



Wyoming Secretary of State

March 28, 2023
Via Hand Delivery

Attorney General Bridget Hill
Wyoming Attorney General's Office
109 State Capitol
200 West 24th Avenue
Cheyenne, WY 82002

Re: Referral of Wyoming Election Complaints

Dear Attorney General Hill:

This letter pertains to four Wyoming Election Code Violation Complaints received by the Wyoming Secretary of State's Office on February 13, 2023, February 17, 2023, and February 20, 2023. After careful review and consideration, I have determined these complaints have merit, and should be referred to the Attorney General's Office for further investigation.

BRIEF FACTUAL BACKGROUND AND INVESTIGATION BY SHERIDAN COUNTY SHERIFF'S OFFICE

These complaints originate from a widely circulated mailer disseminated to residents of Sheridan and Johnson Counties prior to the 2022 primary election purporting to be paid for by a political action committee called the Wyoming in Name Only (WINO) PAC. The Wyoming In Name Only PAC is not registered as a political action committee with the Wyoming Secretary of State's Office. The front of the mailer states "HOWDY PILGRIM!" in bold letters. The back of the mailer contains the names and photographs of four individuals: Jeff Wallack, Laurie Bratten, Kristen Jennings, and Jimmy Dee Lees, stating "WANTED FOR TRYING TO TEAR OUR STATE APART." The back of the mailer also states "VOTE 'NO' ON US CONSERVATIVE IMPOSTERS." The "WANTED" language on the mailers is similar in design and typefont to the campaign literature used by Cyrus Western's primary opponent.

In August of 2022, several complaints were filed with state and local entities alleging that the mailers violated multiple provisions of the Wyoming Election Code. These complaints were ultimately referred to the Sheridan County Attorney's Office. On August 18, 2022, the Sheridan County Sheriff's Office opened an investigation into these complaints.

The mailer had a return address of 30 North Gould Street, Sheridan, WY 82801. The Sheridan County Sheriff's Office Report determined that this was a "'ghost address' commonly used for undetectable business practices and related to several reported scams."

As more fully set forth in the Deputy Report for Incident 220818S05 attached hereto, it was determined that the mailers in question were printed by West Wind Litho in Salt Lake City, Utah. It was further determined that the client who ordered the mailers was Majority Strategies based out of Jacksonville, Florida.

After an extensive investigation culminating in a search warrant, in October of 2022, the Sheridan County Sheriff's Office obtained an invoice from Majority Strategies with billing information to Wyoming In Name Only (WINO) PAC. The product and delivery was for "Western WY attack howdy" and showed a total of 7,118 pieces had been ordered for a total amount of \$5,338.50. Also contained within the email attachment was a copy of a cashier's check for \$5,388.50 from Wells Fargo Bank in Gillette, WY. The remitter name on the check was William Novotny. The envelope addressed to Majority Strategies did not have a sender's name, but did contain a return address of PO Box 175, Big Horn, WY 82833. Upon further investigation, Cyrus Western was identified as the renter of P.O. Box 175 in Big Horn, WY.

In January 2023, the Sheridan County Sheriff's Office investigation revealed that the Friends of Cyrus Western paid Future307 PAC, \$5,200 for "consulting" services. Future307 is a political action committee registered with the Wyoming Secretary of State's Office. According to the Wyoming Secretary of State's campaign finance website, Future307 has not reported any contributions from Friends of Cyrus Western.

In a letter and addendum dated January 10, 2023, the Sheridan County Attorney determined that a state legislator and a resident of Johnson County were involved in the production of the mailer.¹ As such, the Sheridan County Attorney's Office determined that it was "not the jurisdictionally appropriate agency to handle any prosecution per W.S. 22-26-121(a)."

Following the Sheridan County Attorney's letter, on February 13, 2023, the Wyoming Secretary of State's Office received a complaint from Henry T Windsor. On February 17, 2023, the Wyoming Secretary of State's Office received two complaints from Laurie Bratten. On February 20, 2023, the Wyoming Secretary of State's Office received a complaint from Jeff Wallack. Each complaint alleged violations of the Wyoming Election Code by Cyrus Western, a legislative candidate, Friends of Cyrus Western, a candidate committee for legislative office, Future307 PAC, a political action committee, and William Novotny, as chairman of the Future307 PAC. These complaints highlight the similarities between the mailers and the campaign design of Cyrus Western's primary opponent. They also identify one of the individuals targeted by the mailer as a candidate for precinct committeeman.

CONCLUSION AND REFERRAL

After a thorough review of the complaints and the Sheridan County Sheriff's Office investigation, I am deeply troubled and concerned by the use of these mailers as a means to thwart the Wyoming Election Code and violate Title 22. There is evidence to suggest that the mailers constituted an "electioneering communication," as that term is defined in WYO. STAT. § 22-25-101(d), either by virtue of its reference to a candidate for precinct committeeman paired with the language "VOTE 'NO' ON US CONSERVATIVE IMPOSTERS," or by the combination of the "VOTE NO" language and the design and typefont of the mailer, which can be reasonably interpreted as an appeal to vote against Cyrus Western's primary opponent. As such, these mailers were subject to the requirements and restrictions governing electioneering communications and campaign advertising in Title 22.

Notwithstanding the electioneering issue, several questions remain regarding the involvement, financing, and potential coordination between Cyrus Western, the Friends of Cyrus Western, and William Novotny, as chairman of the Future307 PAC as it pertains to the mailers.

¹ As a jurisdictional matter, Mr. Novotny's status as a resident of Johnson County is not applicable, as his involvement is limited to his capacity as chairman of the Future307 PAC, a political action committee registered with the Wyoming Secretary of State's Office.

Accordingly, based on the Sheridan County Sheriff's Office investigation and pursuant to WYO. STAT. § 22-26-121(a), I have determined the complaints filed on February 13, 2023, February 17, 2023, and February 20, 2023 have merit, and I am therefore referring to your office for further investigation and, if necessary, prosecution, the following suspected violations of the Wyoming Election Code by a statewide legislative candidate, committee or organization, as defined in WYO. STAT. § 22-26-121(f)(ii):

- Did Cyrus Western, the Friends of Cyrus Western, and/or William Novotny, as chairman of the Future307 political action committee, violate WYO. STAT. § 22-25-102(a)² by engaging in "direct coordination" as defined in Chapter 28, Section 3 of the Secretary of State's Election Procedures?³
- Did Cyrus Western, the Friends of Cyrus Western, and/or William Novotny, as chairman of the Future307 political action committee, violate WYO. STAT. § 22-25-110(a)⁴ by failing to properly disclose its payment for campaign advertising as defined therein?

² WYO. STAT. § 22-25-102(a) provides that "[t]he secretary of state shall promulgate rules to define direct coordination as prohibited by this section."

³ Chapter 28, Section 3 of the Secretary of State's Election Procedures provides:

For the purposes of W.S. 22-25-102(a), "direct coordination" means any of the following:

(a) Any contribution of funds, other items of value, or election assistance from a political action committee or political party to a candidate or a candidate's campaign committee resulting from an actual or implied agreement;

(b) Communication between a candidate or candidate's campaign committee and a political action committee or political party for the purpose of aiding the election of a candidate, limited to the following:

(i) Requesting or suggesting a contribution or expenditure of funds, other items of value, or election assistance by a political action committee or political party to, or on behalf of, a candidate or a candidate's campaign committee, including in-kind contributions or expenditures;

(ii) Requesting or suggesting a contribution or expenditure of funds, other items of value, or election assistance by a candidate or any officer of a candidate's campaign committee to, or on behalf of, a political action committee or political party, including in-kind contributions or expenditures;

(iii) A political action committee or political party republishing, disseminating, or distributing, in whole or part, any campaign material or advertisement created or prepared by the candidate or candidate's campaign committee;

(iv) A political action committee or political party spending funds based on non-public information that:

(A) Originated from the candidate, that candidate's campaign committee, an entity that received the non-public information from the candidate or that candidate's campaign committee, or any agent thereof; and

(B) Is used for the benefit of, or to further the candidate's interests.

(v) Any written, verbal, or electronic discussion between a candidate or officer of a candidate's campaign committee and a political action committee or political party regarding campaign strategy, campaign funding, or campaign advertising for the candidate's campaign.

⁴ WYO. STAT. § 22-25-110(a) states in part:

(a) It is unlawful for a candidate, political action committee, organization, including organizations causing an electioneering communication or an independent expenditure to be made, candidate's campaign committee, or any political party central committee to pay for campaign literature or campaign advertising without conspicuously displaying or speaking the following disclosure: "paid for by (name of candidate, organization or committee sponsoring the campaign literature or campaign advertising)."

- Did Cyrus Western, the Friends of Cyrus Western, and/or William Novotny, as chairman of the Future307 political action committee, violate WYO. STAT. § 22-25-106⁵ by failing to report contributions and/or expenditures as required by law?

⁵ WYO. STAT. § 22-25-106 provides in pertinent part:

(a) Except as otherwise provided in subsections (g) and (j) of this section and in addition to other reports required by this subsection:

(i) Every candidate, whether successful or not, shall file an itemized statement of contributions and expenditures at least seven (7) days but not more than fourteen (14) days before any primary, general or special election. Any contribution received or expenditure made after the statement has been filed, through the day of the election, whether a primary, general or special election, shall be filed as an amendment to the statement within ten (10) days after the election;

(iv) Reports under this subsection shall set forth the full and complete record of contributions including cash, goods or services and actual and promised expenditures, including all identifiable expenses as set forth in W.S. 22-25- 103. For purposes of this section, a contribution is reportable when it is known and in the possession of, or the service has been furnished to, the person or entity required to submit a statement of contributions and expenditures. The date of each contribution of one hundred dollars (\$100.00) or more, any expenditure or obligation, the name of the person from whom received or to whom paid and the purpose of each expenditure or obligation shall be listed. All contributions under one hundred dollars (\$100.00) shall be reported but need not be itemized. Should the accumulation of contributions from a person exceed the one hundred dollar (\$100.00) threshold, all contributions from that person shall be itemized. Contributions, expenditures and obligations itemized in a statement filed by a political action committee, a candidate's campaign committee or by a political party central committee need not be itemized in a candidate's statement;

(v) Statements under this subsection shall be filed with those officers as provided in W.S. 22-25-107.

(b) Reports of itemized statements of contributions and expenditures, and statements of termination shall be made with the appropriate filing officers specified under W.S. 22-25-107 and in accordance with the following:

(i) Except as otherwise provided in this section, any political action committee and candidate's campaign committee, or any political action committee formed under the law of another state that contributes to a Wyoming political action committee or to a candidate's campaign committee shall file an itemized statement of contributions and expenditures at least seven (7) days but not more than fourteen (14) days before any primary, general or special election. Any contribution received or expenditure made after the statement has been filed, through the day of the election, whether a primary, general or special election, shall be filed as an amendment to the statement within ten (10) days after the election;

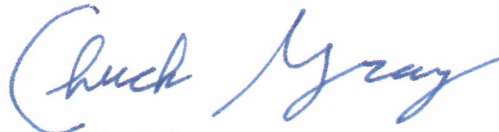
(iii) All candidates and committees shall continue to make the reports required under this subsection until the committee terminates and the candidate or committee files a statement of termination with the appropriate filing officer. A statement of termination may be filed upon retirement of all debts;

(c) All reports required by subsection (b) of this section shall be signed by both the chairman and treasurer. The reports shall set forth the full and complete record of contributions including cash, goods or services and actual and promised expenditures. The date of each contribution of one hundred dollars (\$100.00) or more, any expenditure or obligation, the name of the person from whom received or to whom paid and the purpose of each expenditure or obligation shall be listed. Nothing in this subsection shall be construed to require the disclosure of the names of individuals paid to circulate an initiative or referendum petition. All contributions under one hundred dollars (\$100.00) shall be reported but need not be itemized. Should the accumulation of contributions from a person exceed the one hundred dollar (\$100.00) threshold, all contributions from that person shall be itemized. If the contributions, expenditures or obligations were for more than one (1) candidate, the amounts attributable to each shall be itemized separately.

- Did Cyrus Western, the Friends of Cyrus Western, and/or William Novotny, as chairman of the Future307 political action committee, violate WYO. STAT. § 22-25-102⁶ by distributing/accepting contributions which exceed the statutory amount as provided in WYO. STAT. § 22-25-102(m)?

Enclosed herein are the four complaints received by our office on February 13, 2023, February 17, 2023, and February 20, 2023. I have also enclosed other information pertinent to these complaints, including the Sheridan County Attorney Office's January 10, 2023 letter and the Sheridan County Sheriff's Report.

Sincerely,



Chuck Gray
Wyoming Secretary of State

Enclosures:

Election Complaint and attachments filed by Henry T Windsor, received February 13, 2023;
Election Complaints and attachments filed by Laurie Bratten, received February 17, 2023;
Election Complaint and attachments filed by Jeff Wallack, received February 20, 2023;
Letter and Addendum from Sheridan County Attorney's Office, dated January 10, 2023;
Sheridan County Sheriff's Report for Incident 220818S05

(e) If inaccuracies are found in a statement filed in accordance with this section or additional contributions or expenditures become known after filing an amendment as required by paragraph (a)(i), (b)(i) or (h)(ii) of this section, amendments to the original statements or additional statements shall be filed within a reasonable time not to exceed thirty (30) days from the time the inaccuracies or additional contributions or expenditures became known. For purposes of this subsection, any net change less than two hundred dollars (\$200.00) need not be reported.

⁶ WYO. STAT. § 22-25-102(m) provides:

(m) Except as otherwise provided in this section, no political action committee shall contribute directly or indirectly more than five thousand dollars (\$5,000.00) per election to any candidate for political office other than statewide political office. For purposes of this subsection the primary, general and special elections shall be deemed separate elections. No candidate for political office shall accept, directly or indirectly, contributions which violate this subsection. Contributions to a candidate's campaign committee shall be considered to be contributions to the candidate. This subsection does not limit political contributions by political parties, nor expenditures by a candidate from his own funds nor from his candidate's campaign committee funds.

ATTACHMENT 1

*Election Complaint and attachments filed by Henry T Windsor, received
February 13, 2023*



Wyoming Secretary of State
Herschler Building East
Suites 100 and 101
122 West 25th Street
Cheyenne, WY 82002-0020
Ph. 307.777.5860
Email: Elections@wyo.gov

Wyoming Election Code Violation Complaint Form

This form may be used and filed with the secretary of state when any person believes a violation of the Wyoming Election Code by any statewide or legislative candidate, committee or organization has occurred. The form may also be used and filed with the county clerk when any person suspects a violation of the Wyoming Election Code by any county or municipal candidate, committee or organization has occurred. Please see W.S. § 22-26-121.

1. Printed name of person making complaint Henry T Windsor

Address 550 S Jefferson St. Sheridan, WY 82801

Telephone number(s) 307-461-7791

E-mail address htwindsor@gmail.com

2. State the facts of the alleged violation including date, time, place and relevant actions of people involved.

A postcard was sent to the voters in Sheridan County Wyoming from an unregistered PAC:

"Wyoming in Name Only (WINO) PAC" with a "ghost" address of 30 N Gould St, Sheridan, WY.

The postcard made disparaging claims against four people, one of whom was a candidate for Precinct Committeeman, another who is a sitting City Councillor, the remaining two private individuals.

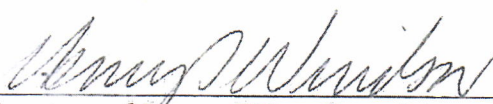
The call to action on the card was to "Vote 'NO' on Us Conservative Imposters."

All four people named on the postcard are members of the Wyoming Is Right PAC which endorsed conservative candidates for office in Sheridan County.

This complaint was found to have merit by the Sheridan County Clerk and was subsequently investigated by the Sheridan County Sheriff's Office. After much digging and several search warrants, the origin of the postcard was traced to William Novotny, a sitting Johnson County Commissioner who has a campaign consulting firm, and Cyrus Western, a sitting Wyoming Legislator for House District 52. These two individuals went to great effort to hide the origin of this mailer, created a fake PAC as the sender, and failed to submit a financial report for the PAC.

Documentation from the investigation is available if needed.

3. If the secretary of state, or county clerk, as appropriate, finds this complaint has merit and suspects a violation of the Election Code, the secretary of state, or county clerk, shall refer the complaint to the Wyoming attorney general, or district attorney, for investigation and prosecution.


Signature of Person Filing Complaint

HENRY T. WINDSOR
550 S JEFFERSON ST
SHERIDAN, WY 82801

January 30, 2023

Chuck Gray
Wyoming Secretary of State
Herschler Building East
122 W 25th St Ste 100
Cheyenne, WY 82002-0020

Dear Secretary Gray,

On August 11, 2022, I filed a Wyoming Election Code Violation complaint with the Sheridan County Election Office regarding a postcard mailer that was sent to voters in Sheridan County. The Sheridan County Clerk found that the complaint had merit and sent it to the Sheridan County Attorney's Office for investigation.

The complaint involved a postcard targeting four (4) Sheridan County residents, only one of which was on the primary election ballot as a Precinct Committeeman. The other three were individuals who were personally attacked by the instigator of the postcard. The postcard claimed to have been paid for and sent by the "Wyoming in Name Only (WINO) PAC." This PAC did not exist then nor does it exist now.

Attached is the report from the Sheridan County Sheriff's Office detailing the findings of an investigation into the postcard mailer and the Wyoming in Name Only PAC. You will notice that the elected officials behind this attack mailer and phony PAC went to great lengths to hide both their identity and involvement.

The Sheridan County Attorney's Office is refusing to prosecute this election code violation. They are using the same excuse they used on another complaint that "precinctmen and precinctwomen do not hold a 'public office' as that term is used in Wyoming law. They completely avoided the fact that this was an election mailing from a phony, non-existent PAC. Nor did they address sitting elected officials using campaign funds to smear individual citizens for what we assume is personal gain.

As before, I have serious questions regarding the conclusion reached by the Sheridan County Attorney's Office. In their view, it is now legal for the Sheridan County Republican Party to actively take sides and campaign for specific precinct committeemen and committeewomen in future primary elections. Furthermore, they have made a mockery of the PAC concept and Wyoming Election Code Statutes since a

registered PAC is no longer required to target people, even non-candidates, during campaign season.

I have attached the documentation for this Election Code Violation. It is my sincere hope that the Secretary of State's Office will pursue this matter rather than let this mockery of Wyoming Statute and Election Code stand.

Thank you,

A handwritten signature in black ink, appearing to read "H. Windsor", written in a cursive style.

Henry T. (Tod) Windsor
Sheridan County Republican State Committeeman

cc: Bryan Miller – Sheridan County Republican Party Chairman
Laurie Bratten – Sheridan County resident

encl: Original Election Code Violation Complaint
Case Review and Declination Form from Sheridan County Attorney
Sheriff's Office Investigative Summary



FILED
Sheridan County Elections

AUG 11 2022

EDA SCHUNK THOMPSON, CLERK
Brinda Kekoa DEPUTY

Wyoming Secretary of State
Election Division
2020 Carey Avenue, Suite 600
Cheyenne, WY 82002-0020
Ph. 307.777.5860
Email: Elections@wy.gov

Wyoming Election Code Violation Complaint Form



This form may be used and filed with the secretary of state when any person believes a violation of the Wyoming Election Code by any statewide or legislative candidate, committee or organization has occurred. The form may also be used and filed with the county clerk when any person suspects a violation of the Wyoming Election Code by any county or municipal candidate, committee or organization has occurred. Please see W.S. § 22-26-121.

1. Printed name of person making complaint TOD WINDSOR
Address 550 S. JEFFERSON ST. SHERIDAN, WY 82801
Telephone number(s) 307-461-7791
E-mail address HTWINDSOR@GMAIL.COM
2. State the facts of the alleged violation including date, time, place and relevant actions of people involved.
IN REGARDS TO A COUNTY-WIDE MAILING ATTACKING FOUR
NON-CANDIDATES, JEFF WALLACE, LILLIE BRATTON, KRISTEN
JENNINGS, AND JIMMY DEL LEE, PURPORTED TO BE FROM
"WYOMING IN NAME ONLY (WINO) PAC, WHICH IS NOT A
REGISTERED PAC WITH THE WY SECRETARY OF STATE,
USING THE GHOST ADDRESS OF 30 N. GOLD STREET (WYOMING
CORPORATE OFFICE).
AS OF 18 AUGUST 2022, THIS IS IN VIOLATION OF W.S. 22-25-101(b),
WS 22-25-102(a), WS 22-25-106(b)(i)
WHILE THE TARGETED PERSONS MAY BE CONSIDERED NON-CANDIDATES,
JEFF WALLACE IS ON THE BALLOT FOR PREINCT COMMITTEEMAN (3-2)
AND KRISTEN JENNINGS IS A SITTING CITY COUNCILMAN. THE
MAILING, SENT UNDER THE GUISE AS A POLITICAL MAILING BY
A NON-EXISTENT POLITICAL ACTION COMMITTEE, IS LIBELOUS
AND DEFAMATORY.
3. If the secretary of state, or county clerk, as appropriate, finds this complaint has merit and suspects a violation of the Election Code, the secretary of state, or county clerk, shall refer the complaint to the Wyoming attorney general, or district attorney, for investigation and prosecution.

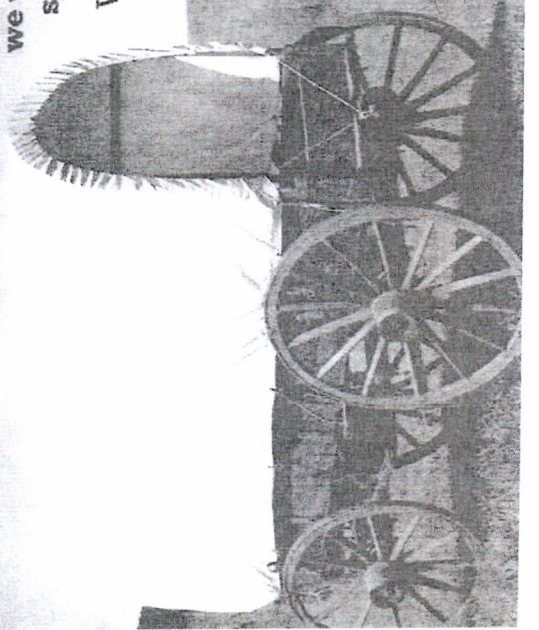
TOD WINDSOR
-PREINCT COMMITTEEMAN 3-3
-SHERIDAN COUNTY REPUBLICAN
-PARTY STATE COMMITTEEMAN

Morgan Windsor
Signature of Person Filing Complaint

HOWDY PILGRIM!

We just moved to Wyoming because
we thought it was just the best. Now,
we want to tell you how to vote while
spreading hate and discontent.

We're your typical city slickers!



12 P1

WE ARE ON JEFF WALLACK,
LAURIE BRATTEN,
KRISTEN JENNINGS AND
JIMMY DEE LEES.

Paid for by Wyoming in Name Only (WIND) PAC
30 North Gould Street
Sheridan, WY 82801

FIRST STD
U.S. POSTAGE
PAID
MS

*****AUTO**5-DIGIT 82801
The Windsor Household
Or Current Resident
550 S Jefferson St
Sheridan WY 82801-4710





WALLACK



BRATTEN



JENNINGS



DEE LEES

WANTED

FOR TRYING TO TEAR OUR STATE APART

JEFF WALLACK

I moved here from Chicago by way of California a year and a half ago. Howdy neighbor!

LAURIE BRATTEN

I moseyed up from Denver two years ago. I'm a Colorado greenie and I'm bringing my friends.

KRISTEN JENNINGS

I'm from Kansas, and I'm here to change your way of life.

JIMMY DEE LEES

I'm a college professor from Colorado and I want to indoctrinate your children.

Don't let us dime store cowboys ruin your way of life.
Even we know that's not the Wyoming way.

VOTE "NO" ON US
CONSERVATIVE IMPOSTERS



Sheridan County Sheriff

Deputy Report for Incident 220818S05

Nature: Election Code V
Location:

Address: Sheridan and Johnson Counties, WY

Offense Codes: VLLW
Received By: M Mathews
How Received: O
Agency: SCSO
Responding Officers: B Hill
Responsible Officer: B Hill
Disposition: PEN 12 20 22
When Reported: 12:56:13 08/18/22
Occurred Between: 12:56:13 08/18/22 and 12:56:13 08/18/22

Assigned To:
Status:
Detail:
Status Date: **/**/**
Date Assigned: **/**/**
Due Date: **/**/**

Complainant: 20567
Last: Windsor
First: Henry
Mid: Todhunter
DOB:
Dr Lic:
Address:
Race: W Sex: M Phone:
City: Sheridan, WY 82801

Alert Codes:

CWP Concealed Weapon Permit

Offense Codes

Reported:
Additional Offense: VLLW Violate State Licensing laws
Observed:

Circumstances

Responding Officers:
B Hill
Unit:
306

Responsible Officer: B Hill
Received By: M Mathews
How Received: O SO Officer Req
When Reported: 12:56:13 08/18/22
Judicial Status:
Misc Entry:
Agency: SCSO
Last Radio Log: 12:56:20 08/18/22 CMPLT
Clearance: FBR Filed By Records
Disposition: PEN Date: 12/20/22
Occurred between: 12:56:13 08/18/22
and: 12:56:13 08/18/22

Modus Operandi: Description: Method:

Involvements

THIS INFORMATION IS FURNISHED UPON
AUTHORIZED REQUEST. IT IS TO BE
TREATED AS PRIVILEGED AND CONFIDENTIAL
MATTER AND IS NOT TO BE DISTRIBUTED
OUTSIDE YOUR AGENCY OR OFFICE.

Narrative

Election Mailer Violation

On 8/18/2022 Deputy Hill was assigned to investigate allegations of election code violations brought forth by Ted Windsor.

Deputy Hill was provided a copy of the Election Code Violation Complaint form, a political based mailer card and a screen shot of a partial list of currently registered Wyoming Political Action Committees (PAC).

The allegations, in summary, alleged the sender of the political mailer, Wyoming in Name Only (WINO) was not a legally registered PAC in violation of WSS 22-25-101(b). The complaint further alleged the political mailer sent out was a violation of WSS 22-25-102(a) as it was a donation to a political party's campaign. The complaint also alleged a violation of WSS 22-25-106, as the contribution was not made by a registered PAC, and was not part of a candidate's or parties' campaign expenditures report.

In reviewing the attached mailer, Deputy Hill noted the mailer was paid for by Wyoming in Name Only (WINO) PAC, 30 North Gould Street, Sheridan, WY 82801. A searched of 30 North Gould Street, determined it was a "ghost address" commonly used for undetectable business practices and related to several reported scams. Deputy Hill searched Wyoming Political Action Committees but did not find Wyoming in Name Only (WINO) was listed on the Wyoming Secretary of State Elections website as a registered PAC. On 8/22/2022, Deputy Hill spoke with Ross (NFI) with Wyoming Secretary of State Elections Office and learned WINO was not a Wyoming registered PAC nor was it on the Federal PAC list.

On 8/22/2022, Deputy Hill went to Alpha Graphics in Sheridan, WY. Deputy Hill was advised the political mailer had not been printed by them, nor did it appear to be the work of anyone else in the Sheridan area. On the same date, Deputy Horsely took the mailer to the Sheridan Post Office and asked if there was any information that would assist in determining the date the mailer was mailed, from where or whom. Deputy Horsely was informed the Sheridan office would contact the Denver, CO office and advise when they had more information.

On 8/23/2022 Deputy Hill received an email from the local Sheridan Post Office. The message, in part, advised the Political Mail Office would not release any information about the mailer in question unless ordered to do so.

On 8/23/2022, Deputy Hill received an email from Deputy County Attorney Clint Beaver. Attached to the email was an Elections Code Violation Complaint filed by Laurie Bratten. The complaint was received by the Sheridan County Clerk's Office on 8/19/2022. In summary, the complaint alleged several violations (9) of Wyoming State Statutes pertaining to political election mailer sent out referencing her, Laurie Bratten. Also attached to the complaint were two political mailers, one claiming to be from WINO and another sent out by "friends of Cyrus Western". See the attached Code Violation Complaint and two political mailers for specific details. Deputy Hill determined the WINO mailer attached to Laurie's complaint was the same political mailer Ted Windsor had filed a complaint about.

In reviewing the two mailers, Deputy Hill noted the postage area of the two mailers were similar, both mailers stated "PRST STD U.S. POSTAGE PAID MS". On 8/25/2022 Deputy Hill contacted Chris Lucas with the United States Postal Inspector's Office in Cheyenne, WY. Deputy Hill explained the aforementioned election code violation complaints and the WINO mailer that had been sent to

Sheridan County residents. Chris advised he should be able to determine what printing house printed the mailers and advised a subpoena or search warrant the same should be able to produce the name of the party responsible for paying for the mailer in question. On 8/25/2022 Deputy Hill received an email from Chris stating the mailer in question had been mailed by Consolidated Direct Mailing in Salt Lake City, Utah.

On 8/30/2022 Deputy Hill contacted Consolidated Direct Mail and spoke with Cody Fraughton. Deputy Hill learned Consolidated Direct Mail had in fact mailed the mailers in question. Cody advised Consolidated Direct Mail had only mailed the mailers as they are a mailing house, not a printing company. Cody told Deputy Hill the mailers had been printed by West Wind Litho in Salt Lake City, Utah. Cody stated the West Wind job number for the mailer was 21570 and the mailers were titled "Howdy Piece".

On 8/30/2022 Deputy Hill contacted Janene Openshaw with West Wind Litho in Salt Lake City, Utah. Janene confirmed West Wind Litho had printed the "Howdy" mailers in question, 7138 mailers in total. Janene advised the client who had ordered the mailers was Majority Strategies based out of Jacksonville, Florida and the contact person for the order was Jared Stimson.

On 8/31/2022 Deputy Hill left a message for Jared Stimson with Majority Strategies asking him to call Deputy Hill. Deputy Hill left another message for Jared Stimson on 9/8/2022 and left a message with the Majority Strategies main business line requesting a phone call back. On 9/9/2022 Deputy Hill filled out a "contact" request on the Majority Strategies website requesting to be contacted by someone within the company to discuss an election mailer designed by their company.

On 9/12/2022 Jared Stimson returned Deputy Hill's phone call and left a voice mail. Deputy Hill was able to speak with Jared by phone on 9/13/2022. Jared advised he did not recall the WINO mailer off hand and stated he would have to look up the project. Jared referred Deputy Hill to the CEO of Majority Strategies, Brett Buerck. Upon ending the call with Jared, Deputy Hill again called Majority Strategies and requested a call from Brett in regards to obtaining client information pertaining to the WINO mailer.

On 9/13/2022 at approximately 1215 hrs, Deputy Hill received a call from Majority Strategies CEO, Brett Buerck. Deputy Hill explained he was investigating the allegations of election code Wyoming State Statute violations. Deputy Hill further explained the trail of the WINO political mailer had led back to Majority Strategies. Brett advised Deputy Hill would need to provide Majority Strategies with a subpoena or court order to obtain any client or other information pertaining to the WINO mailer.

On 9/13/2022, Deputy Hill applied for and was granted a search warrant (See attached) for Registered Agents Inc. located at 30 North Gould Street in Sheridan, WY. The warrant requested client, billing, mailing and any other information pertaining to Wyoming In Name Only AKA: WINO. Deputy Hill served the search warrant on 9/14/2022 at approximately 0925 hrs to Leanne Moss at Registered Agents Inc. Upon an initial search, Leanne advised there was no client or other information under the name Wyoming In Name Only or WINO. Leanne advised she would search further into the system and contact Deputy Hill if she was able to locate any information pertaining to WINO. On 9/14/2022 Deputy Hill received a call from Leanne stating she had not been able to locate any client information at all for WINO or Wyoming In Name Only within the Registered Agents Inc records.

On 9/14/2022 Deputy Hill applied for and was granted a search warrant (see attached) for records pertaining to client, billing, mailing and other information held by Majority Strategies for a political mailer sent out by Wyoming In Name Only, AKA WINO, titled "Howdy Piece" printed by West Wind Litho (job 21570). On 9/14/2022 at approximately 1035 hrs, Deputy Hill left a message for Majority Strategies CEO Brett Buerck requesting an email address to send a digital copy of the warrant to and advising Deputy Hill would also be sending a printed copy of the warrant to Majority Strategies at the address he provided Deputy Hill the previous day. Deputy Hill did mail a copy of the search warrant to Majority Strategies on 9/14/2022.

On 9/19/2022 at approximately 1104 hrs, Deputy Hill called (304) 567-2008, the phone number Deputy Hill had previously spoken with Brett Buerck on, requesting an email address to send a digital copy of the search warrant to. Deputy Hill provided his email and the Sheridan County Sheriff's Office phone number in the voice mail requesting to be contacted.

On 9/26/2022 Deputy Hill called and left Brett Buerck another message. Deputy Hill advised he had not received any of the records outlined in the search warrant Deputy Hill mailed on 9/14/2022 and requested a phone call from Brett to discuss the matter. On the same date, Deputy Hill mailed another copy of the search warrant and a letter by certified mail to Brett Buerck, requesting the information requested within the search warrant be provided within a timely manner.

On 10/11/2022 Deputy Hill received a voicemail from Attorney Ryan Nealy. Ryan advised he had been retained by Majority Strategies and wanted to speak with Deputy Hill about the search warrant Deputy Hill had attempted to serve on them. Deputy Hill returned Ryan's call and left a message for him on 10/11/2022 at approximately 0925 hrs.

On 10/20/2022 Deputy Hill received a call from Ryan. Deputy Hill explained the WINO case to Ryan and the basis for the search warrant. Ryan and Deputy Hill discussed the matter and Deputy Hill agreed an invoice from Majority Strategies showing the amount paid for the "Howdy Piece", a client name and contact information should fulfill the requirements of the scope of the search warrant.

On 10/20/2022, Deputy Hill received an email from Ryan containing an attachment with an invoice from Majority Strategies with billing information to Wyoming In Name Only (WINO) PAC. Deputy Hill noticed the product and delivery was for "Western WY attack howdy" and showed a total of 7118 pieces had been ordered for a total amount of \$5,338.50.

Also contained within the email attachment was a digital copy of a cashier's check (0903404369) and an envelope addressed to Majority Strategies. The cashier's check was from Wells Fargo in Gillette, WY. The remitter name on the check was William Novotny and the amount of the cashier's check was for \$5,388.50 total. The date on the cashier's check was September, 27, 2022. The envelope addressed to Majority Strategies did not have a sender's name, only a return address of PO Box 175, Big Horn WY 82833. The postal date on the envelope was faint but appeared to be 27 Sep 2022 PM.

On 10/20/2022, Deputy Hill contacted USPS Inspector Chris Lucas. Deputy Hill requested information pertaining to P.O. Box 175 in Big Horn, WY. later that same afternoon, Deputy Hill received an email from Chris with an attached USPS report. The report indicated the renter of P.O. Box 175 in Big Horn, WY was

Supplement

1/4/2023

On 1/4/2023, Deputy Hill called and spoke with Cyrus Western. Deputy Hill asked Cyrus if he had spoken with his attorney and if he was willing to sit down and speak with Deputy Hill. Cyrus advised he understood Deputy Hill was just doing his job but he did not think it was best to answer any questions and advised Deputy Hill to contact his attorney, Kevin Kessner. The call was then ended.

Deputy Hill

SHERIDAN COUNTY AND PROSECUTING ATTORNEY'S OFFICE

CASE REVIEW AND DECLINATION FORM

ATTORNEY ASSIGNED: BEAVER

Agency: ☐ SPD ☒ SCSO ☐ Agency Case #220818S05

Date Rec'd. From Agency: December 21, 2023

☐ NEET ☐ DCI ☐ Lead Officer: B. HILL Suspect's Name: WINO PAC

☐ WHP ☐ G&F Date of Offense: August, 2022

Victim's Name: STATE OF WYOMING

☒ Case Permanently Declined Date: December 30, 2022

☐ Follow-up Investigation Requested

Explanation:

This case was investigated by the SCSO following referral to the CAO by County Clerk Eda Thompson. She determined that campaign practice complaints from Tod Windsor, Jeff Wallack, and Laurie Bratten had merit. The complaints alleged a violation of W.S. 22-25-110(a)(i) in the form of a widely mailed card that criticized the politics of Wallack, Bratten, Kristen Jennings, and Jimmy Dee Lees without disclosing the true identity of who paid for the card and its distribution. ("WINO PAC" was listed on the card but is not a registered Political Action Committee.) Among the four, only Wallack was a candidate for any elected office in 2022, to wit: the position of Republican Precinctman.

This case is being declined because the CAO has determined that W.S. 22-25-110 is not applicable to campaign advertising with regard to party Precinctmen and Precinctwomen. Briefly, W.S. 22-25-110 prohibits "electioneering communication" that fails to disclose its funding source. W.S. 22-25-101(c)(i)(A) defines "electioneering communication" for a publicly distributed mailing as that which "[r]efers to or depicts a clearly identified candidate for nomination or election to public office" The applicable statutes do not define the term, "public office." However, a review of the Wyoming Election Code indicates that party precinctmen and precinctwomen do not hold a "public office" as that term is used in Wyoming law.

Thank you

Route to:

SCSO

Agency

B. Hill

Officer

Victim

Other: (Specify)

Clint Beaman

ATTACHMENT 2

*Election Complaints and attachments filed by Laurie Bratten,
received February 17, 2023*



Wyoming Secretary of State
Herschler Building East
Suites 100 and 101
122 West 25th Street
Cheyenne, WY 82002-0020
Ph. 307.777.5860
Email: Elections@wyo.gov

Wyoming Election Code Violation Complaint Form

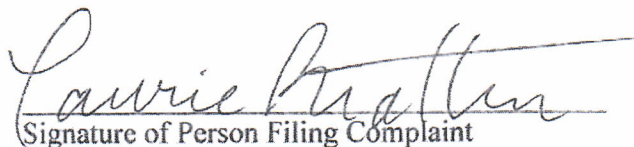
This form may be used and filed with the secretary of state when any person believes a violation of the Wyoming Election Code by any statewide or legislative candidate, committee or organization has occurred. The form may also be used and filed with the county clerk when any person suspects a violation of the Wyoming Election Code by any county or municipal candidate, committee or organization has occurred. Please see W.S. § 22-26-121.

1. Printed name of person making complaint Laurie Bratten
Address 1004 Big Goose Rd., Sheridan, WY 82801
Telephone number(s) 307-763-0070
E-mail address rbratten@me.com

2. State the facts of the alleged violation including date, time, place and relevant actions of people involved.

The Sheridan County Clerk found that my original complaint of August 2022 had merit and sent it to the Sheridan County Attorney's Office. The Sheridan County Attorney's Office found that this complaint had merit and forwarded it to the Sheridan County Sheriff's Office. The Sheridan County Sheriff's Office investigated the complaint and uncovered, through search warrants and investigation, evidence of involvement by a state legislator and a state PAC and sent its completed investigation to the Sheridan County Attorney's Office. The Sheridan County Attorney's Office has informed me that because these violations involved a state legislator and a state PAC that it should be referred to the Secretary of State because that is, in the County Attorney's opinion, where the proper jurisdiction lies and that I should re-file my complaint with the Secretary of State. (I did file this complaint originally with the Secretary of State's Office in August 2022, which referred the complaint to Sheridan County at that time). I have not changed this complaint, as it was already enough to warrant an investigation which turned up direct evidence of violations of Wyoming state law (Sheridan County Sheriff's Office report attached). I am therefore re-submitting this complaint to the Secretary of State as directed by the County Attorney's Office.

3. If the secretary of state, or county clerk, as appropriate, finds this complaint has merit and suspects a violation of the Election Code, the secretary of state, or county clerk, shall refer the complaint to the Wyoming attorney general, or district attorney, for investigation and prosecution.


Signature of Person Filing Complaint

Original Complaint

Basis of Complaint:

A group that self-identifies as a Political Action Committee (PAC, as defined in Wyoming Statute 22-1-102(a)(xx)) made an Independent Expenditure (as defined in Wyoming Statute 22-105-101(c)(iii)) and sent an Electioneering Communication (as defined in Wyoming Statute 22-25-101(a)(i)). Specifically, they sent a two-sided color mail piece (referenced herein as a "mailer") to residents of Sheridan County and Johnson County. Recipients of this mailer report having received the mailer in question on August 6, 2022.

The self-identified PAC that claimed to send the mailer, "Wyoming In Name Only (WINO)", is not properly registered with the Wyoming Secretary of State, the Sheridan County Clerk, or the Johnson County Clerk.

The mailer identified four private individuals: Jeff Wallach, Kristen Jennings, Jimmy Lee Dees, and me, Laurie Bratten, as the target of the mailer. None of us was/is running for any municipal, state, or legislative office. One, Jeff Wallach, ran for Republican precinct committee person.

The mailer from the self-identified PAC, "Wyoming In Name Only (WINO)", made demonstrably false statements, disparaged and slandered my character, and made intimidating statements.

The self-identified PAC that claimed to send the mailer, "Wyoming In Name Only (WINO)", has violated the following Wyoming statutes:

- 22-25-101(b): A PAC must file a statement of formation within 10 days after formation. The mailer was received in the mail by Sheridan and Johnson County residents on 8/6/2022. Given the time required to form a PAC, gather funds, print this mailer, and have this mailer delivered to residents by U.S. Postal Service on 8/6/2022, it is clear that it has been more than 10 days since this PAC would have to have been organized to meet the requirements of this statute.
- 22-25-102(a): A PAC may not coordinate with any candidate or candidate's campaign.
- 22-25-106(b)(i): PAC's must file an itemized statement of contributions and expenditures at least 7 days but not more than 14 days before the election.
- 22-25-106(b)(iii): A PAC must continue reports until it files for termination.
- 22-25-106(c): Required PAC reports must be signed by chairman and treasurer and contain full and complete record of contributions and expenditures.
- 22-25-106(h): An organization that expends in excess of \$500 for independent expenditures or electioneering communications must file an itemized statement of contributions and expenditures. Details of such required reporting are contained in the following statutes 22-25-106(h)(i-vi).
- 22-25-107(a)(i): A PAC for municipal and county candidates must file with county clerk.
- 22-25-107(a)(ii): A PAC for state legislator must file with the Wyoming Secretary of State.
- 22-26-101(a)(x): It is a felony to commit intimidation. This mailer was clearly meant to intimidate not only the four individuals named in the mailer, but also any other Sheridan or Johnson County resident who might consider publicly voicing their opinion on political candidates. Anyone receiving this mailer could clearly see that they might be next – their name, their picture, their business could be the next recipient of a lie-filled, hateful, slanderous mailer. Personally attacking private citizens who are simply supporting political candidates should be an outrage to anyone of any political party.

I have standing to file this complaint under the following statutes:

22-26-121(a): Any person may file a complaint against a PAC for/against a state legislative candidate.

22-26-121(b): Any person may file a complaint against a PAC for/against a county or municipal candidate.

22-26-121(f)(i): Defines county PAC, etc.

22-26-121(f)(ii): Defines statewide or legislative PAC, etc.

Evidence:

I have attached a photocopy of the mailer which is the subject of my complaint, the self-identified PAC Wyoming In Name Only (WINO).

Note that the postage paid reads "PRST STD U.S. POSTAGE PAID MS".

I have collected approximately 20 political mailers that I have received in my mailbox the last few weeks. They all have unique identifiers for their postage paid. That is, the postage paid for every state and local candidate and every PAC mailer were from a different entity.

Notably, there is one exception to this pattern. I have **four** different mailers from an incumbent legislator that were sent by his campaign for re-election. I happen to live in this legislator's district. All of his campaign literature had the same entity mail and pay the postage for his mailers, "PRST STD U.S. POSTAGE PAID MS". That same entity was the one that sent this mailer from the anonymous, unregistered, self-identified PAC "Wyoming In Name Only" (WINO) that is the subject of my complaint. To this point, I have been unable to identify any other mailers in Wyoming that had this same entity mail and pay the postage for any other mailers for any other candidate or PAC. While it is possible this is coincidence, it is worthy of investigation with respect to Wyoming Statute 22-25-102(a).

Conclusion:

This unregistered PAC anonymously attacked me because of my personal support for local, legislative, and statewide candidates. Therefore, I am making this complaint to the Secretary of State, the Sheridan County Clerk, and the Johnson County Clerk. Under Wyoming Statute 22-26-121(d), the Secretary of State, the Sheridan County Clerk, and the Johnson County Clerk may each refer any suspected violation of the Election Code to the appropriate prosecuting authority.

I am asking for the Wyoming Secretary of State, the Sheridan County Clerk, and the Johnson County Clerk to review this complaint, find that it has merit, and refer this matter to the relevant authorities for investigation.

I will attest to the statements set out in this complaint. I will fully cooperate with any investigation. I will sign any civil or criminal complaint as needed to further the prosecution of whoever is behind this despicable act.

Addendum

The Sheridan County Clerk found that this complaint had merit and sent it to the Sheridan County Attorney's Office. The Sheridan County Attorney's Office found that this complaint had merit and forwarded it to the Sheridan County Sheriff's Office. The Sheridan County Sheriff's Office investigated the complaint and uncovered, through search warrants and investigation, evidence of involvement by a state legislator and a state PAC and sent its completed investigation to the Sheridan County Attorney's Office. The Sheridan County Attorney's Office has informed me that because these violations involved a state legislator and a state PAC that it should be referred to the Secretary of State because that is, in the County Attorney's opinion, where the proper jurisdiction lies and that I should re-file my complaint with the Secretary of State. (I did file this complaint originally with the Secretary of State's Office in August 2022, which referred the complaint to Sheridan County at that time). I have not changed this complaint, as it was already enough to warrant an investigation which turned up direct evidence of violations of Wyoming state law. I am therefore re-submitting my complaint to the Secretary of State as directed by the County Attorney's Office.



WALLACK



BRATTEN



JENNINGS



DEE LEES

WANTED

FOR TRYING TO TEAR OUR STATE APART

JEFF WALLACK

I moved here from Chicago by way of California a year and a half ago. Howdy neighbor!

LAURIE BRATTEN

I moseyed up from Denver two years ago. I'm a Colorado greenie and I'm bringing my friends.

KRISTEN JENNINGS

I'm from Kansas, and I'm here to change your way of life.

JIMMY DEE LEES

I'm a college professor from Colorado and I want to indoctrinate your children.

Don't let us dime store cowboys ruin your way of life.
Even we know that's not the Wyoming way.

VOTE "NO" ON US
CONSERVATIVE IMPOSTERS

HOWDY SLICKERS!

We just moved to Wyoming because
we thought it was just the best. Now,
we want to tell you how to vote while
spreading hate and discontent.

We're your typical city slickers!

WE ARE ON JEFF WALLACH,
LAURIE BRATTEN,
KRISTEN JENNINGS AND
JIMMY DEE LEES.

Paid for by Wyoming in Name Only (WINO) PAC
30 North Gould Street
Sheridan, WY 82801

*****AUTO-5-DIGIT 82801
The Schietoch-Bratten Household
Or Current Resident
1004 Big Goose Rd
Sheridan WY 82801-9454



PRST STD
U.S. POSTAGE
PAID
MS



T1 P1

STERN

ISSUES

Paid for by Friends of Cyrus Western
185 Wildflower Circle
Sheridan, WY 82801

PRST STD
U.S. POSTAGE
PAID
MS

AUTO**5-DIGIT 82801
T1 P1

The Bratten Household
Or Current Resident
1004 Big Goose Rd
Sheridan WY 82801-9454



T1 P1

WESTERN

Vote
CYRUS
WESTERN

For State Representative
REPUBLICAN PRIMARY
TUESDAY, AUGUST 16TH
HOUSE 51 DISTRICT
VoteWestern.com

Paid for by Friends of Cyrus Western
185 Wildflower Circle
Sheridan, WY 82801

PRST STD
U.S. POSTAGE
PAID
MS

AUTO**5-DIGIT 82801

The Bratten Household
Or Current Resident
1004 Big Goose Rd
Sheridan WY 82801-9454



STERN

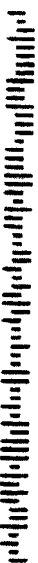
Paid for by Friends of Cyrus Western
185 Wildflower Circle
Sheridan, WY 82801

PRST STD
U.S. POSTAGE
PAID
MS

*****AUTO**5-DIGIT 82801

The Bratten Household
Or Current Resident
1004 Big Goose Rd
Sheridan WY 82801-9454

T1 P1



WIN

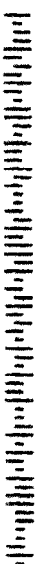
Paid for by Friends of Cyrus Western
185 Wildflower Circle
Sheridan, WY 82801

PRST STD
U.S. POSTAGE
PAID
MS

*****AUTO**5-DIGIT 82801

The Bratten Household
Or Current Resident
1004 Big Goose Rd
Sheridan WY 82801-9454

T1 P1





Sheridan County Sheriff

Deputy Report for Incident 220818S05

Nature: Election Code V
Location:

Address: Sheridan and Johnson Counties, WY

Offense Codes: VLLW

Received By: M Mathews

How Received: O

Agency: SCSO

Responding Officers: B Hill

Responsible Officer: B Hill

Disposition: PEN 12/20/22

When Reported: 12:56:13 08/18/22

Occurred Between: 12:56:13 08/18/22 and 12:56:13 08/18/22

Assigned To:

Detail:

Date Assigned: **/**/**

Status:

Status Date: **/**/**

Due Date: **/**/**

Complainant: 20567

Last: Windsor

First: Henry

Mid: Todhunter

DOB:

Dr Lic:

Address:

Race: W

Sex: M

Phone:

City: Sheridan, WY 82801

Alert Codes:

CWP Concealed Weapon Permit

Offense Codes

Reported:

Observed:

Additional Offense: VLLW Violate State Licensing laws

Circumstances

Responding Officers:

Unit :

B Hill

306

Responsible Officer: B Hill

Received By: M Mathews

How Received: O SO Officer Req

When Reported: 12:56:13 08/18/22

Judicial Status:

Misc Entry:

Agency: SCSO

Last Radio Log: 12:56:20 08/18/22 CMPLT

Clearance: FBR Filed By Records

Disposition: PEN Date: 12/20/22

Occurred between: 12:56:13 08/18/22

and: 12:56:13 08/18/22

Modus Operandi:

Description :

Method :

Involvements

(THIS INFORMATION IS FURNISHED UPON
AUTHORIZED REQUEST. IT IS TO BE
TREATED AS PRIVILEGED AND CONFIDENTIAL
MATTER AND IS NOT TO BE DISTRIBUTED
OUTSIDE YOUR AGENCY UNLESS SO
AUTHORIZED.)

01:17:23

Date	Type	Description
------	------	-------------

Narrative

Election Mailer Violation

On 8/18/2022 Deputy Hill was assigned to investigate allegations of election code violations brought forth by Tod Windsor.

Deputy Hill was provided a copy of the Election Code Violation Complaint form, a political based mailer card and a screen shot of a partial list of currently registered Wyoming Political Action Committees (PAC).

The allegations, in summary, alleged the sender of the political mailer, Wyoming in Name Only (WINO) was not a legally registered PAC in violation of WSS 22-25-101(b). The complaint further alleged the political mailer sent out was a violation of WSS 22-25-102(a) as it was a donation to a political party's campaign. The complaint also alleged a violation of WSS 22-25-106, as the contribution was not made by a registered PAC, and was not part of a candidate's or parties' campaign expenditures report.

In reviewing the attached mailer, Deputy Hill noted the mailer was paid for by Wyoming in Name Only (WINO) PAC, 30 North Gould Street, Sheridan, WY 82801. A searched of 30 North Gould Street, determined it was a "ghost address" commonly used for undetectable business practices and related to several reported scams. Deputy Hill searched Wyoming Political Action Committees but did not find Wyoming in Name Only (WINO) was listed on the Wyoming Secretary of State Elections website as a registered PAC. On 8/22/2022, Deputy Hill spoke with Ross (NFI) with Wyoming Secretary of State Elections Office and learned WINO was not a Wyoming registered PAC nor was it on the Federal PAC list.

On 8/22/2022, Deputy Hill went to Alpha Graphics in Sheridan, WY. Deputy Hill was advised the political mailer had not been printed by them, nor did it appear to be the work of anyone else in the Sheridan area. On the same date, Deputy Horsely took the mailer to the Sheridan Post Office and asked if there was any information that would assist in determining the date the mailer was mailed, from where or whom. Deputy Horsely was informed the Sheridan office would contact the Denver, CO office and advise when they had more information.

On 8/23/2022 Deputy Hill received an email from the local Sheridan Post Office. The message, in part, advised the Political Mail Office would not release any information about the mailer in question unless ordered to do so.

On 8/23/2022, Deputy Hill received an email from Deputy County Attorney Clint Beaver. Attached to the email was an Elections Code Violation Complaint filed by Laurie Bratten. The complaint was received by the Sheridan County Clerk's Office on 8/19/2022. In summary, the complaint alleged several violations (9) of Wyoming State Statutes pertaining to political election mailer sent out referencing her, Laurie Bratten. Also attached to the complaint were two political mailers, one claiming to be from WINO and another sent out by "friends of Cyrus Western". See the attached Code Violation Complaint and two political mailers for specific details. Deputy Hill determined the WINO mailer attached to Laurie's complaint was the same political mailer Tod Windsor had filed a complaint about.

In reviewing the two mailers, Deputy Hill noted the postage area of the two mailers were similar, both mailers stated "PRST STD U.S. POSTAGE PAID MS". On 8/25/2022 Deputy Hill contacted Chris Lucas with the United States Postal Inspector's Office in Cheyenne, WY. Deputy Hill explained the aforementioned election code violation complaints and the WINO mailer that had been sent to

Sheridan County residents. Chris advised he should be able to determine what printing house printed the mailers and advised a subpoena or search warrant to the same should be able to produce the name of the party responsible for paying for the mailer in question. On 8/25/2022 Deputy Hill received an email from Chris stating the mailer in question had been mailed by Consolidated Direct Mailing in Salt Lake City, Utah.

On 8/30/2022 Deputy Hill contacted Consolidated Direct Mail and spoke with Cody Fraughton. Deputy Hill learned Consolidated Direct Mail had in fact mailed the mailers in question. Cody advised Consolidated Direct Mail had only mailed the mailers as they are a mailing house, not a printing company. Cody told Deputy Hill the mailers had been printed by West Wind Litho in Salt Lake City, Utah. Cody stated the West Wind job number for the mailer was 21570 and the mailers were titled "Howdy Piece".

On 8/30/2022 Deputy Hill contacted Janene Openshaw with West Wind Litho in Salt Lake City, Utah. Janene confirmed West Wind Litho had printed the "Howdy" mailers in question, 7138 mailers in total. Janene advised the client who had ordered the mailers was Majority Strategies based out of Jacksonville, Florida and the contact person for the order was Jared Stimson.

On 8/31/2022 Deputy Hill left a message for Jared Stimson with Majority Strategies asking him to call Deputy Hill. Deputy Hill left another message for Jared Stimson on 9/8/2022 and left a message with the Majority Strategies main business line requesting a phone call back. On 9/9/2022 Deputy Hill filled out a "contact" request on the Majority Strategies website requesting to be contacted by someone within the company to discuss an election mailer designed by their company.

On 9/12/2022 Jared Stimpson returned Deputy Hill's phone call and left a voice mail. Deputy Hill was able to speak with Jared by phone on 9/13/2022. Jared advised he did not recall the WINO mailer off hand and stated he would have to look up the project. Jared referred Deputy Hill to the CEO of Majority Strategies, Brett Buerck. Upon ending the call with Jared, Deputy Hill again called Majority Strategies and requested a call from Brett in regards to obtaining client information pertaining to the WINO mailer.

On 9/13/2022 at approximately 1215 hrs, Deputy Hill received a call from Majority Strategies CEO, Brett Buerck. Deputy Hill explained he was investigating the allegations of election code Wyoming State Statute violations. Deputy Hill further explained the trail of the WINO political mailer had led back to Majority Strategies. Brett advised Deputy Hill would need to provide Majority Strategies with a subpoena or court order to obtain any client or other information pertaining to the WINO mailer.

On 9/13/2022, Deputy Hill applied for and was granted a search warrant (See attached) for Registered Agents Inc. located at 30 North Gould Street in Sheridan, WY. The warrant requested client, billing, mailing and any other information pertaining to Wyoming In Name Only AKA: WINO. Deputy Hill served the search warrant on 9/14/2022 at approximately 0925 hrs to Leanne Moss at Registered Agents Inc. Upon an initial search, Leanne advised there was no client or other information under the name Wyoming In Name Only or WINO. Leanne advised she would search further into the system and contact Deputy Hill if she was able to locate any information pertaining to WINO. On 9/14/2022 Deputy Hill received a call from Leanne stating she had not been able to locate any client information at all for WINO or Wyoming In Name Only within the Registered Agents Inc records.

On 9/14/2022 Deputy Hill applied for and was granted a search warrant (see attached) for records pertaining to client, billing, mailing and other information held by Majority Strategies for a political mailer sent out by Wyoming In Name Only, AKA WINO, titled "Howdy Piece" printed by West Wind Litho (job 21570). On 9/14/2022 at approximately 1035 hrs, Deputy Hill left a message for Majority Strategies CEO Brett Buerck requesting an email address to send a digital copy of the warrant to and advising Deputy Hill would also be sending a printed copy of the warrant to Majority Strategies at the address he provided Deputy Hill the previous day. Deputy Hill did mail a copy of the search warrant to Majority Strategies on 9/14/2022.

On 9/19/2022 at approximately 1104 hrs, Deputy Hill called (904) 567-2008, the phone number Deputy Hill had previously spoken with Brett Buerck on, requesting an email address to send a digital copy of the search warrant to. Deputy Hill provided his email and the Sheridan County Sheriff's Office phone number in the voice mail requesting to be contacted.

On 9/26/2022 Deputy Hill called and left Brett Buerck another message. Deputy Hill advised he had not received any of the records outlined in the search warrant Deputy Hill mailed on 9/14/2022 and requested a phone call from Brett to discuss the matter. On the same date, Deputy Hill mailed another copy of the search warrant and a letter by certified mail to Brett Buerck, requesting the information requested within the search warrant be provided within a timely manner.

On 10/11/2022 Deputy Hill received a voicemail from Attorney Ryan Healy. Ryan advised he had been retained by Majority Strategies and wanted to speak with Deputy Hill about the search warrant Deputy Hill had attempted to serve on them. Deputy Hill returned Ryan's call and left a message for him on 10/11/2022 at approximately 0925 hrs.

On 10/20/2022 Deputy Hill received a call from Ryan. Deputy Hill explained the WINO case to Ryan and the basis for the search warrant. Ryan and Deputy Hill discussed the matter and Deputy Hill agreed an invoice from Majority Strategies showing the amount paid for the "Howdy Piece", a client name and contact information should fulfill the requirements of the scope of the search warrant.

On 10/20/2022, Deputy Hill received an email from Ryan containing an attachment with an invoice from Majority Strategies with billing information to Wyoming In Name Only (WINO) PAC. Deputy Hill noticed the product and delivery was for "Western WY attack howdy" and showed a total of 7118 pieces had been ordered for a total amount of \$5,338.50.

Also contained within the email attachment was a digital copy of a cashier's check (0903404369) and an envelope addressed to Majority Strategies. The cashier's check was from Wells Fargo in Gillette, WY. The remitter name on the check was William Novotny and the amount of the cashier's check was for \$5,388.50 total. The date on the cashier's check was September, 27, 2022. The envelope addressed to Majority Strategies did not have a sender's name, only a return address of PO Box 175, Big Horn WY 82833. The postal date on the envelope was faint but appeared to be 27 Sep 2022 PM.

On 10/20/2022, Deputy Hill contacted USPS Inspector Chris Lucas. Deputy Hill requested information pertaining to P.O. Box 175 in Big Horn, WY. later that same afternoon, Deputy Hill received an email from Chris with an attached USPS report. The report indicated the renter of P.O. Box 175 in Big Horn, WY was

Cyrus Western.

On 11/17/2022 Deputy Hill spoke with Cyrus Western by phone. Deputy Hill asked Cyrus if he was aware of the WINO PAC mailers. Deputy Hill advised Cyrus he had investigated the origins of the WINO mailer. Deputy Hill advised Cyrus the return address on the envelope used to pay for the mailer was his address. Deputy Hill then asked Cyrus if he was involved with the WINO Political Action Committee. Cyrus stated Well, I appreciate and look, hey, I really fully appreciate you're trying to do your job and so, I can appreciate and respect that, but... I just, um, I want to speak/chat with my attorney and if I'm going to chat with you, I want to kinda just have him there, so if you do have questions. I'm out of town, I won't be back until like Sunday night. Um, so ya know maybe at some point in a couple of weeks, might be able to come in and chat. You're more than welcome to reach out to my attorney, now if you'd like. So, Anyway, I'm not trying to be a combative jerk but just, process wise. Deputy Hill explained he understood Cyrus's position wanting his attorney present and advised Deputy Hill would set time aside when he and his attorney were available to meet with Deputy Hill and the call was ended. (See attached phone call)

Deputy Hill determined the only William Novotny in Wyoming (per Wyoming Driver's Licenses) was William "Bill" Novotny who resides in Buffalo, WY. Deputy Hill further determined Bill Novotny was currently elected as a Johnson County Commissioner. On 12/15/22 Deputy Hill called the phone number listed for Bill Novotny's Johnson County Commissioner page, (307) 620-2642. The call was answered by a generic voicemail for the telephone number. Deputy Hill left a message identifying himself and requesting Bill call Deputy Hill back. On 12/16/2022 Deputy Hill called and left another message requesting Bill call Deputy Hill back. Deputy Hill also called (307) 684-7555, the Johnson County Commissioner's Office and left a message requesting a call back from Mr. Novotny. As of 12/19/2022 Bill Novotny had not called Deputy Hill back.

See supplemental reports for further information

Attachments

Case Status

Sent for review for prosecution

Report prepared by Deputy Hill

Supplement

Interview - Chris Wages

On the afternoon of 1/3/2023, Deputy Hill received a call from Chris Wages. Chris advised he represented Bill Novotny and was calling Deputy Hill on behalf of Bill.

Chris advised Deputy Hill that Bill had not made any specific statements about the matter to him or asked Chris to relay any specific information. Chris told Deputy Hill he believed if Bill were to make a statement, it may be in similar to the fact that Bill operates a campaign consulting firm and that Cyrus Western may have been a client of Bill's consulting business, but did not have any personal involvement in the WINO PAC.

Deputy Hill requested Chris speak with Bill and ask if he was willing to sit down with Deputy Hill and make a statement, as the information Chris had given Deputy Hill was his speculation of Bill's possible response, not a statement from Bill himself. Deputy Hill asked Bill if he knew the name of Bill Novotny's consulting business. Chris was unable to remember the specific name of the but believed it was based on "historically significant numbers".

Deputy Hill researched political consulting businesses and William Novotny. Deputy Hill learned Novotny operates Future307 Consulting in Buffalo, WY. Deputy Hill then searched the Wyoming Security of State website, specifically Cyrus Western's campaign finances for the 2022 election year. Deputy Hill noted on 9/21/2022, Friends of Cyrus Western paid Future307 PAC \$5200.00 for consulting. In review, the check to majority Strategies was dated 9/27/2022 for the amount of \$5388.50 (\$188.50 more than the amount paid by Friends of Cyrus Western to Future307 - William Novotny).

Information by Deputy Hill

Supplement

1/4/2023

On 1/4/2023, Deputy Hill called and spoke with Cyrus Western. Deputy Hill asked Cyrus if he had spoken with his attorney and if he was willing to sit down and speak with Deputy Hill. Cyrus advised he understood Deputy Hill was just doing his job but he did not think it was best to answer any questions and advised Deputy Hill to contact his attorney, Kevin Kessner. The call was then ended.

Deputy Hill

This complaint is separate and apart from my initial complaint originally filed in August of 2022 (which will be re-submitted as per the Sheridan County Attorney's guidance). This complaint is based on new evidence that was discovered during the investigation of my initial complaint by the Sheridan County Sheriff's Office. All of the elements/violations in this complaint are new and none of them are contained in my initial (and re-submitted) complaint.

In preface to this complaint, I wish to point out W.S. 22-2-101 with respect to Election Code:

22-2-101. Applicability and construction of Election Code generally.

(b) *This Election Code shall be construed so that* all legally qualified electors may register and vote, that those who are not qualified shall not vote, and that ***fraud and corruption in elections shall be prevented*** (*emphasis added*).

In addition to Election Code violations, the following complaints detail evidence of the violation of multiple additional Wyoming State Statutes. This complaint is being filed concurrently upon Wyoming H.D. 51 Representative Cyrus Western, the Friends of Cyrus Western campaign committee, Future307 PAC, and Future307 PAC Chairman and Buffalo County Commissioner William Novotny. The complaint provides evidence of coordination between these parties in an effort to defraud and corrupt the election process in the state of Wyoming.

I am filing this complaint with the Secretary of State as per guidance received from the Sheridan County Attorney's office. I am also filing this complaint with the Laramie County Clerk and Laramie County Attorney's office because a number of these violations occurred in Laramie County.

Complaints Against Representative Cyrus Western, H.D. 51

Filing a False Document - W.S. 6-5-308(i-iii) The Friends of Cyrus Western campaign committee and/or Cyrus Western used the Wyoming Campaign Finance Information System (WCFIS) to file its General Report - 2022 (attached) which included a line item for an expenditure of \$5,200 for "Consulting" to Future307 PAC. The Future307 PAC did not report any such payment received. Reviewing the financial reports from Future307 PAC, this amount of \$5,200 would be the largest ever contribution received by Future307 PAC in its history and, as such, would be hard for Future307 PAC to miss. Future307 PAC has never, in its history, recorded a payment for "consulting" services. There should, at a minimum, be an invoice from Future307 PAC requesting payment of the largest amount in the history of Future307 PAC of \$5,200 for "consulting" that was reported as paid by the Friends of Cyrus Western campaign committee. In order for the Friends of Cyrus Western campaign committee to report such a large expense for consulting, there must be some documentation for services provided and payments demanded. Where is the invoice for this, the single largest expense ever paid by the Friends of Cyrus Western campaign? Where is documentation of the actual check for \$5,200 and the bank account it was drawn upon? A proper investigation of this issue will require at least a search warrant for documentation of this payment, including, but not limited to, a copy of the check from the Friends of Cyrus Western campaign committee (front & back), a tracing of where the check was cashed and/or deposited and by whom, a copy of any invoice, work order, request for payment, or any other communication having to do with this payment, a description of any/all work done for this payment, etc.

W.S. 6-5-308. Penalty for filing false document.

(a) A person commits a felony punishable by imprisonment for not more than two (2) years, a fine of not more than two thousand dollars (\$2,000.00), or both, if he files with the secretary of state and willfully or knowingly:

(i) Falsifies, conceals or covers up by any trick, scheme or device a material fact;

(ii) Makes any materially false, fictitious or fraudulent statement or representation; or

(iii) Makes or uses any false writing or document knowing the same to contain any materially false, fictitious or fraudulent statement or entry.

Direct Coordination – W.S. 22-25-102 - The Friends of Cyrus Western campaign committee and/or Cyrus Western directly coordinated campaign activity with Future307 PAC. The Friends of Cyrus Western campaign committee used the Wyoming Campaign Finance Information System (WCFIS) to file its General Report - 2022 (attached) which included a line item for an expenditure of \$5,200 for "Consulting" to Future307 PAC. This is the largest single expenditure ever reported by the Friends of Cyrus Western campaign committee. Reviewing the financial reports from Future307 PAC, there has never been a payment or contribution received from a campaign committee in the history of the Future307 PAC, nor has there ever been reported a payment for "consulting". In the history of Future307 PAC there have been a total of 28 contributions made to the PAC, all reported as individual contributions. Less than one week after the Cyrus Western Campaign Committee's reported payment to Future307 PAC of \$5,200 for "consulting", William Novotny, Chairman of Future307 PAC, paid \$5,388.50 to Majority Strategies via a cashier's check for an invoice that the Sheridan County Sheriff's Office Report (attached) states contained "... billing information to Wyoming in Name Only (WINO) PAC. Deputy Hill noticed the product and delivery was for "Western WY attack howdy"..." Note that Cyrus Western's name is on the invoice, along with a description of the specific nature of the mailer. In addition, the payment to Majority Strategies was mailed with a return address of P.O. Box 175 in Big Horn, WY, which is a P.O. Box rented by Cyrus Western (see attached Sheriff's report). This direct coordination between the Friends of Cyrus Western campaign committee and Future307 PAC and its Chairman William Novotny clearly violates the Secretary of State's administrative rules on Direct Coordination as noted below.

W.S. 22-25-102. Contribution of funds or election assistance restricted; limitation on contributions; right to communicate; civil penalty.

(a) "... The secretary of state shall promulgate rules to define direct coordination as prohibited by this section. No person shall solicit or receive a payment or contribution from an organization prohibited from making contributions under this subsection."

Wyoming Administrative Rules: Secretary of State: Election Procedures: Chapter 28: Direct Coordination

Effective 4/11/22 to Current

Applicable Sections are: Section 3(b)(i), Section 3(b)(ii), Section 3(b)(iv), and Section 3(b)(v)

See attached Administrative Rules.

(e) Any violation of the provisions of subsection (a), (b), (c), (j), (m) or (n) of this section is subject to a civil penalty up to five thousand dollars (\$5,000.00) and costs including a reasonable attorney's fee for a first violation and up to ten thousand dollars (\$10,000.00) and costs including a reasonable attorney's fee for a second or subsequent violation which shall be imposed in a court of competent jurisdiction. The amount of penalty imposed shall be in such amount as will deter future actions of a similar nature. An action to impose the civil penalty may be prosecuted by and in the name of any candidate adversely affected by the transgression, any political party, any county attorney, any district attorney or the attorney general. Proceeds of the penalty collected shall be paid to the state treasurer and credited as provided in W.S. 8-1-109.

Violation of Campaign Reporting Requirements – Failure to Report – W.S. 22-25-106 – House District 51 Representative and candidate Cyrus Western knowingly solicited and received an in-kind contribution that he failed to report. Less than a week after reporting that his campaign committee made a payment to Future307 PAC of \$5,200 for "consulting", William Novotny, Chairman of Future307 PAC, paid \$5,388.50 to Majority Strategies via a cashier's check for an invoice which the Sheridan County Sheriff's Office Report (attached) states contained, "... billing information to Wyoming in Name Only (WINO) PAC. Deputy Hill noticed the product and delivery was for "Western WY attack howdy..." This work done by Majority Strategies is an obvious in-kind contribution: It was a piece of mail sent throughout House District 51 that intentionally impersonated the campaign colors, typeface, style, words ("WANTED", "CONSERVATIVE"), and theme of Cyrus Western's primary opponent with the words, "VOTE NO" in large bold print (see

attached samples) – a ‘campaign appropriation’, so to speak. Note that this mailer does not have to qualify as a political mailer against a political opponent. It was an in-kind contribution for the benefit of the election of Cyrus Western exhorting voters in his district to “Vote No” on what could reasonably be construed to be the campaign of his opponent. There is endless research that proves that images are far more powerful than words. The message of the in-kind contribution was obvious and would be obvious to any jury – vote no on Cyrus Western’s opponent’s campaign. The State of Wyoming Wyoming Campaign Guide, Wyoming Secretary of State, page 18, (attached) states, “Contributions also include donations of any items of value, services, or election assistance provided for a candidate. These “in-kind” contributions must be itemized by name, city and state of the contributor, date, item or service donated, and estimated value of the donated item or service.”

W.S. 22-25-106. Filing of campaign reports.

- (a) Except as otherwise provided in subsections (g) and (j) of this section and in addition to other reports required by this subsection:
- (i) Every candidate, whether successful or not, shall file an itemized statement of contributions and expenditures at least seven (7) days but not more than fourteen (14) days before any primary, general or special election. Any contribution received or expenditure made after the statement has been filed, through the day of the election, whether a primary, general or special election, shall be filed as an amendment to the statement within ten (10) days after the election;
 - (iv) Reports under this subsection shall set forth the full and complete record of contributions including cash, goods or services and actual and promised expenditures, including all identifiable expenses as set forth in W.S. 22-25-103. For purposes of this section, a contribution is reportable when it is known and in the possession of, or the service has been furnished to, the person or entity required to submit a statement of contributions and expenditures. The date of each contribution of one hundred dollars (\$100.00) or more, any expenditure or obligation, the name of the person from whom received or to whom paid and the purpose of each expenditure or obligation shall be listed. All contributions under one hundred dollars (\$100.00) shall be reported but need not be itemized. Should the accumulation of contributions from a person exceed the one hundred dollar (\$100.00) threshold, all contributions from that person shall be itemized...;
- (b) Reports of itemized statements of contributions and expenditures, and statements of termination shall be made with the appropriate filing officers specified under W.S. 22-25-107 and in accordance with the following:
- (i) Except as otherwise provided in this section, any political action committee and candidate's campaign committee, or any political action committee formed under the law of another state that contributes to a Wyoming political action committee or to a candidate's campaign committee shall file an itemized statement of contributions and expenditures at least seven (7) days but not more than fourteen (14) days before any primary, general or special election. Any contribution received or expenditure made after the statement has been filed, through the day of the election, whether a primary, general or special election, shall be filed as an amendment to the statement within ten (10) days after the election;
- (c) All reports required by subsection (b) of this section shall be signed by both the chairman and treasurer. The reports shall set forth the full and complete record of contributions including cash, goods or services and actual and promised expenditures. The date of each contribution of one hundred dollars (\$100.00) or more, any expenditure or obligation, the name of the person from whom received or to whom paid and the purpose of each expenditure or obligation shall be listed... Should the accumulation of contributions from a person exceed the one hundred dollar (\$100.00) threshold, all contributions from that person shall be itemized...
- (e) Any violation of the provisions of subsection (a), (b), (c), (j), (m) or (n) of this section is subject to a civil penalty up to five thousand dollars (\$5,000.00) and costs including a reasonable attorney's fee for a first violation and up to ten thousand dollars (\$10,000.00) and costs including a reasonable attorney's fee for a

second or subsequent violation which shall be imposed in a court of competent jurisdiction. The amount of penalty imposed shall be in such amount as will deter future actions of a similar nature. An action to impose the civil penalty may be prosecuted by and in the name of any candidate adversely affected by the transgression, any political party, any county attorney, any district attorney or the attorney general. Proceeds of the penalty collected shall be paid to the state treasurer and credited as provided in W.S. 8-1-109.

Violation of Campaign Reporting Requirements – Failure to Report – W.S. 22-25-106 – Evidence found through a search warrant executed by the Sheridan County Sheriff's Office show that Cyrus Western received in-kind campaign assistance that was paid via cashier's check by a third party in order to evade reporting requirements. \$5,388.50 was paid for via cashier's check for the "Western... attack Howdy" mailer. The Friends of Cyrus Western Campaign reported a grand total of \$10,632.65 in payments to Majority Strategies for "Advertising – Misc" in all of 2022 (attached). This is a suspiciously low amount of payment given the number of full color campaign mailers, door hangers, etc. that were distributed by the Friends of Cyrus Western campaign. Given this and the established fact pattern of receiving one known (and suspiciously hidden) cash payment directly to Majority Strategies by a third (non-reporting) person to pay for work on behalf of Cyrus Western, there is probable cause to seek and serve a search warrant upon Majority Strategies for any/all invoices/payments/etc. for all work having anything to do with Cyrus Western in the reasonable suspicion that additional payments have been made to Majority Strategies on behalf of Cyrus Western in an effort to circumvent campaign reporting laws.

Violation of Campaign Contribution Limits W.S. 22-25-102 – House District 51 Representative and candidate Cyrus Western knowingly solicited, received and hid an in-kind contribution in an amount that exceeded campaign limits which he did not report. This violation exceeds the contribution limits whether the money came from a PAC (Future307 PAC) or from an individual (Future307 PAC Chairman William Novotny). Less than a week after reporting that his campaign committee made a payment to Future307 PAC of \$5,200 for "consulting", William Novotny, Chairman of Future307 PAC, paid \$5,388.50 to Majority Strategies via a cashier's check for an invoice which the Sheridan County Sheriff's Office Report (attached) states contained, "... billing information to Wyoming in Name Only (WINO) PAC. Deputy Hill noticed the product and delivery was for "Western WY attack howdy..." This work done by Majority Strategies is an obvious in-kind contribution: It was a piece of mail sent throughout House District 51 that intentionally impersonated the campaign colors, typeface, style, words ("WANTED", "CONSERVATIVE"), and theme of Cyrus Western's primary opponent with the words, "VOTE NO" in large bold print (see attached samples) – a 'campaign appropriation', so to speak. Note that this mailer does not have to qualify as a political mailer against a political opponent. It was an in-kind contribution for the benefit of the election of Cyrus Western exhorting voters in his district to "Vote No" on what could reasonably be construed to be the campaign of his opponent. There is endless research that proves that images are far more powerful than words. The message of the in-kind contribution was obvious and would be obvious to any jury – vote no on Cyrus Western's opponent's campaign. The State of Wyoming Campaign Guide, Wyoming Secretary of State, page 18, (attached) states, "Contributions also include donations of any items of value, services, or election assistance provided for a candidate. These "in-kind" contributions must be itemized by name, city and state of the contributor, date, item or service donated, and estimated value of the donated item or service."

22-25-102. Contribution of funds or election assistance restricted; limitation on contributions; right to communicate; civil penalty.

(c) Except as otherwise provided in this section, no individual other than the candidate, or the candidate's immediate family shall contribute directly or indirectly:

(ii) To any candidate for nonstatewide political office, or to any candidate for nonstatewide political office's candidate's campaign committee:

(A) More than one thousand five hundred dollars (\$1,500.00) per election; and

(B) Except as otherwise provided in this subparagraph, no contribution for the general election may be given prior to the date for the primary election. This subparagraph shall not apply to any

candidate unopposed in the primary election or nominated in accordance with W.S. 22-4-303 or 22-5-301.

(e) Any violation of the provisions of subsection (a), (b), (c), (j), (m) or (n) of this section is subject to a civil penalty up to five thousand dollars (\$5,000.00) and costs including a reasonable attorney's fee for a first violation and up to ten thousand dollars (\$10,000.00) and costs including a reasonable attorney's fee for a second or subsequent violation which shall be imposed in a court of competent jurisdiction. The amount of penalty imposed shall be in such amount as will deter future actions of a similar nature. An action to impose the civil penalty may be prosecuted by and in the name of any candidate adversely affected by the transgression, any political party, any county attorney, any district attorney or the attorney general. Proceeds of the penalty collected shall be paid to the state treasurer and credited as provided in W.S. 8-1-109.

(m) Except as otherwise provided in this section, no political action committee shall contribute directly or indirectly more than five thousand dollars (\$5,000.00) per election to any candidate for political office other than statewide political office. For purposes of this subsection the primary, general and special elections shall be deemed separate elections. ***No candidate for political office shall accept, directly or indirectly, contributions which violate this subsection. Contributions to a candidate's campaign committee shall be considered to be contributions to the candidate. (emphasis added)*** This subsection does not limit political contributions by political parties, nor expenditures by a candidate from his own funds nor from his candidate's campaign committee funds.

False Swearing – W.S. 22-26-108 - House District 51 Representative Cyrus Western is guilty of false swearing having taken on oath of office in which he swears, “that I have not knowingly violated any law related to my election or appointment, or caused it to be done by others”. All of the above violations, individually and taken as a whole in pattern, substance, and purpose, clearly indicate a violation of W.S. 22-26-108.

W.S. 22-26-108. False swearing.

False swearing consists of taking an oath required by the Election Code with the knowledge that the thing or matter sworn to is not true and correct.

Wyoming State Constitution, Article 7, Section 21. Oath of office; how administered.

The foregoing oath shall be administered by some person authorized to administer oaths, and in the case of state officers and judges of the supreme court shall be filed in the office of the secretary of state, and in the case of other judicial and county officers in the office of the clerk of the county in which the same is taken; any person refusing to take said oath or affirmation shall forfeit his office, and ***any person who shall be convicted of having sworn or affirmed falsely, or of having violated said oath or affirmation, shall be guilty of perjury, and be forever disqualified from holding any office of trust or profit within this state.*** The oath to members of the senate and house of representatives shall be administered by one of the judges of the supreme court or a justice of the peace, in the hall of the house to which the members shall be elected. ***(emphasis added)***

Failure to Disclose Payment for Campaign Advertising – W.S. 22-25-110 – House District 51

Representative and candidate Cyrus Western paid for an in-kind contribution of campaign advertising that failed to disclose his funding of the advertisement. Not only did he not disclose his funding for this advertisement, he attempted to cover up his campaign's funding of the advertisement by layering payment through Future307 PAC and its Chairman William Novotny. This is worse than failing to disclose, it is an intentional effort to evade Wyoming state statute. Less than a week after reporting that his campaign committee made a payment to Future307 PAC of \$5,200 for “consulting”, William Novotny, Chairman of Future307 PAC, paid \$5,388.50 to Majority Strategies via a cashier's check for an invoice which the Sheridan County Sheriff's Office Report (attached) states contained, “... billing information to Wyoming in Name Only (WINO) PAC. Deputy Hill noticed the product and delivery was for “Western WY attack howdy...” This work done by Majority Strategies is an obvious in-kind contribution: It was a piece of mail sent throughout House District 51

that intentionally impersonated the campaign colors, typeface, style, words ("WANTED", "CONSERVATIVE"), and theme of Cyrus Western's primary opponent with the words, "VOTE NO" in large bold print (see attached samples) – a 'campaign appropriation', so to speak. Note that this mailer does not have to qualify as a political mailer against a political opponent. It was an in-kind contribution for the benefit of the election of Cyrus Western exhorting voters in his district to "Vote No" on what could reasonably be construed to be the campaign of his opponent. There is endless research that proves that images are far more powerful than words. The message of the in-kind contribution was obvious and would be obvious to any jury – vote no on Cyrus Western's opponent's campaign. The State of Wyoming Wyoming Campaign Guide, Wyoming Secretary of State, page 18, (attached) states, "**Contributions also include donations** of any items of value, services, or election assistance provided for a candidate. These "in-kind" contributions must be itemized by name, city and state of the contributor, date, item or service donated, and estimated value of the donated item or service."

22-25-110. Campaign advertising in communications media.

(a) It is unlawful for a candidate, political action committee, organization, including organizations causing an electioneering communication or an independent expenditure to be made, candidate's campaign committee, or any political party central committee to pay for campaign literature or campaign advertising without conspicuously displaying or speaking the following disclosure: "paid for by (name of candidate, organization or committee sponsoring the campaign literature or campaign advertising)".

Additional Applicable Statutes

22-26-101. Felony offenses generally.

(a) The following acts in connection with or related to the election process or an election, if knowingly and willfully committed, are felony offenses punishable by not more than five (5) years' imprisonment in the state penitentiary or a fine of not more than ten thousand dollars (\$10,000.00), or both:

- (vi) Falsifying election documents;
- (vii) False swearing;

22-26-112. Misdemeanor offenses generally.

(a) Unless a different penalty is specifically provided in this code, the following acts, if knowingly and willfully committed, are misdemeanor offenses punishable by not more than six (6) months in a county jail or a fine of not more than one thousand dollars (\$1,000.00), or both:

- (iv) Accepting or expending any money or incurring any obligation on behalf of any candidate for nomination or election to office without such candidate's prior written approval;
- (ix) Violating W.S. 22-25-101 through 22-25-115;
- (x) Filing or signing a false statement of contributions and expenditures required by W.S. 22-25-106.

Complaints Against Future307 PAC & its Chairman William Novotny

Filing a False Document - W.S. 6-5-308(i-iii) The Future307 PAC and its Chairman William Novotny did not report a contribution of \$5,200 for "Consulting" as detailed in the General Report – 2022 (attached) of the Friends of Cyrus Western campaign committee. Reviewing the financial reports from Future307 PAC, this amount of \$5,200 would be the largest ever contribution received by Future307 PAC in its history and, as such, would be hard for Future307 PAC to miss. Future307 PAC has never, in its history, recorded a payment for "consulting" services. There should, at a minimum, be an invoice from Future307 PAC requesting payment of the largest amount in the history of Future307 PAC of \$5,200 for "consulting" that was reported as paid by the Friends of Cyrus Western campaign committee. In order for the Friends of Cyrus Western campaign committee to report such a large expense for consulting, there must be some documentation for services provided and payments demanded. Where is the invoice for this, the single largest expense ever paid by the Friends of Cyrus Western campaign? Where is documentation of the actual check for \$5,200 and the bank account it was drawn upon? A proper investigation of this issue will require at least a search warrant for documentation of this reported payment, including, but not limited to, a copy of the check from the Friends of Cyrus Western campaign committee (front & back), a tracing of where the check was cashed and/or deposited and by whom, a copy of any invoice, work order, request for payment, or any other communication having to do with this payment, a description of any/all work done for this payment, etc.

W.S. 6-5-308. Penalty for filing false document.

(a) A person commits a felony punishable by imprisonment for not more than two (2) years, a fine of not more than two thousand dollars (\$2,000.00), or both, if he files with the secretary of state and willfully or knowingly:

- (i) Falsifies, conceals or covers up by any trick, scheme or device a material fact;
- (ii) Makes any materially false, fictitious or fraudulent statement or representation; or
- (iii) Makes or uses any false writing or document knowing the same to contain any materially false, fictitious or fraudulent statement or entry.

Direct Coordination – W.S. 22-25-102 - The Future307 PAC and/or its Chairman William Novotny directly coordinated campaign activity with Cyrus Western and/or the Friends of Cyrus Western campaign committee. The Friends of Cyrus Western campaign committee used the Wyoming Campaign Finance Information System (WCFIS) to file its General Report - 2022 (attached) which included a line item for an expenditure of \$5,200 for "Consulting" to Future307 PAC. This is the largest single expenditure ever reported by the Friends of Cyrus Western campaign committee. Reviewing the financial reports from Future307 PAC, there has never been a payment or contribution received from a campaign committee in the history of the Future307 PAC, nor has there ever been reported a contribution for "consulting". In the history of Future307 PAC there have been a total of 28 contributions made to the PAC, all reported as individual contributions. Less than one week after the Cyrus Western Campaign Committee's reported payment to Future307 PAC of \$5,200 for "consulting", William Novotny, Chairman of Future307 PAC, paid \$5,388.50 to Majority Strategies via a cashier's check for an invoice that the Sheridan County Sheriff's Office Report (attached) states contained "... billing information to Wyoming in Name Only (WINO) PAC. Deputy Hill noticed the product and delivery was for "Western WY attack howdy" ..." Note that Cyrus Western's name is on the invoice, along with a description of the specific nature of the mailer. In addition, the payment to Majority Strategies was mailed with a return address of P.O. Box 175 in Big Horn, WY, which is a P.O. Box rented by Cyrus Western (see attached Sheriff's report). This direct coordination between the Friends of Cyrus Western campaign committee and Future307 PAC and its Chairman William Novotny clearly violates the Secretary of State's administrative rules on Direct Coordination as noted below.

W.S. 22-25-102. Contribution of funds or election assistance restricted; limitation on contributions; right to communicate; civil penalty.

(a) "... The secretary of state shall promulgate rules to define direct coordination as prohibited by this section. No person shall solicit or receive a payment or contribution from an organization prohibited from making contributions under this subsection."

Wyoming Administrative Rules: Secretary of State: Election Procedures: Chapter 28: Direct Coordination

Effective 4/11/22 to Current

Applicable Sections are: Section 3(b)(i), Section 3(b)(ii), Section 3(b)(iv), and Section 3(b)(v)

See attached Administrative Rules.

(e) Any violation of the provisions of subsection (a), (b), (c), (j), (m) or (n) of this section is subject to a civil penalty up to five thousand dollars (\$5,000.00) and costs including a reasonable attorney's fee for a first violation and up to ten thousand dollars (\$10,000.00) and costs including a reasonable attorney's fee for a second or subsequent violation which shall be imposed in a court of competent jurisdiction. The amount of penalty imposed shall be in such amount as will deter future actions of a similar nature. An action to impose the civil penalty may be prosecuted by and in the name of any candidate adversely affected by the transgression, any political party, any county attorney, any district attorney or the attorney general. Proceeds of the penalty collected shall be paid to the state treasurer and credited as provided in W.S. 8-1-109.

Violation of Campaign Reporting Requirements – Failure to Report – W.S. 22-25-106 –

Future307 PAC and/or its Chairman William Novotny knowingly paid for an in-kind contribution that was not reported in a manner that was clearly intended to escape campaign reporting statutes. Less than a week after the Friends of Cyrus Western campaign committee had paid \$5,200 to Future307 PAC for "consulting", William Novotny, Chairman of Future307 PAC, paid \$5,388.50 to Majority Strategies via a cashier's check for an invoice which the Sheridan County Sheriff's Office Report (attached) states contained, "... billing information to Wyoming in Name Only (WINO) PAC. Deputy Hill noticed the product and delivery was for "Western WY attack howdy..." Note that the invoice identifies the beneficiary of the mailer as Cyrus "Western" and the nature of the mailer as "attack". This work done by Majority Strategies is an obvious in-kind contribution: It was a piece of mail sent throughout House District 51 that intentionally impersonated the campaign colors, typeface, style, words ("WANTED", "CONSERVATIVE"), and theme of Cyrus Western's primary opponent with the words, "VOTE NO" in large bold print (see attached samples) – a 'campaign appropriation', so to speak. Note that this mailer does not have to qualify as a political mailer against a political opponent. It was an in-kind contribution for the benefit of the election of Cyrus Western exhorting voters in his district to "Vote No" on what could reasonably be construed to be the campaign of his opponent. There is endless research that proves that images are far more powerful than words. The message of the in-kind contribution was obvious and would be obvious to any jury – vote no on Cyrus Western's opponent's campaign. The State of Wyoming Campaign Guide, Wyoming Secretary of State, page 18, (attached) states, "**Contributions also include donations** of any items of value, services, or election assistance provided for a candidate. These "in-kind" contributions must be itemized by name, city and state of the contributor, date, item or service donated, and estimated value of the donated item or service."

W.S. 22-25-106. Filing of campaign reports.

(a) Except as otherwise provided in subsections (g) and (j) of this section and in addition to other reports required by this subsection:

(i) Every candidate, whether successful or not, shall file an itemized statement of contributions and expenditures at least seven (7) days but not more than fourteen (14) days before any primary, general or special election. Any contribution received or expenditure made after the statement has been filed, through the day of the election, whether a primary, general or special election, shall be filed as an amendment to the statement within ten (10) days after the election;

(iv) Reports under this subsection shall set forth the full and complete record of contributions including cash, goods or services and actual and promised expenditures, including all identifiable expenses as set forth in W.S. 22-25-103. For purposes of this section, a contribution is reportable when it is known and in the possession of, or the service has been furnished to, the person or entity required to submit a statement of contributions and expenditures. The date of each contribution of one hundred dollars (\$100.00) or more, any expenditure or obligation, the name of the person from whom received or to whom paid and the purpose of each expenditure or obligation shall be listed. All contributions under one hundred dollars (\$100.00) shall be reported but need not be itemized. Should the accumulation of contributions from a person exceed the one hundred dollar (\$100.00) threshold, all contributions from that person shall be itemized...;

(b) Reports of itemized statements of contributions and expenditures, and statements of termination shall be made with the appropriate filing officers specified under W.S. 22-25-107 and in accordance with the following:

(i) Except as otherwise provided in this section, any political action committee and candidate's campaign committee, or any political action committee formed under the law of another state that contributes to a Wyoming political action committee or to a candidate's campaign committee shall file an itemized statement of contributions and expenditures at least seven (7) days but not more than fourteen (14) days before any primary, general or special election. Any contribution received or expenditure made after the statement has been filed, through the day of the election, whether a primary, general or special election, shall be filed as an amendment to the statement within ten (10) days after the election;

(c) All reports required by subsection (b) of this section shall be signed by both the chairman and treasurer. The reports shall set forth the full and complete record of contributions including cash, goods or services and actual and promised expenditures. The date of each contribution of one hundred dollars (\$100.00) or more, any expenditure or obligation, the name of the person from whom received or to whom paid and the purpose of each expenditure or obligation shall be listed... Should the accumulation of contributions from a person exceed the one hundred dollar (\$100.00) threshold, all contributions from that person shall be itemized...

(e) Any violation of the provisions of subsection (a), (b), (c), (j), (m) or (n) of this section is subject to a civil penalty up to five thousand dollars (\$5,000.00) and costs including a reasonable attorney's fee for a first violation and up to ten thousand dollars (\$10,000.00) and costs including a reasonable attorney's fee for a second or subsequent violation which shall be imposed in a court of competent jurisdiction. The amount of penalty imposed shall be in such amount as will deter future actions of a similar nature. An action to impose the civil penalty may be prosecuted by and in the name of any candidate adversely affected by the transgression, any political party, any county attorney, any district attorney or the attorney general. Proceeds of the penalty collected shall be paid to the state treasurer and credited as provided in W.S. 8-1-109.

Violation of Campaign Contribution Limits W.S. 22-25-102 – Future307 PAC and/or its Chairman

William Novotny knowingly paid for an in-kind contribution that was not reported in a manner that was clearly intended to escape campaign reporting statutes which exceeded campaign contribution limits. This violation exceeds the contribution limits whether the money came from a PAC (Future307 PAC) or from an individual (Future307 PAC Chairman William Novotny). Less than a week after reporting that his campaign committee made a payment to Future307 PAC of \$5,200 for "consulting", William Novotny, Chairman of Future307 PAC, paid \$5,388.50 to Majority Strategies via a cashier's check for an invoice which the Sheridan County Sheriff's Office Report (attached) states contained, "... billing information to Wyoming in Name Only (WINO) PAC. Deputy Hill noticed the product and delivery was for "Western WY attack howdy..." This work done by Majority Strategies is an obvious in-kind contribution: It was a piece of mail sent throughout House District 51 that intentionally impersonated the campaign colors, typeface, style, words ("WANTED", "CONSERVATIVE"), and theme of Cyrus Western's primary opponent with the words, "VOTE NO" in large bold print (see attached samples) – a 'campaign appropriation', so to speak. Note that this mailer does not have to qualify as a political mailer against a political opponent. It was an in-kind contribution for the benefit of the election of

Cyrus Western exhorting voters in his district to "Vote No" on what could reasonably be construed to be the campaign of his opponent. There is endless research that proves that images are far more powerful than words. The message of the in-kind contribution was obvious and would be obvious to any jury – vote no on Cyrus Western's opponent's campaign. The State of Wyoming Campaign Guide, Wyoming Secretary of State, page 18, (attached) states, "Contributions also include donations of any items of value, services, or election assistance provided for a candidate. These "in-kind" contributions must be itemized by name, city and state of the contributor, date, item or service donated, and estimated value of the donated item or service."

22-25-102. Contribution of funds or election assistance restricted; limitation on contributions; right to communicate; civil penalty.

(c) Except as otherwise provided in this section, no individual other than the candidate, or the candidate's immediate family shall contribute directly or indirectly:

(ii) To any candidate for nonstatewide political office, or to any candidate for nonstatewide political office's candidate's campaign committee:

(A) More than one thousand five hundred dollars (\$1,500.00) per election; and

(B) Except as otherwise provided in this subparagraph, no contribution for the general election may be given prior to the date for the primary election. This subparagraph shall not apply to any candidate unopposed in the primary election or nominated in accordance with W.S. 22-4-303 or 22-5-301.

(e) Any violation of the provisions of subsection (a), (b), (c), (j), (m) or (n) of this section is subject to a civil penalty up to five thousand dollars (\$5,000.00) and costs including a reasonable attorney's fee for a first violation and up to ten thousand dollars (\$10,000.00) and costs including a reasonable attorney's fee for a second or subsequent violation which shall be imposed in a court of competent jurisdiction. The amount of penalty imposed shall be in such amount as will deter future actions of a similar nature. An action to impose the civil penalty may be prosecuted by and in the name of any candidate adversely affected by the transgression, any political party, any county attorney, any district attorney or the attorney general. Proceeds of the penalty collected shall be paid to the state treasurer and credited as provided in W.S. 8-1-109.

(m) Except as otherwise provided in this section, no political action committee shall contribute directly or indirectly more than five thousand dollars (\$5,000.00) per election to any candidate for political office other than statewide political office. For purposes of this subsection the primary, general and special elections shall be deemed separate elections. No candidate for political office shall accept, directly or indirectly, contributions which violate this subsection. Contributions to a candidate's campaign committee shall be considered to be contributions to the candidate. This subsection does not limit political contributions by political parties, nor expenditures by a candidate from his own funds nor from his candidate's campaign committee funds.

False Swearing – W.S. 22-26-108 – County Commissioner William Novotny is guilty of false swearing having taken on oath of office in which he swears, "that I have not knowingly violated any law related to my election or appointment, or caused it to be done by others". All of the above violations, individually and taken as a whole in pattern, substance, and purpose, clearly indicate a violation of W.S. 22-26-108.

W.S. 22-26-108. False swearing.

False swearing consists of taking an oath required by the Election Code with the knowledge that the thing or matter sworn to is not true and correct.

Wyoming State Constitution, Article 7, Section 21. Oath of office; how administered.

The foregoing oath shall be administered by some person authorized to administer oaths, and in the case of state officers and judges of the supreme court shall be filed in the office of the secretary of state, and in the case

of other judicial and county officers in the office of the clerk of the county in which the same is taken; any person refusing to take said oath or affirmation shall forfeit his office, and *any person who shall be convicted of having sworn or affirmed falsely, or of having violated said oath or affirmation, shall be guilty of perjury, and be forever disqualified from holding any office of trust or profit within this state.* The oath to members of the senate and house of representatives shall be administered by one of the judges of the supreme court or a justice of the peace, in the hall of the house to which the members shall be elected. (*emphasis added*)

Additional Applicable Statutes

22-26-101. Felony offenses generally.

(a) The following acts in connection with or related to the election process or an election, if knowingly and willfully committed, are felony offenses punishable by not more than five (5) years' imprisonment in the state penitentiary or a fine of not more than ten thousand dollars (\$10,000.00), or both:

- (vi) Falsifying election documents;
- (vii) False swearing;

22-26-112. Misdemeanor offenses generally.

(a) Unless a different penalty is specifically provided in this code, the following acts, if knowingly and willfully committed, are misdemeanor offenses punishable by not more than six (6) months in a county jail or a fine of not more than one thousand dollars (\$1,000.00), or both:

- (iv) Accepting or expending any money or incurring any obligation on behalf of any candidate for nomination or election to office without such candidate's prior written approval;
- (ix) Violating W.S. 22-25-101 through 22-25-115;
- (x) Filing or signing a false statement of contributions and expenditures required by W.S. 22-25-106.

From the State of Wyoming Secretary of State Wyoming Campaign Guide (attached)

Campaign Finance Reporting Violations

Candidates or committees who fail to file the required campaign finance reports within the stipulated time are subject to civil and other penalties. A candidate who fails to file the Statement of Contributions required by the 7th day before the election will have his/her name printed on a list that will be made available to the public. In addition, a candidate who fails to file the statement required under W. S.22-25-106 within 30 days of the report due date is ineligible to run as a candidate for any state or local office for which a statement is required by W.S. 22-25-106 until five years have elapsed from the date the statement was first due, or until the required statement has been filed. W.S. 22-25-108 Civil penalties of up to \$1000 and a maximum of \$500 in attorney's fees may be assessed against any candidate failing to file the reports required by law. An action to impose a civil penalty may be prosecuted by and in the name of any candidate adversely affected by the violation, any political party, any district attorney or the attorney general. Any officer of a political action committee who is responsible for filing a report and who knowingly and willfully fails to file a required report or who knowingly makes a false report is guilty of a felony punishable by imprisonment not to exceed two years. The Secretary of State and the county clerks are to report the names of all candidates in violation of the Election Code to the Attorney General or the district attorney, respectively, for appropriate action. (Source: State of Wyoming Wyoming Campaign Guide, Wyoming Secretary of State, page 18, attached)

Contributions also include donations of any items of value, services, or election assistance provided for a candidate. These "in-kind" contributions must be itemized by name, city and state of the contributor, date, item or service donated, and estimated value of the donated item or service, and are subject to the same contribution limits for the respective office. (Source: State of Wyoming 2022 Wyoming Campaign Guide, Wyoming Secretary of State, page 7, attached)

Wyoming Administrative Rules, Secretary of State, Election Procedures (attached)

Chapter 21: Wyoming Campaign Finance Information System

Effective date: 3/30/3030 to current

Section 4. Definitions.

(d) "In-kind contribution" means a donation of a good, service, or any item of value in place of a monetary donation.

From the Federal Election Commission of the United States of America

As supporting evidence with respect to in-kind contributions, if state statute is silent on an issue, all states in the U.S. (except for Louisiana) have adopted the common law of England as the general law of the state. Specifically, Wyoming has adopted Common Law in W.S. 8-1-101. In absence of Wyoming State Statute, Common Law applies to election

In addition, the state may also look to federal law for guidance. See this quote from the FEC:

"An in-kind contribution is a non-monetary contribution. Goods or services offered free or at less than the usual charge result in an in-kind contribution. Similarly, when a person or entity pays for services on the committee's behalf, the payment is an in-kind contribution. An expenditure made by any person or entity in cooperation, consultation or concert with, or at the request or suggestion of, a candidate's campaign is also considered an in-kind contribution to the candidate."

"The value of an in-kind contribution—the usual and normal charge—counts against the contribution limit as a gift of money does. Additionally, like any other contribution, in-kind contributions count against the contributor's limit for the next election, unless they are otherwise designated."

Wyoming Election Division
HERSCHLER BUILDING EAST, STE 100
Cheyenne, WY 82002-0020
Ph. 307.777.5860
Email: Elections@wyo.gov

General Report - 2022

Reporting Period: GENERAL REPORT - 2022

Date Filed: 10/31/2022
Contributions From: 8/17/2022 To: 12/31/2022
Expenditures From: 8/17/2022 To: 12/31/2022
Account Type: CANDIDATE COMMITTEE
Account Name: FRIENDS OF CYRUS WESTERN
Office Sought: HOUSE DISTRICT 51
Mailing Address: 185 WILDFLOWER CIRCLE
City: SHERIDAN State: WY Zip: 82801
Phone: 3074291349

REPORT SUMMARY

Total Carried Forward from Last Report:	\$15,125.19
Total Monetary Contributions by Source:	
Federal/Out-Of-State Pac :	
Individual :	
Wyoming Pac :	
Total of all Contributions:	
Total Expenditures:	
Report Total:	
Total Amended Contributions:	
Total Amended Expenditure:	
Amendment Total:	
Total Carried Forward:	

General Report - 2022

Wyoming Election Division
 HERSCHLER BUILDING EAST, STE 100
 Cheyenne, WY 82002-0020
 Ph. 307.777.5860
 Email: Elections@wyo.gov

Contributions			
Type	MONETARY		
Source	FEDERAL/OUT-OF-STATE PAC		
Name	Address	Date	Amount
ALTRIA GROUP, INC. PAC	WASHINGTON, DC 20001	18-Aug-22	\$200.00
BNSF RAILPAC	FT WORTH, TX 76161	18-Aug-22	\$300.00
FARMERS INSURANCE AGENTS AND EMPLOYEE(FEAPAC) MEMBERS OF WYOMING	CHEYENNE, WY 82001	24-Oct-22	\$250.00
MDU RESOURCES GROUP GOOD GOVERNMENT FUND	BISMARCK, ND 58506	24-Oct-22	\$100.00
DEVON ENERGY CORPORATION PAC	OKLAHOMA CITY, OK 73102	24-Oct-22	\$500.00

General Report - 2022

Wyoming Election Division
 HERSCHLER BUILDING EAST, STE 100
 Cheyenne, WY 82002-0020
 Ph. 307.777.5860
 Email: Elections@wyo.gov

Type	MONETARY			
Source	INDIVIDUAL			
Name	Address	Date	Amount	
CHRISTIAN PALICH	PLAIN CITY, OH 43064	18-Aug-22	\$250.00	
MATT KAUFMAN	CHEYENNE, WY 82003	18-Aug-22	\$500.00	
PETER WOLD	CASPER, WY 82601	18-Aug-22	\$200.00	
BOB BERRY	WOLF, WY 82844	18-Aug-22	\$200.00	
CATHERINE CARMODY	MIAMI BEACH, FL 33139	01-Sep-22	\$1,500.00	
DAVE TRUE	CASPER, WY 82602	24-Oct-22	\$75.00	

General Report - 2022

Wyoming Election Division
 HERSCHLER BUILDING EAST, STE 100
 Cheyenne, WY 82002-0020
 Ph. 307.777.5860
 Email: Elections@wyo.gov

Type	MONETARY				
Source	WYOMING PAC				
Name	Address		Date	Amount	
CHARTER COMMUNICATIONS, INC. WYOMING POLITICAL ACTION COMMITTEE	CHEYENNE, WY 82009		18-Aug-22	\$1,000.00	
COWBOY GAMES PAC	SHERIDAN, WY 82801		31-Aug-22	\$1,000.00	
CHARTER COMMUNICATIONS, INC. WYOMING POLITICAL ACTION COMMITTEE	CHEYENNE, WY 82009		24-Oct-22	\$1,000.00	
FFFWY FIRE PAC	CHEYENNE, WY 82003		24-Oct-22	\$500.00	
TRUCKING INDUSTRY PAC	CASPER, WY 82602		24-Oct-22	\$200.00	

General Report - 2022

Wyoming Election Division
 HERSCHLER BUILDING EAST, STE 100
 Cheyenne, WY 82002-0020
 Ph. 307.777.5860
 Email: Elections@wyo.gov

Expenditures Name (paid to)	Address	Purpose	Date	Amount
TRUJILLO FOR HD44	WY	CANDIDATE/COMMIT TEE CONTRIBUTION	21-Sep-22	\$250.00
BYRON FOR HD22	WY	CANDIDATE/COMMIT TEE CONTRIBUTION	21-Sep-22	\$250.00
FUTURE307 PAC	BUFFALO, WY 82834	CONSULTING	21-Sep-22	\$5,200.00
HENDERSON FOR HD41	WY	CANDIDATE/COMMIT TEE CONTRIBUTION	24-Oct-22	\$750.00

Primary Report - 2022

Wyoming Election Division
HERSCHLER BUILDING EAST, STE 100
Cheyenne, WY 82002-0020
Ph. 307.777.5860
Email: Elections@wyo.gov

Reporting Period: PRIMARY REPORT - 2022

Date Filed: 8/9/2022
Contributions From: 1/1/2022 To: 8/16/2022
Expenditures From: 1/1/2022 To: 8/16/2022

Account Type: CANDIDATE COMMITTEE

Account Name: FRIENDS OF CYRUS WESTERN

Office Sought: HOUSE DISTRICT 51

Mailing Address: 185 WILDFLOWER CIRCLE

City: SHERIDAN State: WY Zip: 82801

Phone: 3074291349

REPORT SUMMARY

Total Carried Forward from Last Report:	\$10,640.79
Total Monetary Contributions by Source:	
Federal/Out-Of-State Pac :	
Individual :	
Wyoming Pac :	
Total of all Contributions:	
Total Expenditures:	
Report Total:	
Total Amended Contributions:	
Total Amended Expenditure:	
Amendment Total:	
Total Carried Forward:	

Primary Report - 2022

Wyoming Election Division
HERSCHLER BUILDING EAST, STE 100
Cheyenne, WY 82002-0020
Ph. 307.777.5860
Email: Elections@wyo.gov

Contributions			
Type	MONETARY		
Source	FEDERAL/OUT-OF-STATE PAC		
Name	Address	Date	Amount
NATIONAL SHOOTING SPORTS FOUNDATION	NEWTOWN, CT 06470	30-May-22	\$500.00
CIGNA POL ACTION COMMITTEE	PHILADELPHIA, PA 19191	19-Jul-22	\$500.00
BLACK HILLS CORPORATION PAC	RAPID CITY, SD 57709	19-Jul-22	\$500.00
UNION PACIFIC CORPORATION FUND FOR EFFECTIVE GOVERNMENT	WASHINGTON, DC 20005	19-Jul-22	\$250.00

Primary Report - 2022

Wyoming Election Division
HERSCHLER BUILDING EAST, STE 100
 Cheyenne, WY 82002-0020
 Ph. 307.777.5860
 Email: Elections@wyo.gov

Type	MONETARY			
Source	INDIVIDUAL			
Name	Address	Date	Amount	
KELLY LOCKHART	JACKSON, WY 83001	02-Jun-22	\$1,000.00	
BRUCE BURNS	BIG HORN, WY 82833	03-Jun-22	\$1,500.00	
BRIAN WORTHEN	GILLETTE, WY 82718	19-Jul-22	\$1,500.00	
NICK AGOPIAN	CHEYENNE, WY 82001	19-Jul-22	\$1,000.00	
DAVE SCHULTZ	SHERIDAN, WY 82801	19-Jul-22	\$400.00	
MIMI HERSCHLER	BIG HORN, WY 82833	19-Jul-22	\$200.00	
SARAH SINCLAIR	SHERIDAN, WY 82801	19-Jul-22	\$50.00	
MIKE EVERS	SHERIDAN, WY 82801	19-Jul-22	\$100.00	
SHARON RASMUSSEN	SHERIDAN, WY 82801	19-Jul-22	\$50.00	
KEVIN PARKER	LEWISTON, MT 59457	19-Jul-22	\$100.00	
TOM WALTERS	CASPER, WY 82604	19-Jul-22	\$250.00	
SHARON KINNISON	SHERIDAN, WY 82801	19-Jul-22	\$500.00	
GARRETT BLACKWELDER	GRIMESLAND, NC 27837	19-Jul-22	\$500.00	
NICHOLAS GEORGE	SHERIDAN, WY 82801	19-Jul-22	\$250.00	
EMERSON SCOTT	DAYTON, WY 82836	27-Jul-22	\$250.00	
MATT NUGEN	ST LOUIS, MO 63104	01-Aug-22	\$500.00	

Primary Report - 2022

Wyoming Election Division
HERSCHLER BUILDING EAST, STE 100
Cheyenne, WY 82002-0020
Ph. 307.777.5860
Email: Elections@wyo.gov

JENNIFER JOHNSON	ARLINGTON, VA 22207	05-Aug-22	\$1,000.00
------------------	---------------------	-----------	------------

Primary Report - 2022

Wyoming Election Division
HERSCHLER BUILDING EAST, STE 100
Cheyenne, WY 82002-0020
Ph. 307.777.5860
Email: Elections@wyo.gov

Type	MONETARY			
Source	WYOMING PAC			
Name	Address	Date	Amount	
WYOMING STOCK GROWERS' AG PAC	CHEYENNE, WY 82003	02-Jun-22	\$200.00	
WYOMING MINING ASSOCIATION PAC (WMA)	CHEYENNE, WY 82001	19-Jul-22	\$1,000.00	
WY REALTORS PAC	CASPER, WY 82604	19-Jul-22	\$1,000.00	
PAW POLITICAL ACTION COUNCIL	CASPER, WY 82601	19-Jul-22	\$250.00	
CONPAC CONTRACTORS PAC	CHEYENNE, WY 82003	19-Jul-22	\$1,000.00	
WYOMING HOPE	CASPER, WY 82601	19-Jul-22	\$5,000.00	

Primary Report - 2022

Wyoming Election Division
HERSCHLER BUILDING EAST, STE 100
Cheyenne, WY 82002-0020
Ph. 307.777.5860
Email: Elections@wyo.gov

Expenditures Name (paid to)	Address	Purpose	Date	Amount
THE SHERIDAN PRESS	WY	ADVERTISING - NEWSPAPER	09-Jul-22	\$824.50
LOVCOM INC DBA SHERIDAN MEDIA	WY	ADVERTISING - RADIO	13-Jul-22	\$3,010.50
MAJORITY STRATEGIES	WY	ADVERTISING - MISC.	22-Jul-22	\$2,673.94
CENEX FARMERS COOP	WY	TRAVEL (HOTEL, GAS, ETC.)	22-Jul-22	\$95.57
BIG HORN Y	WY	TRAVEL (HOTEL, GAS, ETC.)	25-Jul-22	\$95.57
MAJORITY STRATEGIES	WY	ADVERTISING - MISC.	28-Jul-22	\$5,000.00
BURGER KING	WY	FOOD AND BEVERAGES	26-Jul-22	\$4.19
EGGINGTONS	WY	FOOD AND BEVERAGES	26-Jul-22	\$15.54
HILTON HOTELS	WY	TRAVEL (HOTEL, GAS, ETC.)	27-Jul-22	\$178.08
MCDONALDS	WY	FOOD AND BEVERAGES	27-Jul-22	\$9.00
MAJORITY STRATEGIES	WY	ADVERTISING - MISC.	31-Jul-22	\$2,958.71

Primary Report - 2022

Wyoming Election Division
HERSCHLER BUILDING EAST, STE 100
Cheyenne, WY 82002-0020
Ph. 307.777.5860
Email: Elections@wyo.gov

WYOMING CAMPAIGN GUIDE



An informative guide for campaign finance reporting that applies to state, county, and municipal candidates, their campaign committees, state and local PAC's, political parties, and organizations.

PUBLISHED BY
WYOMING SECRETARY OF STATE
ED MURRAY

Ph. (307) 777-5860

Wyoming Secretary of State
Election Division
2020 Carey Avenue
Suite 600
Cheyenne, WY 82002

Email: elections@wyo.gov

~ WYOMING SECRETARY OF STATE ~

ELECTION DIVISION

2020 Carey Avenue, Suite 600

Cheyenne, WY 82002

(307) 777-5860

Kai Schon

State Election Director

Jennifer Trabing

Election Specialist

Introduction

(The guide is not intended to provide legal advice and should not be used as a substitute for legal guidance.)

This guide provides candidates, campaign committees, political groups, the media, and voters with an overview of Wyoming statutes governing campaigns and campaign finance reporting for state and local candidates, political action committees, political parties, and organizations. The guide is a resource on the legal requirements and restrictions on campaigning (fundraising, accepting & making contributions, reporting contributions and expenditures, and political advertising).

In all matters, the Wyoming Election Code is the final authority. Changes enacted by the Wyoming Legislature may alter dates or other information in this guide. Readers should review the current statutes and consult with an attorney for legal advice concerning specific situations.

Candidates for federal office, such as U.S. Senate or House, their committees, and PACs supporting candidates for federal offices are required to file with the Federal Election Commission.

Table of Contents

▪ Campaigning & the Law.....	Pgs 4-5
▪ Filing Campaign Finance Reports.....	Pg 6
▪ Campaign Finance Reports Tips.....	Pg 7
▪ Campaign Contribution Limits Table.....	Pg 8
▪ Campaign Advertising.....	Pg 9
▪ Campaign Finance Report Filing Deadlines.....	Pgs 10-13
▪ Candidate's Campaign Committee.....	Pg 14
▪ Political Action Committee.....	Pg 15
▪ Organizations.....	Pg 16
▪ Political Parties.....	Pg 17
▪ Campaign Finance Violations.....	Pg 18
▪ Election & Campaign Resources.....	Pg 19
▪ Chapter 25 – Campaign Practices.....	Pgs 19-27

CAMPAIGNING & THE LAW

Information	Corresponding Statute
Only natural persons, political action committees (PACs), political parties, and candidate campaign committees can make direct contributions to candidates. Corporate contributions to candidates, political parties and most political action committees (PACs) are prohibited.	W.S. 22-25-102
PACs can make unlimited contributions to <u>statewide candidates</u> , with the exception of contributions donated to the PAC which are designated by the donor to be used only for a particular candidate and no other purpose. These contributions are subject to the individual contribution limitations, W.S. 22-25-102(m).	W.S. 22-25-102(m)
PACs may contribute no more than \$5,000 per election to any candidate for <u>nonstatewide office</u> , W.S. 22-25-102(m).	W.S. 22-25-102(m)
There is no limit on how much the candidate or “immediate family” may contribute to the candidate’s campaign. “Immediate family” means a spouse, parent, sibling, child or other person living in the candidate’s household.	W.S. 22-1-102(xxxvii)
No person (other than the candidate and his family) may contribute more than \$2,500 per election to any one candidate/candidate’s campaign committee for <u>statewide office</u> and no more than \$1,500 per election for <u>nonstatewide office</u> .	W.S. 22-25-102(c)
Corporations, partnerships, trade unions, professional associations or civic, fraternal or religious groups or other profit or nonprofit entity (except a political party) are prohibited from making contributions to candidates, political parties, and PACs. <u>However</u> , corporations may make contributions for the adoption or defeat of a ballot proposition or to support or oppose an initiative or referendum petition drive.	W.S. 22-25-102

CAMPAIGNING & THE LAW

Information	Corresponding Statute
Electioneering within 100 yards of the building in which absentee or regular voting is being conducted is prohibited. Electioneering consists of any form of campaigning, including displaying campaign signs or distributing campaign literature.	W.S. 22-26-113
Written campaign advertising (e.g., signs or posters) shall not be placed on or attached to: any real or personal property of the state or its political subdivisions, except for colleges or schools and subject to regulation by their governing boards. Counties, municipalities, and private properties have their own regulations on campaign advertising. Check with your county or city clerk for local ordinances on campaign signs.	W.S. 22-25-115
Robocalls/Automated dialing prohibited: No person shall use an automated telephone system or device for the selection and dialing of telephone numbers and playing of recorded messages if the message is for the purpose of promotion or any other use related to a political campaign. If you believe there has been a violation of W.S. 6-6-104, contact your county attorney.	W.S. 6-6-104

Wyoming statutes on campaign finance apply to candidates, candidate campaign committees, and PACs supporting candidates for Governor, Secretary of State, State Auditor, State Treasurer, State Superintendent of Public Instruction, State Legislature, County Offices, School and Community College Board Trustees, and Municipal Offices, as well as Supreme Court Justices, District and Circuit Court Judges and Magistrates standing for retention in office.

Federal Candidates & PACs: Candidates for **U.S. Senate** and **U.S. House of Representatives**, candidate campaign committees and PACs supporting candidates for federal offices are required to file with the **Federal Election Commission (FEC)**, 999 E Street, NW, Washington, D.C., 20463. FEC's toll-free telephone number is (800) 424-9530 and the website address is <http://www.fec.gov/>.

FILING CAMPAIGN FINANCE REPORTS

In an election year, candidates, candidate campaign committees, and PACs are required to file reports before and after elections. A report on contributions is due seven days before each election (Primary, General, & Special) and a report of contributions & expenditures is due ten (10) days after the election (Primary, General, & Special).

Candidate committees and PACs that are ongoing are required to file an annual report by December 31st in odd years (non-election years) reporting their contributions and expenditures. If the committees are supporting a candidate who is not running for election that year, they are still required to file the Pre-Primary and Pre-General reports.

HOW & WHERE TO FILE REPORTS

Who?	How?	Where?
Local candidates, candidate committees for county and municipal offices, and local PACs <i>W.S. 22-25-107(a)(i)</i>	Paper Forms*	County Clerk
*These forms may be found at: http://soswy.state.wy.us/forms/default.aspx?root=Elections		

Who?	How?	Where?
Candidates and candidate committees for Governor, Secretary of State, State Auditor, State Treasurer, State Superintendent of Public Instruction, State Legislature, Supreme Court Justice, District and Circuit Court Judges standing for retention, State PACs, Organizations, and Political Parties <i>W.S. 22-25-107(b)</i>	Electronic filing*	Wyoming's Campaign Finance Information Systems (WYCFIS) (Online with Secretary of State)
* Electronic filing may be done at: https://www.wycampaignfinance.gov		

IMPORTANT: Candidates are required to file campaign finance reports. If a candidate chooses to have a campaign committee, both the candidate and the committee must file reports.

OR

The committee may now file reports on behalf of the candidate. This is only if a candidate has formed a candidate's campaign committee. (Even if the candidate does not receive or spend any money, or if his election bid is unsuccessful, reports must be filed.) W.S. 22-25-106(j)

CAMPAIGN FINANCE REPORTING – TIPS & GUIDELINES

- **Prior to filing for office**, a candidate may accept contributions and make expenditures.
- **Fully itemize all contributions over \$25.** Contributions of \$25 or more must be itemized by contributor, amount, date received, city and state of the contributor. All contributions under \$25 shall be reported, but need not be itemized. However, if you receive \$10 from a contributor who later gives you \$20, you must itemize the total \$30 contribution. W.S. 22-25-106(a)(iv)
- **Ticket Sales for Fundraisers:** If the ticket price is \$25 or more, the name and address of each ticket purchaser and purchase price of ticket(s) must be itemized under “receipts.” If the ticket price is under \$25, the fundraiser does not have to be itemized and needs only to be reported under “unitemized contributions.”
- **Anonymous contributions** are those contributions whose origin cannot be determined, i.e., “pass the hat” type of contributions. Anonymous contribution does not mean that an individual may contribute to a candidate with the understanding the contributor’s name will not be reported. The campaign reporting forms have a specific section to record anonymous contributions where the candidate attests that he/she does not know the origin of the contribution.
- **Contributions also include donations** of any items of value, services, or election assistance provided for a candidate. These “in-kind” contributions must be itemized by name, city and state of the contributor, date, item or service donated, and estimated value of the donated item or service.
- **Each expenditure must be itemized** by date expended, name, city and state of the person or business to which the expenditure is made, and the purpose and amount of expenditure. Examples are: Advertising and printing expenses, expenses for services of a campaign consultant or public relations firm, office space, etc.
- **Campaign expenditures that are not required to be reported include:** Filing fee for office, a candidate’s own personal campaign expenses for travel, meals, and checking account service charges. W.S. 22-25-103(b)
- **A candidate is not required to report advertising expenses by a party central committee** for the candidate if the entire slate of candidates below national level is advertised. This applies even though all candidates are not included in each advertisement, as long as the expenses for each candidate are substantially the same. W.S. 22-25-103(c)
- **If there are additional contributions and expenditures after a report has been filed:** an amendment to the report must be filed. Amendments to filed reports must be made within 90 days from the time an error or additional contributions and expenditures become known. Net changes amounting to less than \$50 do not need to be reported. W.S. 22-25-106(e)

Wyoming Campaign Contribution Limits for 2015-2016

	To Candidate or Candidate's Campaign Committee	To Political Party	To Political Action Committee (PAC)
Individual may give	No more than \$2,500 per election* to any candidate for <u>statewide</u> office No more than \$1,500 per election to any candidate for <u>nonstatewide</u> W.S. 22-25-102(c)	No Limit**	There are no limits on what an individual can give to a PAC. However, if a donor earmarks a contribution for a specific candidate, the individual limits per candidate per election apply.
Political Party Committee may give	No Limit	No Limit	No Limit
Political Action Committee (PAC) may give	No limit on contributions to statewide candidates*** No more than \$5,000 per election to any candidate for nonstatewide office W.S. 22-25-102(m)	No Limit	No Limit
Corporation, Union, Partnership, Professional Association or Civic, Fraternal or Religious Group	Organizations are <u>prohibited</u> from making contributions (direct or indirect) to candidates, candidate committees, PACs, and political parties with the following exceptions. These entities may: 1) Make <i>independent</i> expenditures for speech expressly advocating the election or defeat of a candidate (W.S. 22-25-102(k)(i)); 2) Bear any portion of a PAC's administrative costs or costs of soliciting contributions (W.S. 22-25-102(k)(ii)); 3) Make contributions to support or oppose ballot propositions, initiative or referendum petition drives. A non-profit (501)(c) organization should consult an attorney, an accountant, or the Internal Revenue Service before making contributions to an initiative or referendum drive to avoid jeopardizing its tax status. (For Independent Expenditures, see W.S. 22-25-102(k)(i) and WS 22-25-110.)		

*The primary, general, and special elections are deemed separate elections.

**No Limit "...provided the contributions are available to use as the appropriate party authorities choose and are not exclusively dedicated to any particular candidate. Contributions donated to political parties which are designated by the donor to be used only for a particular candidate and no other purposes are subject to the limitations..." W.S. 22-25-102(f)

***Contributions donated to a PAC which are designed by the donor to be used only for a particular candidate and no other purpose are subject to the individual contribution limitations. W.S. 22-25-102(m)

CAMPAIGN ADVERTISING

Campaign literature does not include small campaign items such as bumper stickers, pens, pencils, buttons, rulers, nail files, balloons and yard signs displaying the name of the candidate or office sought.

Candidates, candidate committees, PACs and organizations are required to comply with W.S. 22-25-110, campaign advertising in communications media. The following examples may be helpful in determining the proper language for the "paid for" line in campaign advertising and literature.

1. Jane Doe is running for the legislature. She doesn't form a committee. Jane decides to buy an ad in the newspaper. The "paid for" line should read "Paid for by Jane Doe."
2. Jane Doe decides to form a committee. The committee's name is Committee to Elect Jane Doe. The committee then buys ads for Jane. The "paid for" line should read "Paid for by the Committee to Elect Jane Doe."
3. Jane has four friends who buy a newspaper ad supporting her candidacy. They do not consult with the candidate or coordinate with her committee. Each friend pitches in money for the ad. The "paid for" line should read "Paid for by Bill Jones, Connie Smith, Tom Williams and Julie Noe," *or* their signatures could be a part of the ad and read "Paid for by the Individuals Signing Above." (Note: These are "independent expenditures" which neither Jane nor her committee needs to report.)
4. A group of Jane's friends want to support her candidacy, but they do not form a PAC or a candidate's campaign committee. They buy an ad which has a "paid for" line which reads "Paid for by Friends of Jane Doe" but they do not list their names in the advertisement. **THIS IS ILLEGAL.** In this scenario, individual names are required.
5. Jane's good friend, Bill Jones, buys a newspaper ad supporting Jane. He pays for the ad personally. No disclosure on the ad is required.
6. Jane Doe is a member of the Cowboy Party. The Cowboy Party buys an ad for Jane. (This is allowed only if Jane is the *only* Cowboy Party candidate running in the primary election, or if she is *the* Cowboy Party candidate for the general election.) The "paid for" line should read "Paid for by Wyoming Cowboy Party" or "Paid for by the Wilson County Cowboy Party," depending on whether it is the state or county party.

Other advertisements:

Radio: the "paid for" lines should be announced.

Television: the "paid for" lines should be announced and/or appear on the screen.

CAMPAIGN FINANCE REPORT FILING DEADLINES

C = Statement of Contributions

C&E= Statement of Contributions and Expenditures

Candidates who are running for office in 2016:

Type of Reporting Period	Reporting Date Range				Filing Due Date	Reporting Types
	Contributions		Expenditures			
	Start date	End Date	Start date	End Date		
PRE-PRIMARY REPORT	1/1/2015	8/2/2016			Anytime 08/02/2016 through 08/09/2016	C
PRIMARY REPORT	8/3/2016	8/15/2016	1/1/2015	8/15/2016	Anytime 08/16/2016 through 08/26/2016	C&E
PRE-GENERAL REPORT	8/16/2016	10/25/2016			Anytime 10/25/2016 through 11/01/2016	C
GENERAL REPORT	10/26/2016	12/31/2016	8/16/2016	12/31/2016	Anytime 11/08/2016 through 11/18/2016	C&E

* The General C&E report may be amended at any time after the General Election through the end of the election cycle. The amendments will likely be the recording of contributions received and expenses paid after the election; thus the time frame.

Candidates who are not running for office in 2016:

Type of Reporting Period	Reporting Date Range				Filing Due Date	Reporting Types
	Contributions		Expenditures			
	Start date	End Date	Start date	End Date		
PRE-PRIMARY REPORT	1/1/2015	8/2/2016			Anytime 08/02/2016 through 08/09/2016	C
PRE-GENERAL REPORT	8/3/2016	12/31/2016			Anytime 10/25/2016 through 11/01/2016	C

Candidate Committees supporting candidates who are running for office in 2016:

Type of Reporting Period	Reporting Date Range				Filing Due Date	Reporting Types
	Contributions		Expenditures			
	Start date	End Date	Start date	End Date		
NON ELECTION YEAR (ODD YEAR)	1/1/2015	12/31/2015	1/1/2015	12/31/2015	Anytime 07/01/2015 through 12/31/2015	C&E
PRE-PRIMARY REPORT	1/1/2016	8/2/2015			Anytime 08/02/2016 through 08/09/2016	C
PRIMARY REPORT	8/3/2016	8/15/2016	1/1/2016	8/15/2016	Anytime 08/16/2016 through 08/26/2016	C&E
PRE-GENERAL REPORT	8/16/2016	10/25/2016			Anytime 10/25/2016 through 11/01/2016	C
GENERAL REPORT	10/26/2016	12/31/2016	8/16/2016	12/31/2016	Anytime 11/08/2016 through 11/18/2016	C&E

* The General C&E report may be amended at any time after the General Election through the end of the election cycle. The amendments will likely be the recording of contributions received and expenses paid after the election; thus the timeframe.

CAMPAIGN FINANCE REPORT FILING DEADLINES

Candidate Committees supporting candidates who are not running for office in 2016:

Type of Reporting Period	Reporting Date Range				Filing Due Date	Reporting Types
	Contributions		Expenditures			
	Start date	End Date	Start date	End Date		
NON ELECTION YEAR (ODD YEAR)	1/1/2015	12/31/2015	1/1/2015	12/31/2015	Anytime 07/01/2015 through 12/31/2015	C&E
PRE-PRIMARY REPORT	1/1/2016	8/2/2016			Anytime 08/02/2016 through 08/09/2016	C
PRE-GENERAL REPORT	8/3/2016	12/31/2016			Anytime 10/25/2016 through 11/01/2016	C

Political Action Committee (PAC) which are supporting or opposing candidates:

Type of Reporting Period	Reporting Date Range				Filing Due Date	Reporting Types
	Contributions		Expenditures			
	Start date	End Date	Start date	End Date		
NON ELECTION YEAR (ODD YEAR)	1/1/2015	12/31/2015	1/1/2015	12/31/2015	Anytime 07/01/2015 through 12/31/2015	C&E
PRE-PRIMARY REPORT	1/1/2016	8/2/2016			Anytime 08/02/2016 through 08/09/2016	C
PRIMARY REPORT	8/3/2016	8/15/2016	1/1/2016	8/15/2016	Anytime 08/16/2016 through 08/26/2016	C&E
PRE-GENERAL REPORT	8/16/2016	10/25/2016			Anytime 10/25/2016 through 11/01/2016	C
GENERAL REPORT	10/26/2016	12/31/2016	8/16/2016	12/31/2016	Anytime 11/08/2016 through 11/18/2016	C&E

Political Action Committee (PAC) which are supporting or opposing a ballot issue:

Type of Reporting Period	Reporting Date Range				Filing Due Date	Reporting Types
	Contributions		Expenditures			
	Start date	End Date	Start date	End Date		
10 DAYS AFTER PETITION FILED					Anytime 01/01/2016 through 12/31/2016	C&E
GROUPS REPORTING FOR BALLOT ISSUES	1/1/2015	9/23/2016	1/1/2015	9/23/2016	Anytime 09/23/2016 through 10/10/2016	C&E
PRE-GENERAL REPORT	9/24/2016	10/25/2016			Anytime 10/25/2016 through 11/01/2016	C
GENERAL REPORT	10/26/2016	12/31/2016	9/24/2016	12/31/2016	Anytime 11/08/2016 through 11/18/2016	C&E

CAMPAIGN FINANCE REPORT FILING DEADLINES

Organizations which are supporting or opposing a statewide ballot initiative or referendum petition drive:

Type of Reporting Period	Reporting Date Range				Filing Due Date	Reporting Types
	Contributions		Expenditures			
	Start date	End Date	Start date	End Date		
GROUPS REPORTING FOR BALLOT ISSUES	1/1/2015	9/23/2016	1/1/2015	9/23/2016	Anytime 09/23/2016 through 10/10/2016	C&E
PRE-GENERAL REPORT	9/24/2016	10/25/2016			Anytime 10/25/2016 through 11/01/2016	C
GENERAL REPORT	10/26/2016	12/31/2016	9/24/2016	12/31/2016	Anytime 11/08/2016 through 11/18/2016	C&E

***Any PAC or organization formed for the support of any statewide initiative or referendum petition drive shall:**

- Electronically file using the Secretary of State's Wyoming Campaign Finance Information System (WYCFIS). The reports shall be filed at least thirty (30) days but no more than forty-five (45) days before the election at which the statewide initiative or referendum proposition will be voted on, with a statement signed by both chairman and treasurer showing (W.S. 22-25-106(f)):
 - The total amount expended to circulate the petition;
 - The number of persons paid to circulate the petition;
 - The period of time during which signatures on the petition were obtained.

Political Parties (including statewide and county central committees):

Type of Reporting Period	Reporting Date Range				Filing Due Date	Reporting Types
	Contributions		Expenditures			
	Start date	End Date	Start date	End Date		
POLITICAL PARTY REPORTS	1/1/2015	12/31/2016	1/1/2015	12/31/2016	Anytime 11/03/2016 through 11/18/2016	C&E

CAMPAIGN FINANCE REPORT FILING DEADLINES

School or Community College Board Candidate and Candidate's Campaign Committee:

Type of Reporting Period	Reporting Date Range				Filing Due Date	Reporting Types
	Contributions		Expenditures			
	Start Date	End Date	Start Date	End Date		
PRE-GENERAL REPORT	08-16-2016	10-25-2016			Anytime 08-02-2016 through 08-09-2016	C
GENERAL REPORT	10-26-2016	12-31-2016	08-16-2016	12-31-2016	Anytime 11-08-2016 through 11-18-2016	C&E

Statement of Formation required 10 days after formation for:

- Candidate's Campaign Committee
- School or Community College Candidate's Campaign Committee
- Political Action Committee (PAC)

Filing Office:

- **Secretary of State:** Candidates or committees supporting or opposing candidates for state legislature, statewide office, judicial offices or a committee formed to support or defeat a statewide ballot proposition or an initiative or referendum petition drive. County and state central political party reports. All required reports must be filed electronically by accessing the Wyoming Campaign Finance Information System (WYCFIS) at <https://www.wycampaignfinance.gov>
- **County Clerk:** County and municipal candidates or committees supporting or opposing a candidate for county, district attorney, municipal, school & college board, or a committee formed to support or defeat a local ballot proposition.

CANDIDATE'S CAMPAIGN COMMITTEE

Candidate's campaign committee means every group of two (2) or more persons who join together for the purpose of raising, collecting or expending money to be used in the aid of the election of a specific candidate for public office. W.S. 22-1-102(a)(vii)

- **A Statement of Formation** for the committee must be filed within ten (10) days after its formation. W.S. 22-25-101(b)
 - **County/municipal candidates:** Statement of formation (form available on the Secretary of State's website) must be filed with the county clerk. Addresses and telephone numbers for county clerks are posted on the Secretary of State's website at <http://soswy.state.wy.us>.
 - **Committees for candidates for Governor, Secretary of State, State Auditor, State Treasurer, State Superintendent of Public Instruction, State Legislature, Supreme Court Justice, District and Circuit Court Judges:** Electronic filing of the Statement of Formation is required for the campaign. To file online, go to the Wyoming Campaign Finance Information System (WYCFIS) at <https://www.wycampaignfinance.gov>.
- **The Statement of Formation requires:** the committee's name and address, the candidate's name, and names and residence addresses of the committee chairman and treasurer, and date the committee was formed. The chairman and treasurer must be separate individuals. A candidate may serve as chairman or treasurer of his or her campaign committee.
- **The Committee's Statement of Contributions** must be signed by both the chairman and the treasurer and filed within seven (7) days before the primary, general, or special election.
- **The Statement of Contributions and Expenditures** must be signed by both the chairman and treasurer and filed at least ten (10) days after the primary, general or special election.
- **Terminating the committee:** After all debts are retired, the committee may terminate.
 - **Statewide candidate committees:** terminate online at <https://www.wycampaignfinance.gov>.
 - **County and municipal committees:** terminate by filing a Candidate's Campaign Committee Termination Report with the county clerk, or by checking the appropriate box on the final Statement of Contributions and Expenditures.
- **Odd-numbered year filings:** Candidate campaign committees that have not filed a Candidate Campaign Committee Termination Report must file a Statement of Contributions and Expenditures by December 31st of the odd-numbered years. W.S. 22-25-106(b)(ii)

POLITICAL ACTION COMMITTEE

PAC means any group of two or more persons who are organized and associated for the purpose of raising, collecting or spending money to be used in a campaign.
W.S. 22-1-102(a)(xx)

- **A Statement of Formation:** must be filed within ten (10) days after a PAC is formed. This filing is required by law for a committee formed before an election to raise and expend campaign funds or after an election to defray debts.
- **The Statement of Formation requires:** Name and mailing address of the committee, date formed, name and residence address of the committee chairman and treasurer, purpose of the committee, name of candidates supported or opposed (if known). If the committee forms to aid in the support or defeat of a ballot proposition (such as a proposed constitutional amendment or bond issue) or to support or oppose a petition drive, this is to be described on the Statement of Formation.
- **Contribution restrictions:** Contributions may not be received from a corporation, partnership, trade union, professional association, or civic, fraternal or religious group to be used for candidates or political parties. However, contributions from these entities may be used for the support or defeat of ballot propositions or initiative and referendum petition drives.
- **The Committee's Statement of Contributions** must be signed by both the chairman and the treasurer and filed within seven (7) days before the primary, general, or special election.
- **The Statement of Contributions and Expenditures** must be signed by both the chairman and treasurer and filed at least ten (10) days after the primary, general or special election.
- **Odd-numbered year filings:** PACs that have previously filed a statement of contributions and expenditures and have not filed a PAC Termination Report must file a Statement of Contributions and Expenditures by December 31st of odd-numbered (non-election) years. W.S. 22-25-106(b)(ii)
- **Terminating the committee:** After all committee debts are retired, the committee may terminate.
 - **Statewide PACs** must terminate online at <https://www.wycampaignfinance.gov>.
 - **County/local PACs** may terminate by filing a Termination Report with the county clerk, or by checking the appropriate box on the final Statement of Contributions and Expenditures.

ORGANIZATIONS

The Wyoming Election Code uses the word “organization” but does not define it. Any kind of association, business or otherwise which exists for a purpose other than supporting or opposing a petition drive or ballot proposition, and which receives or spends money to support or oppose a petition drive or ballot issue is required to file a campaign finance report. *(For example, ABC Tobacco Company spends money on an ad campaign against an initiative to ban smoking in all public places. The company is an “organization” and must file a Statement of Contributions and Expenditures.)*

- Any organization making an independent expenditure under W. S. 22-25-102(k) and any other organization supporting or opposing a ballot proposition which expends funds in any election shall file:
 - **Statement of Contributions** at least seven (7) days before the election, current to any day from the eighth day up to the fourteenth day before the election. (Primary, General, or Special)
 - **Statement of Contributions and Expenditures** within ten (10) days after the election. (Primary, General, or Special)
 - See section “Campaign Finance Reporting” for details about contributions and expenditures and filing deadlines.
- Campaign Finance filings:
 - **Organizations supporting or opposing local or municipal ballot issues or petition drives:** must file with the city or county clerk.
 - **Organizations supporting or opposing statewide ballot issues or petition drives:** File electronically on the Secretary of State’s Campaign Finance Information System (WYCFIS).
 - In addition to the reports above, the organization must file a Statement of Contributions and Expenditures ten (10) days after the petition is submitted to the Secretary of State. Contact the Secretary of State’s office for information on filing the report. W.S. 22-25-106(b)(i)
- **“Independent Expenditure”** means an expenditure that is made without consultation or coordination with a candidate or an agent of a candidate whose nomination or election the expenditure supports or whose opponent’s nomination or election the expenditure opposes. W.S. 22-25-102(k)(i)

POLITICAL PARTIES

No political party funds shall be expended directly or indirectly in aid of the nomination of any one person against another person of the same political party running in the primary election. In the general election, a party may specifically contribute to their party's candidate for office. W.S. 22-25-104

- **Electronic filing of the campaign finance report:** Each state party and county central committee must electronically file an itemized Statement of Contributions and Expenditures using the Wyoming Campaign Finance Information System (WYCFIS).
 - Must be filed within ten (10) days after the general or special election.
 - The report must include all contributions and expenditures relating to campaign expenses, including all normal operating expenses from the time the report was filed for the previous general election to the filing deadline for the current general election.
 - This means any financial party activity done in odd-numbered years must be reported. To electronically file reports, go to <https://www.wycampaignfinance.gov>
- **Contributions and expenditures report** shall attribute all campaign contributions, expenses and obligations to a specific candidate only if the campaign contributions, expenses and obligations can be specifically identified to that specific candidate to the exclusion of other candidates on the ticket.
 - If a candidate is identified in the statement, the party committee must provide a copy of the report to the candidate within ten (10) days after the general or special election. The report must be signed by the chairman or an officer designated by the chairman. W.S. 22-25-106(d)
- **Organizations affiliated with a political party**, such as Young Democrats or Republican Women's Club, should check with their respective party authority to determine whether the party's internal governance allows direct contributions to candidates. W.S. 22-25-102(f)

VIOLATING THE CAMPAIGN PRACTICES ACT

Anyone violating any provision of the Wyoming Campaign Practices Act may be guilty of a misdemeanor or felony resulting in a fine, incarceration, or both. Any corporation, person or organization violating the contribution limits or prohibited acts is subject to a civil penalty up to \$10,000. Civil action may be brought by any candidate adversely affected by the transgression, by any political party or by a prosecuting authority.

Campaign Finance Reporting Violations

Candidates or committees who fail to file the required campaign finance reports within the stipulated time are subject to civil and other penalties. A candidate who fails to file the Statement of Contributions required by the 7th day before the election will have his/her name printed on a list that will be made available to the public. In addition, a candidate who fails to file the statement required under W.S.22-25-106 within 30 days of the report due date is ineligible to run as a candidate for any state or local office for which a statement is required by W.S. 22-25-106 until five years have elapsed from the date the statement was first due, or until the required statement has been filed. W.S. 22-25-108

Civil penalties of up to \$1000 and a maximum of \$500 in attorney's fees may be assessed against any candidate failing to file the reports required by law. An action to impose a civil penalty may be prosecuted by and in the name of any candidate adversely affected by the violation, any political party, any district attorney or the attorney general.

Any officer of a political action committee who is responsible for filing a report and who knowingly and willfully fails to file a required report or who knowingly makes a false report is guilty of a felony punishable by imprisonment not to exceed two years.

The Secretary of State and the county clerks are to report the names of all candidates in violation of the Election Code to the Attorney General or the district attorney, respectively, for appropriate action. W.S. 22-15-109

ELECTION & CAMPAIGN RESOURCES

<u>Local Campaign Finance Report Forms</u>	(County and municipal candidates/committees)
<u>Voter Data Order Form</u>	(May request voter data from SOS or County Clerk)
<u>Key Election Dates</u>	(Main election events and activities)
<u>Statewide online reporting system: (WYCFIS)</u>	(Statewide candidates/committees/PACs/Political Parties/Organizations)
<u>Wyoming Election Code</u>	(May purchase for \$3 - Secretary of State's office)
<u>Rules</u>	(Ensure compliance with state and federal laws; provides uniformity.)

CHAPTER 25

CAMPAIGN PRACTICES

22-25-101. Definitions; statement of formation.

(a) Repealed By Laws 1998, ch. 100, § 5.

(b) A political action committee and a candidate's campaign committee, except those formed under federal law, shall file a statement of formation within ten (10) days after formation. This filing is required when any political action committee or candidate's campaign committee is formed, whether before an election to aid in the campaign or formed after an election to defray campaign debts incurred. The chairman and treasurer of a committee shall be separate individuals. The statement of formation shall list the name and mailing address of the committee, name and address of the committee chairman and treasurer, date committee formed and the purpose of committee. The statement of formation shall be filed in those offices as provided by W.S. 22-25-107.

22-25-102. Contribution of funds or election assistance restricted; limitation on contributions; right to communicate; civil penalty.

(a) Except as otherwise provided in this section, no organization of any kind including a corporation, partnership, trade union, professional association or civic, fraternal or religious group or other profit or nonprofit entity except a political party, political action committee or candidate's campaign committee organized under W.S. 22-25-101, directly or indirectly through any officer, member, director or employee, shall contribute funds, other items of value or election assistance directly to any candidate or group of candidates. No person shall solicit or receive a payment or contribution from an organization prohibited from making contributions under this subsection.

(b) Except as otherwise provided in this section, only a natural person, political party, or a political action committee or a candidate's campaign committee organized under W.S. 22-25-101 shall contribute funds or election assistance directly to any candidate or group of candidates. No person shall solicit or receive a political payment or contribution from any source other than a natural person, political party, political action committee or candidate's campaign committee organized under W.S. 22-25-101.

(c) Except as otherwise provided in this section, no individual other than the candidate, or the candidate's immediate family shall contribute directly or indirectly:

(i) To any candidate for statewide political office, or to any candidate for statewide political office's candidate's campaign committee:

- (A) More than two thousand five hundred dollars (\$2,500.00) per election; and
- (B) No contribution for the general election may be given prior to the date for the primary election.

(ii) To any candidate for nonstatewide political office, or to any candidate for nonstatewide political office's candidate's campaign committee:

(A) More than one thousand five hundred dollars (\$1,500.00) per election; and

(B) No contribution for the general election may be given prior to the date for the primary election.

(iii) Repealed by Laws 2015, ch. 80, § 1.

(d) Any organization, in the aid of the election or defeat of candidates for public office or for the adoption or defeat of any ballot proposition may communicate directly with its own members on behalf of a particular candidate or political party.

(e) Any corporation, person or organization violating the provisions of subsection (a), (b), (c), (j), (m) or (n) of this section is subject to a civil penalty up to five thousand dollars (\$5,000.00) and costs including a reasonable attorney's fee for a first violation and up to ten thousand dollars (\$10,000.00) and costs including a reasonable attorney's fee for a second or subsequent violation which shall be imposed in a court of competent jurisdiction. The amount of penalty imposed shall be in such amount as will deter future actions of a similar nature. An action to impose the civil penalty may be prosecuted by and in the name of any candidate adversely affected by the transgression, any political party, any county attorney, any district attorney or the attorney general. Proceeds of the penalty collected shall be paid to the state treasurer and credited as provided in W.S. 8-1-109.

(f) Direct contributions from any organization affiliated with a political party do not violate subsection (a) of this section. These contributions shall be a matter of internal party governance. Contributions to political parties are not subject to the limits of subsection (c) of this section provided the contributions are available to use as the appropriate party authorities choose and are not exclusively dedicated to any particular candidate. Contributions donated to a political party which are designated by the donor to be used only for a particular candidate and no other purpose are subject to the limitations of subsection (c) and of this section.

(g) The prohibitions in this section do not apply to contributions of funds or other items of value to political parties for the purpose of supporting multi-state or national political party conferences or conventions. Any contribution made pursuant to this subsection shall also comply with all applicable federal election commission regulations governing contributions to political parties. Any political party which receives funds to sponsor such conferences or conventions shall file an itemized statement of contributions and expenditures with the secretary of state within ten (10) days after the conference or convention.

(h) No organization of any kind, as specified in subsection (a) of this section, shall solicit or obtain contributions for any of the purposes specified in subsection (a) of this section from an individual on an automatic basis, including but not limited to a payroll deduction plan or reverse checkoff method, unless the individual who is contributing affirmatively consents in writing to the contribution. Nothing in this subsection shall be construed to authorize contributions otherwise prohibited under this election code.

(j) For purposes of subsection (c) of this section the primary, general and special elections shall be deemed separate elections. No candidate for political office shall accept, directly or indirectly,

contributions which violate subsection (c) of this section. Contributions to a candidate's campaign committee shall be considered to be contributions to the candidate. Subsection (c) of this section does not limit political contributions by political parties, nor expenditures by a candidate from his own funds nor from his candidate's campaign committee funds.

(k) The prohibitions in this section shall not be construed to prohibit any organization of any kind including a corporation, partnership, trade union, professional association or civic, fraternal or religious group or other profit or nonprofit entity from:

(i) Exercising its first amendment rights to make independent expenditures for speech expressly advocating the election or defeat of a candidate. For purposes of this subsection, "independent expenditure" means an expenditure that is made without consultation or coordination with a candidate or an agent of a candidate whose nomination or election the expenditure supports or whose opponent's nomination or election the expenditure opposes;

(ii) Bearing any portion of a political action committee's administrative costs or costs of soliciting contributions.

(m) Except as otherwise provided in this section, no political action committee shall contribute directly or indirectly more than five thousand dollars (\$5,000.00) per election to any candidate for political office other than statewide political office. For purposes of this subsection the primary, general and special elections shall be deemed separate elections. No candidate for political office shall accept, directly or indirectly, contributions which violate this subsection. Contributions to a candidate's campaign committee shall be considered to be contributions to the candidate. This subsection does not limit political contributions by political parties, nor expenditures by a candidate from his own funds nor from his candidate's campaign committee funds.

(n) Contributions donated to a political action committee which are designated by the donor to be used only for a particular candidate and no other purpose are subject to the limitations of subsection (c) of this section.

22-25-103. Identifiable expenses; exceptions.

(a) Identifiable expenses include:

(i) All forms of advertising expenses, including, but not limited to, radio, television, billboards and posters;

(ii) Printing expenses;

(iii) Expenses for retaining the services of a professional campaign consultant, or public relations or management firm;

(iv) Postage.

(b) Staff and postage expenses of a political party central committee, checking account service charges of a political action committee and a candidate's personal campaign expenses for travel and meals and checking account service charges are not identifiable expenses.

(c) Advertising expenses by a party central committee are not identifiable expenses for the candidate if the entire slate of candidates, below the national level, is advertised by the committee even though all candidates are not included in each advertisement so long as the expenses for each candidate on the slate are substantially the same in any election.

22-25-104. Restriction on party funds in primary elections.

No political party funds shall be expended directly or indirectly in the aid of the nomination of any one person as against another person of the same political party running in the primary election.

22-25-105. Campaign reporting forms; instructions and warning.

(a) The secretary of state shall prescribe the forms for reporting contributions and expenditures for primary, general and special election campaigns, together with written instructions for completing the form and a warning that violators are subject to criminal charges and that a vacancy will exist if the forms are not completed and filed pursuant to law. Until January 1, 2010, the forms along with instructions and warning shall be distributed to the county clerk and shall be given by the county clerk to each person filing an application for nomination in his office and to each political action committee and candidate's campaign committee required to file with the county clerk. Until January 1, 2010, the county clerk shall also distribute the reporting forms to the chairmen of the county party central committees.

(b) The secretary of state shall promulgate rules to allow the forms required pursuant to subsection (a) of this section and any other forms and reports required to be filed with him pursuant to this chapter to be filed electronically.

22-25-106. Filing of campaign reports.

(a) Except as otherwise provided in subsections (g) and (j) of this section and in addition to other statements required by this subsection:

(i) Every candidate shall file a fully itemized statement of contributions at least seven (7) days before any primary, general or special election with information required by this subsection current to any day from the eighth day up to the fourteenth day before the election;

(ii) Every candidate, whether successful or not, shall file a fully itemized statement of contributions and expenditures within ten (10) days after any general or special election;

(iii) Every candidate in any primary election shall file a fully itemized statement of contributions and expenditures within ten (10) days after the primary election;

(iv) Statements under this subsection shall set forth the full and complete record of contributions including cash, goods or services and except for statements of contributions required under paragraph (i) of this subsection, of actual and promised expenditures, including all identifiable expenses as set forth in W.S. 22-25-103. For purposes of this section, a contribution is reportable when it is known and in the possession of, or the service has been furnished to, the person or organization required to submit a statement of contributions or a statement of contributions and expenditures. The date of each contribution of twenty-five dollars (\$25.00) or more, any expenditure or obligation, the name of the

person from whom received or to whom paid and the purpose of each expenditure or obligation shall be listed. All contributions under twenty-five dollars (\$25.00) shall be reported but need not be itemized. Should the accumulation of contributions from an individual exceed the twenty-five dollar (\$25.00) threshold, all contributions from that individual shall be itemized. Contributions, expenditures and obligations itemized in a statement filed by a political action committee, a candidate's campaign committee or by a political party central committee need not be itemized in a candidate's statement except by total with a reference to the statement;

(v) Statements under this subsection shall be filed with those officers as provided in W.S. 22-25-107.

(b) Reports of itemized statements of contributions and statements of contributions and expenditures, and statements of termination shall be made with the appropriate filing officers specified under W.S. 22-25-107 and in accordance with the following:

(i) Except as otherwise provided in this section, any political action committee, candidate's campaign committee, or any political action committee formed under the law of another state that contributes to a Wyoming political action committee or to a candidate's campaign committee, any organization making an independent expenditure under W.S. 22-25-102(k), and any other organization supporting or opposing any ballot proposition which expends any funds in any primary, general or special election shall file an itemized statement of contributions at least seven (7) days before the election current to any day from the eighth day up to the fourteenth day before the election and shall also file a statement of contributions and expenditures within ten (10) days after a primary, general or special election;

(ii) A committee formed after an election to defray campaign expenses incurred during a previous election and any political action or candidate's campaign committee which has not filed a statement of termination shall file an itemized statement of contributions and expenditures on December 31 of each odd-numbered year;

(iii) All candidates and committees shall continue to make the reports required under this subsection until the committee terminates and the candidate or committee files a statement of termination with the appropriate filing officer. A statement of termination may be filed upon retirement of all debts;

(iv) In addition to the reports required under paragraphs (i) through (iii) of this subsection, a political action committee formed for the support of or opposition to any initiative or referendum petition drive or any organization supporting or opposing a petition drive shall file an itemized statement of contributions and expenditures within ten (10) days after the petition is submitted to the secretary of state pursuant to W.S. 22-24-115.

(c) All statements required by subsection (b) of this section shall be signed by both the chairman and treasurer. The statements shall set forth the full and complete record of contributions including cash, goods or services and except for statements of contributions required under paragraph (i) of this subsection, of actual and promised expenditures. The date of each contribution of twenty-five dollars (\$25.00) or more, any expenditure or obligation, the name of the person from whom received or to whom paid and the purpose of each expenditure or obligation shall be listed. Nothing in this subsection shall be construed to require the disclosure of the names of individuals paid to circulate an initiative or referendum petition. All contributions under twenty-five dollars (\$25.00) shall be reported but need not be itemized. Should the accumulation of contributions from an individual exceed the twenty-five dollar (\$25.00) threshold, all contributions from that individual shall be itemized. If the contributions, expenditures or obligations were for more than one (1) candidate, the amounts attributable to each shall be itemized separately.

(d) The chairman of each political party central committee for the state or county, or an officer of the party designated by him, shall file an itemized statement of contributions of twenty-five dollars (\$25.00) or more, and any expenditures and obligations. The statement shall be filed within ten (10) days after a general or special election. The statement shall report all contributions, expenditures and

obligations relating to campaign expenses, including normal operating expenses. All contributions under twenty-five dollars (\$25.00) shall be reported but need not be itemized. Should the accumulation of contributions from an individual exceed the twenty-five dollar (\$25.00) threshold, all contributions from that individual shall be itemized. It shall attribute all campaign contributions, expenses and obligations to a specific candidate only if the campaign contributions, expenses and obligations can be specifically identified to that specific candidate to the exclusion of other candidates on the ticket. A copy of the statement shall be furnished to each candidate identified in the statement within ten (10) days after the general or special election.

(e) Amendments to the statements required by this section may be filed at any time. If inaccuracies are found in the statements filed or additional contributions or expenditures occur or become known after the statements are filed, amendments to the original statements or additional statements shall be filed within a reasonable time not to exceed ninety (90) days from the time the inaccuracies or additional contributions or expenditures became known. Any net change less than fifty dollars (\$50.00) need not be reported.

(f) In addition to the statement of contributions and expenditures required by subsection (b) of this section, any political action committee formed for the support of any initiative or referendum petition drive or any organization supporting an initiative or referendum petition drive shall file with the secretary of state, at least thirty (30) days but no more than forty-five (45) days before the election at which the initiative or referendum proposition will be voted on, a statement signed by both the chairman and treasurer showing:

- (i) The total amount expended to circulate the petition;
- (ii) The number of persons paid to circulate the petition; and
- (iii) Repealed By Laws 2000, Ch. 67, § 2.
- (iv) The period of time during which signatures on the petition were obtained.

(g) Candidates for federal office, campaign committees for candidates for federal office and federal political action committees shall not be required to file contribution and expenditure reports under this section if the candidate or the committee is required to comply with federal election law reporting requirements.

(h) In addition to any other report required by this section, an organization required by W.S. 22-25-110(c) to report expenditures shall report as follows:

- (i) The report shall identify the organization making the expenditure and the individual acting on behalf of the organization in making the expenditure;
- (ii) The report shall be filed at least seven (7) days before the next primary, general or special election with information current to any day from the eighth day up to the fourteenth day before the election;
- (iii) If not previously reported, the report shall include the disclosure of any source of funding to the organization in excess of one thousand dollars (\$1,000.00) to further the expenditure.

(j) If a candidate has formed a candidate's campaign committee, the committee may file reports required by this section on behalf of the candidate if the candidate provides a signed document one (1) time each election cycle authorizing the committee to file reports on behalf of the candidate and attesting that the facts provided in the report are accurate. If a committee has filed a required report on behalf of a

candidate under this subsection, the candidate shall not be required to separately file the report provided that the candidate shall remain individually responsible for any deficiencies in a report filed by the committee.

22-25-107. Where statements to be filed.

- (a) All statements required under this chapter shall be filed as follows:
 - (i) Any candidate for a municipal, county, judicial, school or college board office and any political action committee or candidate's campaign committee supporting such a candidate and any political action committee supporting or opposing a municipal initiative or referendum or ballot proposition within the county, shall file with the county clerk;
 - (ii) Any candidate for a state legislative or district judgeship office and any political action committee or candidate's campaign committee supporting or opposing such a candidate, shall file with the secretary of state;
 - (iii) Any candidate for statewide office shall file with the secretary of state;
 - (iv) A county party central committee shall file with the secretary of state;
 - (v) A state party central committee shall file with the secretary of state;
 - (vi) Precinct committeemen and precinct committeewomen elected at the primary election shall not be required to file a statement of contributions and expenditures;
 - (vii) Any political action committee or organization supporting or opposing any statewide initiative or referendum petition drive, any statewide ballot proposition or any candidate for statewide office and any organization making an independent expenditure under W.S. 22-25-102(k) and filing pursuant to W.S. 22-25-106(b)(i) or (h) shall file statements required by this section with the secretary of state.
- (b) Statements required to be filed at least seven (7) days before any primary, general or special election and statements required to be filed after any primary, general or special election shall be filed electronically.
- (c) Any statement required under this chapter to be filed with:
 - (i) The secretary of state, shall be filed electronically as provided under W.S. 9-2-2501 if the secretary of state has adopted rules which allow for the electronic filing;
 - (ii) A county clerk, may be filed electronically if the board of county commissioners has adopted rules consistent with the requirements of W.S. 9-2-2501 which allow for electronic filing.
- (d) Whenever "county clerk" is used in this chapter, it means the county clerk of the county in which the person resides.
- (e) After December 31, 2009, the secretary of state shall maintain a searchable database of reports filed pursuant to this chapter available to the public on or through the Internet, the World Wide Web or a similar proprietary or common carrier electronic system. The secretary of state shall be responsible for the provision of training and instruction for filers on how to access and use the campaign finance electronic filing system. The training shall be for the purpose of educating filers about use of the system, and is not intended to assist filers with filing their reports.

22-25-108. Failure of candidate or committee to file statement.

(a) Candidates shall be given notice prior to an election that failure to file, within the time required, a full and complete itemized statement of contributions if required pursuant to W.S. 22-25-107 and a statement of contributions and expenditures shall subject the candidate to civil penalties as provided in subsection (e) of this section.

(b) A candidate who fails to file the statement of contributions required by the seventh day before the election shall have his name printed on a list drafted by the appropriate filing office specified under W.S. 22-25-107. The list shall immediately be posted in the filing office and made available to the public.

(c) In addition to any other penalty provided by law, a candidate who is convicted of failure to file the statement required by W.S. 22-25-106 within thirty (30) days of the report due date is ineligible to run as a candidate for any state or local office for which a statement is required by W.S. 22-25-106 until:

- (i) Five (5) years have elapsed from the date the statement was first due; or
- (ii) The person has filed the required statement.

(d) Each political action committee and each candidate's campaign committee shall be given notice prior to an election that failure to file the statement may result in the filing of criminal charges against the committee's officers responsible for the filing. Any officer of a political action committee or candidate's campaign committee who is responsible for filing a report and who knowingly and willfully fails to file a report as required or who knowingly and willfully subscribes to, makes or causes to be made a false report is guilty of a misdemeanor punishable by imprisonment not to exceed one (1) year.

(e) Any candidate failing to file the reports required by W.S. 22-25-106 within the times required by that section is subject to a civil penalty and costs, including reasonable attorney's fees not to exceed five hundred dollars (\$500.00), as hereinafter provided. An action to impose a civil penalty may be prosecuted by and in the name of any candidate adversely affected by the violation, any political party, any district attorney or the attorney general. No filing fee shall be charged for the filing of an action under this subsection nor shall a fee be charged for service of process. Civil penalties shall be paid to the clerk of court for deposit to the public school fund of the county in which the fine was assessed. The civil penalty imposed under this subsection shall be not more than one thousand dollars (\$1,000.00).

22-25-109. Reporting candidates in violation.

The secretary of state and the county clerks shall report the names of all candidates in violation of the Election Code of the state of Wyoming to the attorney general or to the district attorney, respectively, for appropriate action.

22-25-110. Campaign advertising in communications media.

(a) It is unlawful for a candidate, political action committee, organization, including organizations making expenditures pursuant to W.S. 22-25-102(k), candidate's campaign committee, or any political party central committee to pay for campaign literature or campaign advertising in any communication medium without printing or announcing the candidate, organization or committee sponsoring the campaign advertising or campaign literature. The communications media in using the campaign advertising shall print or announce the name of the candidate, organization or committee paying for the advertising.

(b) For purposes of this section, "campaign literature" does not include small campaign items such as tickets, bumper stickers, pens, pencils, buttons, rulers, nail files, balloons and yard signs displaying the name of the candidate or office sought.

(c) Any organization making an expenditure pursuant to W.S. 22-25-102(k) which is subject to this subsection and in excess of five hundred dollars (\$500.00) shall report the expenditure as specified in W.S. 22-25-106(h).

22-25-111. Repealed by Laws 1980, ch. 31, § 1.

22-25-112. Campaign advertising rates.

Rates charged for political campaign advertising shall not be higher than rates charged for local advertising of the same quality and quantity.

22-25-113. Repealed By Laws 1998, ch. 100, § 5.

22-25-114. Repealed by Laws 1991, ch. 243, § 5.

22-25-115. Written campaign advertising; prohibiting placement on public property; exception.

Except as provided herein, written campaign advertising shall not be placed on or attached to any real or personal property of the state or its political subdivisions. This prohibition shall not apply to fairgrounds of the Wyoming state fair or of any county fair organized under the laws of this state. The University of Wyoming, any community college and school district may permit such advertising subject to regulation by their governing board as to time, place and manner. Any rules and regulations adopted shall provide for equal access to opposing political views. Subject to the approval of the landowner and any rules and regulations adopted by a municipality, campaign materials may be placed on municipal street rights-of-way. The department of transportation shall allow campaign materials to be placed on a state right-of-way within a municipality to the same extent which the municipality allows campaign materials to be placed on municipal street rights-of-way. Nothing in this section shall apply to any interstate highway.

Wyoming Administrative Rules

Secretary of State

Election Procedures

Chapter 21: Wyoming Campaign Finance Information System (WYCFIS)

Effective Date: 03/30/2020 to Current

Rule Type: Current Rules & Regulations

Reference Number: 002.0005.21.03302020

Chapter 21

Wyoming Campaign Finance Information System (WYCFIS)

Section 1. Authority. The Secretary of State, pursuant to Wyoming Statute 22-25-105, may promulgate such rules as are necessary to implement and maintain the electronic campaign finance information system.

Section 2. Purpose. These rules establish the forms, instructions and procedures for reporting contributions and expenditures for Primary, General, and Special Elections.

Section 3. Applicability. These rules shall apply to all persons that Wyoming law requires to file campaign finance reports.

Section 4. Definitions.

(a) "Account" means the online account established by any person for reporting campaign contributions and expenditures.

(b) "Address of record" means any physical mailing address or email address of a person or officer on a Wyoming Campaign Finance Information System (WYCFIS) account.

(c) "Committee" means a candidate's campaign committee or a political action committee.

(d) "In-kind contribution" means a donation of a good, service, or any item of value in place of a monetary donation.

(e) "Person" means any individual or entity, including candidate campaign committees, political action committees, political parties, organizations supporting or opposing any ballot proposition or causing electioneering communications or independent expenditures to be made, or any other persons, committees, or organizations, that Wyoming law requires to file campaign finance statements.

(f) "Responsible party" means a candidate, committee officer, chairman, treasurer, or other person that W.S. 22-25-106 requires to file campaign finance reports.

(g) "WYCFIS" means the electronic Wyoming Campaign Finance Information System.

Section 5. Establishing an Account.

(a) All persons who are required by law to electronically sign and electronically file campaign finance reports using WYCFIS must establish a WYCFIS account.

(b) Persons establishing a WYCFIS account must provide all information requested by WYCFIS.

(c) All persons shall keep their email addresses and all other contact information in their WYCFIS account current.

(d) The Secretary of State's Office shall send all correspondence to a person's or officer's address of record.

(e) If a candidate has not created a WYCFIS account by July 1 of the election year in which they are running, the Secretary of State's Office shall create the candidate's WYCFIS account. The candidate must file campaign finance reports using their WYCFIS account.

(f) The Secretary of State's Office shall review all WYCFIS account applications for compliance with the law and these rules. The Secretary of State's Office shall reject any WYCFIS account application that is incomplete or does not contain all required information. In addition, the Secretary of State's Office may reject any WYCFIS account application for the following reasons:

(i) A person is applying as a candidate for a position for which they are not qualified; or

(ii) A person is using a fictitious or false name.

(g) If the original purpose for a candidate's campaign committee or a political action committee changes after they have created a WYCFIS account, or a candidate decides to seek a new office after their campaign committee has already created a WYCFIS account, the committee must create a new committee account for the new purpose.

(h) The Secretary of State's Office may remove an account from active status if the responsible party fails to file required reports. Removing an account from active status does not absolve the responsible party's statutory obligation to file campaign finance reports. To reactivate the account, the responsible party must notify the Secretary of State's Office in writing of their intent to file a report. Once the Secretary of State's Office reactivates the account, the responsible party shall file their report within ten (10) days after reactivation.

Section 6. Signing the Application.

(a) The Secretary of State's Office shall consider an electronic WYCFIS account application form to be signed when the responsible party types his or her name on the form and checks the box stating that the responsible party has read and understood the WYCFIS terms and conditions and that he or she declares, under penalty, of perjury that the information is true and correct.

(b) Typed signatures must match the name as previously entered on the account application form in WYCFIS.

Section 7. Filing Deadlines.

(a) An application to set up a WYCFIS account may be filed at any time, but the Secretary of State's Office must approve an application before a person can file any campaign finance reports.

(b) Campaign finance reports must be electronically filed before midnight on the last day for filing a required campaign finance report.

(c) Write-in candidates must file a contribution and expenditure report pursuant to W.S. 22-25-106(a), regardless of whether the candidate has received or expended funds, unless the candidate did not actively seek office.

(d) A Special Election under W.S. 22-16-122 shall be considered a continuation of the election, whether Primary or General, for purposes of campaign finance reporting.

(i) In a Special Election, persons shall report their contributions and expenditures using the amendment process in WYCFIS.

(ii) Contributions received or expended for a Special Election must be designated as such in WYCFIS.

Section 8. Reporting Requirements.

(a) Any committee that receives regularly scheduled payroll deductions or automatic monthly contributions from individuals pursuant to W.S. 22-25-102(h) may report those contributions cumulatively by individual at each required reporting period, providing the committee retains documentation of each contribution.

(b) Any person may transfer funds from their campaign account to any other campaign account. Such transfer of funds is an expenditure and the receipt of such funds is a contribution. Both must be reported.

Section 9. Closing an Account.

(a) At the end of an election cycle, the Secretary of State's Office shall administratively close all active individual candidate accounts and accounts for organizations supporting or opposing any ballot proposition or causing electioneering communications or independent expenditures to be made. A candidate may open a new candidate account starting January 1 of the new election cycle.

(b) Committee accounts shall remain open and be subject to all statutorily required ongoing reports until the account's responsible party closes the account.

(c) Thirty (30) days after the Primary Election, the Secretary of State's Office may administratively close the candidate account of any candidate who was not successful in the Primary. Administratively closing an account does not absolve the candidate from filing any required campaign finance reports.

Section 10. Penalties for Delinquent Filings. Any candidate, candidate's campaign committee, political action committee or organization that fails to file a required report under W.S. 22-25-106 shall be subject to civil penalties pursuant to W.S. 22-25-108.

Wyoming Administrative Rules

Secretary of State

Election Procedures

Chapter 28: Direct Coordination

Effective Date: 04/11/2022 to Current

Rule Type: Current Rules & Regulations

Reference Number: 002.0005.28.04112022

Chapter 28

Direct Coordination

Section 1. Authority. The Secretary of State is authorized to promulgate these rules under W.S. 22-25-102(a).

Section 2. Applicability. This chapter applies to Wyoming political action committees and political parties that accept any contribution from an organization as provided in W.S. 22-25-102(a), as well as all candidates, and candidate campaign committees, as defined in W.S. 22-1-102(a). This chapter does not apply to any Wyoming political action committee or political party that has not received any contribution from an organization.

Section 3. Definition of direct coordination. For the purposes of W.S. 22-25-102(a), "direct coordination" means any of the following:

(a) Any contribution of funds, other items of value, or election assistance from a political action committee or political party to a candidate or a candidate's campaign committee resulting from an actual or implied agreement;

(b) Communication between a candidate or candidate's campaign committee and a political action committee or political party for the purpose of aiding the election of a candidate, limited to the following:

(i) Requesting or suggesting a contribution or expenditure of funds, other items of value, or election assistance by a political action committee or political party to, or on behalf of, a candidate or a candidate's campaign committee, including in-kind contributions or expenditures;

(ii) Requesting or suggesting a contribution or expenditure of funds, other items of value, or election assistance by a candidate or any officer of a candidate's campaign committee to, or on behalf of, a political action committee or political party, including in-kind contributions or expenditures;

(iii) A political action committee or political party republishing, disseminating, or distributing, in whole or part, any campaign material or advertisement created or prepared by the candidate or candidate's campaign committee;

(iv) A political action committee or political party spending funds based on non-public information that:

(A) Originated from the candidate, that candidate's campaign committee, an entity that received the non-public information from the candidate or that candidate's campaign committee, or any agent thereof; and

(B) Is used for the benefit of, or to further the candidate's interests.

(v) Any written, verbal, or electronic discussion between a candidate or officer of a candidate's campaign committee and a political action committee or political party regarding campaign strategy, campaign funding, or campaign advertising for the candidate's campaign.

Section 4. Complaint procedures. Any person suspecting a violation of W.S. 22-25-102(a) by a political action committee or political party may file a written complaint in accordance with W.S. 22-26-121 and shall include any supporting documentation of the alleged violation, along with the complaint.

ATTACHMENT 3

*Election Complaint filed by Jeff Wallack,
received February 20, 2023*



Wyoming Secretary of State
Herschler Building East
Suites 100 and 101
122 West 25th Street
Cheyenne, WY 82002-0020
Ph. 307.777.5860
Email: Elections@wyo.gov

Wyoming Election Code Violation Complaint Form

This form may be used and filed with the secretary of state when any person believes a violation of the Wyoming Election Code by any statewide or legislative candidate, committee or organization has occurred. The form may also be used and filed with the county clerk when any person suspects a violation of the Wyoming Election Code by any county or municipal candidate, committee or organization has occurred. Please see W.S. § 22-26-121.

1. Printed name of person making complaint JEFF WALLACK
Address PO Box 7031 Sheridan, WY 82801
Telephone number(s) 307.200.8554
E-mail address JEFF@JEFFWALLACK.COM

2. State the facts of the alleged violation including date, time, place and relevant actions of people involved.

COUNTY OF SHERIDAN DECLINED TO PROSECUTE AFTER, SO I REFERRED MY ORIGINAL COMPLAINT TO THEM. THEREFORE THIS IS A RE-FILEING.
I AM ONE OF FOUR VICTIMS ATTACKED BY A STATE LEGISLATOR WHO FUNDED A MAILER AGAINST US. THE "HOWDY PILGRIM" PIECE BY "WINO PAC" WHICH IS UNREGISTERED. THIS IS CERTAINLY AN ELECTION CODE VIOLATION UNDER SECTION 22-1. ADDITIONALLY, I PERSONALLY WAS ON THE BALLOT I FEEL I WAS A CANDIDATE FOR PUBLIC OFFICE. FURTHER, I PERSONALLY SPOKE WITH REP. CYRUS WESTERN ON ABOUT MID AUGUST 2022. I ASKED HIM DIRECTLY WHETHER HE HAD ANYTHING TO DO WITH THE MAILER? HE DENIED IT. DOBUTY WILL CONFIRM WESTERN FUNDED IT.
SHOULD A STATE LEGISLATOR BE PERMITTED TO LIE TO A WY CITIZEN? IS THERE A MORAL BASIS TO PROSECUTE?

3. If the secretary of state, or county clerk, as appropriate, finds this complaint has merit and suspects a violation of the Election Code, the secretary of state, or county clerk, shall refer the complaint to the Wyoming attorney general, or district attorney, for investigation and prosecution.

JEFF WALLACK
Signature of Person Filing Complaint

ATTACHMENT 4

*Letter and Addendum from Sheridan County Attorney's Office,
dated January 10, 2023*

SHERIDAN COUNTY AND PROSECUTING ATTORNEY'S OFFICE

CASE REVIEW AND DECLINATION FORM

ATTORNEY ASSIGNED: BEAVER

EB

Agency: ☐ SPD

☒ SCSO ☐

Agency Case #220818S05

Date Rec'd. From Agency: December 21, 2023

☐ NEET ☐ DCI

Lead Officer: B. HILL

Suspect's Name: WINO PAC

☐ WHP ☐ G&F

Date of Offense: August, 2022

Victim's Name: STATE OF WYOMING

☒ Case Permanently Declined Date: December 30, 2022 (Addendum Added 2/10/2023)

☐ Follow-up Investigation Requested

Explanation:

This case was investigated by the SCSO following referral to the CAO by County Clerk Eda Thompson. She determined that campaign practice complaints from Tod Windsor, Jeff Wallack, and Laurie Bratten had merit. The complaints alleged a violation of W.S. 22-25-110(a)(i) in the form of a widely mailed card that criticized the politics of Wallack, Bratten, Kristen Jennings, and Jimmy Dee Lees without disclosing the true identity of who paid for the card and its distribution. ("WINO PAC" was listed on the card but is not a registered Political Action Committee.) Among the four, only Wallack was a candidate for any elected office in 2022, to wit: the position of Republican Precinctman.

This case is being declined because the CAO has determined that W.S. 22-25-110 is not applicable to campaign advertising with regard to party Precinctmen and Precinctwomen. Briefly, W.S. 22-25-110 prohibits "electioneering communication" that fails to disclose its funding source. W.S. 22-25-101(c)(i)(A) defines "electioneering communication" for a publicly distributed mailing as that which "[r]efers to or depicts a clearly identified candidate for nomination or election to public office" The applicable statutes do not define the term, "public office." However, a review of the Wyoming Election Code indicates that party precinctmen and precinctwomen do not hold a "public office" as that term is used in Wyoming law.

ADDENDUM – On January 10. 2023 an addendum to the investigation report was received. The new information provided indicates that a state legislator (Western) and a Johnson County resident (Novotny) were involved in the production of the mailer. Thus, we note that this Office is not the jurisdictionally appropriate agency to handle any prosecution per W.S. 22-26-121(a).

	SCSO	B. Hill		
Route to:	Agency	Officer	Victim	Other: (Specify)

ATTACHMENT 5

Sheridan County Sheriff's Report for Incident 220818S05



Sheridan County Sheriff

Deputy Report for Incident 220818S05

Nature: Election Code V
Location:

Address: Sheridan and Johnson Counties, WY

Offense Codes: VLLW

Received By: M Mathews

How Received: O

Agency: SCSO

Responding Officers: B Hill

Responsible Officer: B Hill

Disposition: PEN 12/20/22

When Reported: 12:56:13 08/18/22

Occurred Between: 12:56:13 08/18/22 and 12:56:13 08/18/22

Assigned To:

Detail:

Date Assigned: **/**/**

Status:

Status Date: **/**/**

Due Date: **/**/**

Complainant: 20567

Last: Windsor

First: Henry

Mid: Todhunter

DOB:

Dr Lic:

Address:

Race: W

Sex: M

Phone:

City: Sheridan, WY 82801

Alert Codes:

CWP Concealed Weapon Permit

Offense Codes

Reported:

Observed:

Additional Offense: VLLW Violate State Licensing laws

Circumstances

Responding Officers:

Unit :

B Hill

306

Responsible Officer: B Hill

Received By: M Mathews

Agency: SCSO

How Received: O SO Officer Req

Last Radio Log: 12:56:20 08/18/22 CMPLT

When Reported: 12:56:13 08/18/22

Clearance: FBR Filed By Records

Judicial Status:

Disposition: PEN Date: 12/20/22

Misc Entry:

Occurred between: 12:56:13 08/18/22
and: 12:56:13 08/18/22

Modus Operandi:

Description :

Method :

Involvements

(THIS INFORMATION IS FURNISHED UPON
AUTHORIZED REQUEST. IT IS TO BE
TREATED AS PRIVILEGED AND CONFIDENTIAL
MATTER AND IS NOT TO BE DISTRIBUTED
OUTSIDE YOUR AGENCY UNLESS SO
AUTHORIZED.)

01:17:23

Date	Type	Description
------	------	-------------

Narrative**Election Mailer Violation**

On 8/18/2022 Deputy Hill was assigned to investigate allegations of election code violations brought forth by Tod Windsor.

Deputy Hill was provided a copy of the Election Code Violation Complaint form, a political based mailer card and a screen shot of a partial list of currently registered Wyoming Political Action Committees (PAC).

The allegations, in summary, alleged the sender of the political mailer, Wyoming in Name Only (WINO) was not a legally registered PAC in violation of WSS 22-25-101(b). The complaint further alleged the political mailer sent out was a violation of WSS 22-25-102(a) as it was a donation to a political party's campaign. The complaint also alleged a violation of WSS 22-25-106, as the contribution was not made by a registered PAC, and was not part of a candidate's or parties' campaign expenditures report.

In reviewing the attached mailer, Deputy Hill noted the mailer was paid for by Wyoming in Name Only (WINO) PAC, 30 North Gould Street, Sheridan, WY 82801. A search of 30 North Gould Street, determined it was a "ghost address" commonly used for undetectable business practices and related to several reported scams. Deputy Hill searched Wyoming Political Action Committees but did not find Wyoming in Name Only (WINO) was listed on the Wyoming Secretary of State Elections website as a registered PAC. On 8/22/2022, Deputy Hill spoke with Ross (NFI) with Wyoming Secretary of State Elections Office and learned WINO was not a Wyoming registered PAC nor was it on the Federal PAC list.

On 8/22/2022, Deputy Hill went to Alpha Graphics in Sheridan, WY. Deputy Hill was advised the political mailer had not been printed by them, nor did it appear to be the work of anyone else in the Sheridan area. On the same date, Deputy Horsely took the mailer to the Sheridan Post Office and asked if there was any information that would assist in determining the date the mailer was mailed, from where or whom. Deputy Horsely was informed the Sheridan office would contact the Denver, CO office and advise when they had more information.

On 8/23/2022 Deputy Hill received an email from the local Sheridan Post Office. The message, in part, advised the Political Mail Office would not release any information about the mailer in question unless ordered to do so.

On 8/23/2022, Deputy Hill received an email from Deputy County Attorney Clint Beaver. Attached to the email was an Elections Code Violation Complaint filed by Laurie Bratten. The complaint was received by the Sheridan County Clerk's Office on 8/19/2022. In summary, the complaint alleged several violations (9) of Wyoming State Statutes pertaining to political election mailer sent out referencing her, Laurie Bratten. Also attached to the complaint were two political mailers, one claiming to be from WINO and another sent out by "friends of Cyrus Western". See the attached Code Violation Complaint and two political mailers for specific details. Deputy Hill determined the WINO mailer attached to Laurie's complaint was the same political mailer Tod Windsor had filed a complaint about.

In reviewing the two mailers, Deputy Hill noted the postage area of the two mailers were similar, both mailers stated "PRST STD U.S. POSTAGE PAID MS". On 8/25/2022 Deputy Hill contacted Chris Lucas with the United States Postal Inspector's Office in Cheyenne, WY. Deputy Hill explained the aforementioned election code violation complaints and the WINO mailer that had been sent to

Sheridan County residents. Chris advised he should be able to determine what printing house printed the mailers and advised a subpoena or search warrant to the same should be able to produce the name of the party responsible for paying for the mailer in question. On 8/25/2022 Deputy Hill received an email from Chris stating the mailer in question had been mailed by Consolidated Direct Mailing in Salt Lake City, Utah.

On 8/30/2022 Deputy Hill contacted Consolidated Direct Mail and spoke with Cody Fraughton. Deputy Hill learned Consolidated Direct Mail had in fact mailed the mailers in question. Cody advised Consolidated Direct Mail had only mailed the mailers as they are a mailing house, not a printing company. Cody told Deputy Hill the mailers had been printed by West Wind Litho in Salt Lake City, Utah. Cody stated the West Wind job number for the mailer was 21570 and the mailers were titled "Howdy Piece".

On 8/30/2022 Deputy Hill contacted Janene Openshaw with West Wind Litho in Salt Lake City, Utah. Janene confirmed West Wind Litho had printed the "Howdy" mailers in question, 7138 mailers in total. Janene advised the client who had ordered the mailers was Majority Strategies based out of Jacksonville, Florida and the contact person for the order was Jared Stimson.

On 8/31/2022 Deputy Hill left a message for Jared Stimson with Majority Strategies asking him to call Deputy Hill. Deputy Hill left another message for Jared Stimson on 9/8/2022 and left a message with the Majority Strategies main business line requesting a phone call back. On 9/9/2022 Deputy Hill filled out a "contact" request on the Majority Strategies website requesting to be contacted by someone within the company to discuss an election mailer designed by their company.

On 9/12/2022 Jared Stimson returned Deputy Hill's phone call and left a voice mail. Deputy Hill was able to speak with Jared by phone on 9/13/2022. Jared advised he did not recall the WINO mailer off hand and stated he would have to look up the project. Jared referred Deputy Hill to the CEO of Majority Strategies, Brett Buerck. Upon ending the call with Jared, Deputy Hill again called Majority Strategies and requested a call from Brett in regards to obtaining client information pertaining to the WINO mailer.

On 9/13/2022 at approximately 1215 hrs, Deputy Hill received a call from Majority Strategies CEO, Brett Buerck. Deputy Hill explained he was investigating the allegations of election code Wyoming State Statute violations. Deputy Hill further explained the trail of the WINO political mailer had led back to Majority Strategies. Brett advised Deputy Hill would need to provide Majority Strategies with a subpoena or court order to obtain any client or other information pertaining to the WINO mailer.

On 9/13/2022, Deputy Hill applied for and was granted a search warrant (See attached) for Registered Agents Inc. located at 30 North Gould Street in Sheridan, WY. The warrant requested client, billing, mailing and any other information pertaining to Wyoming In Name Only AKA: WINO. Deputy Hill served the search warrant on 9/14/2022 at approximately 0925 hrs to Leanne Moss at Registered Agents Inc. Upon an initial search, Leanne advised there was no client or other information under the name Wyoming In Name Only or WINO. Leanne advised she would search further into the system and contact Deputy Hill if she was able to locate any information pertaining to WINO. On 9/14/2022 Deputy Hill received a call from Leanne stating she had not been able to locate any client information at all for WINO or Wyoming In Name Only within the Registered Agents Inc records.

On 9/14/2022 Deputy Hill applied for and was granted a search warrant (see attached) for records pertaining to client, billing, mailing and other information held by Majority Strategies for a political mailer sent out by Wyoming In Name Only, AKA WINO, titled "Howdy Piece" printed by West Wind Litho (job 21570). On 9/14/2022 at approximately 1035 hrs, Deputy Hill left a message for Majority Strategies CEO Brett Buerck requesting an email address to send a digital copy of the warrant to and advising Deputy Hill would also be sending a printed copy of the warrant to Majority Strategies at the address he provided Deputy Hill the previous day. Deputy Hill did mail a copy of the search warrant to Majority Strategies on 9/14/2022.

On 9/19/2022 at approximately 1104 hrs, Deputy Hill called (904) 567-2008, the phone number Deputy Hill had previously spoken with Brett Buerck on, requesting an email address to send a digital copy of the search warrant to. Deputy Hill provided his email and the Sheridan County Sheriff's Office phone number in the voice mail requesting to be contacted.

On 9/26/2022 Deputy Hill called and left Brett Buerck another message. Deputy Hill advised he had not received any of the records outlined in the search warrant Deputy Hill mailed on 9/14/2022 and requested a phone call from Brett to discuss the matter. On the same date, Deputy Hill mailed another copy of the search warrant and a letter by certified mail to Brett Buerck, requesting the information requested within the search warrant be provided within a timely manner.

On 10/11/2022 Deputy Hill received a voicemail from Attorney Ryan Healy. Ryan advised he had been retained by Majority Strategies and wanted to speak with Deputy Hill about the search warrant Deputy Hill had attempted to serve on them. Deputy Hill returned Ryan's call and left a message for him on 10/11/2022 at approximately 0925 hrs.

On 10/20/2022 Deputy Hill received a call from Ryan. Deputy Hill explained the WINO case to Ryan and the basis for the search warrant. Ryan and Deputy Hill discussed the matter and Deputy Hill agreed an invoice from Majority Strategies showing the amount paid for the "Howdy Piece", a client name and contact information should fulfill the requirements of the scope of the search warrant.

On 10/20/2022, Deputy Hill received an email from Ryan containing an attachment with an invoice from Majority Strategies with billing information to Wyoming In Name Only (WINO) PAC. Deputy Hill noticed the product and delivery was for "Western WY attack howdy" and showed a total of 7118 pieces had been ordered for a total amount of \$5,338.50.

Also contained within the email attachment was a digital copy of a cashier's check (0903404369) and an envelope addressed to Majority Strategies. The cashier's check was from Wells Fargo in Gillette, WY. The remitter name on the check was William Novotny and the amount of the cashier's check was for \$5,388.50 total. The date on the cashier's check was September, 27, 2022. The envelope addressed to Majority Strategies did not have a sender's name, only a return address of PO Box 175, Big Horn WY 82833. The postal date on the envelope was faint but appeared to be 27 Sep 2022 PM.

On 10/20/2022, Deputy Hill contacted USPS Inspector Chris Lucas. Deputy Hill requested information pertaining to P.O. Box 175 in Big Horn, WY. later that same afternoon, Deputy Hill received an email from Chris with an attached USPS report. The report indicated the renter of P.O. Box 175 in Big Horn, WY was

Cyrus Western.

On 11/17/2022 Deputy Hill spoke with Cyrus Western by phone. Deputy Hill asked Cyrus if he was aware of the WINO PAC mailers. Deputy Hill advised Cyrus he had investigated the origins of the WINO mailer. Deputy Hill advised Cyrus the return address on the envelope used to pay for the mailer was his address. Deputy Hill then asked Cyrus if he was involved with the WINO Political Action Committee. Cyrus stated Well, I appreciate and look, hey, I really fully appreciate you're trying to do your job and so, I can appreciate and respect that, but... I just, um, I want to speak/chat with my attorney and if I'm going to chat with you, I want to kinda just have him there, so if you do have questions. I'm out of town, I won't be back until like Sunday night. Um, so ya know maybe at some point in a couple of weeks, might be able to come in and chat. You're more than welcome to reach out to my attorney, now if you'd like. So, Anyway, I'm not trying to be a combative jerk but just, process wise. Deputy Hill explained he understood Cyrus's position wanting his attorney present and advised Deputy Hill would set time aside when he and his attorney were available to meet with Deputy Hill and the call was ended. (See attached phone call)

Deputy Hill determined the only William Novotny in Wyoming (per Wyoming Driver's Licenses) was William "Bill" Novotny who resides in Buffalo, WY. Deputy Hill further determined Bill Novotny was currently elected as a Johnson County Commissioner. On 12/15/22 Deputy Hill called the phone number listed for Bill Novotny's Johnson County Commissioner page, (307) 620-2642. The call was answered by a generic voicemail for the telephone number. Deputy Hill left a message identifying himself and requesting Bill call Deputy Hill back. On 12/16/2022 Deputy Hill called and left another message requesting Bill call Deputy Hill back. Deputy Hill also called (307) 684-7555, the Johnson County Commissioner's Office and left a message requesting a call back from Mr. Novotny. As of 12/19/2022 Bill Novotny had not called Deputy Hill back.

See supplemental reports for further information

Attachments

Case Status

Sent for review for prosecution

Report prepared by Deputy Hill

Supplement

Interview - Chris Wages

On the afternoon of 1/3/2023, Deputy Hill received a call from Chris Wages. Chris advised he represented Bill Novotny and was calling Deputy Hill on behalf of Bill.

Chris advised Deputy Hill that Bill had not made any specific statements about the matter to him or asked Chris to relay any specific information. Chris told Deputy Hill he believed if Bill were to make a statement, it may be in similar to the fact that Bill operates a campaign consulting firm and that Cyrus Western may have been a client of Bill's consulting business, but did not have any personal involvement in the WINO PAC.

Deputy Hill requested Chris speak with Bill and ask if he was willing to sit down with Deputy Hill and make a statement, as the information Chris had given Deputy Hill was his speculation of Bill's possible response, not a statement from Bill himself. Deputy Hill asked Bill if he knew the name of Bill Novotny's consulting business. Chris was unable to remember the specific name of the but believed it was based on "historically significant numbers".

Deputy Hill researched political consulting businesses and William Novotny. Deputy Hill learned Novotny operates Future307 Consulting in Buffalo, WY. Deputy Hill then searched the Wyoming Security of State website, specifically Cyrus Western's campaign finances for the 2022 election year. Deputy Hill noted on 9/21/2022, Friends of Cyrus Western paid Future307 PAC \$5200.00 for consulting. In review, the check to majority Strategies was dated 9/27/2022 for the amount of \$5388.50 (\$188.50 more than the amount paid by Friends of Cyrus Western to Future307 - William Novotny).

Information by Deputy Hill

Supplement

1/4/2023

On 1/4/2023, Deputy Hill called and spoke with Cyrus Western. Deputy Hill asked Cyrus if he had spoken with his attorney and if he was willing to sit down and speak with Deputy Hill. Cyrus advised he understood Deputy Hill was just doing his job but he did not think it was best to answer any questions and advised Deputy Hill to contact his attorney, Kevin Kessner. The call was then ended.

Deputy Hill