

BEFORE THE COMMISSIONER OF POLITICAL PRACTICES (COPP)

JENNIFER SAVAGE v. DANIEL CARLINO	COPP-2025-CFP-006 PARTIAL DISMISSAL, FINDING OF SUFFICIENT FACTS TO SUPPORT VIOLATIONS, and ORDER OF CORRECTIVE ACTION
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COMPLAINT

On September 9, 2025, Jennifer Savage, of Missoula, MT filed a Campaign Finance and Practices (CFP) complaint against Daniel Carlino, also of Missoula. The complaint alleged that Mr. Carlino failed to include the required “paid for by” attribution statement on campaign text messages, failed to disclose relevant campaign contributions and expenditures on campaign finance reports filed with COPP, and posted campaign flyers in prohibited places around Missoula.

The complaint conforms to the requirements of Admin. R. Mont (ARM) 44.11.106, the administrative rule concerning complaints, and with the exception of the portion of the complaint addressing sign placement, alleges violations which fall under my jurisdiction as Commissioner of Political Practices. Therefore, I accepted it as filed, and in accordance with COPP procedures, requested a response from Mr. Carlino, which was timely filed. The complaint and response are posted on COPP’s website, politicalpractices.mt.gov.

ISSUES

This decision addresses Mont. Code Ann. (MCA) 13-35-225, Election materials not to be anonymous; MCA 13-37-225 through 229, reporting and disclosure of campaign contributions and expenditures; and MCA 13-35-227, Prohibited contributions from corporations and unions.

BACKGROUND

Daniel Carlino and Jennifer Savage are current candidates seeking election to the Missoula City Council, Ward 3. Each appeared on Missoula's September 9, 2025, municipal primary election ballot and advanced to the upcoming general election, to be held November 4, 2025.

Five text messages were sent to voters prior to Missoula's primary election. Individual messages were sent on or about August 20, 21, 23, 26, and 29, 2025. Each of these messages either encouraged recipients to vote for Mr. Carlino, directed recipients to a fund-raising page, or both. An attribution message: "paid for by Carlino for Missoula" was included on the linked fundraising pages but not on any of the associated texts. (Complaint 4-9.)

In an article originally published in the Missoulian newspaper on September 5, 2025, Mr. Carlino states that he was "working with a consultant on distributing campaign text messages, but the messages were sent to voters without his review and contained false information about political action committees." While the Missoulian article quotes Mr. Carlino as saying that he "contacted the Montana Commissioner of Political Practices about the incident," COPP has no record of any formal conversations or requests for guidance initiated by Mr. Carlino or his campaign prior to receipt of this complaint. The September 5, 2025, Missoulian article also states that Mr. Carlino "said he does not plan to work with MapleBridge Strategies moving forward and noted that he did not pay the group because of the error."¹

DISCUSSION

The complainant first asserts texts supporting Carlino's candidacy for Ward 3, were sent to voters without the statutorily required "paid for by" attribution. Additionally, the complainant states: Mr. Carlino "didn't file a C-7 to note the expenditures of these texts in a timely manner," or "report any in-kind contributions to cover the cost of the texts." Lastly, the complainant asserts the Carlino campaign posted flyers on "at least 25 power/light poles on Labor Day weekend." (Complaint, 1- 4.) This allegation can be dismissed

¹ https://missoulian.com/news/local/government-politics/elections/article_a4f54b97-5824-415c-a9bc-6dfb4a6d6c87.html

without further consideration, so it is only briefly addressed in the discussion to follow. I then address issues related to the five text messages and Ms. Savage's suggested remedy.

I. COPP is not the appropriate authority to determine if the Carlino campaign improperly posted campaign materials within the city of Missoula.

The complainant's final assertion is that the Carlino campaign "posted illegal flyers on at least 25 power/light poles" which were apparently in violation of an unspecified municipal ordinance. (Complaint, 4.)

In his response, Mr. Carlino correctly states this particular allegation falls outside of COPP's lawful jurisdiction. When it comes to political speech - including publicly displayed campaign yard signs, flyers, posters, or similar materials supporting or opposing candidates, COPP's jurisdiction is threefold. First, COPP is provided proper oversight of and enforcement over the "paid for by" attribution statement previously discussed. Second, paid political speech financed by a candidate or political committee is subject to general reporting and disclosure requirements established in MCA Title 13, chapter 37. Finally, the Commissioner considers and enforces violations of Montana's electioneering prohibition in accordance with MCA § 13-35-211. Montana election law under the Commissioner's jurisdiction does not address the physical placement of campaign material.

It would be inappropriate for COPP to speculate as to whether or not Missoula municipal ordinances prohibit the actions or activities alleged here. Ordinances established by a municipal government are subject to enforcement by that municipal government, pursuant to MCA § 7-5-4207(1). Similarly, jurisdiction over political signs or related political speech placed on a public right of way is provided to the Montana Department of Transportation, pursuant to MCA § 75-15-113 and related ARM Subchapter 18.6.2.

Any alleged violation of a municipal ordinance or display on a public right of way falls outside the jurisdiction of the Commissioner of Political Practices. Therefore, this allegation is dismissed without further consideration.

II. Mr. Carlino failed to include the required “Paid for by” attribution on each of five texts received by voters between August 16 and August 26, 2025.

The complainant’s first allegation related to text messages supporting Mr. Carlino’s candidacy is that Mr. Carlino failed to include the required “paid for by” attribution on each of the five texts supporting the Carlino campaign.

Montana election law requires “all election communication. . . 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. Election communications, as defined by statute, include “paid advertisement broadcast over radio, television, cable, or satellite; [and] placement of content on the internet or other electronic communication network” to support or oppose a candidate or ballot issue. MCA § 13-1-101(15)(a)(b).

Here, the implicated text messages qualify as election communications requiring “paid for by” attribution. Consequently, each message must include attribution, or alternatively, the individuals responsible for each message may provide COPP with the required messaging prior to dissemination.

When COPP receives a complaint alleging failure to include the “paid for by” attribution statement on election materials, Montana election law mandates a specific process in which the Commissioner works with the respondent to bring material into compliance. This expedited process provides an opportunity to correct any violation presented and if this expedited process is timely followed and material is brought into compliance, the offender is relieved of a campaign practices violation. MCA § 13-35-225(1), (5) and (6), See *Regier v. Montana DSA* (2022) and *Bolger v. Republican Governor’s Association* (2020).

Here, the submitted complaint includes copies of each relevant text message. COPP did not receive any attribution statement in advance of their dissemination and none of the messages contain any “paid for by” attribution messaging.

Mr. Carlino has admitted each text message was disseminated by a political consulting firm, MapleBridge Strategies (MapleBridge), hired by the Carlino campaign. However, Mr. Carlino states that he only approved two of the text messages. With his response, Mr. Carlino provided a letter from MapleBridge in which they apologize to Mr. Carlino for distributing a fundraising text message without Mr. Carlino's review or approval. (Response, 2.)

Although the letter provided by MapleBridge indicates Mr. Carlino's review and approval of each message is an expected part of their process, the letter indicates 'a' text message, rather than multiple text messages, was sent without Mr. Carlino's approval. *Id.* Whether one text message (as stated in the letter) or three text messages (as asserted by Mr. Carlino) were sent without prior approval may be a mitigating factor if this matter proceeds to enforcement. However, there is no reason to conclude Mr. Carlino's review would have resulted in the addition of the required attribution as it was not included in the other text messages disseminated following his review and approval. In the Missoulain article, Mr. Carlino disavows the content of the text messages which refer to targeting by "MAGA Millionaires" and the "Isreal Lobby," but there is no mention of attribution or the lack thereof. *Supra* note 1.

MCA § 13-35-225 specifically states that a respondent is subject to a civil penalty under MCA § 13-37-128, if they fail to timely bring material into compliance within two business days, if notification is made more than 7 days prior to the relevant election, or within 24 hours, if notification is made within 7 days of the relevant election. In this matter, the complaint was not submitted to COPP until the day of the relevant September 9, 2025, Missoula primary election, well after each unattributed text message had been disseminated.

Historically, COPP has not pursued attribution violations when a complaint is received following an election, making the application of the expedited attribution process under MCA § 13-35-225(5) and (6) impracticable. While failure to attribute election materials remains a violation of election law and the Commissioner reserves the right to pursue enforcement if circumstances warrant, giving the opportunity to correct without penalty prior

to an election, but punishing violators after an election is antithetical to the clear purpose of the statute.

Mr. Carlino violated MCA § 13-35-225 by failing to include an attribution statement on each of the provided text messages. At this time, prosecution of this violation is determined not to be justified. However, as Mr. Carlino is clearly aware of this requirement, any additional failures to include attribution on election materials are likely to result in prosecution.

III. Mr. Carlino failed to appropriately and timely disclose relevant campaign contributions, debts, or expenditure activity relating to five campaign text messages.

The complaint next asserts that Mr. Carlino “didn’t file a C-7 to note the expenditures of these texts in a timely manner. . .[and] didn’t report any in-kind contributions to cover the costs of the texts.” (Complaint. 1.)

Montana election law requires all candidates to file regular finance reports with COPP disclosing all contributions received and expenditures made. MCA § 13-37-229.

Here, Mr. Carlino has disclosed \$3,237.40 in associated expenditures, and an in-kind contribution of \$450.00, identified as “text to voters” or “text messages to voters,” on C-5 campaign finance reports filed with COPP. Although the relevant expenditure activity has been reported, there are issues with the timing and method of disclosure that are violations of Montana election law. The first, reporting debts at the time they were incurred is not contemplated by the complainant. However, COPP routinely discovers, and if deemed justified, prosecutes other violations found in the course of a complaint investigation. *Montana Freedom Caucus v. Rep. Zephyr*, COPP-2023-CFP-010, at 15.

a. Mr. Carlino failed to report debts at the time they were incurred.

First, on each campaign finance report filed with COPP, candidates are required to disclose all campaign expenditures made during an individual reporting period, including “the amount and nature of debts and obligations owed.” MCA § 13-37-229(2)(a)(vi). The related Administrative Rule,

44.11.502(2), further holds, “[a]n obligation to pay for a campaign expenditure is incurred on the date the obligation is made, and shall be reported as a debt of the campaign until the campaign pays the obligation by making an expenditure.” In other words, a candidate has a responsibility to report debts at the time an obligation for a campaign expenditure is incurred rather than when an invoice is received, or payment is made. See *Perkins v. Downing*, COPP 2020-CFP-022, *Ward v. Tucker*, COPP-2020-CFP-021, and *MTGOP v. Alke*, COPP-2023-CFP-18.

Here, each reported expenditure (itemized below) was made between August 27 and October 19, 2025. The related texts were received by voters beginning on August 21 and ending on August 29, 2025. Undoubtedly, the Carlino campaign entered into an agreement for this service prior to August 21, 2025. Consequently, each of the expenditures, or alternatively, the total projected expenditure, was required to be reported at the time the Carlino campaign and MapleBridge contracted for this service.

Invoices from MapleBridge, provided to COPP in connection with this investigation, place the value of the provided texts, which Mr. Carlino failed to properly and timely report as a debt, at \$3857.35.

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b. Mr. Carlino failed to use the correct forms to report pre-election expenditures.

Related to misreporting of campaign expenditures, the complainant asserts Mr. Carlino did not properly and timely report expenditures on C-7 forms.

During an odd-numbered election year, municipal candidates are required to file C-5 periodic finance reports “on the 20th day of June, July, August, September, October, and November of the year of the election in which the candidate participates.” MCA § 13-37-226(4)(a). In addition to these periodic reports, any “expenditure of an amount equal to or more than the applicable contribution limitation. . .if made between the 15th day of the month preceding an election in which the candidate participates and the day before

the election,” must be reported within two business days. MCA § 13-37-226(1)(d). ARM 44.11.302 further provides “each statement and report required by Title 13, chapters 35 and 37 MCA, and these rules shall be filed on forms prescribed by the commissioner.”

Applied to the Missoula municipal election, any contributions equal to the \$450 contribution limit, or expenditures equal to or in excess of \$450, occurring between August 15 and September 8, 2025, were required to be disclosed to Montana voters on C-7 (contributions) or C-7E (expenditures) forms filed with COPP. Mr. Carlino was made aware of this requirement in an email exchange with COPP on September 4, 2025. (COPP Records.)

As described above, Mr. Carlino was required to disclose any expenditure of \$450 or more occurring between August 15 and September 8, 2025, within 48 hours of making the expenditure. Here, four expenditures have been reported via the Campaign Electronic Reporting System (CERS) for the related texts:

- a. An expenditure in the amount of \$1201.20, made on August 27, 2025, and reported on August 29, 2025, was disclosed within 48 hours but on a C-5 rather than a C-7E.
- b. An expenditure in the amount of \$1022.25, made on September 9, 2025, and reported on September 11, 2025, was timely disclosed. This expenditure occurred on the day of the election and therefore did not require expedited reporting and could have been reported with Mr. Carlino’s regular C-5 due September 20, 2025.
- c. An expenditure in the amount of \$155.30, made on September 11, 2025, and reported on September 20, 2025, was timely disclosed by amending the prior report dated September 11, 2025. This expenditure does not meet the contribution limit threshold for expedited reporting so this expenditure could also have been reported on the new C-5 due on September 20, 2025.
- d. An expenditure in the amount of \$858.65 was made on September 16, 2025, and reported on October 19, 2025. Although this expenditure meets the contribution limit threshold, it was not made between the 15th day of the month preceding an election and the day before the election, therefore this disclosure was timely and appropriate.

Here, had Mr. Carlino properly reported his obligation to MapleBridge as a debt, each of the above expenditures would then be reported as payment on that debt. Only the first expenditure, made on August 27, 2025, was required to be reported within the 48-hour window. ARM 44-11-302(1) provides “each statement and report required by Title 13, chapters 35 and 37, MCA, and these

rules shall be filed on forms prescribed by the commissioner,” and MCA 13-37-226 required disclosure of this expenditure within 48 hours. Consequently, although Mr. Carlino disclosed this particular expenditure within the required 48-hour window, doing so on a C-5 rather than a C-7E as prescribed by the commissioner, is a technical violation of Montana election law. Use of the proper C-7E form, provided by COPP and available via CERS, creates an easier pathway for filers and more transparency for voters. Former commissioners have concluded the use of the wrong form on a single occasion is not generally worthy of prosecution. *Anderson v. Collins*, COPP-2021-CFP-017, at 7-9. That reasoning applies here, with the more egregious violation being the failure to report a debt discussed above.

IV. Additional violations discovered in the course of investigating this complaint.

The complainant’s allegations have been addressed and decided above. However, “Montana law also permits COPP to ascertain whether other violations exist.” *Zephyr*, at 2. Although COPP inspects each report filed in accordance with MCA § 13-37-121, some errors and omissions may go unnoticed until a more intensive examination is conducted during a complaint investigation. Here, two additional reporting issues were discovered during COPP’s investigation.

While COPP endeavors to address any violations discovered in the course of an investigation, it is important to note that although some of these violations may be worthy of enforcement, others are discussed in order to provide guidance to current and future filers.

a. Mr. Carlino accepted an unlawful corporate contribution.

As disclosed in the Missoulian article referenced in the complaint, Mr. Carlino’s response, and a letter from MapleBridge to Mr. Carlino, a contractual dispute occurred between MapleBridge and Mr. Carlino. Both parties agree MapleBridge disseminated texts without Mr. Carlino’s prior approval, and this approval was an expected part of their agreement. *Supra* note 1, and

(Response, 2.)

Apparently in an effort to resolve this issue, MapleBridge chose to contribute \$450 (the contribution limit) worth of texts to the Carlino campaign. Mr. Carlino reported this as an in-kind contribution by amending his August 28, 2025, periodic finance report. (COPP records.)

Montana election law specifically prohibits candidates from accepting campaign contributions from corporate or union sources. MCA § 13-35-227. According to documentation on file with Delaware's Department of State: Division of Corporations, MapleBridge (under the name MapleBridge Strategies, Inc.) is incorporated in the State of Delaware, with an incorporation date of January 23, 2024, and Entity Kind designation of "Corporation."²

Here, a violation of MCA § 13-35-227 occurred while attempting to resolve issues identified in the complaint. If this violation had been discovered by COPP staff during a routine inspection under MCA § 13-37-121, Mr. Carlino would have been given the opportunity to return the value of this unlawful contribution to the contributor. I find this approach to be appropriate here. See *Zephyr*, at 10.

COPP understands that the cost of services or goods provided may at times be renegotiated or adjusted based on circumstances such as these, where Mr. Carlino may not have received the full value of an executed contract. If terms of a contract are renegotiated, the candidate then amends their report in which this transaction was first reported and provides as an attachment the reason for the adjustment and any supporting documentation. If a rate is reduced for any other reason – an in-kind contribution occurs.

Here, Mr. Carlino cannot accept the in-kind contribution of \$450 from MapleBridge. However, as any party to a contract has the right to do, Mr. Carlino and MapleBridge are free to renegotiate the terms of the original contract. This violation will not be deemed justified for prosecution if Mr. Carlino takes immediate action to return full value of this in-kind contribution to MapleBridge and provides COPP with appropriate documentation of the

² Secretary of State.com/Delaware, last visited October 24, 2025.

return and any subsequent revisions to his financial agreement with MapleBridge.

b. Mr. Carlino failed to properly designate contributions and expenditures for the general or primary election.

When filing a periodic finance report on CERS, a column is provided to designate which election each contribution or expenditure is designated for, either “primary” or “general.” ARM 44.11.224(2)(b) provides the following guidance:

As a general rule, contributions received by a candidate prior to and on the day of a primary election are designated for the primary election and are subject to the aggregate contribution limits for the primary election; however, a candidate in a contested primary may receive contributions designated for the general election during the primary election period (*except for in-kind contributions*) subject to the contribution limits for the general election.

Here, each of Mr. Carlino’s contributions received and expenditures made have been designated “general” since the inception of his campaign. At the conclusion of the primary, any remaining funds can be transferred to the general election. If debts remain from the primary, those must be paid using funds designated for the primary and not pulled from those designated for the general. With all funds being designated ‘general’ – any debts incurred and paid during the primary would be technically unlawful. However, it is worthwhile to note that when Mr. Carlino first registered with COPP as an incumbent for Ward 3, he did not have a primary challenger and may not have been expecting one. This does not excuse this violation but enforcing this requirement after the conclusion of the primary is impracticable and does nothing to increase transparency to voters, therefore this violation is not determined to be justified for prosecution.

c. Additional details regarding expenditures for texts is required.

MCA § 13-37-229(2)(b) requires expenditures reported to any person or entity that performs services on behalf of a candidate include details to disclose

the specific services performed. ARM 44.11.502(5) further explains these requirements, including “specific dates on which services were provided.” Here, Mr. Carlino properly reports text messaging by MapleBridge or “Text for Less in conjunction with MapleBridge,” as “texts to voters,” with an included quantity and a date payment was made. The inclusion of a date on which each text was disseminated is a requirement under ARM 44.11.502(5) and would assist voters and COPP in ascertaining which texts each expenditure applied to.

Failure to include a date for services performed is a technical violation of Montana election law. However, here, as described above, prosecution is not determined to be justified and would do nothing to aid transparency for Montana voters.

IV. Reporting and attribution violations do not make funds illegal and mandating the return of funds is not within the available remedies.

In her complaint, the complainant refers to funds received by Carlino as a result of the fundraising texts as “illegal funds,” and implies the proper resolution of this complaint is for Mr. Carlino to return these funds.

MCA § 13-37-128 provides the only remedies available for reporting violations. No provision of law appears to make any campaign contributions provided by willing contributors that otherwise meet the requirements described above ‘illegal’ if other violations are found to have been committed by the candidate. While a failure to attribute election communications as required under MCA § 13-35-225, and a failure to properly disclose campaign expenditures as debts under MCA § 13-37-229, are violations of Montana election law under the Commissioner’s jurisdiction, violations here do not negate, compel the return of, or otherwise prohibit a candidate from using lawfully provided contributions.

Assuming the contributions received because of Mr. Carlino’s campaign text messages are ‘illegal’ and are therefore unusable, would deny each individual contributor their right to directly and purposefully associate with the Carlino campaign, a grave associational harm. Any order or instruction

prohibiting Mr. Carlino from utilizing lawful campaign contributions because of attribution or reporting and disclosure violations committed would far exceed the Commissioner's legal authority for enforcing those violations. The Commissioner enforces violations of Montana campaign laws by assessing a statutorily prescribed penalty pursuant to MCA § 13-37-128. This is the exclusive remedy.

ENFORCEMENT

The duty of the commissioner to investigate alleged violations of election law is statutorily mandated. MCA § 13-37-111. Upon a determination that sufficient evidence of election violations exists, the commissioner next determines if there are circumstances or explanations that may affect whether prosecution is justified. *Rose v. Glines*, COPP-2022-CFP-030. "The determination of whether a prosecution is justified must take into account the law and the particular factual circumstance of each case, and the prosecutor can decide not to prosecute when they in good faith believe that a prosecution is not in the best interests of the state." *Zephyr*, at 26.

MCA § 13-37-124(1) requires that I refer a matter to the appropriate county attorney when I find sufficient evidence "to justify a civil or criminal prosecution." The county attorney may then choose to prosecute the matter or refer it back to me for appropriate civil or criminal action. *Id.* While I do not have discretion to pursue a civil action without first referring the matter to the affected county attorney, I do have discretion to determine if enforcement action and therefore referral to the county attorney is justified. *Zephyr*, at 23, *Doty v. Montana Commissioner of Political Practices*, 2007 MT 341, 340 Mont. 276, 173 P.3d 700.

Recently, in *MTGOP v. Mullen*, *MTGOP v. Alke*, and *O'Neill v. Wilson*, I discussed in detail the objective factors I apply in determining when prosecution is justified. COPP-2024-CFP-30, 2023-CFP-018, and 2024-CFP-22. These consist of proximity to the election, a campaign's pattern of compliance, the size of unlawful contributions or expenditures, and finally, responsiveness

of the campaign. The above factors are listed in order of relevance, with proximity to the election being the most determinative factor.

Enforcement factors applied to Mr. Carlino

Proximity to the election. All texts were disseminated within two weeks of the election, well after the obligation occurred, and without providing voters the opportunity to discover the source of funds supporting Mr. Carlino prior to election day. This factor weighs in favor of prosecution.

Pattern of compliance. Although Mr. Carlino has timely filed reports throughout the campaign, each of these reports contain important errors, making this factor weigh in favor of prosecution.

Size of unlawful contributions or expenditures. The total value of the late-reported debt, which is again the only violation deemed justified for prosecution, is \$3857.35, a sizeable amount in a campaign for city councilman. This factor weighs in favor of prosecution.

Responsiveness of the campaign. Mr. Carlino responded quickly and thoroughly to all requests from COPP, both those related to this complaint and previous interactions. This factor weights against prosecution.

Considering all the facts and circumstances described above, I hereby determine that a civil action or penalty under MCA § 13-37-128 is justified.

CONCLUSION

When the commissioner finds sufficient evidence to justify a prosecution, the commissioner notifies the affected county attorney and transfers all relevant information, allowing the county attorney the opportunity to prosecute the offending party. MCA § 13-37-124(1). The county attorney has 30 days in which to initiate a civil or criminal action, at which time, if action is not taken the matter is waived back to the commissioner. *Id.* If the matter is waived back, the commissioner “may then initiate” legal action, but may exercise his discretion as to whether the matter is best solved by a civil action or the payment of a negotiated fine. MCA § 13-37-124(1), See also, *Bradshaw v. Bahr*, COPP-2018-CFP-008, at 4. In negotiating a fine, the commissioner exercises his discretion and considers any and all mitigating factors. *Id.* If the matter is

not resolved through the aforementioned negotiation, the commissioner retains statutory authority to bring a claim in district court against any person “who intentionally or negligently violates any requirement of campaign practice law.” *Id.*, 5.

The district court will consider the matter de novo, providing full due process to the alleged violator. The court, not the commissioner, determines the amount of liability when civil actions are filed under MCA § 13-37-128, and the court may take into account the seriousness of the violation(s) and the degree of a defendant’s culpability. MCA § 13-37-129.

Based on the above discussion, I find there is sufficient evidence of the following violations. At this time these violations are not determined to justify prosecution but may be a mitigating factor if additional violations are discovered or this matter proceeds to settlement.

- Mr. Carlino failed to properly attribute five text messages in violation of MCA § 13-35-225.
- Mr. Carlino failed to properly designate campaign contributions and expenditures for the primary or general election in violation of ARM 44.11.224(2)(b).
- Mr. Carlino failed to disclose an expenditure greater than \$450 made in close proximity to the election on the proper form in violation of ARM 44.11.302.
- Mr. Carlino failed to adequately detail expenditures in violation of ARM 44.11.502(5).

Sufficient evidence exists of the following violation which is determined to be justify prosecution.

- Mr. Carlino failed to properly report an obligation in the amount of \$3848.35, at the time the obligation occurred, in violation of MCA § 13-37-229.

Sufficient evidence also exists to show Mr. Carlino violated MCA § 13-35-227 by accepting an in-kind contribution from a corporate donor. This violation will be dismissed if the following remedial actions are timely taken by Mr. Carlino. In order for this violation to be dismissed, Mr. Carlino must return the value of the in-kind contribution to MapleBridge and provide COPP with documentation of any subsequent negotiations amending his agreement with MapleBridge. These actions must be taken on or before November 3, 2025.

Having determined that prosecution is justified, this matter will now be referred to the Missoula County Attorney in accordance with the provisions of MCA § 13-37-124. The County Attorney's office is free to conduct their own investigation under MCA § 13-37-125, request additional material from COPP, or refer the matter back to this office for potential prosecution. Most matters are returned to COPP and are concluded with a negotiated settlement where mitigating factors are considered, and a civil penalty is determined pursuant to MCA § 13-37-128. If a negotiated settlement is unsuccessful, the Commissioner will pursue the matter in Missoula County District Court.

Dated this 27th day of October, 2025,



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