



Big Sky Country
MONTANA STATE LEGISLATURE

October 25, 2021

Dear President Blasdel and Speaker Galt:

Thank you for our meeting today regarding our request for an investigation into Attorney General Austin Knudsen's conduct related to the recently reported incidents at St. Peter's Hospital in Helena. We appreciate your engagement with us on this matter and look forward to seeing this investigation opened promptly.

We believe that this investigation will assist us in determining whether legislation is necessary to enhance legislative oversight of Montana Department of Justice (DOJ) law enforcement activities, clarify the parameters of DOJ and Highway Patrol (MHP) jurisdiction to intervene in local law enforcement and prosecutorial affairs, and prevent similar abuses of power in the future. To do so, we recommend obtaining records that document which public officials were involved in this incident, the internal communications pertaining to this incident held by DOJ, MHP, and other applicable public officials and agencies, and the involvement of MHP and the Medicaid Fraud Unit in this incident.

In the enclosed documents, we have provided a list of broad questions and records requests we believe are necessary to carry out this investigation. In addition, we have included the legislative purposes of this investigation. We envision these as a starting point for Ms. Belke's review of the Attorney General's actions, and in no way intend them to limit the scope of her work. We hope and expect that as her work proceeds, she will go wherever the facts lead her in order to obtain information necessary for public accountability regarding this troubling incident.

Please feel free to reach out to us or our staff with any further questions. We welcome continued dialogue with you, and we look forward to your prompt response.

Sincerely,

Handwritten signature of Jill Cohenor in blue ink.

JILL COHENOUR
Senate Minority Leader

Handwritten signature of Kim Abbott in blue ink.

KIM ABBOTT
House Minority Leader

cc: Abra Belke, Special Counsel

Encls.

Questions

Requests for communications include emails, voicemails, records of phone and video calls (including records of who was invited or to whom video call links were sent), text messages, letters, and memos

- Determine which public, appointed and/or elected officials were involved in the incident, and the extent of their involvement
- Request any contemporaneous notes made by the Attorney General, Deputy Attorney General Hansen, and Montana Highway Patrol Colonel Lavin related to this incident
- Request internal communications at the Department of Justice about this incident and resulting follow up
- Request internal communications at the Department of Justice and the Attorney General's office leading to and about the dispatch of Highway Patrol to the hospital
- Request records/internal communications between the Attorney General's office, the Department of Justice, and the Medicaid Fraud Unit regarding this incident
- Request any internal communications at at the Department of Justice and the Attorney General's office about response to press inquiries about this incident
- Determine what internal policies or practices govern when and how the Department of Justice and Montana Highway Patrol intervene in local law enforcement and prosecutorial processes, and determine the extent to which those internal policies and practices were followed in this instance

Legislative Purposes

- To determine if legislation is necessary to enhance the Legislature's oversight of the use and activities of state law enforcement
- To determine if legislation is necessary to clarify the jurisdiction of Montana Highway Patrol
- To determine if legislation is necessary to clarify when DOJ may intervene in local law enforcement and prosecutorial affairs
- To investigate the processes that occurred and were used in this incident, in order to draft legislation to prevent:
 - future such abuses of power
 - future intimidation/coercion of private individuals and entities
 - violations of local control/jurisdiction by AG/DOJ/Highway Patrol
- To determine if legislation is necessary to mandate review of the incident and others like it by an appropriate entity of the executive branch