

BEFORE THE COMMISSIONER OF POLITICAL PRACTICES (COPP)

DANIEL CARLINO v. JENNIFER SAVAGE	COPP-2025-CFP-009 DISMISSAL
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COMPLAINT

On October 24, 2025, Daniel Carlino of Missoula, MT, filed a Campaign Finance and Practices (CFP) complaint against Jennifer Savage, also of Missoula. The complaint alleged that Ms. Savage failed to disclose in-kind campaign contributions received, and that the value of these in-kind contributions exceeded Montana's established contribution limits.

The complaint met the most basic requirements of ARM 44.11.106, the Administrative Rule governing complaints and alleged violations which fall under my jurisdiction as Commissioner of Political Practices. Consequently, I accepted it as filed and requested a response from Ms. Savage.

ISSUES

This dismissal addresses campaign contributions, Montana Code Annotated (MCA) §§ 13-37-216, 13-37-225 through 229, and the related Administrative Rule of Montana (ARM) 44.11.602.

BACKGROUND

Complainant Daniel Carlino is a current candidate seeking election to the Missoula City Council, Ward 3, having filed a C-1A Statement of Candidate with COPP on January 3, 2025. Complainant Jennifer Savage is a competing candidate for election to the Missoula City Council, Ward 3, having filed a C-1A Statement of Candidate with COPP on April 9, 2025. Each will appear on the

City's November 4, 2025, municipal general election ballot.¹

Included with the submitted complaint were copies of a campaign postcard and campaign text messages both endorsing and soliciting support for Ms. Savage's City Council campaign. The postcard and campaign text message each included an attribution indicating that they were paid for by the campaign of Andrea Davis, current candidate for election to the position of Mayor in the City of Missoula.

On a periodic C-5 campaign finance report, dated August 15 through September 15, 2025, Ms. Savage's campaign reported receipt of a \$450.00 monetary contribution from Andrea Davis designated for the primary election. On a C-7 Notice of Pre-Election contributions, filed on and dated for October 24, 2025, the Savage campaign reported receipt of another \$450.00 monetary contribution from Andrea Davis designated for the general election. Candidate Savage did not disclose receipt of any in-kind contributions from Andrea Davis on any finance reports filed with COPP.

DISCUSSION

The complainant asserts that the provided campaign material intended to support Missoula City Council, Ward 3 candidate Jennifer Savage, financed by Mayoral candidate Andrea Davis constitutes a reportable contribution received by Ms. Savage that she has failed to report.

The definition provided for the term "contribution" under applicable Montana election law includes "an expenditure, including an in-kind expenditure, that is made in coordination with a candidate...and is reportable by the candidate...as a contribution", MCA § 13-1-101(9)(a)(ii). The term "coordinated" is itself defined in MCA § 13-1-101(10) to mean "made in cooperation with, in consultation with, at the request of, or with the express prior consent of a candidate or political committee." The related Administrative

¹ <https://www.missoulacounty.us/media/pdobcfrf/20250909-municipal-primary-election-results-10-pm-final-election-night.pdf>

Rule. ARM 44.11.602(5) clarifies that any expenditure financed by a person with the intent to benefit a particular candidate and coordinated with that candidate or their campaign, must be reported by both parties as an expenditure made by the financing party, and an in-kind contribution received by the candidate/campaign the expenditure is intended to benefit.

To determine that coordination has occurred, COPP requires specific, concrete evidence. As summarized in *Pennington v. Bullock*, “successive Montana Commissioners of Political Practices...have limited a finding of coordination to instances shown by specific actions objectively showing cooperation, knowledge, or action shared between the two entities engaged in coordination.” COPP-2013-CFP-012. Recent examples where the Commissioner has determined coordination has occurred, and thus a reportable in-kind contribution was received by a candidate, may be found in the related and jointly decided matters of *Merwin v. Cooney* and *Foundation for Accountability and Civic Trust (FACT) v. Cooney*, COPP-2020-CFP-051 and COPP-2020-CFP-034. In the *Cooney* matters, COPP was able to determine coordination had occurred, and therefore a reportable in-kind contribution had been received by the candidate the expenditure was intended to benefit. This determination was possible because the agency was able to obtain documents and other verifiable evidence that the candidate/campaign had engaged with the political committee in specific discussions related to the content and timing of expenditures prior to their occurring.

In her response, Ms. Savage states: “As a candidate, I have no control over what another candidate puts in their campaign materials. . .I, therefore, do not believe this accusation of a campaign violation against my campaign has merit.” (Response.) COPP agrees. The only evidence provided by the complainant indicates Andrea Davis disseminated election materials to support specific candidates for Missoula City Council. No evidence has been provided that proves or even eludes to coordination between the Andrea Davis campaign and Jennifer Savage or the Savage campaign.

Montana election law also allows for “independent expenditures,” defined under MCA § 13-1-101(28) as “an expenditure for an election communication to support or oppose a candidate...made at any time that is not coordinated with” the candidate or their campaign. While independent expenditures must be reported as an expenditure by the person financing the communication, the “candidate benefitting from the independent expenditure....does not have to report the expenditure.” ARM 44.11.502(6)(c).

In other words, unlike coordinated expenditures, independent expenditures are not considered reportable campaign contributions received by the benefiting candidate/campaign. The most recent discussion on this distinction, and specific factors or evidence which would lead the Commissioner to determine an independent expenditure had occurred, rather than coordination, can be found in *Gaub v. MT United PAC, et al*, COPP-2024-CFP-025, at 3-7.

Here, the Andrea Davis campaign properly reported an independent expenditure supporting several Missoula City Council candidates. No evidence has been provided to indicate the candidates in this matter (including Ms. Savage) and the Andrea Davis campaign discussed the content, timing, price, or any other element of this expenditure that would be indicative of coordination between those candidates and the Andrea Davis campaign. ARM 44.11.601(1). Consequently, the materials provided do not constitute a reportable contribution received by Jennifer Savage or the Savage campaign.

Finally, the amount any person or entity can contribute to a candidate is limited by the contribution limits provided in MCA § 13-73-216. Based on the facts provided and the above discussion, no contribution to Jennifer Savage or the Savage campaign has occurred. Consequently, no discussion of contribution limits is relevant here.

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CONCLUSION

The complainant's allegations have been considered as described above and this matter is dismissed in full.

Dated this 30th day of October, 2025.



Chris J. Gallus, Commissioner
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