in person at your county elections office up through Election Day. To ensure your voice is heard and your vote is counted, return your registration form as soon as possible.

That's why we have included a voter registration form with this letter. Completing this form and voting are critical ways to support one another, including our families, communities, and nations. If you need to register to vote, fill out the form and return it in the enclosed envelope.

Not sure if you're registered? You can check your status on the My Voter Page at govotemt.com or call your county elections office. The number is listed on the back of this letter. When you check your status, also make sure that your residence and mailing addresses are up to date.

You should submit a voter registration form if:

- You're not registered, but you're eligible to vote in Montana;
- My Voter Page could not match your information to a voter record;
- Your voting status on My Voter Page is *Inactive*; or
- Your name, residence address, or mailing address has changed.

(Over, please)

hotseonane
wowapi iyuh'pa
hin exax'injamku,ni
liwatbakaale diah
nk'ehm
oounlikil'ayaaa'
caze'iyohpekiya
sinalt kilslnskaaslm
binjwebinige
nawasonikewin

www.voteinMT.org



**IN EVERY LANGUAGE,
YOUR VOTE IS YOUR VOICE.**

For too long, Indigenous voices have been ignored and silenced when it comes to elections. Now is our time to make our votes count. The challenges facing our communities require us to take action.

Registering to vote and voting are ways to make sure Indigenous voices are heard. Casting your ballot helps to enhance our communities, protect our culture and lands, increase access to quality education, and provide a better future for the next generations.

If you have questions or want more information on how or where to vote, please call your county elections office.

Thank you,



Sharen Kickingwoman, Blackfeet A'anii
Indigenous Justice Program Manager, ACLU of Montana Foundation

P.S. If you are already a registered voter, share this form with a friend or family member who might need to register.

COUNTY	ELECTIONS OFFICE PHONE NUMBER	COUNTY	ELECTIONS OFFICE PHONE NUMBER
Big Horn	406-665-9704	Rosebud	406-346-7551
Blaine	406-357-3240	Roosevelt	406-653-6250
Daniels	406-487-5561	Sanders	406-827-6922
Glacier - Main Office Glacier - Browning Office	406-873-3609 406-873-3600 ext. 9096	Sheridan	406-765-3403
Lake	406-883-7268	Valley	406-228-6226
Pondera	406-271-4000		

ACLU
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
Montana

This mailing has been paid for by ACLU of Montana Foundation. ACLU of Montana Foundation is a nonprofit, 501(c)(3) organization. Box 1968 Missoula, MT 59806 www.aclumontana.org. ACLU of Montana Foundation is not affiliated with any government agency or state/local election office.

Place
Stamp
Here

ACLU
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
Montana

P.O. Box 1968
Missoula, MT 59806

MAKE YOUR VOTE COUNT
IN NOVEMBER!



MONTANA VOTER REGISTRATION APPLICATION

Fields marked with an asterisk (*) are required. If you do not provide all of the required information, your application to register to vote will not be complete. UNDER FEDERAL AND/OR STATE LAW ALL ELECTORS MUST PRESENT ID WHEN VOTING. Please type or print clearly using black or blue ink. COMPLETE FORM AND SUBMIT TO COUNTY ELECTION OFFICE.

ELIGIBILITY REQUIREMENTS AND IDENTIFYING INFORMATION

NOTE: VOTER REGISTRATION REQUIRES U.S. CITIZENSHIP

1 Check all that apply: New Registration Name Change Address Change Signature Update Other

2 Are you a citizen of the United States?* Yes No

Will you be at least 18 years of age on or before the next election?* Yes No

Will you be a Montana resident for at least 30 days before the next election?* Yes No

If you checked "No" in response to any of these questions, do not complete this form.

3 Last Name* First Name* Middle Name (Optional) Suffix (Jr., Sr., Etc.)

4 Date of Birth* Contact Phone Number (Optional) Email Address (Optional)

5 Select one of the following identification (ID) options and provide the required information:*

Montana driver's license or Montana state ID card number _____

The last 4 digits of my Social Security Number (SSN) _____

I am unable to provide my Montana driver's license number, Montana state ID card number, or the last four digits of my SSN. I am presenting an original version (in person) or attaching a readable copy (by mail) of the following item(s):

Military ID card, a tribal photo ID card, a United States passport, or a Montana concealed carry permit.

OR

Photo ID with my name (including, but not limited to, a school district or postsecondary education photo ID) AND a current utility bill, bank statement, paycheck, government check, or other government document that shows my name and current address.

6 Montana Residence Address* City* County* Zip Code*

7 Mailing Address:(required if differs from residence address) City State Zip Code

8 If applicable, check one of the following:

Military Domestic (or military spouse or dependent) – only if on active duty and will be absent from place of registration

Military Overseas (or overseas military spouse or dependent) U.S. Citizen Overseas

PREVIOUS REGISTRATION INFORMATION – will be used to provide cancellation information to former jurisdiction

REQUIRED IF NAME CHANGED OR IF PREVIOUSLY REGISTERED TO VOTE IN ANOTHER MT COUNTY OR IN ANOTHER STATE

9 Previous City, County and State Residence Address of Previous Registration Previous Registration Name

RECEIVE YOUR BALLOT IN THE MAIL

Yes, I request an absentee ballot to be mailed to me for ALL elections in which I am eligible to vote as long as I reside at the address listed on this application. I understand that if I file a change of address with the U.S. postal service, I must complete, sign, and return a confirmation notice mailed to me by the county election office.

If your mailing address differs during certain times of the year please add the seasonal mailing address information in this space, or contact your county election office. Seasonal mailing address for the period of

____/____/____ through ____/____/____ Seasonal Mailing Address: _____

APPLICANT AFFIRMATION

I affirm under penalty of perjury that the information on this application is true, that I am a citizen of the United States, that I will be at least 18 years old on or before the next election, that I will have been a resident of Montana for at least 30 days prior to the next election, and that I am not serving a felony conviction in a penal institution nor have been found to be of unsound mind by a court. I understand that if I have given false information on this application, I may be subject to a fine or imprisonment, or both, under federal and/or state law.

Signature* _____ Date* _____

THE AFFIRMATION ON THIS APPLICATION FOR VOTER REGISTRATION MUST BE SIGNED BY THE APPLICANT – FAILURE TO DO SO WILL PREVENT APPLICATION FROM BEING PROCESSED.

For county use only

Date Senate House Precinct / Split Ward School

Please place completed registration application and related documents in an envelope, affix postage, and send to your county Election Administrator office.

County	Election Administrator Address	County	Election Administrator Address
Beaverhead	2 S Pacific St No 3	Dillon MT 59725	Circle MT 59215
Big Horn	PO Box 908	Hardin MT 59034	White Sulphur Springs MT 59645
Blaine	PO Box 278	Chinook MT 59523	Superior MT 59872
Broadwater	515 Broadway St	Townsend MT 59644	Missoula MT 59801
Carbon	PO Box 887	Red Lodge MT 59068	Roundup MT 59072
Carter	Box 315	Ekalaka MT 59324	Livingston MT 59047
Cascade	Box 2305	Great Falls MT 59403	Winnett MT 59087
Chouteau	Box 459	Fort Benton MT 59442	Malta MT 59538
Custer	1010 Main	Miles City MT 59301	Conrad MT 59425
Daniels	Box 247	Scobey MT 59263	Broadus MT 59317
Dawson	207 West Bell	Glendive MT 59330	Deer Lodge MT 59722
Deer Lodge	800 Main	Anaconda MT 59711	Terry MT 59349
Fallon	Box 846	Baker MT 59313	Hamilton MT 59840
Fergus	712 W Main	Lewistown MT 59457	Sidney MT 59270
Flathead	290 B North Main	Kalispell MT 59901	Wolf Point MT 59201
Gallatin	310 W Main Rm 210	Bozeman MT 59715	Forsyth MT 59327
Garfield	Box 7	Jordan MT 59337	Thompson Falls MT 59873
Glacier	512 E Main	Cut Bank MT 59427	Plentywood MT 59254
Golden Valley	PO Box 10	Ryegate MT 59074	Butte MT 59701
Granite	Box 925	Philipsburg MT 59858	Columbus MT 59019
Hill	315 4th St	Havre MT 59501	Big Timber MT 59011
Jefferson	Box H	Boulder MT 59632	Choteau MT 59422
Judith Basin	Box 427	Stanford MT 59479	Shelby MT 59474
Lake	106 4th Ave E	Polson MT 59860	Hysham MT 59038
Lewis & Clark	316 N Park Ave Rm 168	Helena MT 59623	Glasgow MT 59230
Liberty	Box 459	Chester MT 59522	Harlowton MT 59036
Lincoln	512 California	Libby MT 59923	Wibaux MT 59353
Madison	Box 366	Virginia City MT 59755	Billings MT 59107
McCone	Box 199	Circle MT 59215	
Meagher	Box 309	White Sulphur Springs MT 59645	
Mineral	Box 550	Superior MT 59872	
Missoula	140 N Russell St	Missoula MT 59801	
Musselshell	506 Main	Roundup MT 59072	
Park	414 E Callender St	Livingston MT 59047	
Petroleum	Box 226	Winnett MT 59087	
Phillips	Box 360	Malta MT 59538	
Pondera	20 4th Ave SW	Conrad MT 59425	
Powder River	Box 200	Broadus MT 59317	
Powell	409 Missouri	Deer Lodge MT 59722	
Prairie	Box 125	Terry MT 59349	
Ravalli	215 S 4th St Ste C	Hamilton MT 59840	
Richland	201 W Main	Sidney MT 59270	
Roosevelt	400 2nd Ave S	Wolf Point MT 59201	
Rosebud	Box 47	Forsyth MT 59327	
Sanders	Box 519	Thompson Falls MT 59873	
Sheridan	100 W Laurel Ave	Plentywood MT 59254	
Silver Bow	155 W Granite Rm	Butte MT 59701	
Stillwater	208 Box 149	Columbus MT 59019	
Sweet Grass	Box 888	Big Timber MT 59011	
Teton	Box 610	Choteau MT 59422	
Toole	226 1st St S	Shelby MT 59474	
Treasure	Box 392	Hysham MT 59038	
Valley	501 Court Sq Box 2	Glasgow MT 59230	
Wheatland	Box 1903	Harlowton MT 59036	
Wibaux	PO Box 199	Wibaux MT 59353	
Yellowstone	Box 35002	Billings MT 59107	

August 1, 2022



P.O. BOX 1968
Missoula, MT 59806

Montana

**VOTER REGISTRATION INFORMATION ENCLOSED.
THIS IS NOT AN OFFICIAL BALLOT.**

Dear Neighbor,

November's upcoming election is one of the most important in our lives. You've heard that before, but in a few weeks your vote will determine the future of our families and communities.

Indigenous people in Montana have the power to shape that future, but only if we vote. **To make sure the Native vote is heard**, we are encouraging you to reach out to your family and friends to invite them to register to vote.

That's why we have included a voter registration form with this letter. Completing this form and voting are critical ways to support one another, including our families, communities, and nations. If you need to register to vote, fill out the form and return it in the enclosed envelope.

You can register to vote by filling out and returning the enclosed form via mail by October 11 or by returning it in person at your county elections office up through Election Day. **To ensure your voice is heard and your vote is counted, return your registration form as soon as possible.**

Not sure if you're registered? You can check your status on the My Voter Page at govotemt.com or call your county elections office. The number is listed on the back of this letter. When you check your status, also make sure that your residence and mailing addresses are up to date.

You should submit a voter registration form if:

- You're not registered, but you're eligible to vote in Montana;
- My Voter Page could not match your information to a voter record;
- Your voting status on My Voter Page is *Inactive*; or
- Your name, residence address, or mailing address has changed.

(Over, please)

VOTE!

You are eligible to vote in MT if you:

- Are 18 years old
- Have lived in MT for 30 days
- Are a U.S. citizen

Polls close at 8 pm on Nov. 8

Your Vote. Your Voice. Your Right.

Go to www.voteinMT.org for a full list of your rights.



Now is our time to make our votes count. The challenges facing our communities require us to take action.

Registering to vote and voting are ways to make sure Indigenous voices are heard. Casting your ballot helps to enhance our communities, protect our culture and lands, increase access to quality education, and provide a better future for the next generations.

Thank you,



Sharen Kickingwoman, Blackfeet A'anii
Indigenous Justice Program Manager, ACLU of Montana Foundation

P.S. If you are already a registered voter, share this form with a friend or family member who might need to register.

This mailing has been paid for by ACLU of Montana Foundation. ACLU of Montana Foundation is a nonprofit, 501(c)(3) organization. Box 1968 Missoula, MT 59806 www.aclumontana.org. ACLU of Montana Foundation is not affiliated with any government agency or state/local election office.

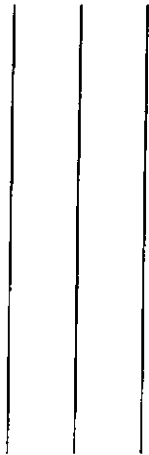
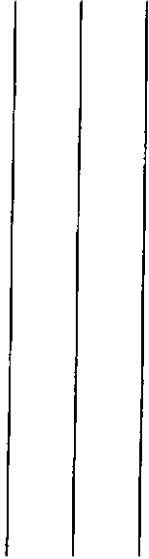
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newasonikewin

www.voteinMT.org



IN EVERY LANGUAGE,
YOUR VOTE IS YOUR VOICE.

Place
Stamp
Here





RECEIVED

CHRISTI JACOBSEN OCT 24 P 12:14
MONTANA SECRETARY OF STATE

COMMISSIONER OF
POLITICAL PRACTICES

October 24, 2022

Commissioner Mangan,

SOS is disappointed to see the response from the attorneys representing MontPIRG, Forward Montana, and ACLU regarding the complaint referrals COPP-2022-CFP-021, COPP-2022-CFP-022, and COPP-2022-CFP-023 in the characterization and politization of the ministerial state government process of referring complaints to the proper authority.

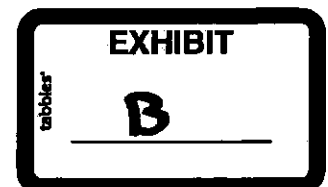
The Secretary of State's Office and the Commissioner of Political Practices have a shared responsibility to ensure the integrity of elections, however, as you know 13-37-111, MCA notes "the commissioner is responsible for investigating all of the alleged violations of election laws contained in chapter 35 of this title or this chapter..." The Secretary does not have the same authority.

Upon receiving complaints from Montana election officials, the Secretary properly referred the complaint to the investigating authority. Future complaints will be referred in the same manner.

- Last month, SOS Election and Voter Services Division (EVS) contacted COPP shortly after an Elections Administrator in the southwest portion of the state contacted EVS. The EA shared that her office was made aware by constituent(s) in the southwest portion of the state that MontPIRG was advising citizens they may register to vote by filling out a voter registration application addressed to MontPIRG. COPP communicated to EVS that he informed MontPIRG of the violation and the group agreed to fix the error.
- A week or so later, EVS heard from an EA in southeastern Montana of a nearly identical allegation, by a different entity.
- After that, EVS heard from a third official in a third county of a third nearly identical allegation by a third entity.

SOS provided all three complaints received to the Commissioner in order for the State to formally document and log the allegations and disposition, as the new landscape appears to require.

It is recognized and appreciated that MontPIRG acknowledged and rectified the violation when contacted. If the Commissioner chooses to document that the violation occurred and it was promptly addressed by the party as findings without any additional recourse, SOS would be satisfied.

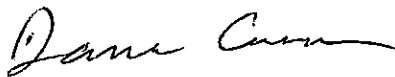


SOS also acknowledges the supplemental information provided by ACLU may assist the Commissioner in dismissing the complaint if upon investigation of the matter no additional information to the contrary is found.

We wholeheartedly trust your office to identify the facts and determine whether a violation actually occurred.

While the active litigation related to Montana's voting identification and registration deadline involves the subject organizations, or affiliates, as parties, the Office's referral has absolutely nothing to do with the fact that the organizations are parties in the proceeding. While we dispute the narrative included in their response, we see no need to address it in this improper forum.

Sincerely,

A handwritten signature in black ink, appearing to read "Dana Cunniff". The signature is fluid and cursive, with a long horizontal stroke at the end.

Elections and Voter Services Division
Montana Secretary of State