THE STATE OF MONTANA

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

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

David Chadwick

Complete Mailing Address

1325 Flowerree St

Helena MT 59601

Phone Numbers: Work

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

Complete Name

Dennison Rivera for HD 79

Complete Name

Definison Rivera for HD 79

Complete Mailing Address

P.O.BOX 7022

Helena, MT 59604

Phone Numbers: Work 406-439-8129 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 LEWIS 3 CLARK	
I,, being duly sworn, state that the information in this Complaint is complete, true, and correct, to the best of my knowledge and belief.	
OLIVIA HANSEN NOTARY PUBLIC for the	Signature of Complainant
State of Montana Residing at Helena , Montana My Commission Expires May 14, 2022	Subscribed and sworn to before me this 30 day of 2020.
Notary Public	
My Commission Expires:	

Campaign Finance and Practices Complaint Form

Page 2

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.

Please see attached.

Complaints must be:

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

Dennison Rivera Campaign Finance Violations

Dennison Rivera filed as a candidate in House District 79 on March 4, 2020. Since that time, he has reported zero campaign expenditures even though he has demonstrably incurred expenses. He has also failed to include proper attribution on digital communications in support of his campaign.

1. Rivera has failed to report campaign expenditures related to his campaign website

The domain name riveraforhd79.com was registered on April 10, 2020.² This domain name hosts a website for Rivera's campaign that has been live since at least April 2020.³ Rivera posted this campaign website address on Facebook on April 22, 2020.⁴ Information in the source code of the website's pages indicate that editing/construction occurred during the month of April 2020.⁵ The website includes a credit that says it is "Paid for by Dennison Rivera for HD 79, Republican."⁶

However, Rivera did not report any expenditures related to the creation of this website, such as domain name registration, hosting, labor, stock photo acquisition, or software during the month of April 2020 or any other time. Failing to report these expenditures is a violation of MCA 13-37-225 to 13-37-229 and ARM 44.11.501-502.

2. Rivera has failed to report campaign expenditures related to the production of campaign signs

Rivera has produced signs to promote his campaign. He deployed some of these signs around the district prior to the June primary election. One of these signs is shown on his website on an image uploaded in June 2020. Signs also remain visible around Helena in July 2020.

Rivera did not report any expenses related to the production of campaign signs in May 2020 or any other time. Failing to report these expenditures is a violation of MCA 13-37-225 – 13-37-229 and ARM 44.11.501-502.

3. Candidate Rivera has failed to report expenditures or provide proper attribution related to the activities of the Helena Facts Media social media site and website

The Helena Facts Media Facebook page was first created in September 2019.¹⁰ The Facebook page's content stepped up considerably beginning in March 2020, after Rivera declared his candidacy. In July 2020, a Helena Facts Media website also appeared. Both the Facebook page and website have expressed views on several ongoing issues in Helena, including the city manager hiring process, the budget for school resource officers, and the recall of city commissioners. Even though the Facebook page and the website purport to be a media outlet, they are clearly being run by Rivera and, in the months since he announced his candidacy, have been used to advance his campaign.

The Helena Facts Media Facebook page and website do not provide any contact information or identify any author(s). For the record, there is no bona fide media outlet registered with the Secretary of State's office operating under this name as a business or nonprofit organization. Rivera appears to be producing content for both the Facebook feed and the Helena Facts Media website, including content that has been promoting his candidacy for HD 79.

Facebook Content

Three Facebook posts during June 2020 and July 2020 link to downloadable documents that list Rivera as the document creator:

- On June 22, 2020 a Facebook post was made that links to file that contains questions about the Helena Interim City Manager hiring process that is hosted on a Google drive.^{11,12} The document properties say that the author is "Dennison Rivera"¹³
- On June 29, 2020, a post was made that links to form letter of support for the Helena Police Department that is hosted on a Google drive.^{14,15} The document properties say that the author of this document is "Dennison Rivera".¹⁶
- On July 21, 2020, a post was made that links to a form letter directed at the ACLU that is hosted on a Google drive.^{17,18} The document properties on say that the author of this document is "Dennison Rivera".¹⁹

In addition to print materials that appear to be produced by Rivera, the Helena Facts Media Facebook page has also been distributing posts that include video clips of Rivera speaking up on issues. These posts clearly and intentionally depict—the candidate in a positive light. Note that these posts and the embedded videos specifically identify Rivera as "HD 79 Republican Candidate" and not as a resident of Helena, a private citizen, a business owner, or any other non-electoral affiliation.²⁰ Note further that the original video in these clips is from a Helena City Commission meeting in September 2019, well before Rivera was a candidate. These video clips were produced after Rivera had declared his candidacy in HD 79, and whoever is producing them is clearly aiming to promote his campaign. To further emphasize the intent of promoting Rivera's campaign, Rivera has reshared the clips through both his own personal and campaign social media channels.²¹ Production of these video clips would have required the expenditure of funds for software, hardware, and labor.

Note that in some of his reshares of the Helena Facts media posts, Rivera has referred to the content as if it were coming from a third party source (e.g. "I really appreciated being featured in this video and several videos from this media group. Thank You!").²² This suggests an intentional effort to obscure his involvement in the production of this content to promote his campaign.

Helena Facts Media Website

The domain name helenafactsmedia.com was registered on July 1, 2020, which means the expense was incurred after Rivera had secured the nomination in HD 79.²³ The website was announced on the Helena Facts Media Facebook page on July 7, 2020.²⁴ The registrant of this

domain name is concealed by proxy and not publicly visible (although it would be available to an official request. The site appears to be hosted by the webhosting company Bluehost, the same company hosting Rivera's campaign website. In addition, an error message encountered on July 30, 2020 indicates that the site is set up as a subdomain of riveramarketingstrategies.com, which is Rivera's personal business website.²⁵ There can be no question that he is running the site, even though it does not identify any authors, provide any attribution for content, or include any contact information besides a generic email address.

During the month of July, the Helena Facts Media website has provided links to much of the same content in the Facebook feed, including the above-mentioned videos describing Rivera as "HD 79 Republican Candidate" and promoting his stances on a variety of issues. ²⁶ In addition to directly referring to his candidacy, the website has produced other content that candidate Rivera has then shared on his campaign Facebook page to encourage support for his candidacy, such as blog posts about local Helena issues. ²⁷ Again here, Rivera has shared the content with an intent to obscure his own involvement in its production. The production of the website and all of its content has required the expenditure of funds for software, domain registration, hosting, hardware, graphics/document production, and labor.

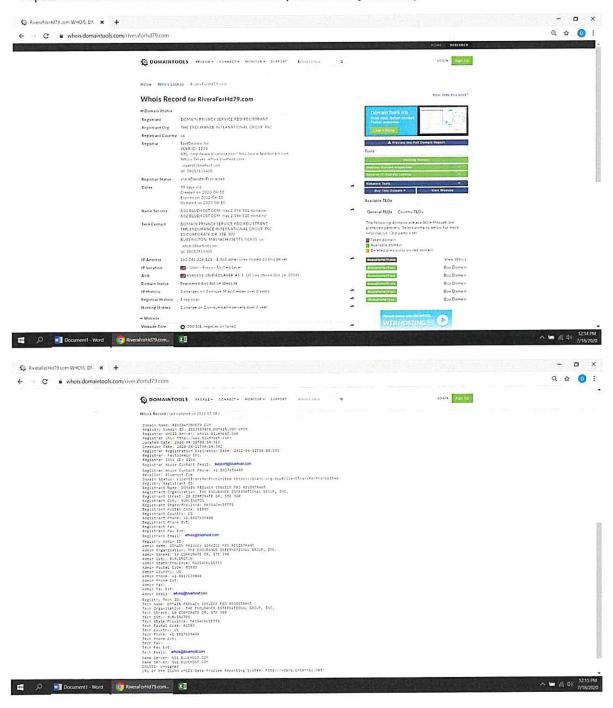
While neither the Helena Facts Media Facebook page nor website identify any author or provide any transparent contact information, it does appear that Rivera is managing and producing the content for these sources. To the extent that candidate Rivera is producing this content - which identifies him as a candidate and highlights his activities in a positive way - it can be subject to no reasonable interpretation other than as a call for his election. Rivera's practice of resharing this content on his campaign website further indicates his clear intent in producing the content in order to encourage his election. In addition to meeting the definition of an election communication under MCA 13-1-101, note also that at least one of the posts shared through the Helena Facts Media Facebook page also meets the definition of an electioneering communication under MCA 13-1-101.²⁸

The expenses that went into production of content on the Helena Facts Media Facebook page and website are reportable expenditures under MCA 13-37-225 – 13-37-229 and ARM 44.11.501- ARM.11.502. Failing to report these expenditures is a violation of the same. In addition, the lack of proper attribution on the Helena Facts Media website and Facebook page is a violation of MCA 13-35-225 and ARM 44.11.506.

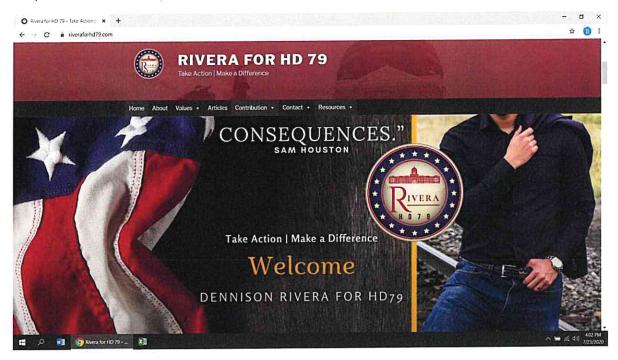
Supporting Documentation

Higher resolution copies provided on request

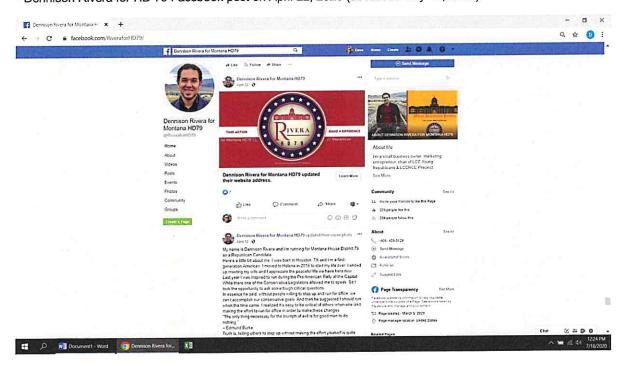
- ¹ https://app.mt.gov/cgi-bin/filing/index.cgi?ACTION=LIST_LEG (accessed July 30, 2020)
- ² https://whois.domaintools.com/riveraforhd79.com (accessed July 18, 2020)



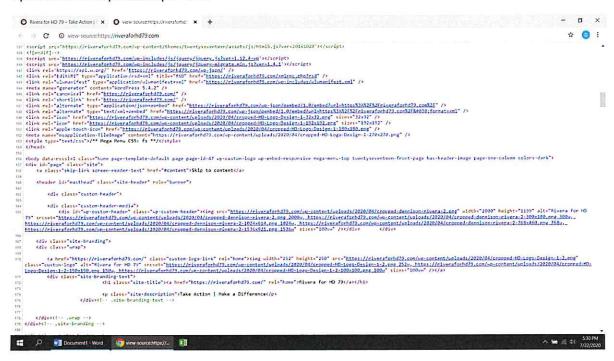
3 https://riveraforhd79.com (accessed July 23, 2020)



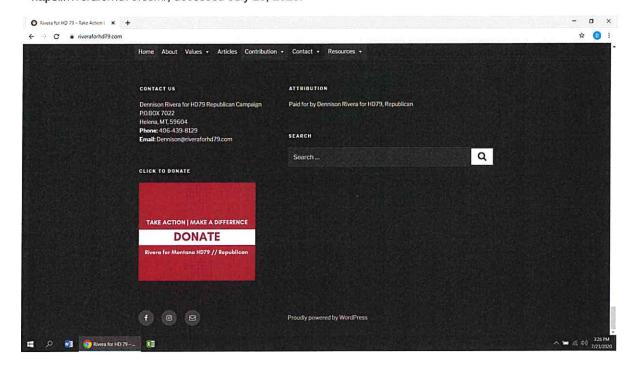
⁴ Dennison Rivera for HD 79 Facebook post on April 22, 2020 (accessed July 18, 2020)



⁵ https://riveraforhd79.com/ (accessed July 22, 2020). Note graphics and photo URLs that indicate that they were uploaded to Wordpress in April 2020.



⁶ https://riveraforhd79.com/, accessed July 23, 2020.



Personal observation, May 2020

⁸ https://riveraforhd79.com/volunteer/ (accessed July 23, 2020).



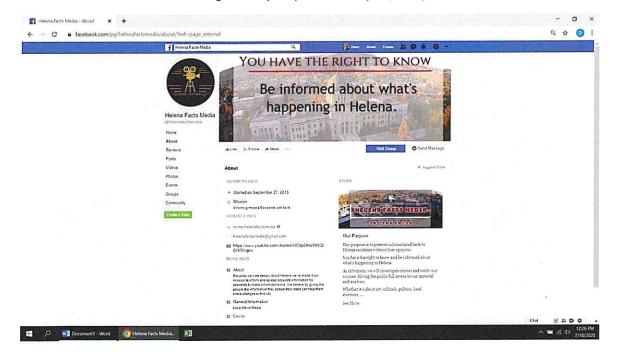
https://riveraforhd79.com/volunteer/ (accessed July 23, 2020). Note campaign sign photo URL that indicates it was uploaded to Wordpress in June 2020.



⁹ Personal observation, July 2020



¹⁰ Helena Facts Media Facebook Page About post (accessed July 18, 2020).

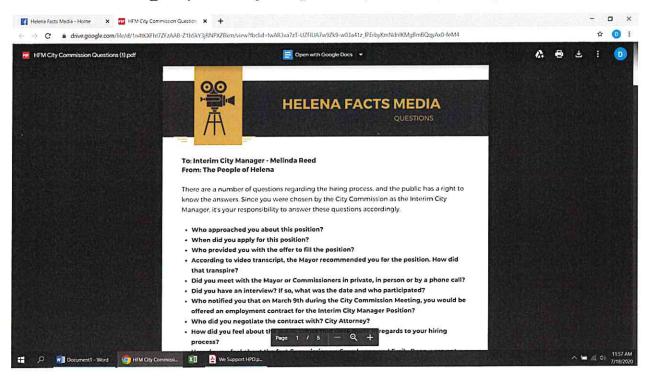


¹¹ Helena Facts Media Facebook page post on June 22, 2020 (Accessed July 18, 2020) Helena Facts Media - Home × + Q ☆ 📵 : ← → C · a facebook.com/helenafactsmedia/ - - ± 0 A 0 f Helena Facta Medi Visit Croup Sand Mestage ab time & follow A Share Helena Facts Media Page Transparency Questionnaire "We Have The Right To Know" | EP3 - City Manager Dilamma Series | 4 mins HFM Questionnake download https://dvia.google.com/ /fm&KXFH/7ZFzAAB-Z1bSAY3jR /view Helena Facts Media 🖯 Page manager location United States DOWNLOAD About Reviews Videos Photos Community Redoubt News - Mont... . . de Lae 01 A Share of time KGRT-db | Treasure S... de Like With an 0000

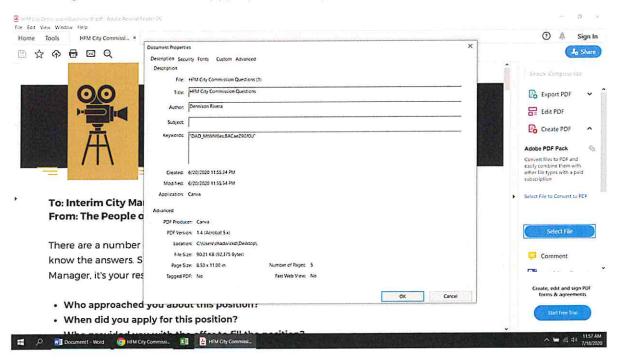
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¹² https://drive.google.com/file/d/1n4tKXFhI7ZFzAAB-Z1bSkY3jRNPXZBkm/view?fbclid=lwAR#xa7zT-UZFIUA7w9Zk9-w03a41z_IPErbyKmNdnlKMgBmBQqyAx0-feM4 (Accessed July 18, 2020)

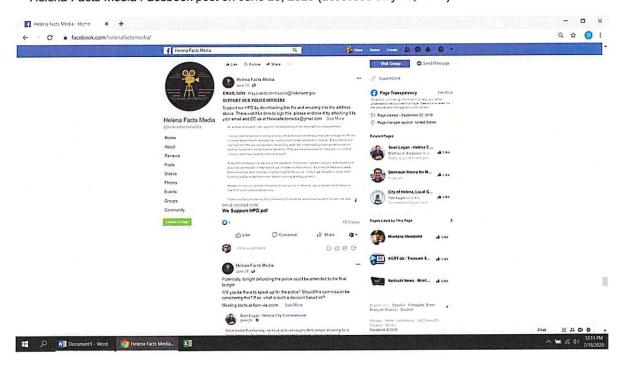
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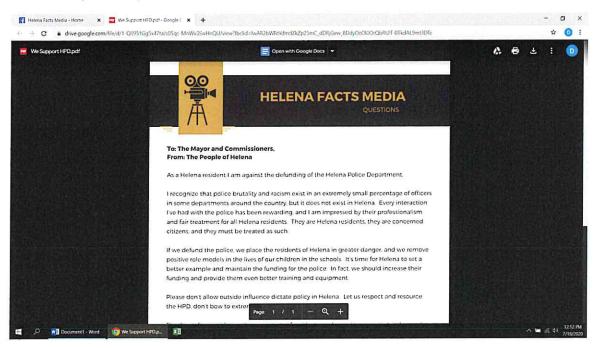
¹³ HFM City Commission Questions (1).pdf (accessed July 18, 2020)



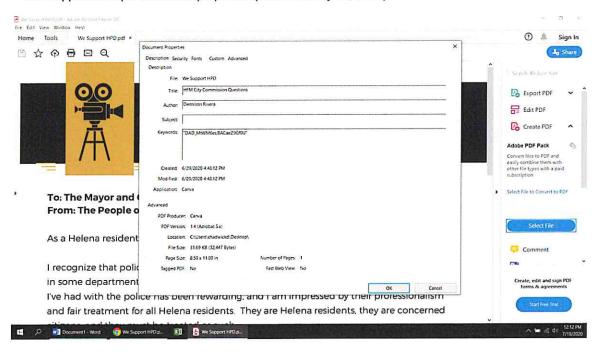
¹⁴ Helena Facts Media Facebook post on June 29, 2020 (accessed July 18, 2020)



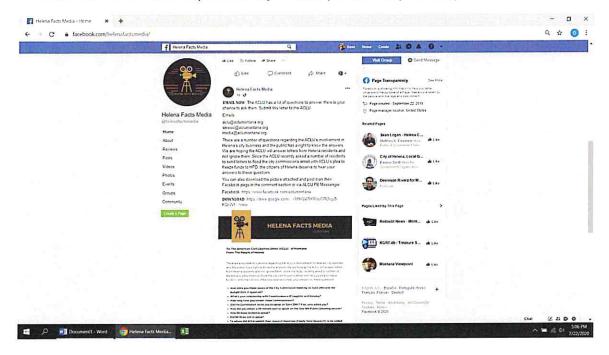
¹⁵ https://drive.google.com/file/d/1-Q8951Gg5x47taJs05qc-MnWv3SwHnQU/view?fbclid=lwAR2bWRtYdmdZkZp25mC_dDRjGew_8DdyOcOl0OrQbRt2T-0TkdAL9mt3DTc (accessed July 18, 2020)



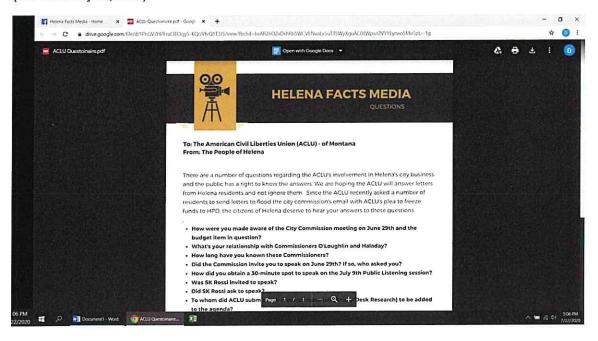
¹⁶ We Support PHD.pdf document properties (accessed July 18, 2020)



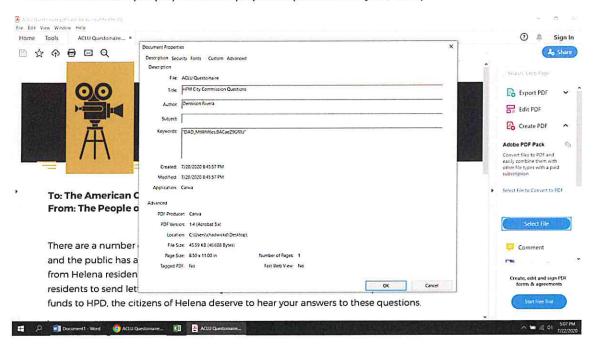
¹⁷ Helena Facts Media Facebook post from July 21, 2020 (accessed July 22, 2020)



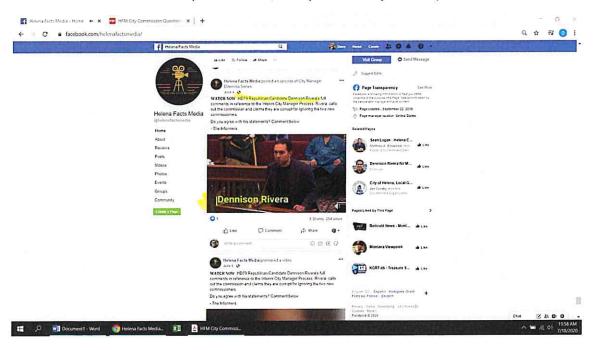
¹⁸ Drive.google.com/file/d1PhGV7H7FruClTOcjyS-KQrJVfvQ1T3JS/view?fbclid=IwAE26O2xDxhR65WCVENvoLx5uTTSWyXguAC08Wpso2VYYEyrwoSMxGpL—1g (accessed July 22, 2020)



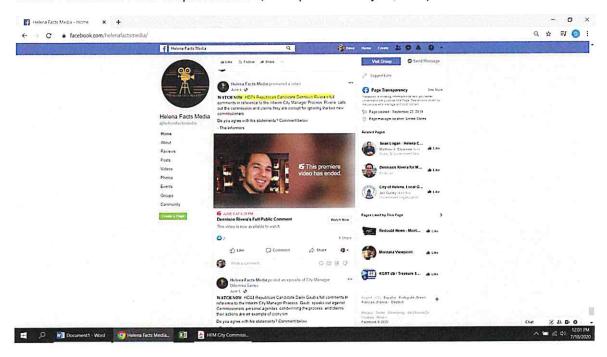
¹⁹ ACLU Questoinaire.pdf (sic) document properties (accessed July 22, 2020)



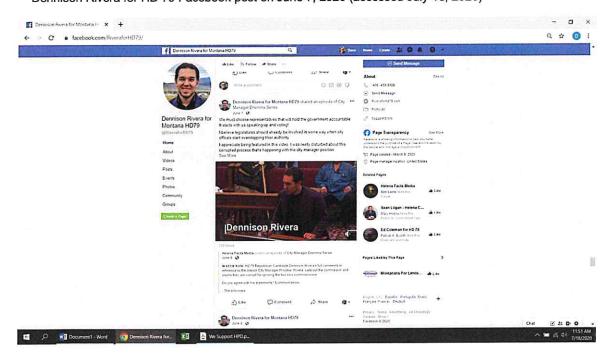
²⁰ Helena Facts Media Facebook post on June 6, 2020 (accessed July 18, 2020)



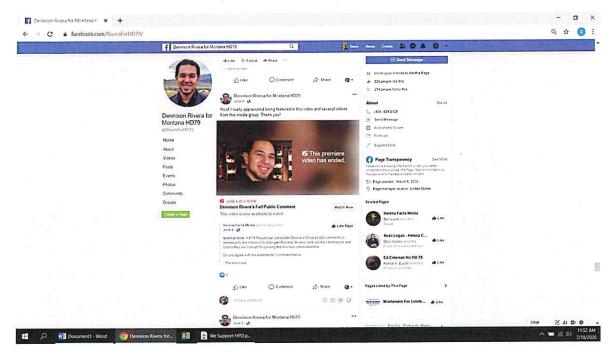
Helena Facts Media Facebook post on June 6, 2020 (accessed July 18, 2020)



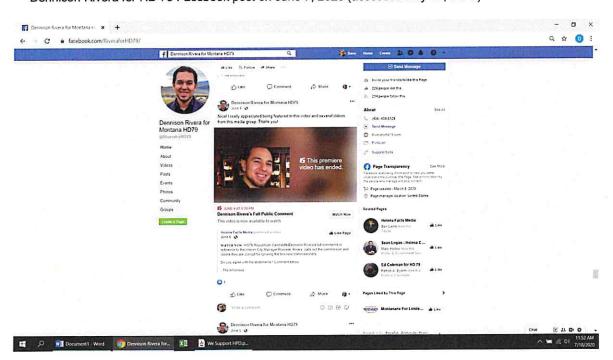
²¹ Dennison Rivera for HD 79 Facebook post on June 7, 2020 (accessed July 18, 2020)



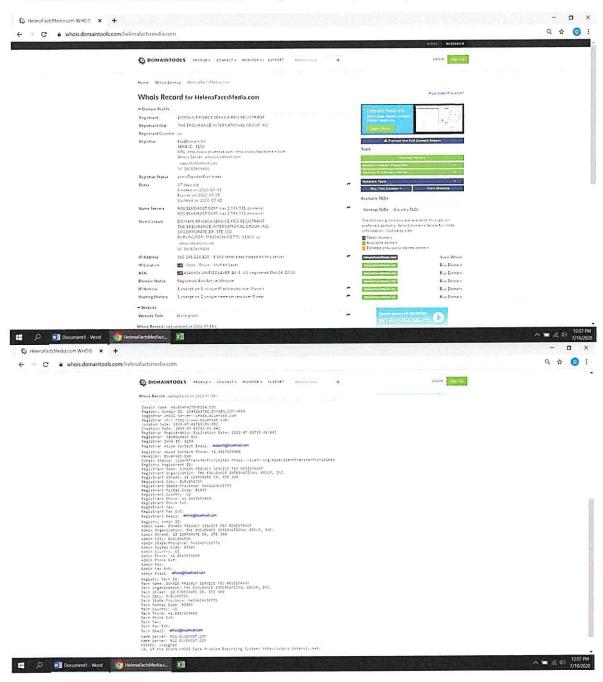
Dennison Rivera for HD 79 Facebook post on June 7, 2020 (accessed July 18, 2020)



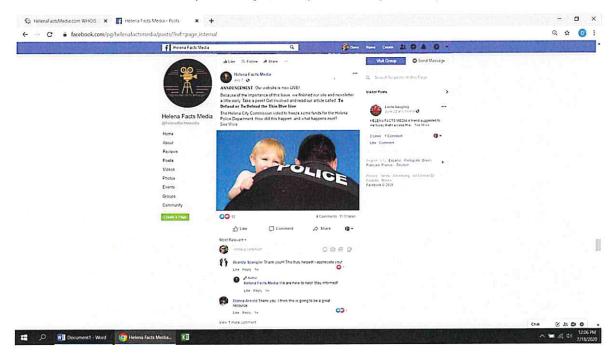
²² Dennison Rivera for HD 79 Facebook post on June 7, 2020 (accessed July 18, 2020)



²³ Whois.domaintools.com/helenafactsmedia.com (accessed July 18, 2020)



²⁴ Helena Facts Media Facebook post on July 7, 2020 (accessed July 18, 2020)



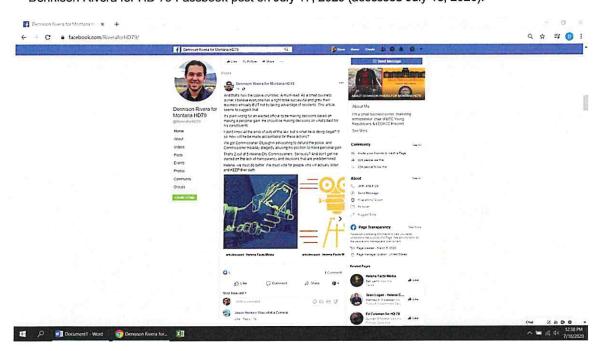
²⁵ Error message returned by https://helenafactsmedia.com/about (accessed July 30, 2020)



²⁶ https://helenafactsmedia.com/videos (accessed July 23, 2020)



²⁷ Dennison Rivera for HD 79 Facebook post on July 17, 2020 (accessed July 18, 2020).



²⁸ Helena Facts Media Facebook post on May 14, 2020 (accessed July 30, 2020) – communication referring to candidate within 60 days prior to the primary election.

