

BEFORE THE COMMISSIONER OF
POLITICAL PRACTICES

| | | |
|--------------------------------|---|------------------------------|
| In the Matter of the Complaint |) | SUMMARY OF FACTS |
| Against Juliann Jones |) | AND |
| |) | STATEMENT OF FINDINGS |

Bill Moser filed a complaint alleging that Juliann Jones violated Montana campaign finance and practices laws.

SUMMARY OF FACTS

1. Juliann Jones resides in Livingston, Montana. She is a self-employed artist who previously owned and operated a gallery and shop in Livingston.
2. In 2007, Jones ran successfully as a candidate for a seat on the Livingston City Commission.
3. Bill Moser filed a complaint alleging that several campaign ads placed by Jones in local newspapers did not comply with § 13-35-225(1), MCA, which requires identification of the person who paid for campaign materials.
4. Moser attached to the complaint copies of several campaign ads published in the *Livingston Enterprise* and the *Livingston Weekly* (now known as the *Livingston Current*).
5. On November 1, 2007, prior to the filing of the complaint, Jones sent an e-mail to the office of the Commissioner of Political Practices (CPP), stating:

Commissioner,
I inadvertently left the disclaimer required by 13-35-225 off of a printed ad that I created for the Livingston Weekly. Unfortunately ads that I ran in the Livingston Enterprise had the disclaimer but did not include the address. Other materials will be in compliance with 13-35-225.

I truly regret this omission for I think that it is an important law.

I am a candidate in a nonpartisan seat on the Livingston City Commission.

6. On November 12, 2007, following her receipt of the complaint, Jones e-mailed CPP stating that the two ads she mentioned in her November 1, 2007 e-mail were the only two times she “did not have the entire disclaimer” on her political advertising.


7. Jones's campaign ads published in various newspapers were reviewed to determine whether they complied with § 13-35-225(1), MCA. Five ads described and reproduced below (reduced from the originals) did not contain the attribution language required by the statute.
8. The "Vote for a New Voice" ad reproduced below was published in the *Livingston Enterprise* on October 30, 2007, at a cost of \$180.
9. The "Vote for a New Voice" ad reproduced below was published in the November issue of the *Montana Pioneer*, at a cost of \$135.

Vote for a New Voice
Vote for Juliann Jones
for City Commissioner
Building consensus, building
Livingston's future...
Your Vote matters- get out and vote
anytime at the Clerk and Recorders Office
or on Nov. 6th.
Join the supporters of this campaign...

Enterprise Oct 30th

| | |
|------------------------|--------------------|
| Margot Aserlind | Margo Coffey |
| Barb Williams | Ryan Josseland |
| Les Williams | Jerry Mergen |
| Steve Caldwell | WJ Billie |
| Vicki Blakeman | Coletta Wolf |
| Kelley Dowdell | Michael Sanders |
| Sharon Walker | Deb Endres |
| Amy Titgemeier Stevens | Charlotte Freeman |
| Dean Nelson | Alex Scaff |
| Patricia Blume | Katherine Dunlap |
| Mary Beebe | Dan Bliss |
| Wendy Heckles | Rob Bankston |
| Alvin Nelson | Lynn Patrick Doyle |
| John Grant | Lindsay Aun |
| Jack Luther | John Gregory |
| Maryanne Campbell | Kitty Krohne |
| Matt Dowdell | Margaret Mergen |
| Glen Pritchard | Beth Gregory |
| Linnea Larson | Joe Wayne |
| Laurie Bishop | Sherry Pikul |
| Lynn Weaver | Rebecca Canner |
| Lara Salazer | Frank Horiel |
| Helen Wilson | Joann Gardner |
| Tim Cahill | Jody Allen |
| Bonnie Goodman | Thomas Baskett |
| Sam Francis | Peter Howell |
| Nancy Kessler | Ashley Sullivan |
| Jack Heckles | Annie Conley |
| Rainer Krapf | Jodi Litchfield |
| Kelley Dowdell | Matt Wilhelm |
| Matt Dowdell | Jodi Litchfield |
| Lindsay Aun | Sara Scaff |
| Patricia Blume | Matt Wilhelm |
| John Grant | Brooke Howell |
| Jack Luther | Shamus Conley |
| Maryanne Campbell | Sadie Hoe |
| Linnea Pritchard | Amy Petrusis |
| Glen Pritchard | WJ Billie |
| Lynn Weaver | John Salazer |
| Helen Wilson | Quinn Conley |
| Sharon Walker | Sara Homans |
| Sam Francis | Tim Stevens |
| Alvin Nelson | Laura Bray |

ELECT
Juliann Jones
City Commissioner
 Paid for by the Juliann Jones Campaign



Vote for a New Voice
Vote for Juliann Jones
for City Commissioner
Building Consensus
Building Livingston's Future
Your Vote Matters
Get out and Vote for City Commissioners
anytime at the Clerk & Recorder's Office or on Nov 6th
Join the supporters of this campaign

| | | | |
|-------------------|------------------|--------------------|-------------------|
| Tim Cahill | Dean Nelson | Colette Wolf | Vicki Blakeman |
| Margot Aserlind | Steve Caldwell | Michael Sanders | Jody Allen |
| Linnea Larson | Jack Heckles | Deb Endres | Ashley Sullivan |
| Barb Williams | Wendy Heckles | Laura Bray | Mary Beebe |
| Les Williams | Bonnie Goodman | Rebecca Canner | Annie Conley |
| Nancy Kessler | Parke Goodman | Charlotte Freeman | Jodi Litchfield |
| Rainer Krapf | Carole Sullivan | Alex Scaff | Matt Wilhelm |
| Kelley Dowdell | Dan Sullivan | Sara Scaff | Amy Titgemeier |
| Matt Dowdell | Lil Erickson | Katherine Dunlap | Stevens |
| Lindsay Aun | Laurie Bishop | Dan Bliss | Tim Stevens |
| Patricia Blume | Storrs Bishop | Rob Bankston | Peter Howell |
| John Grant | Michelle Ponca | Lynn Patrick Doyle | Brooke Howell |
| Jack Luther | Libby Caldwell | John Gregory | Shamus Conley |
| Maryanne Campbell | Pat Armstrong | Beth Gregory | Sadie Hoe |
| Linnea Pritchard | Craig Mielke | Kitty Krohne | Amy Petrusis |
| Glen Pritchard | Scott Boehler | Margeret Mergen | WJ Billie |
| Lynn Weaver | Jon Ellen Snyder | Jerry Mergen | Lara Salazer |
| Helen Wilson | Kris King | Sherry Pikul | John Salazer |
| Sharon Walker | Margo Coffey | Thomas Baskett | Quinn Conley |
| Sam Francis | Ryan Josseland | Frank Horiel | Sara Homans |
| Alvin Nelson | Joe Wayne | Joann Gardner | Steve Bickwermert |

Paid for by the Jones Campaign Fund

10. The "Jonesin' for a New City Commissioner" ad reproduced on the next page was published on an unknown date in the *Livingston Weekly*, at a cost of \$160.
11. The "Vote for a New Voice" ad reproduced on the next page was published in the *Livingston Enterprise* on October 29, 2007, at a cost of \$180.

**"Jonesin' for a New City
Commissioner?"**

Vote for a New Voice

**Vote for Juliann Jones
for City Commissioner**

**Building Consensus
Building Livingston's Future**

Your Vote Matters

Get out and Vote for City Commissioners
anytime at the Clerk & Recorder's Office or on Nov 6th

Join the supporters of this campaign

- | | | |
|--------------------|--------------------|-----------------|
| Margot Aserlind | Jack Heckles | Linsay Aun |
| Barb Williams | Rainer Krapf | John Gregory |
| Les Williams | Linnea Pritchard | Kitty Krohne |
| Steve Caldwell | Parke Goodman | Margeret Mergen |
| Vicki Blakeman | Carole Sullivan | Beth Gregory |
| Kelley Dowdell | Jon Ellen Snyder | Joe Wayne |
| Sharon Walker | Lil Erickson | Sherry Pikul |
| Amy | Storrs Bishop | Rebecca Canner |
| Titgemeier Stevens | Michelle Ponca | Frank Horiel |
| Dean Nelson | Libby Caldwell | Joann Gardner |
| Patricia Blume | Pat Armstrong | Jody Allen |
| Mary Beebee | Dan Sullivan | Thomas Baskett |
| Wendy Heckles | Craig Mielke | Peter Howell |
| Alvin Nelson | Scott Boehler | Ashley Sullivan |
| John Grant | Kris King | Annie Conley |
| Jack Luther | Margo Coffey | Jodi Litchfield |
| MaryanneCampbel | Ryan Josserand | Sara Scaff |
| Matt Dowdell | Jerry Mergen | Matt Wilhelm |
| Glen Pritchard | WJ Billie Lindgren | Brooke Howell |
| Linnea Larson | Colette Wolf | Shamus Conley |
| Laurie Bishop | Michael Sanders | Sadie Hoe |
| Lynn Weaver | Deb Endres | Amy Petrusis |
| Lara Salazer | Charlotte Freeman | WJ Billie |
| Helen Wilson | Alex Scaff | John Salazer |
| Tim Cahill | Katherine Dunlap | Quinn Conley |
| Bonnie Goodman | Dan Bliss | Sara Homans |
| Sam Francis | Rob Bankston | Tim Stevens |
| Nancy Kessler | Lynn Patrick Doyle | Laura Bray |

paid for by the Jones Campaign Fund

Vote for a New Voice
Vote for Juliann Jones
for City Commissioner

**Building consensus, building
the future for Livingston...**


-Committed to listening to the people of Livingston and
working for them with the utmost efficiency,
honesty and integrity
over three years.

**GET OUT AND VOTE TO CHOOSE
YOUR CITY COMMISSIONERS.**

Vote anytime at the Clerk and Recorder Office at the
city/county building or on Nov. 6th.


**ELECT
Juliann Jones
City Commissioner**

Paid for by the Juliann Jones Campaign



12. The "Ask a Dog" ad reproduced below was published in the *Livingston Weekly* during the last week of October 2007, at a cost of \$160.

Ask A Dog




By Dingo

Dear Dingo,
is it true that Juliann Jones is currently serving on the board of Stafford Animal Shelter, cleaned cages for 2 years, and has donated art work for the Montana Spay and Neuter Task Force for their license plate and art work to the Park Co Trails Plan brochure?

Dear
yes! Juliann Team Ball Player!! -Dingo

Dear Dingo,
Juliann Jones is running for City Commissioner. Isn't she the one who had a business downtown for almost 8 years in which she sold her art work on cards?

-curious local shopper



MONTANA
AAA-000

VOTE FOR A NEW VOICE

Vote Juliann Jones for city commissioner

Dear Dingo,
I understand Juliann Jones has been studying Livingston city business such as annexing, railroad crossing studies and the floodway issues and the last 6 months of city commissioner minutes. Do you think she is ready to be a commissioner?

-another studios citizen

Dear Studios,
Juliann Ready! Ready to Play Ball!!! -Dingo

13. Jones purchased and distributed 100 campaign buttons for \$80. The buttons stated: “Elect Juliann Jones City Commissioner.” The buttons did not include any attribution language.
14. Jones purchased and distributed campaign bumper stickers at a cost of \$170.75. The bumper stickers included complete attribution language as required by § 13-35-225, MCA.
15. Jones purchases card stock to use in her art business. She used some of her excess (scrap) card stock and her personal ink jet printer to create some campaign materials, including campaign flyers, postcards, and literature that she personally distributed, another flyer inviting people to a fundraiser, and a campaign mailer. All of the campaign materials included complete attribution language. Based on pricing information supplied by Jones, the estimated value of the card stock used for these additional campaign materials was under \$15.
16. Jones paid for and distributed additional campaign materials, including yard signs, flyers, postcards, fundraiser invitations, a literature drop, and mailers, all of which included complete attribution language.
17. In her campaign finance reports filed with CPP Jones did not report the \$80 expenditure for the campaign buttons or the \$170.75 expenditure for the bumper stickers (facts 13 and 14). In addition, Jones did not report the value of the scrap card stock that she used to the campaign materials described in fact 15. She contends she did not report the value of the card stock because she considered it scrap card stock that would have been discarded had she not used it for the campaign materials. Jones did, however, report the value of the ink used in her inkjet printer.

STATEMENT OF FINDINGS

Attribution on Campaign Materials

§ 13-35-225(1), MCA, requires that “(c)ommunications advocating the success or defeat of a candidate. . . through any. . . newspaper, . . . direct mailing, poster, handbill. . . or other form of general political advertising 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.” If a candidate or candidate’s campaign finances the communication, the attribution must include the name and address of the candidate or candidate’s campaign. (*Id.*) The campaign ads published in the various newspapers, described in facts 8 through 12, did not contain the complete attribution language required by the statute. In addition, the campaign buttons described in fact 13 did not include the required attribution language.

Failure to Report Expenditures

§ 13-37-230, MCA lists expenditures and other information that must be disclosed in a periodic report required to be filed pursuant to § 13-37-225, MCA. Jones failed to report an \$80 expenditure for campaign buttons, a \$170.75 expenditure for bumper stickers, and a \$15 expenditure for card stock used to create campaign materials. (Facts 13-15 and 17.)

CONCLUSION

Although Jones' 2007 campaign reporting and disclosure violations may appear minor to some observers, and nearly three years have elapsed, I find it worthwhile and in the public interest to formally conclude the investigation and issue a decision in this matter. While Jones was a local candidate with a relatively small budget, this is not sufficient to justify dismissal. A reporting exception applies to those candidates who spend less than \$500 in an election, but Jones' campaign fundraising and spending was substantially more than that. (Facts 8 – 14 and 16.) The extent of the under-reporting would not have been disclosed, if not for the investigation.

Disclosure provides voters information that can help them evaluate those who seek public office. Transparency through disclosure is a widely accepted means of improving public awareness and limiting actual or perceived corruption. While there is no such allegation involved in the instance at hand, I emphasize the underlying values that are of importance here.

I urge candidates and others engaged in influencing elections in Montana to carefully review and understand the statutory disclosure requirements to ensure they are in full compliance with the law and to avoid penalties.

Based on the preceding *Summary of Facts and Statement of Findings* there is substantial evidence to conclude that Julian Jones violated Montana campaign financial reporting and disclosure laws, and that a civil penalty action under § 13-37-128, MCA is warranted.

DATED this 11th day of August 2010.



Dennis Unsworth
Commissioner of Political Practices