



STATE OF IDAHO

OFFICE OF THE ATTORNEY GENERAL

LAWRENCE G. WASDEN

November 2, 2022

Via Electronic and U.S. Mail

Ammon Bundy
Ammon Bundy for Governor
P. O. Box 370
Emmett, ID 83617
aebundy@bundyfarms.com

Re: Violation of Idaho Code § 67-6614A

Dear Candidate Bundy:

The Idaho Secretary of State has referred this matter to our office because you have violated Idaho Code § 67-6614A. As you should know, Idaho Code § 67-6614A provides that “Whenever any person makes an expenditure for the purpose of financing communications expressly advocating the election, approval or defeat of a candidate, measure or person standing for election to the position of precinct committeeman through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing or any other type of general public political advertising, **the person responsible for such communication shall be clearly indicated on such communication.**” (emphasis added)

On or about October 28, 2022, the office of the Secretary of State received inquiries into a sign that appeared to have no attribution. The sign bore the statement “Don’t Vote” and a QR code. The QR code leads to DontVoteIdaho.com, an unattributed website that consists of 4 pages of commentary prior to prompting the user to “learn more” or replay the message. Upon selecting the learn more option, the user is redirected to VoteBundy.com.

While it was initially unclear whether the connection between VoteBundy.com and DontVoteIdaho.com was independent or coordinated, a review of publicly available domain registration information placed ownership of the domain with an address in New Plymouth, ID. An individual with the same address appeared as a donor for the Bundy campaign. In a subsequent interview by phone with that individual, he claimed no

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responsibility or involvement with the site or campaign, other than that of a donor/supporter. The domain registration was connected to a family member's business. He also stated that the copies of the signs in question that he had in his possession at the time (Don't Vote) had a small sticker disclosing "Paid for by Ammon Bundy for Governor" in the bottom left corner.

Subsequent physical review of a sign at the corner of Eagle Road and Old State Street in Eagle verified that in fact the "Paid for by" language was in fact appended to the sign after printing by applying a small roughly 1"x 3" sticker with typed black text.

The attributions on the Don't Vote signs were roughly 1/5 of the overall size of the same attribution on the immediately adjacent "Ammon Bundy for Governor" signs produced by the campaign, an attribution which is consistent with what would be considered normal and "clearly" visible as per statute.

At no time to present has the office of the Secretary of State seen attribution on the website. Attempts to communicate with the campaign on this matter have gone unanswered.

The Idaho Secretary of State's Office is imposing the following relief:

- Imposition of a \$250 fine for the failure to attribute the website.
- The Idaho Secretary of State's Office is further requesting that given that the signs MAY have been attributed originally, and understanding that the attribution is significantly smaller than any other sign produced by the campaign, that you issue an acknowledgment by the campaign that all future campaign communications must be CLEARLY ATTRIBUTED in a manner more consistent with their primary campaign signs.
- Immediately add the words "Paid for by Ammon Bundy for Governor" to all pages of the DontVoteIdaho.com site in a manner consistent with Idaho Code.

Should you choose not to pay this fine, this Office may pursue further action as per Idaho Code §§ 67-6625 and 67-6626, seeking both the fine payment above, as well as the cost of litigation plus attorney's fees through an injunction by the district court.

Sincerely,

/s/ Robert A. Berry

ROBERT A. BERRY
Deputy Attorney General

cc: Jason Hancock