

BEFORE THE COMMISSIONER OF POLITICAL PRACTICES (COPP)

ADAM FORSLUND v. MICHAEL CALDWELL (Custer County Attorney candidate)	COPP-2026-CFP-014 DECLARATION OF MERIT OF COMPLAINT RESOLUTION AND DISMISSAL OF COMPLAINT BY PROMPT REMEDIAL ACTION BY THE RESPONSIBLE PARTY
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COMPLAINT

On May 8, 2026, Adam Forslund of Miles City, MT filed a Campaign Finance and Practices (CFP) Complaint against Custer County Attorney candidate Michael Caldwell, also of Miles City, alleging that election materials financed by candidate Caldwell failed to include the full ‘paid for by’ attribution statement as required.

The complaint met the requirements of ARM 44.11.106, the administrative rule governing complaints and alleged violations of election law that fall under my jurisdiction as Commissioner of Political Practices. Therefore, I accepted it as filed. The complaint and response are posted on COPP’s website, politicalpractices.mt.gov.

ISSUES

Attribution on campaign communications, Montana Code Annotated (MCA) § 13-35-225.

FINDING OF FACTS

The facts necessary for a determination in this matter are as follows:

Finding of Fact No. 1: Michael Caldwell filed a C-1A Statement of Candidate with COPP as a candidate for election to the position of County Attorney in Custer County with COPP on February 17, 2026. (Commissioner’s Records.)

Finding of Fact No. 2: On May 8, 2026, COPP received the original signed and notarized copy of this complaint. In reviewing the complaint, Commissioner Gallus determined it was merited, as a campaign yard sign or similar materials referenced in the complaint supporting candidate Caldwell included an attribution statement saying only “paid for by Friends of Michael Caldwell”, with no address or other information provided. No political committee named Friends of Michael Caldwell has registered with COPP. (Commissioner’s Records.)

Finding of Fact No. 3: On May 12, 2026, via email message, COPP notified candidate Caldwell of this formal attribution complaint, providing both a copy of the complaint and written correspondence from Commissioner Gallus explaining that it was merited. The Commissioner’s

written correspondence notified candidate Caldwell that “You will need to add appropriate attribution to all materials lacking this, and provide photographic evidence or related documentation to COPP showing this addition has been made. COPP would request the full relevant attribution statement and specific information relating to the quantity distributed and date or date/s of distribution for any material previously distributed without the required attribution statement” within 2 business days. (Commissioner’s Records.)

Finding of Fact No. 4: Late on May 12, 2026, candidate Caldwell contacted COPP via email message regarding this attribution complaint. In this message candidate Caldwell indicated that:

Most of these signs were reused from a previous run two years ago. The vast majority of the money was given by me, the rest was from one or two donations. Should I just put my Name and Address at the bottom of each sign? I am not really fund raising and did not plan on going over the \$500 limit. I am also acting as my own treasurer.

COPP relied to this message to again explain Montana’s attribution requirements to candidate Caldwell, specifically that any campaign material needed to include a statement of “paid for by” followed by the candidate/campaign address to be compliant with these requirements.

Finding of Fact No. 5: On May 13, 2026, candidate Caldwell contacted COPP via email to notify the agency that he had either added or was in the process of adding the full attribution statement to all copies of the campaign yard sign material either still in his possession or otherwise able to be located and accessed. Included with this correspondence were copies of signs showing that the “Friends of” portion of the original attribution statement had been crossed out, and a new statement of “Paid for by Mike Caldwell P.O. Box 97, Miles City MT 59301” had been added.

DISCUSSION

Under Montana law “all election communications, electioneering communications, and independent expenditures must clearly and conspicuously include the attribution "paid for by" followed by the name and address of the person who made or financed the expenditure for the communication” MCA § 13-35-225(1). For election communications financed by a candidate personally, as is the case here, the attribution statement must include the words “paid for by” followed by “the name and address of the candidate or the candidate’s campaign”, MCA § 13-35-225(1)(a).

Montana law requires an accelerated review (“as soon as practicable”) of a campaign practice complaint alleging an attribution violation, MCA § 13-35-225(5). In this matter, COPP immediately reviewed the complaint and determined the allegations were merited, as the relevant campaign communication referenced in the complaint did not include all statutorily required components of the attribution statement (FOF No. 2). Consequently, agency staff contacted Mr. Caldwell’s campaign “as soon as practicable” to provide notification of the attribution complaint and to further explain that he needed to add the full attribution statement to all campaign materials without it (FOF No. 3). Mr. Caldwell contacted COPP shortly after receipt of this complaint to notify the agency that he was personally responsible for financing the unattributed campaign yard signs relevant to this complaint; COPP responded to again notify him of Montana’s attribution requirements (FOF No. 4). The next day Mr. Caldwell contacted COPP

with notice that the full attribution statement had been added to those copies of the material either still in his possession or reasonably able to be located and accessed (FOF No. 5).

The law governing complaints of failure to properly attribute political communications provides precise directions to the Commissioner:

1. The Commissioner is to immediately assess the merits of the attribution complaint, MCA § 13-35-225(5). The Commissioner found merit to the attribution complaint and hereby memorializes that finding.
2. The Commissioner shall notify the candidate/campaign of the merit finding, requiring them to bring the material into compliance, MCA § 13-35-225(6)(a). In this matter, COPP notified Mr. Caldwell of the attribution deficiency “as soon as practicable”, via email message sent on May 12, 2026.
3. The candidate or political committee financing the unattributed material is provided 2 business days to bring the material into attribution compliance, MCA § 13-35-225(6)(a)(i). Mr. Caldwell provided COPP notice that the material had been brought into compliance via addition of the full required attribution statement on May 13, 2026.

Under Montana law, a candidate with an attribution deficiency is relieved of a campaign practice violation, provided they promptly carry out the attribution correction. Based on the present factors Mr. Caldwell has carried out appropriate attribution corrections and is relieved of a campaign practice violation under MCA § 13-35-225(6).

Normally, the Commissioner first provides decisions to the parties and then the public on the following day. The Legislature, however, has set very tight timelines on this sort of attribution complaint. Accordingly, the Commissioner provides this decision to the parties and public on the day issued.

DATED this 14th day of May, 2026.



Chris J. Gallus
Commissioner of Political Practices
Of the State of Montana
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