

NEWS RELEASE

MONTANA GUN GROUP DEMANDS ANSWERS FROM POLITICAL PRACTICES MOTL MISTAKES USED TO JUSTIFY DEROGATORY DECISION (for immediate release, August 27, 2016)

MISSOULA - Montana's primer advocate for gun owners has demanded answers to critical questions from the political appointee currently enforcing campaign laws in Montana. Gary Marbut, president of the Montana Shooting Sports Association (MSSA) sent a letter http://progunleaders.org/Roberts_v_MSSA2/ Friday to Jonathan Motl, the controversial Commissioner of Political Practices (COPP), asking how the Commissioner could justify using wrong facts in a Decision derogatory to MSSA.

Marbut says that Motl's handling of a Complaint about MSSA showed bias and impropriety from the beginning because Motl chose to not publish Marbut's April 14th Response http://progunleaders.org/Roberts_v_MSSA/ to the Complaint in the public space of the COPP Website, although Motl did choose to publish both the Complaint and his Decision there. "This one-sided use of public funds makes the Commissioner's effort look like a dedicated attempt to smear MSSA and me," Marbut said. About Motl's publication of the Complaint but non-publication of Marbut's Response, Marbut's letter asks, "Am I being treated fairly?"

In his August 16th Decision, <http://politicalpractices.mt.gov/content/2recentdecisions/RobertsVMSSADecision> Motl claims that Marbut and/or MSSA violated public disclosure law when a submitted form failed to include a list of candidates MSSA would support in the 2014 Primary Election. However, the Decision also admits that the required list was indeed submitted. (Finding of Fact No 14:) "The Commissioner determines that the disclosure set out in FOF No. 14 meets the requirements of Montana law." (Decision, Page 8) The problem, it seems, is that COPP attached the MSSA-provided list to the wrong COPP form when two forms and the list arrived in the same envelope at the COPP office. This error by COPP, Motl claims, proves that MSSA broke the law.

In his August 25th letter to Motl, Marbut asks if it wasn't actually COPP that "fell short of its responsibility to keep the public informed by failing to attach the provided list of candidates to the correct COPP form."

Motl's Decision also faults MSSA for not providing quarterly Federal Election Commission (FEC) reports to COPP. Motl's Decision states, "... MSSA filed no copies of its federal PAC (Political Action Committee, GM) reports with COPP." (Decision, Page 4) Rebutting this factually incorrect claim by COPP, Marbut offers evidence in his letter to Motl that he sent 37 quarterly FEC reports (also publicly available from the FEC Website), not just the four reports Motl wanted, to COPP by email when asked for them by COPP. Marbut also offers to send Motl a copy of the email in which COPP acknowledged receipt of this decade of FEC reports.

In the section of Marbut's letter addressing this SNAFU by COPP, Marbut asks, "Does this flaw cause COPP to have failed in its due diligence to have properly investigated this matter before issuing its derogatory Decision?"

In his letter, Marbut asks several other relevant questions about Motl's conduct, rationale, and conclusions in this matter.

Commissioner Motl has shown a history of feeding his side of a case to the media, while those subject to his enforcement action suffer bad publicity in legally advisable silence. In order to correct this unfair advantage wielded by Motl, Marbut has chosen to go public with his Response to the original Complaint (previously hidden from public view by Motl) and with his related questions for Motl about the recent Decision. Marbut says, "With fair, open, and equal public disclosure of the false facts used by Motl to justify his Decision in this case, and exposure of a biased process, let the public examine those facts and make up their own minds."

Marbut concluded, "The power inherent in government offices must not be used in attempt to punish or silence political opposition. The people will not allow that to become standard practice to be used by whatever clique is currently in power."

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Original Complaint:

<http://politicalpractices.mt.gov/content/2recentdecisions/RobertsVMontanaShootingSportsAssociationPoliticalCommitteeComplaint>

Response to Complaint:

http://progunleaders.org/Roberts_v_MSSA/

COPP Decision:

<http://politicalpractices.mt.gov/content/2recentdecisions/RobertsVMSSADecision>

Letter of questions about Decision:

http://progunleaders.org/Roberts_v_MSSA2/

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