



MONTANA STATE LEGISLATURE

MONTANA STATE CAPITOL
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October 28, 2021

Attorney General Austin Knudsen
Montana Department of Justice
Office of the Attorney General
215 N Sanders St.
Helena, MT 59601

Dear Attorney General Knudsen:

On October 21, 2021, citing recent news reports, the Legislature's Minority Leadership expressed concerns about potential improprieties and abuses of power regarding the Department of Justice's interactions with medical and administrative personnel at St. Peter's Hospital in Helena, Montana.

You have confirmed your involvement regarding "a complaint made by the family of a COVID-19 patient" at St. Peter's Hospital in Helena, Montana.¹ You have confirmed that your Chief Deputy, Kristen Hansen, was also involved. Statements by your office to news outlets describe this matter as an ongoing investigation into allegations of patient mistreatment.²

On October 25, 2021, Speaker of the House Wylie Galt and President of the Senate Mark Blasdel authorized the special counsel to conduct an examination of government records pursuant to MCA § 5-5-110(2)(a). The statute requires agencies to "assist the special counsel in any activity [...] provided in this section."

It is the policy of the special counsel not to assume that statements that appear in news reports are accurate or complete. This inquiry will rely upon statements, records, and other documents produced by involved parties.

To begin this examination of records, the special counsel is requesting production and/or examination of any and all documents, records, and electronically stored information maintained by or in the possession of the Montana Department of Justice, including the Attorney General's

¹ Peter Christian, *AG Knudsen Spokesman Responded to What He Terms a Political Stunt*, KGVO.com (Oct. 27, 2021, 4:19PM).

² Jaurdyn Johnson and John Riley, *St. Peter's Health: staff 'harassed' and 'threatened' by Montana public officials over COVID patient treatment*, KTVH.com, (Oct. 19, 2021, 3:02PM).

Office and the Montana Highway Patrol, referring to or related to the complaint of patient mistreatment and the ensuing investigation by your office. These records may include, but are not limited to, memoranda, e-mail, calendars and scheduling requests, call logs, dispatch records, investigative reports, and notes taken by Department of Justice employees.

The special counsel understands that some of the relevant requested documents may be subject to recognized privileges related to an ongoing law enforcement investigation or private health information. The special counsel requests that any unobtainable documents be identified on a privilege log.

At the direction of the Speaker and President, I am requesting an initial delivery of documents on Friday, November 5, 2021. The method for this delivery will depend on the type and breadth of documents provided; please contact me to discuss delivery methods when you have a fuller picture of the relevant records in your possession that are subject to examination.

Sincerely,

A handwritten signature in cursive script, reading "Abra Leigh Belke". The signature is written in dark ink and is positioned to the left of a vertical line.

Abra L. Belke
Special Counsel, Montana State Legislature

cc: Chief Deputy Attorney General Kristen Hansen, Speaker of the House Rep. Wylie Galt, President of the Senate Mark Blasdel, and Minority Leaders Rep. Kim Abbott and Sen. Jill Cohenour