

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

Campaign Finance and Practices

Complaint Form (08/17)

FOR OFFICE USE ONLY

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2018 JUL -2 A 9 31

HAND DELIVERED

COMMISSIONER OF POLITICAL PRACTICES

SIGNED/NOTARIZED

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

Person bringing complaint (Complainant):

Complete Name Shirley Marking

Complete Mailing Address P.O. Box 543
Roundup MNT 59072

Phone Numbers: Work 323-4264 Home 323-1298

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

Complete Name Shawn Lesnik - Undersheriff

Complete Mailing Address 16015 HWY 12 WEST
Roundup Mnt 59072

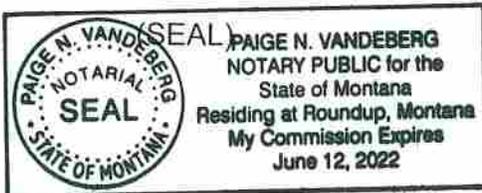
Phone Numbers: Work 323-1402 Home _____

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 Musselshell

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



Shirley Marking
Signature of Complainant

Subscribed and sworn to before me this 28th day of June, 2018.

Paige N. Vandenberg
Notary Public

My Commission Expires:

POSTMARKED

JUN 18 2018

June 18, 2018

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**COMMISSIONER OF
POLITICAL PRACTICES**

Information regarding the 2018 primary election in Musselshell County

I as a citizen of Musselshell County, I have witness Mr. Shawn Lesnik on a daily basis come into the Musselshell County Courthouse in uniform while on duty and campaign. I have watched him harass and intimidate other county employees because they have his opponent's election material in their yard or in their family's yard. I have witness Mr. Lesnik come into the Musselshell County Courthouse and meet with the Clerk & Recorder/ Election Administrator behind closed door where the voted election ballots were being stored. I feel as a citizen of Musselshell County you have the right to vote as you please and not worry about the retaliation from Mr. Shawn Lesnik. Which he has made very clear to several people that he knows who the county employees are who didn't vote for him and he will not forget it. I have watched the County Attorney's Secretary work in the dark and with her office door locked because she knew Mr. Shawn Lesnik was in the building and she was afraid of what he might say or do to her. I watched her run down the steps, hurting herself so she could get into her office before he could catch her. Watching her cry because Mr. Lesnik called her on the phone yelling at her of her election signs. Mr. Lesnik behavior is not only inappropriate but is a violation of our rights as citizens.

Shirley Marking

Information regarding the 2018 primary election in Musselshell County:

1: Karen Clark – election judge advised that several precincts did not balance and that when she started asking questions she was sent home by Cheryl Tomassi. She later advised Amy Angel who works for Musselshell County in the finance office that the ballots did not match the print out of total ballots.

2: On Wednesday June 6, 2018 Cheryl Tomassi and Shawn L. Lesnik were observed going through the ballots in an attempt to determine how the deputies from the Sheriff's department voted. Allegations have also been made that Lesnik was in a private room at the courthouse while mail in ballots were being processed before election day.

Reports of Intimidation from candidate Shawn L. Lesnik:

Teresa Fauth – (Clerk for the Musselshell County attorney) reported to the county attorney Kevin Peterson that:

1: Lesnik called her while both of them were at work demanding to know who put the Seamster sign in her yard the week of May 7th.

On May 15th, Lesnik while on duty in his county patrol vehicle pulled up behind her vehicle that was parked in the county parking lot, blocking her in. He exited his vehicle and confronted her demanding to know where his sign was that was missing from her father's front yard. Fauth advised that he was verbally abusive and she felt threatened. She further advised that after he was finished yelling at her, he got back into his county vehicle and left accelerating to a high rate of speed slinging gravel at her. Tara Kinsey a resident of Musselshell County witnessed this incident. The following day while at work she observed Lesnik entering the courthouse, she ran in an attempt to avoid him, she was fearful that he would confront her once again. While running away she stated that she ran into something and hurt herself. She spent the rest of the day in her office with the door locked because she was afraid he would confront her again. She reported this incident to the county attorney and filled out and signed a statement.

2: Heidi Taylor – a resident of Roundup was at her residence on May 15th when Lesnik drove into her yard in his county patrol vehicle and confronted her about the Burns for Sheriff sign affixed to her fence. She felt very intimidated by Lesnik and has given an audio recorded statement to the county attorney.

3: Tana Cates – (sister n law) of Jason Seamster was confronted by Lesnik at the Conoco gas station/convenience store in Roundup which is located next door to the Sheriff's Department at which time he accused her of running a dirty campaign for Seamster against him.

Shawn L. Lesnik campaigning on Duty while in uniform and driving county patrol vehicle:

On May 25th while on duty and in uniform using a county patrol vehicle went to the local radio station to campaign over the radio.

There was not one day that Lesnik while in uniform and on duty was not campaigning for Sheriff in the county court house, you can ask any county employee.

Violations:

1: Campaigning for Sheriff on county time.

2: Use of a county vehicle for the purposes of campaigning for Sheriff.

3: Intimidation, harassment and verbal abuse of another county employee and citizens while on duty in uniform.

4: Intrusion into first amendment rights under the United States and Montana Constitutions.

THE STATE OF MONTANA

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SIGNED/NOTARIZED

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Complaint Form (08/17)

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

Person bringing complaint (Complainant):

Complete Name Teresa G. Fauth
Complete Mailing Address P.O. Box 777
Roundup, MT 59072
Phone Numbers: Work 406-323-2230 Home 575-4004
cell 749-0205

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

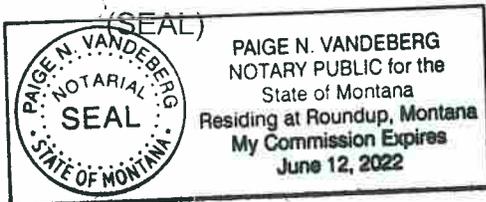
Complete Name Under Sheriff Shawn Lesnik
Complete Mailing Address 16015 Highway 12 West
Roundup MT
Phone Numbers: Work 323-1402 Home _____

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

Verification by oath or affirmation

State of Montana, County of Musselshell

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



Teresa G. Fauth
Signature of Complainant

Subscribed and sworn to before me this 28th day of
June, 2018.

Paige N. Vandenberg
Notary Public

My Commission Expires:

Teresa G Fauth 5/14/18

First Incident-Occurred middle of April:

I received a phone call while at work, in the County Attorney's Office from Undersheriff Lesnik. Lesnik asked me why there was a Seamster sign in my father's front yard. I recall telling Shawn that one of the gal's put it there, meaning one of the ladies from Sunflower Gardens Assisted Living where my father is residing. I figured it was none of his business why or who put it there. He then made the comment "not Seamster himself" I was not going to tell him who actually put it there because once again it was not his concern.

Second Incident: May 14th, 2018 at 5:00 o'clock p.m.

As I was leaving for work, in the courthouse back parking lot, I saw Undersheriff Lesnik drive down the street and then turn around and come back towards the court house. He then pulled up to my parked pickup. He was in his uniform, in the County Sheriff's pickup and asked me about his missing political "Lesnik running for Sheriff sign" that had been in my dad's yard. I told him I didn't touch it, but that my family discussed taking it out of my father's yard. I said because "you don't support my boss." With a loud voice of disgust he said "I will never support your boss." He then sped off angry in his sheriff pickup. It was very intimidating. Lesnik was visibly angry and I was worried our conversation wasn't over. I was afraid. I then headed to my father's house wondering if Lesnik was going to show up again and demand to know where the sign was. The truth is, I was scared of any further confrontation with Lesnik, it was very uncomfortable what he did and I felt like it was none of

his business. It was very unprofessional, his behavior, his attitude about the whole situation.

Since the incident outside in the parking lot with Lesnik, I have felt intimidated and afraid so I have been shutting and locking my office door and turning off the light at work when I know he is in the building. He is making it impossible for me to focus on my work. One of my fears is he will continue to bring up political issues as Lesnik's anger was apparent. I worry he is not going to leave me alone regarding the issue. I also have extreme fear while I am staying at my father's house he will come to the house while I am alone and question me further. I also fear for the health of my father. I feel Lesnik may try to confront him at the Assisted Living Center. I definitely don't like feeling like this. Especially while concentrating on my work in the County Attorney's Office.