

MONTANA DEMOCRATS

1/7/19

Commissioner of Political Practices
1205 Eighth Avenue
Post Office Box 202401
Helena, MT 59620-2401

Commissioner Mangan;

I write to file this formal complaint against Secretary of State Corey Stapleton alleging violations of MCA §2-2-121(3)(a).

On January 2nd, 2019, Secretary Stapleton sent out an announcement that he is now a candidate for the office of Governor of Montana. The announcement was sent from an official state email account and on letterhead containing the Montana state seal. Inquiries about the campaign announcement were directed to an employee of the Secretary of State's office via an official state of Montana email account (see attached).

As you are aware, §2-2-121(3)(a) prohibits the use of state facilities to support or oppose a political candidate. As you are also aware, the Montana Supreme Court has directly addressed the issue of whether utilization of state email accounts constitutes a violation of the foregoing statute. In *Molnar v. Fox*, 2013 MT 132, ¶ 45, 370 Mont. 238, 252, 301 P.3d 824, 835, the Court held:

"It is improper for an elected official to send a campaign email from a State account at any time of the day..."

Therefore, Secretary of State Corey Stapleton's conduct constitutes a serious breach of public trust and is clearly prohibited by law.

Even so, Stapleton denied the announcement email was political to the Helena Independent Record, writing in a text message: "No — absolutely not. It's not campaigning." However, Stapleton is a longtime politician, and it is extremely difficult to believe that he is ignorant of Montana law prohibiting him from using official state resources to announce his next political campaign.

I respectfully request that you investigate this matter and present your findings to the people of Montana.



Monica Lindeen
Executive Director

From: Ames, Susan [mailto:SAmes@mt.gov]

Sent: Wednesday, January 02, 2019 8:42 AM

To: Ames, Susan <SAmes@mt.gov>

Subject: Secretary of State Stapleton to run for Governor in 2020



 Reply

 Forward



FOR IMMEDIATE RELEASE
January 2, 2019
Contact: Susan Ames
sames@mt.gov

MONTANA SECRETARY OF STATE COREY STAPLETON ANNOUNCES HE IS RUNNING FOR GOVERNOR IN 2020

HELENA, MT – Montana Secretary of State Corey Stapleton announced today that he is running for Governor in 2020. Stapleton, 51, is a Great Falls native and graduate of the U.S. Naval Academy. He was elected Secretary of State in November 2016.

“As Secretary of State and Montana’s business officer, our Office has made it easier for small businesses to operate in Montana. Not only have we streamlined and simplified the dealings that business owners have with state government, we are leading the nation in modernizing the way businesses file online.

As Montana’s Chief Elections Officer, our Office has tackled the most difficult issues in modern Elections. I’m proud to say that we have increased election security, increased the integrity of mail ballots, and increased voter participation. In short, we’ve made it easier to vote and harder to cheat!” Stapleton said.

In addition to improving elections and business services, Stapleton touted the significant reduction in spending at the Office of the Secretary of State since he took office two years ago. Stapleton served eleven years in the navy as a Surface Warfare Officer, deploying overseas aboard the aircraft carrier USS John F. Kennedy (CV-67) and aegis cruiser USS Hue City (CG-68). He holds a bachelor of science degree in General Engineering from the Naval Academy, a master of arts degree in Political Science from Temple University, and a master of science degree in Financial Services from The American College in Pennsylvania.

“As Governor, I’d like to lead the conversation on how we steer towards a Montana that has stronger families and higher wages, lower taxes and smaller government, and how we can lead the nation in having greater freedoms for all of us. I’ll work with anyone and everyone to help get us there.”

Stapleton is a financial advisor and former state senator from Billings. He and his wife, Terry, have four children.

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