

COMMISSIONER OF
POLITICAL PRACTICES



STATE OF MONTANA

JONATHAN R. MOTL
COMMISSIONER
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HELENA, MONTANA 59620-2401
www.politicalpractices.mt.gov

Date: October 6, 2014
To: The People of Montana
From: Jonathan Motl,
The Commissioner of Political Practices
Re: *Howell, Bitterroot Star v. Stamey*, COPP-2014-CFP-003

Dear Fellow Montanans:

In January of 2014, the Commissioner of Political Practices received a campaign finance complaint from Victoria Howell of the Bitterroot Star, alleging that the Stamey's made a false statement as to receiving a contribution from the Bitterroot Star to Mr. Stamey's 2010 campaign in the form of an in-kind contribution. This was reported to the COPP on a closing campaign finance report, submitted to the COPP as a part of a prior settlement agreement with the Commissioner on September 29, 2011, see Exhibit A, attached hereto.

After an investigation, on February 5, 2014 the Commissioner found a violation by Richard and Valerie Stamey for filing their closing campaign finance report with an unsworn falsification to the COPP pursuant to Mont. Code Ann. §45-7-203(1). The sufficiency finding found a violation by both Valerie and Richard Stamey, but the final campaign finance report was certified as true and correct to the COPP by Valerie Stamey. The submission of the closing campaign finance report was a part of settlement discussions with the COPP for *MacLaren v. Stamey*, decided July 27, 2011.

The Stamey's represented on multiple occasions in 2011 and in 2014 to the staff of the COPP that the Bitterroot Star had made a campaign contribution to Mr. Stamey's campaign forgiving a \$125.00 advertisement cost. The Commissioner's investigation revealed that the debt to the Bitterroot Star was actually \$162.75, and had never been forgiven or donated by the Bitterroot Star to Mr. Stamey's 2010 campaign. In fact, the Bitterroot Star had sent monthly collection statements to the Stamey's for well over a year. To the best of the Commissioner's knowledge, the debt to the Bitterroot Star remains an outstanding campaign debt.

A violation of the unsworn falsification statute has a potential penalty in court of \$500 and/or up to 6 months imprisonment, see Mont. Code Ann. § 45-7-203(2) (2013).

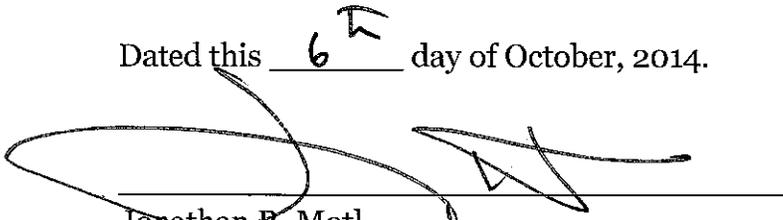
On February 6, 2014, the Commissioner sent the sufficiency finding to the Lewis and Clark County Attorney for his consideration pursuant to Mont. Code Ann. § 13-37-124. The Lewis and Clark County Attorney waived his participation in the case.

In March of 2014 the Commissioner's attorney initiated settlement discussions with the Stamey's counsel, Mr. Robert C. Myers. The Stameys and their counsel were unresponsive to the Commissioner's proposed settlement. The Commissioner and his attorney then considered whether or not to bring criminal charges against Richard and Valerie Stamey for their misrepresentation to the staff of the COPP.

Valerie Stamey has had an ongoing issue with Ravalli County and her position as an appointed Treasurer for the County. The issue began in January of 2014, included an investigation, and resulting in at least two lawsuits being filed against Valerie Stamey, *see* Exhibit B¹. Ravalli County has made repeated attempts to personally serve Ms. Stamey with the complaints in those lawsuits from June 2014, *see* Exhibit C². According to an article in the Missoulian³, the Ravalli County Commission "started a separate line item in the budget to track the expenses ties to Stamey's eventual ouster. On Thursday, the total on that line item stood at \$122,478", *see* Exhibit D.

Given the Stamey's current legal situation, the lack of ability to personally serve Valarie Stamey despite the efforts of Ravalli County and the Sheriff's Department, and the amount of money already expended by Ravalli County as well as the Commissioner's office, the Commissioner has exercised his discretion and determined that expending further public funds to bring a criminal action in this matter against Richard or Valerie Stamey would be a waste of taxpayers resources, Mont. Code Ann. § 13-37-124(1).

Dated this 6th day of October, 2014.



Jonathan R. Motl
Commissioner of Political Practices
of the State of Montana
P.O. Box 202401
Helena, MT 59620-2401
406-444-2942

¹ "Ravalli Co. Commissioners Ask Valerie Stamey to Resign", reported by ABC Fox Montana on June 20, 2014.

² "Stamey can't be found", posted by Bitterroot Star on July 30, 2014.

³ "Former Ravalli County treasurer's home sold in sheriff's sale" reported by the Missoulian on Sept 12, 2014.

THE STATE OF MONTANA

COMMISSIONER OF POLITICAL PRACTICES

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COMMISSIONER OF
POLITICAL PRACTICES

2011 SEP 29 A 9:03

EXHIBIT

A

FORM C-5 (Revised 06/03) CANDIDATE CAMPAIGN FINANCE REPORT

ORIGINAL FILING

OR

AMENDED FILING

REPORTING PERIOD: From May 25, 2010 To June 9, 2010

TYPE OR PRINT IN INK ALL INFORMATION ON THIS FORM EXCEPT CERTIFICATION SIGNATURE

FULL NAME OF CANDIDATE Richard A. Stoney

COMPLETE MAILING ADDRESS 887 Bear Creek Trail Victor, MT 59875

(Include City, State, Zip Code)

COMPLETE DESCRIPTION
OF OFFICE SOUGHT
(Required)

HD 89

Ravalli

PRIMARY

Initial Report

Periodic Report

Closing Report

No transactions in period

GENERAL

- CASH SUMMARY: MONEY RECEIVED AND SPENT
- CASH IN BANK - Balance from previous report.....
 - RECEIPTS - Total received and deposited this period from Schedule A.....
 - CORRECTIONS - Addition or subtraction from Schedule D (Circle: + or -)

Subtotal.....
 - EXPENDITURES - Total paid out this period from Schedule B.....
 - CASH IN BANK - Ending balance this report.....

\$	<u>0</u>	\$	<u>0</u>
\$	<u>0</u>	\$	<u>0</u>
+	<u>0</u>	+	<u>0</u>
-	<u>0</u>	-	<u>0</u>
\$	<u>0</u>	\$	<u>0</u>
-	<u>0</u>	-	<u>0</u>
\$	<u>0</u>	\$	<u>0</u>

CERTIFICATION

I, Richard A. Stoney, Title Treasurer, certify the foregoing report of campaign finances with all attachments is complete and correct to the best of my knowledge. In accordance with Montana Code Annotated Title 13, chapter 37.

Signature Valerie Stoney, Treasurer

NOTE: Report MUST BE SIGNED by the candidate or candidate's treasurer whose name is on the Statement of Candidate form on file in the office of the Commissioner of Political Practices.

SCHEDULE A.
Receipts - This Reporting Period (continued)

5. Political Action Committee Contributions
 Committee's full registered name and complete mailing address **REQUIRED**

Bitterroot Sta
 Registered Name
215 Main St.
 Address
Stevensville, MT 59870
 City, State, Zip Code

Registered Name
 Address
 City, State, Zip Code

	Date Received <i>Required</i>	In-Kind Description & Value		Cash or Check Amount		Total to Date Amount	
		PRIMARY	GENERAL	PRIMARY	GENERAL	PRIMARY	GENERAL
	9-1-11		\$125.00 credit for campaign ad				
		TOTAL RECEIPTS THIS PAGE					

TOTAL RECEIPTS THIS PAGE

\$125.00

IF ADDITIONAL PAGES ARE NEEDED, THIS FORM MAY BE REPRODUCED

SCHEDULE A. Receipts – This Reporting Period (continued)		Date Received <small>Date Required</small>	In-Kind Description & Value <small>PRIMARY GENERAL</small>	Cash or Check Amount <small>PRIMARY GENERAL</small>	Total to Date Amount <small>PRIMARY GENERAL</small>
6. Political Party Committee Contributions Full name & complete mailing address REQUIRED Name _____ Address _____ City, State, Zip Code _____		Date Required			
Name _____ Address _____ City, State, Zip Code _____					
Name _____ Address _____ City, State, Zip Code _____					
7. Incidental Committee Contributions Full name & complete mailing address REQUIRED Name _____ Address _____ City, State, Zip Code _____		Date Required			
Name _____ Address _____ City, State, Zip Code _____					
8. Other Political Committee Contributions Full name & complete mailing address REQUIRED Name _____ Address _____ City, State, Zip Code _____		Date Required			
Name _____ Address _____ City, State, Zip Code _____					
TOTAL RECEIPTS THIS PAGE					

IF ADDITIONAL PAGES ARE NEEDED, THIS FORM MAY BE REPRODUCED

SCHEDULE A. Receipts - This Reporting Period (continued)

9. Individual Contributors of \$35 or More
REQUIRED: ONE NAME ONLY FOR EACH CONTRIBUTION
 Full name, complete mailing address, occupation, & employer

Name Address City, State, Zip Code	Occupation Employer	In-Kind Description & Value		Cash or Check Amount		Total to Date Amount	
		PRIMARY	GENERAL	PRIMARY	GENERAL	PRIMARY	GENERAL
Name _____ Address _____ City, State, Zip Code _____	Occupation _____ Employer _____						
Name _____ Address _____ City, State, Zip Code _____	Occupation _____ Employer _____						
Name _____ Address _____ City, State, Zip Code _____	Occupation _____ Employer _____						
Name _____ Address _____ City, State, Zip Code _____	Occupation _____ Employer _____						

TOTAL RECEIPTS THIS PAGE

TOTAL RECEIPTS THIS REPORTING PERIOD
 Include ALL of Schedule A Sections 1 - 9 in this total

0	0	0	0		
0	0	0	0		

IF ADDITIONAL PAGES ARE NEEDED, THIS FORM MAY BE REPRODUCED

SCHEDULE C. Debts and Loans Not Yet Paid

Full name and complete mailing address of each creditor **REQUIRED**

Full name and complete mailing address of each creditor REQUIRED		Purpose	Date Incurred	Balance Due PRIMARY GENERAL
Name <u>Bitterroot State</u> Address <u>215 S. Main Street</u> <u>Stevensville, MT 59870</u> City, State, Zip Code		Political Ad	5-23-2010	12500
Name _____				
Address _____				
City, State, Zip Code _____				
Name _____				
Address _____				
City, State, Zip Code _____				

SCHEDULE D. Utilize this section to report corrections to receipts, contributions, and expenditures reported on a prior report.

Originally Reported on DATE	SCHEDULE	As Originally Reported	Explain Correction

IF ADDITIONAL PAGES ARE NEEDED, THIS FORM MAY BE REPRODUCED



ABC FOX MONTANA.COM
HO NEWS LEADER



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Ravalli Co. Commissioners Ask Valerie Stamey to Resign

Posted: Jun 20, 2014 1:26 PM MDT

Updated: Jul 11, 2014 1:26 PM MDT

By Damon Callisto - email

Ravalli County Commissioners met Friday to discuss the recently released audit and status of Treasurer Valerie Stamey. Commissioners unanimously voted to send county treasurer Stamey a letter of resignation, after a two-part investigation into her office comes to a close. The county is also moving forward with two separate lawsuits against the her.

Stamey was put on paid administrative leave in January, after she fell months behind in financial reports and making deposits. The investigation into her office wrapped up Tuesday, and commissioners said they're ready to move forward.

The one person who was the main topic of discussion at a Ravalli County Commissioners meeting, was no where to be found Friday afternoon, despite an invitation from commissioners. The board voted to send treasurer Valerie Stamey a letter asking for her resignation on Friday, and decided to file a suit of misconduct against her.

"That gives them then the discretion to suspend or not suspend the interim treasurer for official misconduct," said Ravalli County Attorney Bill Fulbright.

Before the decision was reached, clerk and recorder, now acting as treasurer, Regina Plettenburg, recounted finding more than \$770,000 in missing checks laying around Stamey's office after she was put on leave. We also heard for the first-time from Jim Woy, who conducted the audit.

"Think of this as a bank, and the respect you would lose if you want into make a deposit and found this type of disarray," Woy said.

The audit, which uncovered no signs of fraud, shows after Stamey went on leave, the county's accounts were short \$31 million. Fulbright said the county has recovered much of the money, but accounts are still short more than \$5,400.

"We're going to take a look at it and see if it's even possible to track that down," Fulbright said.

Commissioner Suzy Foss spoke up for the treasurer, saying the problems within the county were going on before Stamey was appointed to the position.

"We're looking for our fifth treasurer now, that should signify something is wrong," Foss said.

Chairman of the Board of Commissioners, Greg Chilcott said the county is ready to move forward.

"We're going to work very hard to make sure we don't end up in this position again," Chilcot said.

Commissioners voted in February to file a separate lawsuit against Stamey to get \$30,000 in fines she costed the county for filing late reports. That suit will be filed, along with the one regarding misconduct.

The letter requesting Stamey's resignation was sent Friday. She has until Tuesday to respond. That's when commissioners set a meeting for 2:30 p.m., where they will decide whether to suspend her or not.

Stamey's attorney, Robert C. Myers, released a statement on her behalf regarding her not appearing at Friday's meeting. [You can find the full PDF of the statement here.](#)

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https://www.paypal.com/cgi-bin/webscr?cmd=_s-xclick&hosted_button_id=J92J2F8LA8554



Stamey can't be found

Posted on July 30, 2014 in [Page One](#)

Although the county has filed a lawsuit against former Treasurer Valerie Stamey alleging failure to perform the duties of the Treasurer's office by failing to produce over 50 reports to various agencies and districts and for official misconduct, papers in the case have not been served because Stamey cannot be located. Sheriff Chris Hoffman said that a deputy spoke with her husband outside their home and was told that Valerie was out of state and that her husband did not know how to contact her.

1 Comment - [Leave a comment!](#)

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One Response to Stamey can't be found

[David Irwin](#)

August 3, 2014 | 9:04 pm

Adiós mis amigos.

[Reply](#)





Former Ravalli County treasurer's home sold in sheriff's sale



2 HOURS AGO • BY PERRY BACKUS

HAMILTON – Former Ravalli County Treasurer Valerie Stamey's home was sold in a sheriff's sale Thursday.

Stamey did not attend.

"If she would have been here, we would have served her," said Carla Larson, the sheriff office's civil clerk.

Ravalli County authorities have been attempting to serve the former treasurer

since June when the county filed suit seeking \$29,000 plus interest for the 58 instances the county commission said she failed in her official duties.

Larson said sheriff's officers have made numerous attempts to serve the legal papers on Stamey.

"The gates to her home are locked and posted," Larson said. "There is an issue of uncertainty about trespassing to serve civil papers."

Stamey's husband, Richard, has told officers that she is currently in a different state, but wouldn't say which one, Larson said.

"We get rumors of people seeing her around the county, but we haven't found her," she said.

If the county had been able to serve the civil suit on Stamey, it would have been included as a party of interest on the legal papers approving the sheriff's sale.

Bitterroot Valley Bank was the only bidder at Thursday's sale.

The bank filed foreclosure documents against Stamey and her husband after they failed to make payments on their Middle Bear Creek property that includes a double-wide trailer and nine acres.

At the time of the filing, the Stameys owed \$169,499 on the property, \$12,133 in interest and \$1,938 in late fees and other charges for a total of \$183,571.

Court documents said Valerie Addis, aka Stamey, sent the bank's representative an email July 15 saying her lawyer would be in contact about the foreclosure proceedings. A week later, the bank representative sent a return email saying he had heard from no one.

EXHIBIT

D

The bank then requested and was granted a default judgment.

Bitterroot Valley Bank's representative, Richard Weber, placed the only bid of \$189,137.66.

Stamey will have one year to redeem the property by coming up with that amount, plus interest.

Larson said the bank would take immediate possession of the property following the sheriff's sale.

It's been almost a year since Stamey was appointed interim treasurer on a 3-2 vote by Ravalli County commissioners to fill out the term of a former treasurer who left for personal reasons.

Following her appointment, the treasurer's office fell months behind in its workload after three of the office's most experienced employees left, citing a hostile workplace.

The commission placed Stamey on paid administrative leave in January after she refused to answer questions about a civil lawsuit she faced in South Carolina where she allegedly cashed an \$18,149 check twice that she received from a law firm involved in refinancing her home.

The county continued to pay Stamey salary and benefits of about \$1,000 a week through most of June. Officials delivered the check to her in the courthouse parking lot.

The county commission started a separate line item in the budget to track the expenses tied to Stamey's eventual ouster.

On Thursday, the total on that line item stood at \$122,478.

Stamey was defeated in the Republican primary. Her name will not appear on the ballot in November.