

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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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 Sheila Hogan Complete Mailing Address 303 North Ewing Street Helena, MT 59601 Phone Numbers: Work 406.442.9520 Home

Person or organization against whom complaint is brought (Respondent): Complete Name Austin Knudsen Complete Mailing Address PO Box 5202 Helena, MT 59604 Phone Numbers: Work (406) 444-2026 Home

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

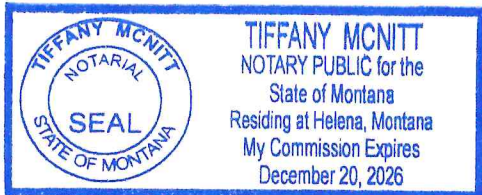
Verification by oath or affirmation

State of Montana, County of Lewis & Clark

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

(SEAL)

Signature of Complainant (Handwritten signature)



Subscribed and sworn to before me this 8th day of May, 2024.

Notary Public (Handwritten signature)

My Commission Expires:

**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.

Montana law establishes limits on campaign donations. There is an aggregate contribution limit for each election. See § 13-37-216, MCA. The contribution limit in 2024 for the election for the Office of Attorney General is \$790.

An "election" means the general election or a primary election that involves two or more candidates for the same nomination. If there is not a contested primary, there is only one election to which the contribution limits apply. If there is a contested primary, then there are two elections to which the contribution limits apply. Section 13-37-216(5), MCA.

Attorney General Austin Knudsen filed to run for reelection on November 6, 2023. Knudsen did not have an opponent in the primary when he filed.

Although Knudsen did not have an opponent, he solicited and received dozens of donations in excess of the \$790 limit according to the C-5 report filed by Knudsen with the Montana Commissioner of Political Practices ("COPP") on January 5, 2024. Knudsen continued to receive excess donations in January and February of 2024.

The deadline for candidates to file in the 2024 election was March 11, 2024. On that day, Logan Olson filed to run for Attorney General in 2024.

Olson graduated from law school in May of 2020 and was admitted to practice law in Montana in September of 2020. Currently, Olson practices at the same law firm where Knudsen worked before becoming Attorney General.

**Complaints must be:**

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

Olson does not meet the basic constitutional requirements to run for Attorney General in 2024 and cannot legally run for Attorney General.

The Montana Constitution requires that a candidate for Attorney General must be “an attorney in good standing admitted to practice law in Montana who has engaged in the active practice thereof for at least five years before the election.” Art. VI, § 3(2). Olson will not have been engaged in the active practice of law in Montana for at least five years at the time of the 2024 election.

Candidates for Attorney General and other offices must swear an oath of candidacy. The oath of candidacy provides that “I hereby affirm I possess, or will possess within constitutional and statutory deadlines, the qualifications prescribed by the Constitution and the laws of the United States and the State of Montana.” Olson’s oath of office is false.

According to Olson’s filings with the COPP, he has raised \$0 during his campaign for Attorney General. It does not appear Olson has engaged in any activities to support his campaign for Attorney General. He has not reported any donations, fundraising events, or travel during his campaign.

In the middle of this is the fact that both Austin Knudsen and Lamar Olson have the same treasurer and campaign manager, Katie Wenetta, of Burning Tree Consulting, listed in their MTCOPP filings: katie@burnttimberconsulting.com. This clear tie between the two "campaigns" is egregious and possibly unlawful.

Olson is not a legitimate, good faith candidate for Attorney General. In the meantime, Knudsen actively uses Olson’s nominal presence in the Republican primary to continue to solicit donations in excess of \$790.

Olson’s candidacy and Knudsen’s receipt of excess donations violate Montana’s campaign finance laws.

**CALL TO ACTION:** The Montana Commissioner of Political Practices should declare Logan Olson's candidacy for Montana Attorney General in the 2024 Primary election invalid and take steps to inform the public and to get his name off ballots. The Commissioner should consider fining Mr. Olson for his cynical and abusive behavior that is unbecoming of a Montana attorney under oath. The Commission should consider fining Attorney General Knudsen for his participating in this scheme that misleads Montana voters and abuses a loophole that was never intended to allow him to raise twice as much money for his campaign as he would normally and legally be allowed. He should be compelled to return and reimburse every dollar that he has raised from donors for the 2024 June Primary election beyond the \$790 he might have normally raised from those donors.

## Cook, Scott

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**From:** Gallus, Chris J.  
**Sent:** Wednesday, May 15, 2024 1:10 PM  
**To:** Cook, Scott; Hendricksen-Scott, Shelley  
**Subject:** FW: [EXTERNAL] Article

Please show as an attachment to the Hogan complaint for respondents' letters. Thank you, Chris

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**From:** Sheila Hogan <sheila@montanademocrats.org>  
**Sent:** Wednesday, May 15, 2024 12:52 PM  
**To:** Gallus, Chris J. <Christopher.Gallus@mt.gov>  
**Subject:** [EXTERNAL] Article



[dailymontanan.com]Knudsen calls laws 'ridiculous' and says he got opponent to run so he could raise more money • Daily Montanan  
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Chris,  
Please add this article to my complaint. I am working on accessing the audio. Sheila Hogan

Sent from my iPhone



ELECTION 2024 GOVERNMENT & POLITICS

# Knudsen calls laws 'ridiculous' and says he got opponent to run so he could raise more money

BY: DARRELL EHRICK - MAY 14, 2024 5:05 PM



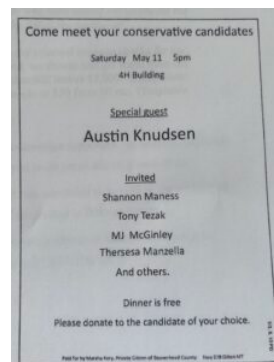
Attorney General Austin Knudsen. (Provided by the Montana Attorney General's Office for the Daily Montanan.)

At a Saturday night campaign event billed as a “conservative cookout,” Montana Attorney General Austin Knudsen told a crowd that he had put a friend and fellow Republican up to running against him in his bid for re-election in order to raise more money and because he believes state law is “ridiculous,” according to a recording that captured part of his remarks and was obtained by the Daily Montanan.

Knudsen was speaking to a gathering of Republican candidates in Dillon that was put on by Marsha Kery, a citizen of Beaverhead County, according to a local advertisement. Others who were invited to the event included Shannon Maness, a Dillon-area House candidate and Sen. Theresa Manzella, from Hamilton.

Knudsen told the crowd:

“I do technically have a primary. However, he is a young man who I asked to run against me, because our campaign laws are ridiculous. So, he’s a young man from my part of the state. His name is Logan Olson. He’s not running. He filed to run against me simply because under our current campaign finance laws in Montana, it allows me to raise more money. So, he supports me and he’s



An announcement for a political gathering on May 11 in Dillon that featured Montana Attorney General Austin Knudsen.

going to vote for me [audience laughs].

“He literally did it because I asked him to [some clapping in the audience]. He’s a good kid. I shouldn’t say kid; he’s a young lawyer up in Plentywood, a good young man. But technically I have a primary opponent, I think we’re going to be OK in that one.”

But those remarks may have given audience members more than information about the race for the top law enforcement officer in the state. They may have provided the basis for several campaign violations.

As of Tuesday afternoon, no one had lodged a complaint against Knudsen with the Montana Commissioner of Political Practices, the top campaign enforcement officer with the state. And Commissioner of Political Practices Chris Gallus is prohibited from speaking about specifics of a pending case.

But the office confirmed on Tuesday that it could be a violation of Montana law for one person to recruit another to run for office for the purpose of raising more campaign funding. Montana law also prohibits trying to stop candidates from running for office, or encouraging them to run for office for a personal gain.

Olson is currently the Daniels County Attorney and a 2020 graduate of the University of Montana Law School, according to a voters guide published [in the Montana Free Press](#).

“Olson doesn’t appear to be actively running a campaign against Knudsen. He has no campaign website, has reported no fundraising, and the individual his campaign hired for campaign finance compliance work is the same as Knudsen’s,” the Free Press reported.

Neither Knudsen’s campaign nor Olson’s campaign responded when contacted on Tuesday.

Montana law has several provisions that could apply to false campaigns, including a portion of the law addressing deceptive elections. That portion of Montana law (13-35-207) prohibits falsely filing for office or making a false oath or affidavit, which are often required for candidates running for office.

Another portion of the law (13-35-221) prohibits one candidate from either enticing or threatening other candidates not to run in an election.

And yet another portion of state law (13-37-216) places limits on how much people can contribute. That portion of state law, Gallus said, changes depending on whether a candidate has a primary challenger.

Gallus said while candidates may try to avoid enforcement of the campaign laws by trying to skirt the letter of the law, state lawmakers have also given the commissioner power to go after candidates who are purposefully dodging the law. Gallus said it dates back to a 2007 decision in which the mayor of Billings, Ron Tussing, asked supporters at an event to contribute cash when he “passed around the hat.” In an email to supporters, Tussing urged, “people who have maxed out on checks, but still wish to do more, may put cash in the hat at the fundraiser.”

Gallus said this serves as an example of taking something legal, like campaign contributions, and subverting it. In this case, cash contributions up to \$25 can be undocumented, but any amount more than that requires documentation that includes a name, address, occupation and employer. Furthermore, Gallus said in the case of Tussing, if his supporters had already reached their maximum, he shouldn’t have been able to encourage them to give more essentially anonymously.

“You can’t intentionally circumvent the law to avoid campaign contribution limits,” Gallus said.

Knudsen is also facing several other political challenges as he seeks a second term as the Attorney General.

Knudsen faces [41 ethics charges](#) that are now pending before the state’s Office of Disciplinary Counsel, which has submitted the

finding to the Montana Supreme Court, the arbiter of discipline within the state bar.

Knudsen also has been at the helm of the Montana Highway Patrol, part of the Montana Department of Justice, and [received harsh criticism](#) for the leadership of the department, and many of the employees said in the staff morale survey that they do not like the way the department is operating.

Despite Knudsen's criticism of Montana's campaign finance laws, he appears to have had ample opportunity to change those laws. He was one of the longest and more powerful legislators, being elected to the Montana House in 2011, and serving as Speaker of the House from 2015 to 2019.

Prior to that, he also served as the Roosevelt County Attorney.



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**DARRELL EHRICK**

Darrell Ehrlick is the editor-in-chief of the Daily Montanan, after leading his native state's largest paper, The Billings Gazette. He is an award-winning journalist, author, historian and teacher, whose career has taken him to North Dakota, Minnesota, Wisconsin, Utah, and Wyoming.

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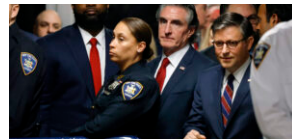
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## Cook, Scott

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**From:** Gallus, Chris J.  
**Sent:** Wednesday, May 15, 2024 9:12 PM  
**To:** Hendricksen-Scott, Shelley; Cook, Scott  
**Subject:** Fwd: [EXTERNAL] Information

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**From:** Sheila Hogan <sheila@montanademocrats.org>  
**Sent:** Wednesday, May 15, 2024 7:39 PM  
**To:** Gallus, Chris J. <Christopher.Gallus@mt.gov>  
**Subject:** [EXTERNAL] Information



[dailymontanan.com]Knudsen's primary opponent in Attorney General race doesn't meet qualification requirements • Daily Montanan  
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Hi Chris. Please add this article to the complaints. Sheila Hogan

Sent from my iPhone



GOVERNMENT &amp; POLITICS

**BIG SKY ROUNDUP****Knudsen's primary opponent in Attorney General race doesn't meet qualification requirements**

BY: NICOLE GIRTEN - MAY 15, 2024 4:01 PM



Photo illustration by Getty Images.

Attorney General Austin Knudsen's opponent in the Republican primary race, Daniels County Attorney Logan Olson, appears to be unqualified to run as he has not been practicing law in Montana for five years, as is required by law.

A spokesperson for the Secretary of State confirmed Olson filed a form candidates are required to sign affirming he is qualified to run.

Knudsen's primary against Olson is under scrutiny after the Daily Montanan [reported](#) he told a crowd during the weekend he recruited Olson to run against him in order to raise more money, and referred to campaign laws as "ridiculous."

The office of the Commissioner of Political Practices Chris Gallus said it could be a violation of Montana law for one person to recruit another to run for office for the purpose of raising more campaign funding.

Olson graduated from the University of Montana Law School in May of 2020, according to his LinkedIn page; a spokesperson for the school confirmed Tuesday someone with his name graduated that year. The Montana State Bar member directory shows he's been an active attorney since September 2020.

To qualify to run, attorneys have to be in good standing, admitted to practice law in Montana and have actively practiced for five years before election. Olson would be about nine months shy of qualifying if he were to assume office. Candidates also must be at least 25 years-old, a U.S. citizen and Montana resident for at least two years.

Montana candidates also sign an oath of candidacy affirming they "possess, or will possess within constitutional and statutory deadlines, the qualifications prescribed by the Constitution and laws of the United States and the State of Montana."

Engaging in [deceptive election practices](#) by affirming an oath the signer knows to be false is illegal in Montana and [can result](#) in a fine of up to \$500, or up to six months in a county jail, or both.

Neither Olson nor his campaign treasurer responded to a request for comment in time for publication.

*Editor's note: This story has been updated with a confirmation from the Secretary of State's Office Olson filled out the candidate oath.*



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**NICOLE GIRTEN**  

Nicole Girten is a reporter for the Daily Montanan. She previously worked at the Great Falls Tribune as a government watchdog reporter. She holds a degree from Florida State University and a Master of Science from the Medill School of Journalism at Northwestern University.

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