Summarizing the Examination of Records

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Montana State Legislature
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Executive Summary
On October 21, 2021, citing news reports in the Helena Independent Record, the Legislature’s Minority Leadership expressed concerns about interactions between the Attorney General’s Office and St. Peter’s Health personnel in a letter to President of the Senate Mark Blasdel and Speaker of the House Wylie Galt. Minority Leadership asked for a “probe into the incidents at St. Peter’s Hospital, the actions of the Attorney General’s Office, and the involvement of any other public officials and employees.” Specifically, Minority Leadership for this probe under the Special Counsel’s authority to “examine and inspect” government records.

On October 25, 2021, the President and Speaker appointed the Special Counsel to conduct “an examination of records” as authorized in MCA § 5-5-110(2). This examination sought to provide facts related to the issues raised by Minority Leadership.

Determine which public, appointed and/or elected officials were involved in the incident.
On October 18, 2021, Attorney General Austin Knudsen issued a statement confirming interactions with St. Peter’s personnel but denying that he threatened or harassed anyone. He clarified that he spoke with administrators after receiving reports from a patient’s family that the hospital “was violating their relative’s rights by refusing to allow her to receive prescribed medications, not delivering legal documents, not allowing [the family] to see their relative, and at one point, even cutting off text message communication between” the family and the patient.

On October 28, 2021, the Attorney General stated that Deputy Attorney General Kristin Hansen also contacted St. Peter’s Health in response to these complaints.

Speaking with St. Peter’s Counsel, Kathleen Abke, on November 8, 2021, the Special Counsel learned that the third involved public official was Public Service Commissioner Jennifer Fielder.

Determine the extent of the public officials’ involvement in alleged harassment of “bedside” “providers and care team members” as alleged in St. Peter’s Statement.
Attorney General Austin Knudsen never spoke with a frontline healthcare worker. The Attorney General spoke with the hospital’s CEO, CMO, and a board member, describing the discussion as “cordial.” Through counsel, St. Peter’s CEO Wade Johnson told the Special Counsel that he “did not feel threatened” during the conversation with the Attorney General.

Deputy Attorney General Kristin Hansen was the only public official who “spoke with a provider,” during a single speaker phone call where multiple providers were in the room.

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1 Letter from Minority Leadership, dated October 21, 2021
2 Id. citing MCA § 5-5-110(a)
3 Report Ex. B: the Attorney General’s Full Statement as published by KTVH on October 19, 2021
4 Id.
5 Wilson, Sam and Michels, AG Confirms His Deputy Involved in Hospital Dispute, Ravalli Republic Oct. 27, 2021, retrieved on November 18, 2021.
6 Conversation with Ms. Kathleen Abke, counsel for St. Peter’s Hospital conducted on November 8, 2021.
7 Id.
8 Wilson, Sam and Michels, Holly, AG Confirms His Deputy Involved in Hospital Dispute, Ravalli Republic Oct. 27, 2021, retrieved on November 18, 2021.
9 Report Ex. G: E-mail from St. Peter’s counsel Kathleen Abke to Abra Belke dated November 19, 2021.
10 Conversation with Ms. Kathleen Abke, counsel for St. Peter’s Hospital conducted on November 8, 2021.
Attorney General’s Office told the Special Counsel that the Deputy was on the phone with the patient advocate when the advocate made an unprompted decision to put the Deputy on speaker phone with providers.\(^{11}\) No government records reference the specific content of this call; however, the hospital’s counsel stated that the Deputy discussed the potential “legal ramifications” of withholding legal documents and preferred treatment from the patient.\(^{12}\) No specific examples of threatening language were provided.\(^{13}\)

Commissioner Jennifer Fielder informed the Special Counsel that she engaged with St. Peter’s Health as a personal matter, on behalf of the patient who she described as a friend.\(^{14}\) A three-minute voicemail left with the St. Peter’s Risk Management Office is summarized later in this report. The voicemail references a potential lawsuit and suggests that the patient’s “friends” in the Montana State Senate would not be “too happy” to learn of the care St. Peter’s was providing to the patient.\(^{15}\)

**Determine the extent to which the Highway Patrol was involved in the incident, and how.**

On October 12, Deputy Attorney General Hansen requested that a Montana Highway Patrol Trooper be dispatched to St. Peter’s to collect official statements from the patient’s family.\(^{16}\) The Attorney General’s Office dispatched the Trooper in accordance with the “community caretaker doctrine” requiring peace officers to promptly “investigate situations in which a citizen may be in peril or need some type of assistance.”\(^{17}\)

Dash camera video shows the Trooper arriving at St. Peter’s Health at 9:09PM, speaking with the patient’s daughter and sister in the hospital parking lot, collecting their statements, and then departing at 9:43PM. Internal documents from the Highway Patrol show that the Trooper never entered the hospital or spoke with a provider.\(^{18}\) The incident report and statements generated by this interaction are contained in Department of Justice’s investigative file.\(^{19}\) St. Peter’s counsel confirmed that the Trooper never spoke with providers.\(^{20}\)

**Additional Questions**

Minority Leadership also asked the Special Counsel to respond to questions regarding the policies and procedures of state law enforcement agencies and the bounds of their jurisdiction to investigate potential patient mistreatment. The Special Counsel believes that these questions are within the purview of the Legislative Services and Legislative Audit Divisions and should be directed to these subject matter experts for their analysis.

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\(^{11}\) Conversation with Attorney General’s Office on Nov. 8, 2021.

\(^{12}\) *Id.*

\(^{13}\) *Id.*


\(^{15}\) Voicemail left for St. Peter’s Health by Commissioner Jennifer Fielder on October 11, 2021.

\(^{16}\) Records examined by the Special Counsel as part of the investigative file on November 8, 2021.


\(^{18}\) *Id.*

\(^{19}\) *Id.*

\(^{20}\) Conversation with Ms. Kathleen Abke, counsel for St. Peter’s Hospital conducted on November 8, 2021.
**Factual Background**

The COVID-19 pandemic strained Montana’s hospitals and frontline healthcare workers during September and October 2021. Throughout this surge, hospitals across the state saw a record number of COVID-19 hospitalizations and deaths. Shortages of critical care beds, resources, and staff forced St. Peter’s Health in Helena to adopt a “crisis standard of care” and employ a refrigerated truck to provide “morgue support.”

On October 19, 2021, against the backdrop of this crisis, St. Peter’s Health spokesperson Andrea Groom, released a statement alleging that “several of [the hospital’s] providers and care team members who are working tirelessly at the bedside were harassed and threatened by three public officials.”

St. Peter’s further alleged that the officials “threatened to use their position[s] of power” to force “doctors and nurses” to provide one of the hospital’s COVID-19 patients with treatments that were “not authorized, clinically approved, or within the guidelines established by the FDA and the CDC.” St. Peter’s claimed that these “deeply troubling” conversations called into question the “clinical judgment” of physicians and providers.

St. Peter’s did not disclose the names of the three ‘public officials,’ nor did the hospital provide specific examples of threats or harassment levied against its providers and staff.

However, shortly after the media published St. Peter’s allegations, Attorney General Austin Knudsen confirmed that he had contacted the hospital regarding a patient’s care and released his own statement denying allegations that he threatened or harassed anyone during interactions with St. Peter’s personnel.

His statement clarified that the Attorney General’s Office was contacted by the family of a COVID-19 patient who reported that St. Peter’s “was violating their relative’s rights by refusing to allow her to receive prescribed medications, not delivering legal documents, not allowing [the family] to see their relative, and at one point, even cutting off text message communication between” the family and the patient. The statement explained that, following the family’s report, the Attorney General spoke with administrators at St. Peter’s to ensure “that they would cease preventing communication between the patient and her family and deliver the legal documents she needed.” The Attorney General further stated that his office had opened an investigation into these “troubling allegations” of patient mistreatment.

On October 21, the Montana State Legislature’s Minority Leadership wrote to Senate President Mark Blasdel and House Speaker Wylie Galt expressing concerns about the reported interactions between public officials and personnel at St. Peter’s Hospital. Minority Leadership asked for a

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21 Lister, Nolan. *St. Peter’s moves to crisis care as critical care units, morgue reach capacity.* Helena Independent Record, retrieved on Nov. 18, 2021.
23 Id.
24 Id.
25 Report Ex. B: the Attorney General’s Full Statement as published by KTVH on October 19, 2021
26 Id.
27 Id.
28 Id.

November 22, 2021
“probe into the incidents at St. Peter’s Hospital, the actions of the Attorney General, and the involvement of any other public officials and employees.” 29 Specifically, Minority Leadership asked that this probe be conducted by the Special Counsel under her authority to “examine and inspect” government records. 30

No member of the Democratic Minority reached out to the Attorney General’s Office about the hospital’s statement prior to submitting this request for a Special Counsel inquiry. 31

On October 25, the President, Speaker, Minority Leadership, the Special Counsel, and legislative staff met by video call to discuss the purpose and scope of the requested probe. Minority Leadership was made aware that, while the statute did not permit the Special Counsel to conduct an investigation, it did allow for the examination of relevant government records.

Following that call, the President and Speaker appointed the Special Counsel to conduct an examination of records regarding the reported interactions between public officials and St. Peter’s Health’s providers and staff.

On October 28, 2021, shortly after the commencement of the Special Counsel’s inquiry, the Attorney General’s Office confirmed that Deputy Attorney General, Kristin Hansen, also contacted St. Peter’s Health in response to complaints about potential patient mistreatment.

The attached report is a summary of the relevant documents examined by the Special Counsel during this inquiry. It also contains details learned from communication with involved parties.

29 Letter from Minority Leadership, dated October 21, 2021
30 Id. citing MCA § 5-5-110(a)
The Special Counsel Powers

The powers of the special counsel are outlined in MCA § 5-5-110. The investigative power to issue subpoenas, compel production of records, and deposes witnesses may only be exercised when the special counsel is assigned to a legislative committee. However, at the direction of the President and Speaker, the special counsel may “examine and inspect all records, books, and files of any department, agency, commission, board, or institution of the state of Montana.” Agencies “shall assist the special counsel in any activity [...] provided in this section.”

The statute limits the Special Counsel’s power to examine documents to those records created by employees, officers, and agencies of the Montana State government. It does not empower the Special Counsel to compel testimony or documents from third parties.

At the start of the inquiry, the Special Counsel informed Minority Leadership that she did not intend to reach out to the hospital and would limit the inquiry solely to government records. However, following the initial review of documents, the Special Counsel concluded that it was necessary to speak with counsel for St. Peter’s Health, Kathleen Abke, while maintaining a balance between a permitted examination of records and an impermissible investigation.

Montana law does not grant the Special Counsel the power to make findings of fact or conclusions of law related to an examination of records. The Special Counsel is not the Montana State government’s ethics officer, nor does the statute grant the Special Counsel power to enforce state rule or law. The Special Counsel is summarizing the information gleaned from examined documents and communications with involved parties at the request of the President, Speaker, and Minority Leadership.

Throughout this examination, the Special Counsel kept President Blasdel, Speaker Galt, Minority Leadership, and staff apprised of the inquiry’s progress. She also consulted with the attorneys at Legislative Services Division as necessary. The summary is a true and accurate reflection of the documents examined, which are included in the appendix as possible.
The Special Counsel’s Examination of Records

Documents obtained from the Attorney General’s Office.
To initiate this inquiry, the Special Counsel contacted the Attorney General’s Office to request an examination of the relevant government records. General Counsel Derek Oestreicher and Communications Director Kyler Nerison were designated as the office’s points of contact.

The Special Counsel spoke with and visited the Attorney General’s Office on several occasions. Many of the reviewed documents are part of an ongoing investigation by the Department of Justice. The Special Counsel was permitted to review the investigative file in person at the Attorney General’s Office.

The investigative file presented to the Special Counsel was complete and unredacted. The file included text messages between the patient advocate and Deputy Attorney General Kristin Hansen, statements filed by the patient’s family members, a dash camera video depicting the interaction between a Montana Highway Patrol Trooper and the patient’s relatives, the Trooper’s resulting incident report, and internal documents from the Department of Justice and Montana Highway Patrol related to the ongoing investigation.

The Attorney General’s office has received public records requests from media outlets related to the documents contained in the investigative file. These requests will be filled when a final decision is made regarding potential legal action. Until then, the documents are considered “confidential criminal justice information.”

The Special Counsel requested copies of several documents that did not qualify as confidential criminal justice information. After discussion with the Attorney General’s Office, those documents, including text messages sent and received by the Attorney General and e-mails between Communication Director Kyler Nerison and media outlets were provided. These documents are contained in the appendix.

The only redactions made to provided documents were the removal of the patient’s name, as well as any unofficial e-mail addresses and phone numbers. These redactions were made by the Special Counsel following consultation with Minority Leadership.

Official documents reviewed by the Special Counsel and resulting conversations with involved parties are summarized below. News reports and statements issued to the media are referenced when the information was corroborated by involved parties.

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During the weekend of October 9, 2021, an 82-year-old woman was admitted to St. Peter’s Health in Helena, Montana following a diagnosis of COVID-19. Shortly after her admission, a family friend serving as the patient’s advocate reached out to Deputy Attorney General Kristin

36 MCA § 44-5-103
37 Report Ex. J: E-mails of Kyler Nerison provided to the Special Counsel on November 9, 2021.
Hansen regarding concerns about the patient’s care. The advocate relayed the concerns of the patient and her family.

The advocate explained that a legal document, a power of attorney naming the patient’s daughter as medical decision-maker, was delivered to the hospital for the patient’s signature. However, the document was not provided to the patient and remained unsigned and invalid for three days as the patient’s condition deteriorated.

The hospital’s counsel confirmed a delay in the document’s delivery. However, she asserted that the document was provided to the patient as the care team was able, that the patient was awake, talking, and directing her care during the delay-period, and that the hospital’s internal investigation will likely reveal more details explaining the delay.

The advocate also expressed concerns to Deputy Attorney General Hansen that St. Peter’s had cut off text message communication between the patient and her family, wasn’t providing the patient with alternative medication prescribed by outside medical providers, and that family members who attempted to visit the patient during visiting hours were prevented from seeing her through the glass of the critical care ward as allowed by hospital policy.

Following this report from the patient’s advocate, on October 12, the Deputy Attorney General requested that a Montana Highway Patrol Trooper be dispatched to St. Peter’s to collect official statements from the patient’s family. Dash camera video shows the Trooper arriving at the parking lot of St. Peter’s Health at 9:09PM. The Trooper and a training officer remained in the parking lot to speak with two women identified as the patient’s sister and daughter.

During the conversation, the patient’s daughter details her concerns: 1) that the power of attorney document has not been delivered and the patient is concerned about her care if she loses consciousness, 2) that the patient is not being given a “right to try” “alternative” medications prescribed by outside providers, and 3) that the hospital may prevent the patient from checking out of the hospital despite her expressed desire to leave. At the end of their conversation, the Trooper asks the daughter and sister to memorialize their concerns in official statements.

After speaking with the family, the Trooper calls the Deputy Attorney General to relay the statements made by the patient’s family. Both sides of the conversation are recorded by the dash camera’s audio. The Deputy Attorney General acknowledges the Trooper’s report and asks the Trooper how she intends to proceed. The Trooper states that she will memorialize the report and speak with the county attorney. The Trooper then ends the call.

The Trooper leaves the parking lot at 9:43PM, at no time is she seen entering the hospital. Internal Highway Patrol documents show that the Trooper never spoke to hospital personnel.

The Department of Justice told the Special Counsel that their office and the Highway Patrol are duty bound to investigate claims of patient mistreatment, as are all peace officers, in their role

38 Text messages sent to Deputy Attorney General Kristin Hansen by the patient advocate.
39 Id.
40 Text messages sent to Deputy Attorney General Kristin Hansen by the patient’s advocate.
41 Conversation with Ms. Kathleen Abke, counsel for St. Peter’s Hospital conducted on November 8, 2021.
42 Id.
43 Text messages sent to Deputy Attorney General Kristin Hansen by the patient’s advocate.
as “community caretakers.” Case law explains the “underlying rationale” of the community caretaker doctrine is “that a peace officer has a duty [to promptly] investigate situations in which a citizen may be in peril or need some type of assistance.”

The Attorney General stated that the Deputy Attorney General was the person who made him aware of the family’s statements regarding the patient’s care. The Attorney General subsequently contacted a lobbyist for the Montana Hospital Association to obtain contact information for St. Peter’s Health administrators. During this conversation, the lobbyist informed the Attorney General that he was also a St. Peter’s Health board member.

Via text message, the Attorney General relayed the family’s claims that the patient was being denied her preferred “informed medical treatment,” access to legal documents, family visitation and the ability to leave. The Attorney General stated that he was “about to send law enforcement in and file unlawful restraint charges.” The lobbyist/board member offered to “make some inquiries” into the matter.

At 9:10AM on October 13, St. Peter’s Health CEO Wade Johnson sent a meeting request to the Attorney General, the lobbyist/board member, and the hospital’s Chief Medical Officer to schedule a video call for later that morning. The Attorney General’s Office stated that the purpose of this meeting was to ensure “that [St Peter’s] would cease preventing communication between the patient and her family and deliver the legal documents she needed.” The Attorney General later described the meeting as “cordial.”

When asked by the Special Counsel if he felt harassed or threatened by the Attorney General, St. Peter’s CEO responded that he “did not feel threatened” during his conversation with the Attorney General.

On the evening of October 13, St. Peter’s CEO sent the Attorney General an unsolicited text message to “close the loop” and let the Attorney General know he “followed through.” The CEO explains that he “[e]nsured the appropriate legal documents were indeed in place” and that the patient’s “family was aware of the methods by which to communicate with the patient and

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44 The Attorney General’s Office referenced the “community caretaker” doctrine established in State v. Lovegren, 310 Mont. 358, 361 (2002) and reaffirmed in subsequent decisions.
46 Wilson, Sam and Michels, Holly, AG Confirms His Deputy Involved in Hospital Dispute, Ravalli Republic Oct. 27, 2021, retrieved on November 18, 2021.
48 Id.
49 Id.
50 Id.
51 Id.
52 Report Ex. E: Scheduling request from St. Peter’s Health CEO Wade Johnson sent via Microsoft Teams.
54 Wilson, Sam and Michels, AG Confirms His Deputy Involved in Hospital Dispute, Ravalli Republic Oct. 27, 2021, retrieved on November 18, 2021.
55 Report Ex. G: E-mail from St. Peter’s counsel Kathleen Abke to Abra Belke dated November 19, 2021.
providers, and understand how the family can provide alternative medications to the patient that are not clinically approved.”

**Conversations with St. Peter’s Health’s Counsel**

Following an initial, in-person review of the investigative file, the Special Counsel contacted the counsel for St. Peter’s Health, Kathleen Abke.

Ms. Abke stated that she was aware of the Legislature’s inquiry and asked if the Special Counsel intended to ask the hospital to produce its records or make providers available for interview. 58 The Special Counsel informed Ms. Abke that the Legislature could not compel the hospital to participate, and that the inquiry was limited to examination of government records. Ms. Abke told the Special Counsel that the hospital was engaged in an internal investigation of the incident that might limit her responses, but that she would assist as able.

The Special Counsel requested that St. Peter’s voluntarily confirm or deny whether the Deputy Attorney General and the Attorney General were two of the public officials referenced in the hospital’s original statement. She stated that they were. 59

Ms. Abke voluntarily clarified that Deputy Attorney General Hansen was the only official who spoke directly with a healthcare provider. Ms. Abke stated that this conversation included multiple providers on a single phone call facilitated by the patient’s advocate. 60 She did not indicate when the call occurred but added that the Deputy Attorney General discussed potential “legal ramifications” of the conduct the family found concerning. Ms. Abke provided no specific examples of threatening language. 61

When asked about the conversation with providers, the Attorney General’s Office explained that Deputy Attorney General Hansen was on a phone call with the patient advocate when the advocate placed the Deputy on speaker phone unprompted. 62 The Office further explained that Deputy General Hansen did not initiate the conversation with providers herself.

Ms. Abke corroborated the Attorney General’s previous statement that he only spoke with St. Peter’s administrators, including the Chief Executive Officer, Chief Medical Officer, and a lobbyist/board member who facilitated the meeting. During a follow-up e-mail, Ms. Abke relayed the CEO’s statement that “[n]o, [he] did not feel threatened in [his] conversation with Mr. Knudsen.”

When asked about assertions that St. Peter’s failed to provide the patient with legal documents in a timely manner, Ms. Abke provided no firm reason for the delay, asserting that the documents were provided as staff was able and that there could be several explanations for the delay. 63 She stated that the patient was awake, talking, and advocating for herself during this

57 Id.
58 Conversation with Ms. Kathleen Abke, counsel for St. Peter’s Hospital conducted on November 8, 2021.
59 Id.
60 Id.
61 Id.
62 Conversation with Attorney General’s Office on Nov. 8, 2021.
63 Id.
period. She believed further details regarding the delay in delivery would be available when St. Peter’s internal investigation was complete.

Following this discussion, the Special Counsel asked Ms. Abke if she was able and willing to provide the name of the third, then-unnamed public official referenced in St. Peter’s statement. Ms. Abke informed the Special Counsel that Public Service Commissioner Jennifer Fielder was the third official. She provided a voicemail left by Commissioner Fielder to confirm Commissioner Fielder’s involvement.

**Involvement by Public Service Commissioner Jennifer Fielder**

On October 11, 2021, Public Service Commissioner Jennifer Fielder contacted St. Peter’s Health regarding the care the patient was receiving. “St. Peter’s Administration Department” transferred her to the Risk Management Office, where she left a three-minute voicemail for a hospital employee who was out of the office “for another week.”

Following consultation with the Senate President, the House Speaker, and Minority Leadership, the Special Counsel made the decisions not to release the voicemail because it contains the patient’s name and significant personal details about her life, her family, and her health. Instead, the voicemail was played for Minority Leadership and staff during a video call; they agreed that the following summary accurately reflected the relevant content.

In the message, Commissioner Fielder introduces herself as “State Senator Jennifer Fielder.” She later clarifies that she is a “former State Senator.” She also identifies the patient as a Senate staffer. (While the patient had worked for the Montana Legislature in previous sessions, employment during the legislative session is a temporary position and she was not employed by the Legislature at the time of her hospitalization.)

In the message, Commissioner Fielder states that the patient is of “sound mind” and has requested “Ivermectin and hydroxychloroquine” but the hospital’s providers have refused to prescribe them. She states that contact has been made “with a doctor in Havre” who will prescribe these “medications to the patient.” Commissioner Fielder argues that “under Montana law” the patient has “a right to try” these “alternative medications” in search of “life-saving care.”

Commissioner Fielder then advises the recipient that her voicemail is “a record” that she suggests the hospital employee not “erase” because “if this doesn’t turn out well there will be a suit.” Commissioner Fielder concludes the message stating that the patient has an “awful lot of friends who care about her” and that the Commissioner doesn’t “think the Senators will be too happy to hear about what’s going on with [the patient’s] case at St. Pete’s right now.”

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64 *Id.*
65 Voicemail left for St. Peter’s Health administrators by Commissioner Jennifer Fielder on Oct. 11, 2021.
66 *Id.*
67 *Id.*
68 Voicemail left for St. Peter’s Health administrators by Commissioner Jennifer Fielder on Oct. 11, 2021.
69 *Id.*
70 *Id.*
71 *Id.*
72 *Id.*
73 *Id.*
On November 9, 2021, the Special Counsel contacted Commissioner Fielder to initiate an examination of records related to her interactions with the hospital.74 The Special Counsel supplied a deadline of November 16.

On November 15, the Commissioner supplied the Special Counsel with a letter stating that her interactions with St. Peter’s were “not an agency matter” and that “no such government records” were available to examine.75 She further clarified that the “matter in question,” specifically the conduct of “corporate hospital” “does not fall within the [Public Service Commission’s] jurisdiction” and that aside from her response to the Special Counsel, her involvement “did not involve agency resources.” 76 She stated that she contacted St. Peter’s as a personal matter on behalf of the patient, who was a friend.

The Special Counsel has no power to investigate this matter further and takes Commissioner Fielder at her word that this was a personal matter about which no government records exist.

74 Ex. H: Letter from the Special Counsel to Commissioner Jennifer Fielder dated Nov. 9, 2021.
75 Ex. I: Letter from Commissioner Jennifer Fielder to the Special Counsel dated Nov. 15, 2021.
76 Ex. I: Letter from Commissioner Jennifer Fielder to the Special Counsel dated Nov. 15, 2021.
Exhibit A
Obtained from KTVH.com.

St. Peter's Health Full Statement:

St. Peter's Health works closely with public officials and regulatory agencies, and we occasionally receive inquiries about patient care and patient rights. Last week, several of our providers and care team members who are working tirelessly at the bedside were harassed and threatened by three public officials. These officials have no medical training or experience, yet they were insisting our providers give treatments for COVID-19 that are not authorized, clinically approved, or within the guidelines established by the FDA and the CDC. In addition, they threatened to use their position of power to force our doctors and nurses to provide this care. These conversations were deeply troubling to our physicians and staff because they were threatened and their clinical judgment was called into question by these individuals.

We have reviewed all medical and legal records related to these incidents, and we have verified that our teams are providing care in accordance with clinical best practice, hospital policy and patient rights. Any allegations or assertions otherwise are unfounded. St. Peter's is focused on providing the very best care for our patients. We stand behind our care teams, who are doing an exceptional job during these extenuating and incredibly challenging circumstances.

Despite occasional requests by patients or family members to use alternative therapies or medications like Ivermectin that are not authorized or clinically approved to treat COVID-19, St. Peter's Health will continue to follow clinical protocols that have been developed by medical experts and are consistent with FDA and CDC guidelines and recommendations. Any efforts to exert pressure on our providers, including by public officials, will not result in deviation from widely accepted clinical treatment protocols or our hospital policy. Furthermore, harassing our care teams places an additional burden of stress on these individuals, diverting their time and focus away from caring for these critically ill patients.

St. Peter's Health
Exhibit B
 Obtained from KTVH.com.

Office of Attorney General Austin Knudsen full statement:

The Attorney General’s Office received a report from a family that said St. Peter’s Hospital was violating their relative’s rights by refusing to allow her to receive prescribed medications, not delivering legal documents, not allowing them to see their relative, and at one point, even cutting off text message communication between them and their family member. The family asked for our assistance and a trooper was dispatched to speak with the family at the hospital. Following that conversation, Attorney General Knudsen spoke with hospital executives and received assurances that they would cease preventing communication between the patient and her family and deliver the legal documents she needed.

The Department of Justice initiated an investigation into very troubling allegations made by the family of a patient at St Peter’s Hospital. After hearing of the allegations and the ensuing investigation, Attorney General Knudsen contacted a board member who set up a telephone conference with hospital executives. No one was threatened or had their clinical judgment questioned while the Department of Justice was trying to get to the bottom of the serious allegations that the hospital was mistreating a patient and violating her rights and her family’s rights. The investigation is ongoing.

Office of Attorney General Austin Knudsen
Exhibit C
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. 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.

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,

[Signature]

Abra L. Belke
Special Counsel, Montana State Legislature

Exhibit D
MHA

Your client?

I'm on the Board of SPH and MHA a client.

You have a patient in there who is 1) being denied her preferred informed treatment, 2) being denied access to legal counsel despite a POA being prepared for her, 3) being denied any visitors including her family and 4) being denied the ability to leave. I'm about to send law enforcement in and file unlawful restraint charges.

I can make some inquiries.

I know it's after hours, but I'd appreciate some speed. This has been going on since yesterday and I was hoping the hospital would do the right thing. But my patience is almost gone.
Exhibit E
Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting [teams.microsoft.com]

Or call in (audio only)
+1-406-356-6279 United States, Billings
Phone Conference ID: [#### #]
Find a local number [dialin.teams.microsoft.com] | Reset PIN [mysettings.linc.com]

Reminder: Do NOT click this meeting link from within Citrix.

Learn More [aka.ms] | Meeting options [teams.microsoft.com]
Exhibit F
Wade here from St Peter's. Mark shared your number with me. Just thought I'd close the loop and let you know that we followed through and:

1. Ensured the appropriate legal documents were indeed in place and that no undue delays were created on our end and,
2. The family was aware of methods by which to communicate with the patient and providers, and understand how the family can provide alternative medications to the patient that are not clinically approved for that use or able to be administered by our staff.

Thank you.
Exhibit G
Hi Abra,

I was able to touch base with Mr. Johnson. I’m copying our Chief People & Communications Officer on this message as well for our records. His response to your question is as follows:

No, I did not feel threatened in my conversation with Mr. Knudsen.

Thanks again for your patience and let me know if you need anything else.

Kat

Kathleen J. Abke  
Attorney  
Admitted in Utah and Montana  
Direct: (801) 348-1115  
Mobile: (303) 231-3175  
E-mail: kabke@strongandhanni.com  
Website: www.strongandhanni.com

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From: Abra Belke <abra.belke@mtleg.gov>  
Sent: Friday, November 19, 2021 4:20 PM
Exhibit H
November 9, 2021

Commissioner Jennifer Fielder  
Public Service Commission  
1701 Prospect Ave.  
Helena, MT 59601

Dear Commissioner Fielder:

On October 21, 2021, citing recent news reports, the Legislature’s Minority Leadership expressed concerns about interactions between public officials and personnel at St. Peter’s Hospital after a spokesperson for the hospital released a statement that three public officials were “harassing” and “threatening” hospital staff.

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.”

Today, an attorney for St. Peter’s Hospital informed the special counsel that you are one of the three public officials referenced in their statement. As a result, the special counsel is requesting the opportunity to examine any government records that may have been created as a result of your interactions with St. Peter’s Hospital.

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 in your possession referring to or related to your interactions with St. Peter’s Hospital and hospital staff.

At the direction of the Speaker and President, I am requesting an initial delivery of documents on Tuesday, November 16, 2021.

The method for this delivery will depend on the type and breadth of documents that may exist; please contact me to discuss delivery methods when you have a fuller picture of any relevant
public records in your possession that are subject to examination. If you have questions about this request, please reach out to the special counsel at the number provided to you separately.

Sincerely,

[Signature]

Abra L. Belke
Special Counsel, Montana State Legislature

Exhibit I
November 15, 2021

Emailed to: abra.belke@mtleg.gov
Re: Nov. 9 Document Request
Dear Ms. Belke,

This letter is in response to your request to examine any government records that may have been created as a result of what you refer to as my interactions with St. Peter's Hospital. This was not an agency matter, and therefore there are no such government records.

Although, I personally received numerous calls for help from witnesses who observed a series of troubling events at the hospital, I did not use public resources or time in any communications with St. Peter's Hospital or any other concerned parties. My interest in this matter stemmed from the professional relationship I formed with [DELETED] who was a Senate staffer during my entire tenure in the Montana Senate, and my subsequent friendship with this sweet, elderly public servant who tended to look after “her Senators”, not only as an excellent secretary and administrative assistant, but also as a sort of den mother to us all.

I am now employed at the Public Service Commission which regulates private, investor-owned natural gas, electric, telephone, water and private sewer companies doing business in Montana. In addition, the PSC regulates certain kinds of motor carriers, including garbage trucks and passenger motor carriers. The PSC also overseas rail and pipeline safety regulations in the state.

The matter in question does not fall within the agency's jurisdiction and, other than formulating this response to you, did not involve use of agency resources. Although the PSC does not have authority over corporate hospital conduct, based on what I learned about various events preceding [DELETED] death, and the hospital's role in them, I personally believe the matter does warrant a full investigation by the appropriate authorities.

Sincerely,

[Signature]

Commissioner Jennifer Fielder
District 4 – Thompson Falls
Exhibit J
Jay, just an FYI. We’ll handle for now.

Jay: Holly Michels <Holly.Michels@helenair.com>
Sent: Friday, October 15, 2021 11:31 AM
To: Nerison, Kyler <Kyler.Nerison@mt.gov>; Cantrell, Emilee <Emilee.Cantrell@mt.gov>
Subject: [EXTERNAL] St. Peter's incident

Hi Kyler and Emilee –

I’m reaching out about an incident that happened Oct. 12 at St. Peter’s Hospital here.

It’s my understanding that a trooper from the Montana Highway Patrol was directed by the MHP colonel respond to the hospital after a patient there had requested a treatment that the hospital was not providing for COVID-19. From there, the trooper had called the on-call phone for the Lewis and Clark County Attorney after the information from people at the hospital. The county attorney’s office indicated that there was not an offense that needed to be investigated.

I also understand that the Attorney General and Chief Deputy Attorney General Kris Hansen had interactions with the hospital staff both via text message and over the phone.

I’d like to be able to talk with the AG or colonel about this, but if that’s not possible I'd like to ask:

-- Can you confirm that the colonel of MHP directed a trooper or troopers to respond to the hospital? I spoke with someone at dispatch who said the colonel called it into dispatch, who then sent a trooper.

-- How did the colonel learn about the situation and what led him to call dispatch? Was he notified by the AG or chief deputy AG or someone else within the AG’s office?

-- Is there a report from the trooper going to the hospital that I could have a copy of?

-- What did the trooper do while at the hospital?

-- Did the trooper or AG or deputy attorney AG mention or discuss any possible charges from the incident with hospital employees or others associated with the hospital?

-- What sort of contact did the AG or deputy AG have with the hospital’s employees or others associated with the hospital, such as board member, about this incident?

-- Did the AG and/or deputy AG have a conversation about the treatment of a patient at the hospital? If so, what was that conversation about? Did the AG or deputy AG make any requests for how a patient should be treated by hospital staff?
-- Can you provide a copy of any written communication, either via email or text message, between the AG and/or deputy AG and hospital staff related to this incident?

Thanks, and let me know if you have any questions.

Holly Michels
Montana State News Bureau/Lee Newspapers
(406) 529-0838
Nerison, Kyler

From: Nerison, Kyler
Sent: Monday, October 18, 2021 8:34 PM
To: Cantrell, Emilee
Subject: Fwd: [EXTERNAL] RE: St. Peter's incident

Quite the evening. Just wanted to give you a heads up when I called.

Sent from my iPhone

Begin forwarded message:

From: "Nerison, Kyler" <Kyler.Nerison@mt.gov>
Date: October 18, 2021 at 7:34:49 PM MDT
To: Holly Michels <Holly.Michels@helenair.com>
Subject: Re: [EXTERNAL] RE: St. Peter's incident

Concurrent jurisdiction means that two agencies could have jurisdiction.

If you’re asking for a direct response to that, this is it, attributable to me.

“The Department of Justice initiated an investigation into very troubling allegations made by the family of a patient at St Peter’s Hospital. After hearing of the allegations and the ensuing investigation, Attorney General Knudsen contacted a board member who set up a telephone conference with hospital executives. No one was threatened or had their clinical judgment questioned while the Department of Justice was trying to get to the bottom of the serious allegations that the hospital was mistreating a patient and violating her rights and her family’s rights. The investigation is ongoing.”

Sent from my iPhone

On Oct 18, 2021, at 6:26 PM, Holly Michels <Holly.Michels@helenair.com> wrote:

The hospital has issued a statement saying “several providers were contacted by three different public officials last week regarding the treatment of a patient in our care. These conversations were deeply troubling to our physicians and staff because they were threatened and their clinical judgment was called into question by these individuals.”

I have spoken with those involved in the conversations as well.

I wanted to ask if the attorney general disputes the characterization of the interactions as “threatening” and questioning the doctors’ clinical judgment?

Thanks.
Has said or you inferred? If the former, please refer me to the statement.

Sent from my iPhone

On Oct 18, 2021, at 5:56 PM, Holly Michels
<Holly.Michels@helenair.com> wrote:

I'm asking because this is a departure what the Helena Police Department has said is their jurisdiction. For example, today there was a call at the hospital and Helena PD responded.

Would this type of response be the AG's standard response for other families in distress?

Can you clarify which part of Title 45 you're pointing to?

Thanks.

The question is why we didn't tell a distressed family to call someone else? The Department of Justice is a law enforcement agency that has concurrent jurisdiction over Title 45.
On Oct 18, 2021, at 4:46 PM, Holly Michels
<Holly.Michels@helenair.com> wrote:

Hi Kyler —

To follow up, I wanted to ask about the decision to dispatch the trooper instead of calling Helena PD, who would have jurisdiction?

I also wanted to ask if the AG confirmed the family's reports of access to the patient being cut off?

Thanks.

Holly Michels
Montana State News Bureau/Lee Newspapers
(406) 529-0838

From: Nerison, Kyler [mailto:Kyler.Nerison@mt.gov]
Sent: Monday, October 18, 2021 3:20 PM
To: Holly Michels; Cantrell, Emilee
Subject: RE: St. Peter's incident

This message is from an external sender
This message came from outside your organization.

The Attorney General's Office received a report from a family that said St. Peter's Hospital was violating their relative's rights by refusing to allow her to receive prescribed medications, not delivering legal documents, not allowing them to see their relative, and at one point, even cutting off text message communication between them and their family member. The family asked for our assistance and a trooper was dispatched to speak with the family at the hospital. Following that conversation, Attorney General Knudsen spoke with hospital executives and received assurances that they would cease preventing communication between the patient and her family and deliver the legal documents she needed.

From: Holly Michels <Holly.Michels@helenair.com>
Sent: Monday, October 18, 2021 9:44 AM
Hi Kyler and Emilee –

I’m reaching out to check in on this. Can you please let me know you’ve received these questions?

Thanks.

From: Holly Michels
Sent: Friday, October 15, 2021 11:31 AM
To: 'Nerison, Kyler'; 'Cantrell, Emilee'
Subject: St. Peter’s incident

Hi Kyler and Emilee –

I’m reaching out about an incident that happened Oct. 12 at St. Peter’s Hospital here.

It’s my understanding that a trooper from the Montana Highway Patrol was directed by the MHP colonel to respond to the hospital after a patient there had requested a treatment that the hospital was not providing for covid-19. From there, the trooper had called the on-call phone for the Lewis and Clark County Attorney after collecting statements from people at the hospital. The county attorney’s office indicated that there was not an offense that needed to be investigated.

I also understand that the Attorney General and Chief Deputy Attorney General Kris Hansen had interactions with the hospital staff both via text message and over the phone.

I’d like to be able to talk with the AG or colonel about this, but if that’s not possible I’d like to ask:

-- Can you confirm that the colonel of MHP directed a trooper or troopers to respond to the hospital? I spoke with someone at dispatch who said the colonel called it into dispatch, who then sent a trooper.

-- How did the colonel learn about the situation and what led him to call dispatch? Was he notified by the AG or chief deputy AG or someone else within the AG’s office?
-- Is there a report from the trooper going to the hospital that I could have a copy of?

-- What did the trooper do while at the hospital?

-- Did the trooper or AG or deputy attorney AG mention or discuss any possible charges from the incident with hospital employees or others associated with the hospital?

-- What sort of contact did the AG or deputy AG have with the hospital’s employees or others associated with the hospital, such as board member, about this incident?

-- Did the AG and/or deputy AG have a conversation about the treatment of a patient at the hospital? If so, what was that conversation about? Did the AG or deputy AG make any requests for how a patient should be treated by hospital staff?

-- Can you provide a copy of any written communication, either via email or text message, between the AG and/or deputy AG and hospital staff related to this incident?

Thanks, and let me know if you have any questions.

Holly Michels
Montana State News Bureau/Lee Newspapers
(406) 529-0838
Here is an additional statement

“It’s unfortunate that the hospital and members of the Montana media are trying to turn the focus away from the serious allegations regarding the mistreatment of a patient. The Department of Justice’s ongoing investigation does not involve any specific medical treatment, nor did anyone at our agency give any directive to hospital staff regarding any specific medical treatment. Our concern was – and the focus of our investigation continues to be – allegations that the hospital mistreated a patient and violated her rights and her family’s rights.” Kyler Nerison, DOJ spokesman

Thank you Kyler.

Jaurdyn Johnson
She/Her/Hers
Multimedia Journalist
C: 406.202.4985
E: jaurdyn.johnson@ktvh.com

KTVH 9 KXLH

[EXTERNAL SENDER]
Hello Jaurdyn:

The Attorney General’s Office received a report from a family that said St. Peter’s Hospital was violating their relative’s rights by refusing to allow her to receive prescribed medications, not delivering legal documents, not allowing them to see their relative, and at one point, even cutting off text message communication between them and their family.
member. The family asked for our assistance and a trooper was dispatched to speak with the family at the hospital. Following that conversation, Attorney General Knudsen spoke with hospital executives and received assurances that they would cease preventing communication between the patient and her family and deliver the legal documents she needed.

The Department of Justice initiated an investigation into very troubling allegations made by the family of a patient at St Peter’s Hospital. After hearing of the allegations and the ensuing investigation, Attorney General Knudsen contacted a board member who set up a telephone conference with hospital executives. No one was threatened or had their clinical judgment questioned while the Department of Justice was trying to get to the bottom of the serious allegations that the hospital was mistreating a patient and violating her rights and her family’s rights. The investigation is ongoing.

Kyler Nerison
Communications Director
Attorney General Austin Knudsen, Montana Department of Justice
406-444-2031
Kyler.Nerison@mt.gov

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From: Johnson, Jaurdyn <jaurdyn.johnson@ktvh.com>
Sent: Tuesday, October 19, 2021 10:01 AM
To: Nerison, Kyler <Kyler.Nerison@mt.gov>
Subject: [EXTERNAL] Statement on DOJ officials demanding ivermectin to be used on COVID-19 patient

Hi Kyler,

I am a reporter for KTVH and was wondering if I could get a statement about an incident on Friday where Department of Justice officials called for the use of ivermectin on a patient at St. Peter’s Health.

Specifically, who was the member that initiated the investigation of allegations of a patient, what capacity was any of the members involved, and if a Montana Highway Patrolman was called to the hospital to investigate.

Thank you,

Jaurdyn Johnson
She/Her/Hers
Multimedia Journalist
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Hi Anders,

Here are the facts relating to the incident. You can attribute this to me.

The Attorney General’s Office received a report from a family that said St. Peter’s Hospital was violating their relative’s rights by refusing to allow her to receive prescribed medications, not delivering legal documents, not allowing them to see their relative, and at one point, even cutting off text message communication between them and their family member. The family asked for our assistance and a trooper was dispatched to speak with the family at the hospital. Following that conversation, Attorney General Knudsen spoke with hospital executives and received assurances that they would cease preventing communication between the patient and her family and deliver the legal documents she needed.

It’s unfortunate that the hospital and members of the Montana media are trying to turn the focus away from the serious allegations regarding the mistreatment of a patient. The Department of Justice’s ongoing investigation does not involve any specific medical treatment, nor did anyone at our agency give any directive to hospital staff regarding any specific medical treatment. No one was threatened or had their clinical judgment questioned while the Department of Justice was trying to get to the bottom of the serious allegations made against the hospital. Our concern was — and the focus of our investigation continues to be — allegations that the hospital mistreated a patient and violated her rights and her family’s rights.

I hope you’re able to relate the facts more accurately than the story in Lee Newspapers. It shouldn’t be too hard.

Thank you,

Kyler Nerison
Communications Director
Attorney General Austin Knudsen, Montana Department of Justice
406-444-2031
Kyler.nerison@mt.gov

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Hello,

I was wondering if you would like to comment on the fact that doctors have alleged they were threatened by public officials after they did not treat a COVID patient with ivermectin.

It would also be good to know if Attorney General Knudsen believes that ivermectin is a good treatment for COVID.

Finally, did the Attorney General at any point put pressure on St Peter’s Health staff, or direct anyone in his office to do so, over their treatment of a COVID patient.

With kind regards,

Anders Anglesey

Newsweek News Reporter
Hello Max.

Here are the facts relating to the incident. You can attribute this to me.

The Attorney General’s Office received a report from a family that said St. Peter’s Hospital was violating their relative’s rights by refusing to allow her to receive prescribed medications, not delivering legal documents, not allowing them to see their relative, and at one point, even cutting off text message communication between them and their family member. The family asked for our assistance and a trooper was dispatched to speak with the family at the hospital. Following that conversation, Attorney General Knudsen spoke with hospital executives and received assurances that they would cease preventing communication between the patient and her family and deliver the legal documents she needed.

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Communications Director
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To: Nerison, Kyler <Kyler.Nerison@mt.gov>
Subject: [EXTERNAL] Comment for 'Reason' on Incident at St. Peter’s?

Hey Kyler,
I'm Max, a Missoula-based journalist.

I'm working on a story for Reason [reason.com] about the recent indecent at St. Peter's, and was hoping to get comment from the AG's office on the following questions:

- Can you provide any further details of the patient's alleged communications restrictions?

- Per the patient's claims that she was not permitted to see family, did those instances fall outside of existing hospital protocol?

- Does the Attorney General believe that ivermectin is an effective treatment for COVID-19?

- Does the Attorney General believe that a patient's request for ivermectin falls under the Right to Try Act?

My deadline is EOD tomorrow.

Thanks very much,

Max Savage Levenson
(c) 717.395.2205
Montana Cannabis Weekly [mtcannabisreview.substack.com]
Hello Jaurdyn:

The Attorney General’s Office received a report from a family that said St. Peter’s Hospital was violating their relative’s rights by refusing to allow her to receive prescribed medications, not delivering legal documents, not allowing them to see their relative, and at one point, even cutting off text message communication between them and their family member. The family asked for our assistance and a trooper was dispatched to speak with the family at the hospital. Following that conversation, Attorney General Knudsen spoke with hospital executives and received assurances that they would cease preventing communication between the patient and her family and deliver the legal documents she needed.

The Department of Justice initiated an investigation into very troubling allegations made by the family of a patient at St Peter’s Hospital. After hearing of the allegations and the ensuing investigation, Attorney General Knudsen contacted a board member who set up a telephone conference with hospital executives. No one was threatened or had their clinical judgment questioned while the Department of Justice was trying to get to the bottom of the serious allegations that the hospital was mistreating a patient and violating her rights and her family’s rights. The investigation is ongoing.

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Communications Director
Attorney General Austin Knudsen, Montana Department of Justice
406-444-2031
Kyler.nerison@mt.gov

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I am a reporter for KTVH and was wondering if I could get a statement about an incident on Friday where Department of Justice officials called for the use of ivermectin on a patient at St. Peter’s Health.

Specifically, who was the member that initiated the investigation of allegations of a patient, what capacity was any of the members involved, and if a Montana Highway Patrolman was called to the hospital to investigate.

Thank you,

Jaurdyn Johnson
She/Her/Hers

Multimedia Journalist

C: 406.202.4985

E: jaurdyn.johnson@ktvh.com

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Hello Amy,

Here is an additional statement for the story about St. Peter’s Hospital:

“It’s unfortunate that the hospital and members of the Montana media are trying to turn the focus away from the serious allegations regarding the mistreatment of a patient. The Department of Justice’s ongoing investigation does not involve any specific medical treatment, nor did anyone at our agency give any directive to hospital staff regarding any specific medical treatment. Our concern was – and the focus of our investigation continues to be – allegations that the hospital mistreated a patient and violated her rights and her family’s rights.” Kyler Nerison, DOJ spokesman

I realize I always default to you on stories without bylines. Please let me know if I should change that.

Thank you,

Kyler Nerison
Communications Director
Attorney General Austin Knudsen, Montana Department of Justice
406-444-2031
Kyler.nerison@mt.gov

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Hello Zoe:

The Attorney General’s Office received a report from a family that said St. Peter’s Hospital was violating their relative’s rights by refusing to allow her to receive prescribed medications, not delivering legal documents, not allowing them to see their relative, and at one point, even cutting off text message communication between them and their family member. The family asked for our assistance and a trooper was dispatched to speak with the family at the hospital. Following that conversation, Attorney General Knudsen spoke with hospital executives and received assurances that they would cease preventing communication between the patient and her family and deliver the legal documents she needed.

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From: Zoe Richards <Zoe.Richards@thedailybeast.com>
Sent: Tuesday, October 19, 2021 11:55 AM
To: Nerison, Kyler <Kyler.Nerison@mt.gov>
Subject: [EXTERNAL] Re: Seeking insight for story: St Peter's doctors and allegations of patient mistreatment

Hi Kyler,

I wanted to follow up on my email below. I am on deadline so if you’re able to get back to me in the next hour or so that would be helpful. Could you also share the statement you send to the Independent Record?
On Oct 19, 2021, at 10:49 AM, Zoe Richards <Zoe.Richards@thedailybeast.com> wrote:

Hi Kyler,

I am a reporter at The Daily Beast — I came across a story that suggested public officials had “threatened” doctors at St Peter’s hospital (https://helenair.com/news/state-and-regional/govt-and-politics/helena-hospital-says-doctors-threatened-by-public-officials-over-ivermectin-request/article_b8333fe9-b0bd-5995-8412-10d3ce7ab867.html [helenair.com]) and there’s a statement from you that says AG Knudsen’s was involved as one of the public officials mentioned, although you clarify that no threats were made. Can you confirm/offer a statement or comment on the matter?

In the statement attributed to you by the Independent Record, it says the DOJ was investigating allegations from the family of a St Peter’s hospital patient whose rights were being violated. What sort of violations or mistreatment of the patient is the DOJ investigating? What sorts of allegations are involved and does it involve the patient accessing ivermectin or being dosed with the drug at the hospital?

Why did the Attorney General’s Office dispatch a Montana Highway Patrol trooper to the hospital?

What is the AG’s stance on using ivermectin to treat COVID?

If you have a moment to chat today, I would really appreciate it.

Thanks,
Zoe

Zoe Richards
Reporter
917-837-9577 | @zarichards

<image002.png>
Because the family asked for assistance from the Department of Justice.

Sent from my iPhone

On Oct 19, 2021, at 2:35 PM, Zoe Richards <Zoe.Richards@thedailybeast.com> wrote:

Thanks! Can you clarify why a state trooper was dispatched? Has the AG made efforts like this in the past on behalf of patients?

Sent from my iPhone

On Oct 19, 2021, at 1:55 PM, Zoe Richards <Zoe.Richards@thedailybeast.com> wrote:

Hi Kyler,

I wanted to follow up on my email below. I am on deadline so if you’re able to get back to me in the next hour or so that would be helpful. Could you also share the statement you send to the Independent Record?

Thanks,
Zoe

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If you have a moment to chat today, I would really appreciate it.

Thanks,
Zoe

Zoe Richards
Reporter
917-837-9577 | @zarichards

<image002.png>
Here is an additional statement

“It’s unfortunate that the hospital and members of the Montana media are trying to turn the focus away from the serious allegations regarding the mistreatment of a patient. The Department of Justice’s ongoing investigation does not involve any specific medical treatment, nor did anyone at our agency give any directive to hospital staff regarding any specific medical treatment. Our concern was – and the focus of our investigation continues to be – allegations that the hospital mistreated a patient and violated her rights and her family’s rights.” Kyler Nerison, DOJ spokesman

Sent from my iPhone

On Oct 19, 2021, at 2:36 PM, Nerison, Kyler <Kyler.Nerison@mt.gov> wrote:

Because the family asked for assistance from the Department of Justice.

Sent from my iPhone

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Thanks! Can you clarify why a state trooper was dispatched? Has the AG made efforts like this in the past on behalf of patients?

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Thanks,

Zoe
On Oct 19, 2021, at 10:49 AM, Zoe Richards
<Zoe.Richards@thedailybeast.com> wrote:

Hi Kyler,

I am a reporter at The Daily Beast — I came across a story that suggested public officials had “threatened” doctors at St Peter’s hospital
(https://helenair.com/news/state-and-regional/govt-and-politics/helena-hospital-says-doctors-threatened-by-public-officials-over-ivermectin-request/article_b8333fe9-b0bd-5995-8412-10d3ce7ab867.html [helenair.com]) and there’s a statement from you that says AG Knudsen’s was involved as one of the public officials mentioned, although you clarify that no threats were made. Can you confirm/offer a statement or comment on the matter?

In the statement attributed to you by the Independent Record, it says the DOJ was investigating allegations from the family of a St Peter’s hospital patient whose rights were being violated. What sort of violations or mistreatment of the patient is the DOJ investigating? What sorts of allegations are involved and does it involve the patient accessing ivermectin or being dosed with the drug at the hospital?

Why did the Attorney General’s Office dispatch a Montana Highway Patrol trooper to the hospital?

What is the AG’s stance on using ivermectin to treat COVID?

If you have a moment to chat today, I would really appreciate it.

Thanks,
Zoe

Zoe Richards
Reporter
917-937-9577 | @zarichards

<image002.png>
Nerison, Kyler

From: Nerison, Kyler
Sent: Tuesday, October 19, 2021 2:44 PM
To: Zoe Richards
Subject: RE: [EXTERNAL] Re: Seeking insight for story: St Peter’s doctors and allegations of patient mistreatment

It's the only case of alleged current and ongoing mistreatment of a patient that our office has directly received.

From: Zoe Richards <Zoe.Richards@thedailybeast.com>
Sent: Tuesday, October 19, 2021 2:43 PM
To: Nerison, Kyler <Kyler.Nerison@mt.gov>
Subject: Re: [EXTERNAL] Re: Seeking insight for story: St Peter's doctors and allegations of patient mistreatment

Thanks very much! And got it, would you say sending a state trooper is common practice or protocol in these cases?

Sent from my iPhone

On Oct 19, 2021, at 4:37 PM, Nerison, Kyler <Kyler.Nerison@mt.gov> wrote:

Here is an additional statement

"It's unfortunate that the hospital and members of the Montana media are trying to turn the focus away from the serious allegations regarding the mistreatment of a patient. The Department of Justice's ongoing investigation does not involve any specific medical treatment, nor did anyone at our agency give any directive to hospital staff regarding any specific medical treatment. Our concern was — and the focus of our investigation continues to be — allegations that the hospital mistreated a patient and violated her rights and her family’s rights.” Kyler Nerison, DOJ spokesman

Sent from my iPhone

On Oct 19, 2021, at 2:36 PM, Nerison, Kyler <Kyler.Nerison@mt.gov> wrote:

Because the family asked for assistance from the Department of Justice.

Sent from my iPhone

On Oct 19, 2021, at 2:35 PM, Zoe Richards <Zoe.Richards@thedailybeast.com> wrote:

Thanks! Can you clarify why a state trooper was dispatched? Has the AG made efforts like this in the past on behalf of patients?

Sent from my iPhone
On Oct 19, 2021, at 1:55 PM, Zoe Richards <Zoe.Richards@thedailybeast.com> wrote:

Hi Kyler,

I wanted to follow up on my email below. I am on deadline so if you’re able to get back to me in the next hour or so that would be helpful. Could you also share the statement you send to the Independent Record?

Thanks,
Zoe

On Oct 19, 2021, at 10:49 AM, Zoe Richards <Zoe.Richards@thedailybeast.com> wrote:

Hi Kyler,

I am a reporter at The Daily Beast — I came across a story that suggested public officials had “threatened” doctors at St Peter’s hospital (https://helenair.com/news/state-and-regional/govt-and-politics/helena-hospital-says-doctors-threatened-by-public-officials-over-ivermectin-request/article_b8333fe9-b0bd-5995-8412-10d3ce7ab867.html [helenair.com]) and there’s a statement from you that says AG Knudsen’s was involved as one of the public officials mentioned, although you clarify that no threats were made. Can you confirm/offer a statement or comment on the matter?

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Why did the Attorney General's Office dispatch a Montana Highway Patrol trooper to the hospital?

What is the AG's stance on using ivermectin to treat COVID?

If you have a moment to chat today, I would really appreciate it.

Thanks,
Zoe

Zoë Richards
Reporter
917-837-9577 | @zarichards

<image002.png>
From: Nerison, Kyler
Sent: Thursday, October 21, 2021 5:52 PM
To: Seaborn Larson
Subject: Re: [EXTERNAL] Dems calling for investigation

We're working on providing you the available public information.

Sent from my iPhone

On Oct 21, 2021, at 5:26 PM, Seaborn Larson <Seaborn.Larson@lee.net> wrote:

Could you clarify that with any notes from the call and communications, including text messages, with the hospital and board as previously requested?

From: Nerison, Kyler [mailto:Kyler.Nerison@mt.gov]
Sent: Thursday, October 21, 2021 5:10 PM
To: Seaborn Larson <Seaborn.Larson@lee.net>
Subject: Re: [EXTERNAL] Dems calling for investigation

This Message Is From an External Sender
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Any insinuation that anyone at our agency gave any directive to hospital staff regarding any specific medical treatment. Additionally, no one was threatened or had their clinical judgment questioned while the Department of Justice was trying to get to the bottom of the serious allegations made against the hospital.

Sent from my iPhone

On Oct 21, 2021, at 5:00 PM, Seaborn Larson <Seaborn.Larson@lee.net> wrote:

What misinformation is that?

From: Nerison, Kyler [mailto:Kyler.Nerison@mt.gov]
Sent: Thursday, October 21, 2021 4:55 PM
To: Seborn Larson <Seborn.Larson@lee.net>
Cc: Cantrell, Emilee <Emilee.Cantrell@mt.gov>; Holly Michels <Holly.Michels@helenair.com>
Subject: Re: [EXTERNAL] Dems calling for investigation

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This message came from outside your organization.

Given the misinformation being reported in the media regarding this incident, we welcome a conversation with any member of the legislature. So far, no Democrats have reached out.

Sent from my iPhone

On Oct 21, 2021, at 4:41 PM, Seborn Larson <Seborn.Larson@lee.net> wrote:

I did not, but since you asked

From: Nerison, Kyler [mailto:Kyler.Nerison@mt.gov]
Sent: Thursday, October 21, 2021 4:40 PM
To: Seborn Larson <Seborn.Larson@lee.net>
Cc: Cantrell, Emilee <Emilee.Cantrell@mt.gov>; Holly Michels <Holly.Michels@helenair.com>
Subject: Re: [EXTERNAL] Dems calling for investigation

This Message Is From an External Sender
This message came from outside your organization.

You forgot the attachment

Sent from my iPhone

On Oct 21, 2021, at 4:19 PM, Seborn Larson <Seborn.Larson@lee.net> wrote:

Hi all,
We have obtained a letter from Democratic legislative leadership to House Speaker Wylie Galt and Senate President Mark Blasdel requesting an investigation into the Attorney General’s actions regarding the incident at St. Peter’s Health. I am reaching out to see if you’d like to comment on the request. Thanks very much,

Seaborn Larson
State news bureau reporter
Cell: 406-531-9547

Any insinuation that anyone at our agency gave any directive to hospital staff regarding any specific medical treatment. Additionally, no one was threatened or had their clinical judgment questioned while the Department of Justice was trying to get to the bottom of the serious allegations made against the hospital.

Sent from my iPhone

On Oct 21, 2021, at 5:00 PM, Seaborn Larson <Seaborn.Larson@lee.net> wrote:

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From: Nerison, Kyler [mailto:Kyler.Nerison@mt.gov]
Sent: Thursday, October 21, 2021 4:55 PM
To: Seaborn Larson <Seaborn.Larson@lee.net>
Cc: Cantrell, Emilee <Emilee.Cantrell@mt.gov>; Holly Michels <Holly.Michels@helenair.com>
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Seaborn Larson
State news bureau reporter
Cell: 406-531-9547

Hi Anthony,

Here are the facts relating to the incident. Any or all of this is attributable to me.

The Attorney General’s Office received a report from a family that said St. Peter’s Hospital was violating their relative’s rights by refusing to allow her to receive prescribed medications, not delivering legal documents, not allowing them to see their relative, and at one point, even cutting off text message communication between them and their family member. The family asked for our assistance and a trooper was dispatched to speak with the family at the hospital. Following that conversation, Attorney General Knudsen spoke with hospital executives and received assurances that they would cease preventing communication between the patient and her family and deliver the legal documents she needed.

The Department of Justice has a legal obligation to review any complaints of patient abuse or patient neglect and it’s unfortunate that the hospital and certain members of the Montana media are trying to turn the focus away from the serious allegations regarding the mistreatment of a patient. The Department of Justice’s ongoing investigation does not involve any specific medical treatment, nor did anyone at our agency give any directive to hospital staff regarding any specific medical treatment. No one was threatened or had their clinical judgment questioned while the Department of Justice was trying to get to the bottom of the serious allegations made against the hospital. Our concern was—and the focus of our investigation continues to be—allegations that the hospital mistreated a patient and violated her rights and her family’s rights.

I hope that gets you what you need.

-Kyler

Kyler Nerison
Communications Director
Attorney General Austin Knudsen, Montana Department of Justice
406-444-2031
Kyler.nerison@mt.gov

CONFIDENTIALITY NOTICE: This email contains information from the Montana Attorney General’s Office which may be confidential and/or privileged. If you are not the intended recipient, please do not disclose, copy, distribute or use the contents of this information. Please notify me by return email and delete the information you received in error immediately. Thank you.
Hi Kyler,

My name is Anthony Raphael and I work with the ABC Fox station here in Helena. I wanted to shoot you an email to see if Attorney General Knudsen would have time to speak on the matter, or at least would be willing to provide an official statement. Want to make sure I am providing an unbiased form of journalism!

Best,

Anthony Raphael
ABC/Fox Montana Reporter
KFBB - Helena
Newsroom: 406-453-4370
Cell: 406-540-2083
Exhibit J
Given the misinformation being reported in the media regarding this incident, we welcome a conversation with any member of the legislature. So far, no Democrats have reached out.

Sent from my iPhone

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To: Seaborn Larson <Seaborn.Larson@lee.net>
Cc: Cantrell, Emilye <Emilye.Cantrell@mt.gov>; Holly Michels <Holly.Michels@helenair.com>
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Seaborn Larson
State news bureau reporter
Cell: 406-531-9547
It's literally the same agency. If the shoe were on the other foot and the Department of Justice didn’t take action while people sat around and tried to figure out how to appease Lee Newspapers, you would be criticizing us for not acting soon enough.

Here's a statement I have provided to others. You might find it helpful here.

"It's unfortunate that the hospital and members of the Montana media are trying to turn the focus away from the serious allegations regarding the mistreatment of a patient. The Department of Justice's ongoing investigation does not involve any specific medical treatment, nor did anyone at our agency give any directive to hospital staff regarding any specific medical treatment. Our concern was—and the focus of our investigation continues to be—allegations that the hospital mistreated a patient and violated her rights and her family's rights." Kyler Nerison, DOJ spokesman

Considering this statute, why did the department not send the Medicaid Fraud Unit instead of highway patrol?

Who told you there was a meeting?


Can you point me to that policy or statute? And can you confirm the meeting setup with Dutton?
From: Nerison, Kyler [mailto:Kyler_Nerison@mt.gov]
Sent: Wednesday, October 20, 2021 4:25 PM
To: Seaborn Larson <Seaborn.Larson@lee.net>; Cantrell, Emilee <Emilee.Cantrell@mt.gov>
Subject: RE: Dutton meeting with AG

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I’m not sure that something specifically stating it applies to arrests would apply in instances without any arrests. The Department of Justice has the ability to investigate any complaints of patient abuse or patient neglect.

From: Seaborn Larson <Seaborn.Larson@lee.net>
Sent: Wednesday, October 20, 2021 3:55 PM
To: Nerison, Kyler <Kyler.Nerison@mt.gov>; Cantrell, Emilee <Emilee.Cantrell@mt.gov>
Subject: [EXTERNAL] RE: Dutton meeting with AG

Correct, which are within the section about jurisdiction.

Confirm the meeting setup with Dutton?

From: Nerison, Kyler [mailto:Kyler_Nerison@mt.gov]
Sent: Wednesday, October 20, 2021 3:34 PM
To: Seaborn Larson <Seaborn.Larson@lee.net>; Cantrell, Emilee <Emilee.Cantrell@mt.gov>
Subject: RE: Dutton meeting with AG

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Looks like those sections apply to arrests

From: Seaborn Larson <Seaborn.Larson@lee.net>
Sent: Wednesday, October 20, 2021 1:27 PM
To: Nerison, Kyler <Kyler.Nerison@mt.gov>; Cantrell, Emilee <Emilee.Cantrell@mt.gov>
Subject: [EXTERNAL] Dutton meeting with AG

Hi all,

Sheriff Leo Dutton tells me he has contacted the AG to set up a meeting next week to talk about “jurisdictional issues” regarding the incident at St. Pete’s last week. I was hoping you could confirm the contact and an expected meeting for next week.

Dutton also says he does not read MCA 44-1-1001 or 44-1-1003 as granting MHP jurisdiction over the hospital. Wondering if you’d like to respond.

Turning in this story by end of the day. Thanks -
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Seaborn Larson
State news bureau reporter
Cell: 406-531-9547
Nerison, Kyler

From: Nerison, Kyler  
Sent: Wednesday, October 20, 2021 4:25 PM  
To: Seaborne Larson; Cantrell, Emilee  
Subject: RE: Dutton meeting with AG

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From: Seaborne Larson <Seaborne.Larson@lee.net>  
Sent: Wednesday, October 20, 2021 3:55 PM  
To: Nerison, Kyler <Kyler.Nerison@mt.gov>; Cantrell, Emilee <Emilee.Cantrell@mt.gov>  
Subject: [EXTERNAL] RE: Dutton meeting with AG

Correct, which are within the section about jurisdiction.

Confirm the meeting setup with Dutton?

From: Nerison, Kyler [mailto:Kyler.Nerison@mt.gov]  
Sent: Wednesday, October 20, 2021 3:34 PM  
To: Seaborne Larson <Seaborne.Larson@lee.net>; Cantrell, Emilee <Emilee.Cantrell@mt.gov>  
Subject: RE: Dutton meeting with AG

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Looks like those sections apply to arrests

From: Seaborne Larson <Seaborne.Larson@lee.net>  
Sent: Wednesday, October 20, 2021 1:27 PM  
To: Nerison, Kyler <Kyler.Nerison@mt.gov>; Cantrell, Emilee <Emilee.Cantrell@mt.gov>  
Subject: [EXTERNAL] Dutton meeting with AG

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State news bureau reporter
Cell: 406-531-9547
Looks like those sections apply to arrests

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To: Nerison, Kyler <Kyler.Nerison@mt.gov>; Cantrell, Emilee <Emilee.Cantrell@mt.gov>
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Turning in this story by end of the day. Thanks -

Seaborn Larson
State news bureau reporter
Cell: 406-531-9547

Concurrent jurisdiction means that two agencies could have jurisdiction.

If you’re asking for a direct response to that, this is it, attributable to me.

“The Department of Justice initiated an investigation into very troubling allegations made by the family of a patient at St Peter’s Hospital. After hearing of the allegations and the ensuing investigation, Attorney General Knudsen contacted a board member who set up a telephone conference with hospital executives. No one was threatened or had their clinical judgment questioned while the Department of Justice was trying to get to the bottom of the serious allegations that the hospital was mistreating a patient and violating her rights and her family’s rights. The investigation is ongoing.”

Sent from my iPhone

On Oct 18, 2021, at 6:26 PM, Holly Michels <Holly.Michels@helenair.com> wrote:

The hospital has issued a statement saying “several providers were contacted by three different public officials last week regarding the treatment of a patient in our care. These conversations were deeply troubling to our physicians and staff because they were threatened and their clinical judgment was called into question by these individuals.”

I have spoken with those involved in the conversations as well.

I wanted to ask if the attorney general disputes the characterization of the interactions as “threatening” and questioning the doctors’ clinical judgment?

Thanks.

From: Nerison, Kyler [mailto:Kyler.Nerison@mt.gov]
Sent: Monday, October 18, 2021 6:10 PM
To: Holly Michels
Subject: Re: [EXTERNAL] RE: St. Peter’s incident

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Has said or you inferred? If the former, please refer me to the statement.

Sent from my iPhone
On Oct 18, 2021, at 5:56 PM, Holly Michels <Holly.Michels@helenair.com> wrote:

I'm asking because this is a departure what the Helena Police Department has said is their jurisdiction. For example, today there was a call at the hospital and Helena PD responded.

Would this type of response be the AG's standard response for other families in distress?

Can you clarify which part of Title 45 you’re pointing to?

Thanks.

From: Nerison, Kyler [mailto:kyler.Nerison@mt.gov]
Sent: Monday, October 18, 2021 5:44 PM
To: Holly Michels
Subject: Re: [EXTERNAL] RE: St. Peter's incident

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The question is why we didn't tell a distressed family to call someone else? The Department of Justice is a law enforcement agency that has concurrent jurisdiction over Title 45.

Sent from my iPhone

On Oct 18, 2021, at 4:46 PM, Holly Michels <Holly.Michels@helenair.com> wrote:

Hi Kyler –

To follow up, I wanted to ask about the decision to dispatch the trooper instead of calling Helena PD, who would have jurisdiction?

I also wanted to ask if the AG confirmed the family’s reports of access to the patient being cut off?

Thanks.

Holly Michels
The Attorney General’s Office received a report from a family that said St. Peter’s Hospital was violating their relative’s rights by refusing to allow her to receive prescribed medications, not delivering legal documents, not allowing them to see their relative, and at one point, even cutting off text message communication between them and their family member. The family asked for our assistance and a trooper was dispatched to speak with the family at the hospital. Following that conversation, Attorney General Knudsen spoke with hospital executives and received assurances that they would cease preventing communication between the patient and her family and deliver the legal documents she needed.

Hi Kyler and Emilee –

I’m reaching out to check in on this. Can you please let me know you’ve received these questions?

Thanks.
I'm reaching out about an incident that happened Oct. 12 at St. Peter's Hospital here.

It's my understanding that a trooper from the Montana Highway Patrol was directed by the MHP colonel to respond to the hospital after a patient there had requested a treatment that the hospital was not providing for covid-19. From there, the trooper called the on-call phone for the Lewis and Clark County Attorney after collecting statements from people at the hospital. The county attorney's office indicated that there was not an offense that needed to be investigated.

I also understand that the Attorney General and Chief Deputy Attorney General Kris Hansen had interactions with the hospital staff both via text message and over the phone.

I'd like to be able to talk with the AG or colonel about this, but if that's not possible I'd like to ask:

-- Can you confirm that the colonel of MHP directed a trooper or troopers to respond to the hospital? I spoke with someone at dispatch who said the colonel called it into dispatch, who then sent a trooper.

-- How did the colonel learn about the situation and what led him to call dispatch? Was he notified by the AG or chief deputy AG or someone else within the AG's office?

-- Is there a report from the trooper going to the hospital that I could have a copy of?

-- What did the trooper do while at the hospital?

-- Did the trooper or AG or deputy attorney AG mention or discuss any possible charges from the incident with hospital employees or others associated with the hospital?

-- What sort of contact did the AG or deputy AG have with the hospital's employees or others associated with the hospital, such as board member, about this incident?

-- Did the AG and/or deputy AG have a conversation about the treatment of a patient at the hospital? If so, what was that conversation about? Did the AG or deputy AG make any requests for how a patient should be treated by hospital staff?

-- Can you provide a copy of any written communication, either via email or text message, between the AG and/or deputy AG and hospital staff related to this incident?

Thanks, and let me know if you have any questions.

Holly Michels
Montana State News Bureau/Lee Newspapers
(406) 529-0838
Has said or you inferred? If the former, please refer me to the statement.

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Thanks.

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I also wanted to ask if the AG confirmed the family’s reports of access to the patient being cut off?

Thanks.

Holly Michels
Montana State News Bureau/Lee Newspapers
(406) 529-0838

From: Nerison, Kyler [mailto:Kyler.Nerison@mt.gov]
Sent: Monday, October 18, 2021 3:20 PM
To: Holly Michels; Cantrell, Emilee
Subject: RE: St. Peter’s incident

The Attorney General’s Office received a report from a family that said St. Peter’s Hospital was violating their relative’s rights by refusing to allow her to receive prescribed medications, not delivering legal documents, not allowing them to see their relative, and at one point, even cutting off text message communication between them and their family member. The family asked for our assistance and a trooper was dispatched to speak with the family at the hospital. Following that conversation, Attorney General Knudsen spoke with hospital executives and received assurances that they would cease preventing communication between the patient and her family and deliver the legal documents she needed.

From: Holly Michels <Holly.Michels@helenair.com>
Sent: Monday, October 18, 2021 9:44 AM
To: Nerison, Kyler <Kyler.Nerison@mt.gov>; Cantrell, Emilee <Emilee.Cantrell@mt.gov>
Subject: [EXTERNAL] RE: St. Peter’s incident

Hi Kyler and Emilee —

I’m reaching out to check in on this. Can you please let me know you’ve received these questions?

Thanks.

From: Holly Michels
Sent: Friday, October 15, 2021 11:31 AM
To: 'Nerison, Kyler'; 'Cantrell, Emilee'
Subject: St. Peter’s incident
Hi Kyler and Emilee —

I’m reaching out about an incident that happened Oct. 12 at St. Peter’s Hospital here.

It’s my understanding that a trooper from the Montana Highway Patrol was directed by the MHP colonel to respond to the hospital after a patient there had requested a treatment that the hospital was not providing for covid-19. From there, the trooper had called the on-call phone for the Lewis and Clark County Attorney after collecting statements from people at the hospital. The county attorney’s office indicated that there was not an offense that needed to be investigated.

I also understand that the Attorney General and Chief Deputy Attorney General Kris Hansen had interactions with the hospital staff both via text message and over the phone.

I’d like to be able to talk with the AG or colonel about this, but if that’s not possible I’d like to ask:

-- Can you confirm that the colonel of MHP directed a trooper or troopers to respond to the hospital? I spoke with someone at dispatch who said the colonel called it into dispatch, who then sent a trooper.

-- How did the colonel learn about the situation and what led him to call dispatch? Was he notified by the AG or chief deputy AG or someone else within the AG’s office?

-- Is there a report from the trooper going to the hospital that I could have a copy of?

-- What did the trooper do while at the hospital?

-- Did the trooper or AG or deputy attorney AG mention or discuss any possible charges from the incident with hospital employees or others associated with the hospital?

-- What sort of contact did the AG or deputy AG have with the hospital’s employees or others associated with the hospital, such as board member, about this incident?

-- Did the AG and/or deputy AG have a conversation about the treatment of a patient at the hospital? If so, what was that conversation about? Did the AG or deputy AG make any requests for how a patient should be treated by hospital staff?

-- Can you provide a copy of any written communication, either via email or text message, between the AG and/or deputy AG and hospital staff related to this incident?

Thanks, and let me know if you have any questions.

Holly Michel
Montana State News Bureau/Lee Newspapers
(406) 529-0838
The question is why we didn’t tell a distressed family to call someone else? The Department of Justice is a law enforcement agency that has concurrent jurisdiction over Title 45.

Sent from my iPhone

On Oct 18, 2021, at 4:46 PM, Holly Michels <Holly.Michels@helenair.com> wrote:

Hi Kyler —

To follow up, I wanted to ask about the decision to dispatch the trooper instead of calling Helena PD, who would have jurisdiction?

I also wanted to ask if the AG confirmed the family’s reports of access to the patient being cut off?

Thanks.

Holly Michels
Montana State News Bureau/Lee Newspapers
(406) 529-0838

This Message Is From an External Sender
This message came from outside your organization.

The Attorney General’s Office received a report from a family that said St. Peter’s Hospital was violating their relative’s rights by refusing to allow her to receive prescribed medications, not delivering legal documents, not allowing them to see their relative, and at one point, even cutting off text message communication between them and their family member. The family asked for our assistance and a trooper was dispatched to speak with the family at the hospital. Following that conversation, Attorney General Knudsen spoke with hospital executives and received assurances that they would cease
preventing communication between the patient and her family and deliver the legal documents she
needed.

From: Holly Michels <Holly.Michels@helenair.com>
Sent: Monday, October 18, 2021 9:44 AM
To: Nerison, Kyler <Kyler.Nerison@mt.gov>; Cantrell, Emilee <Emilee.Cantrell@mt.gov>
Subject: [EXTERNAL] RE: St. Peter’s incident

Hi Kyler and Emilee –

I’m reaching out to check in on this. Can you please let me know you’ve received these questions?

Thanks.

From: Holly Michels
Sent: Friday, October 15, 2021 11:31 AM
To: 'Nerison, Kyler'; 'Cantrell, Emilee'
Subject: St. Peter’s incident

Hi Kyler and Emilee –

I’m reaching out about an incident that happened Oct. 12 at St. Peter’s Hospital here.

It’s my understanding that a trooper from the Montana Highway Patrol was directed by the MHP colonel
respond to the hospital after a patient there had requested a treatment that the hospital was not
providing for covid-19. From there, the trooper had called the on-call phone for the Lewis and Clark
County Attorney after collecting statements from people at the hospital. The county attorney’s office
indicated that there was not an offense that needed to be investigated.

I also understand that the Attorney General and Chief Deputy Attorney General Kris Hansen had
interactions with the hospital staff both via text message and over the phone.

I’d like to be able to talk with the AG or colonel about this, but if that’s not possible I’d like to ask:

-- Can you confirm that the colonel of MHP directed a trooper or troopers to respond to the hospital? I
spoke with someone at dispatch who said the colonel called it into dispatch, who then sent a trooper.

-- How did the colonel learn about the situation and what led him to call dispatch? Was he notified by
the AG or chief deputy AG or someone else within the AG’s office?

-- Is there a report from the trooper going to the hospital that I could have a copy of?

-- What did the trooper do while at the hospital?

-- Did the trooper or AG or deputy attorney AG mention or discuss any possible charges from the
incident with hospital employees or others associated with the hospital?

-- What sort of contact did the AG or deputy AG have with the hospital’s employees or others associated
with the hospital, such as board member, about this incident?
-- Did the AG and/or deputy AG have a conversation about the treatment of a patient at the hospital? If so, what was that conversation about? Did the AG or deputy AG make any requests for how a patient should be treated by hospital staff?

-- Can you provide a copy of any written communication, either via email or text message, between the AG and/or deputy AG and hospital staff related to this incident?

Thanks, and let me know if you have any questions.

Holly Michels
Montana State News Bureau/Lee Newspapers
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Holly Michels
Montana State News Bureau/Lee Newspapers
(406) 529-0838
On Oct 21, 2021, at 4:43 PM, John Adams <jadams@montanafreepress.org> wrote:

Can I attribute the information to you as we discussed?

John S. Adams  
Executive Director, Editor-in-Chief  
Montana Free Press  
jadams@montanafreepress.org  
(406) 465-9359

On Thu, Oct 21, 2021 at 4:00 PM Nerison, Kyler <Kyler.Nerison@mt.gov> wrote:

John –

If possible, please use this “on background” as well following our previous conversation. The trooper did not enter the hospital or speak with any hospital staff. I am still working on getting the statements take to send to you.

Thanks,

Kyler

From: John Adams <jadams@montanafreepress.org>  
Sent: Thursday, October 21, 2021 1:17 PM
To: Nerison, Kyler <Kyler.Nerison@mt.gov>
Subject: Re: [EXTERNAL] Re: Interview Request

Kyler,

Thanks for being responsive to my interview request. I think it's really important that the citizens hear directly from their elected officials.

I would like to know who contacted Kris Hansen. There are at least two elected officials who commented on the Facebook Post regarding the patient that appears to have led to some of this; Lt. Gov. Juras (which is what caused my confusion during the interview), and Sen. Manzella. Can you try to get me that information and either confirm or deny whether either of those two officials was involved?

Thanks,

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John S. Adams
Executive Director, Editor-in-Chief
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(406) 465-9359

On Thu, Oct 21, 2021 at 10:49 AM Nerison, Kyler <Kyler.Nerison@mt.gov> wrote:

We'll probably call pretty soon here
Yes, that is correct.

John S. Adams
Executive Director, Editor-in-Chief
Montana Free Press
jadams@montanafreepress.org
(406) 465-9359

On Thu, Oct 21, 2021 at 9:09 AM Nerison, Kyler <Kyler.Nerison@mt.gov> wrote:

I was just writing you a message. Yes, we should be able to shoot for something later this morning. To make sure I understand, you’re conducting the interview?

Hi Kyler,

I've interviewed several former sheriffs and Highway Patrol chiefs on the record regarding the question of jurisdictional creep highlighted by the incident last week and I'd like to interview the Attorney General to get his side.
I've interviewed Attorney General Knudsen many times over the years and we've always had a respectful relationship. Given the tension around this issue, I think this would be a great opportunity for AG Knudsen to speak directly to the questions people have about this incident and tell his side of it in his own words.

I really don't want to publish a story in which the Attorney General's voice is not represented, and as one former Gallatin County Sheriff said in an interview, "it's an important conversation to have."

I'm planning to file my story by end of the day today (Thursday). I can make time at any point today. 15-20 minutes should suffice, though I'd carve out as much time as the AG wishes to talk.

Feel free to call me if you have any questions.

Thanks,

John

John S. Adams
Executive Director, Editor-in-Chief
Montana Free Press
jadams@montanafreepress.org
(406) 465-9359

On Wed, Oct 20, 2021 at 8:41 PM John Adams <jadams@montanafreepress.org> wrote:

Kyler,
I'd like to request an interview with Attorney General Knudsen regarding the St. Peter's Health incident.

Can we set up a time tomorrow (Thursday)?

Thanks,

John

John S. Adams
Executive Director, Editor-in-Chief
Montana Free Press
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Nerison, Kyler

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Sent: Thursday, October 21, 2021 9:13 AM
To: Nerison, Kyler <Kyler.Nerison@mt.gov>
Subject: Re: [EXTERNAL] Re: Interview Request

Yes, that is correct.

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jadams@montanafreepress.org
(406) 465-9359
You’re taking bad reporting and turning it up past 11. Enjoy the rest of your weekend.

Sent from my iPhone

On Oct 23, 2021, at 1:00 PM, Jason Russell <jason.russell@reason.com> wrote:

Thank you for this, Kyler. Max and I looked through these today and still believe everything in the piece is backed up by sources and other reporting.

On Fri, Oct 22, 2021 at 5:53 PM Nerison, Kyler <Kyler.Nerison@mt.gov> wrote:

Here’s some more details on factual errors and important omissions. Look forward to your response.

First, your headline is still wrong. Not only factually, but the hospital has not said that anyone at the Montana Department of Justice, let alone the Attorney General, was involved.

"...in a subsequent conference call arranged and attended by Knudsen, three unnamed public officials allegedly "harassed and threatened" hospital staff to have them administer ivermectin."

This sentence is also not true - there was no "hospital staff" on this call, there were not three public officials on this call, and the hospital has not said that

Local officials agreed with the hospital: after being contacted by the state trooper Knudsen dispatched, Lewis and Clark County Attorney Leo Gallagher said there was no evidence of a criminal offense.

You note the Attorney General is a Republican. Why not that the count attorney, also an elected official, is a Democrat?

Knudsen’s office declined to answer specific questions, but in a statement given to Reason, spokesperson Kyler Nerison denied the accusations of harassment and threats.
Again, the hospital has never said that anyone at the Montana Department of Justice was one of the three unnamed "public officials"

a followup story from the Montana State News Bureau included evidence that the hospital fell outside of the attorney general's jurisdiction, and he was not in the right [missoulian.com] to dispatch a state trooper there at all.

As the linked story notes, the Montana Department of Justice has concurrent jurisdiction over title 45 and also the authority to review claims relating to medical patients.

intervening in the case of a man who violently assaulted a restaurant employee and threatened him with a concealed weapon that he did not have a permit for: Knudsen took over the case and had two of the charges dropped. All charges in this case were alleged and one of the dropped charges was for a law that is no longer on the books.

From: Jason Russell <jason.russell@reason.com>  
Sent: Friday, October 22, 2021 2:47 PM  
To: Nerison, Kyler <Kyler.Nerison@mt.gov>  
Subject: Re: [EXTERNAL] Re: Montana story

Thank you, Kyler, but we plan to leave the story as is. Max already quoted from this statement in the piece, and we don’t see any evidence of a specific factual error.

Sent from my iPhone

On Oct 22, 2021, at 3:25 PM, Nerison, Kyler <Kyler.Nerison@mt.gov> wrote:

Hello Max.

Here are the facts relating to the incident. You can attribute this to me.
The Attorney General’s Office received a report from a family that said St. Peter’s Hospital was violating their relative’s rights by refusing to allow her to receive prescribed medications, not delivering legal documents, not allowing them to see their relative, and at one point, even cutting off text message communication between them and their family member. The family asked for our assistance and a trooper was dispatched to speak with the family at the hospital. Following that conversation, Attorney General Knudsen spoke with hospital executives and received assurances that they would cease preventing communication between the patient and her family and deliver the legal documents she needed.

It’s unfortunate that the hospital and members of the Montana media are trying to turn the focus away from the serious allegations regarding the mistreatment of a patient. The Department of Justice’s ongoing investigation does not involve any specific medical treatment, nor did anyone at our agency give any directive to hospital staff regarding any specific medical treatment. No one was threatened or had their clinical judgment questioned while the Department of Justice was trying to get to the bottom of the serious allegations made against the hospital. Our concern was — and the focus of our investigation continues to be — allegations that the hospital mistreated a patient and violated her rights and her family’s rights. The investigation is ongoing.

Sent from my iPhone

On Oct 22, 2021, at 1:06 PM, Nerison, Kyler <Kyler.Nerison@mt.gov> wrote:

Would be nice to see that commitment to accuracy upfront. I will forward an email I sent to this freelancer.

Sent from my iPhone

On Oct 22, 2021, at 1:01 PM, Jason Russell <jason.russell@reason.com> wrote:

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Sorry – I’m going to have to run to an appointment. Best number is 406-422-7614. Thanks.
From: Nerison, Kyler
Sent: Friday, October 22, 2021 11:28 AM
To: jason.russell@reason.com
Subject: Montana story

Jason –

Can you give me a call about this story? https://reason.com/2021/10/22/montana-attorney-general-harasses-hospital-staff-for-refusing-to-administer-ivermectin-to-a-patient/ [reason.com]

Thanks,

Kyler Nerison
Communications Director
Attorney General
Austin Knudsen, Montana
Department of Justice
406-444-2031
Kyler.nerison@mt.gov
CONFIDENTIALITY
NOTICE: This email contains
information from the Montana
Attorney General's Office
which may be confidential
and/or privileged. If you are
not the intended recipient,
please do not disclose, copy,
distribute or use the contents
of this information. Please
notify me by return email and
delete the information you
received in error
immediately. Thank you.

--
Jason Russell
Deputy Managing
Editor, Reason
(reason.com)
(248) 935-1733
Twitter: @JRussellMI
[twitter.com]

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Attorney General Austin Knudsen,  
Montana Department of Justice  
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Kyler.nerison@mt.gov

<image001.jpg>

CONFIDENTIALITY NOTICE: This email contains information from the Montana Attorney General's Office which may be confidential and/or privileged. If you are not the intended recipient, please do not disclose, copy, distribute or use the contents of this information. Please notify me by return email and delete the information you received in error immediately. Thank you.

--

Jason Russell  
Deputy Managing Editor, Reason  
(reason.com)  
(248) 935-1733  
Twitter: @JRussellMI [twitter.com]
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On Oct 22, 2021, at 11:43 AM, Jason Russell <jason.russell@reason.com> wrote:

Hey Kyler,

Too busy for a phone call today, sorry. But if you have any issues or comments to add to the story, send them over email and I’ll address them as soon as I can.

On Fri, Oct 22, 2021 at 1:31 PM Nerison, Kyler <Kyler.Nerison@mt.gov> wrote:

Sorry – I’m going to have to run to an appointment. Best number is 406-422-7614. Thanks.

From: Nerison, Kyler
Sent: Friday, October 22, 2021 11:28 AM
To: jason.russell@reason.com
Subject: Montana story
Can you give me a call about this story?  
https://reason.com/2021/10/22/montana-attorney-general-harasses-hospital-staff-for-refusing-to-administer-ivermectin-to-a-patient/ (reason.com)

Thanks,

Kyler Nerison
Communications Director

Attorney General Austin Knudsen, Montana  
Department of Justice

406-444-2031

Kyler.nerison@mt.gov

<image001.jpg>

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--

Jason Russell
Deputy Managing Editor, Reason [reason.com]  
(248) 935-1733  
Twitter: @JRussellMI [twitter.com]
From: Max Savage Levenson <m.savagelevenson@gmail.com>
Date: October 20, 2021 at 2:59:40 PM MDT
To: "Nerison, Kyler" <Kyler.Nerison@mt.gov>
Subject: Re: [EXTERNAL] Comment for 'Reason' on Incident at St. Peter's?

Got it, thanks Kyler.

On Wed, Oct 20, 2021 at 2:58 PM Nerison, Kyler <Kyler.Nerison@mt.gov> wrote:

Hello Max.

Here are the facts relating to the incident. You can attribute this to me.

The Attorney General’s Office received a report from a family that said St. Peter’s Hospital was violating their relative’s rights by refusing to allow her to receive prescribed medications, not delivering legal documents, not allowing them to see their relative, and at one point, even cutting off text message communication between them and their family member. The family asked for our assistance and a trooper was dispatched to speak with the family at the hospital. Following that conversation, Attorney General Knudsen spoke with hospital executives and received assurances that they would cease preventing communication between the patient and her family and deliver the legal documents she needed.

It’s unfortunate that the hospital and members of the Montana media are trying to turn the focus away from the serious allegations regarding the mistreatment of a patient. The Department of Justice’s ongoing investigation does not involve any specific medical treatment, nor did anyone at our agency give any directive to hospital staff regarding any specific medical treatment. No one was threatened or had their clinical judgment questioned while the Department of Justice was trying to get to the bottom of the serious allegations made against the hospital. Our concern was – and the focus of our investigation continues to be – allegations that the hospital mistreated a patient and violated her rights and her family’s rights. The investigation is ongoing.
Kyler Nerison
Communications Director
Attorney General Austin Knudsen, Montana Department of Justice
406-444-2031
Kyler.nerison@mt.gov

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From: Max Savage Levenson <m.savagelevenson@gmail.com>
Sent: Wednesday, October 20, 2021 2:52 PM
To: Nerison, Kyler <Kyler.Nerison@mt.gov>
Subject: [EXTERNAL] Comment for 'Reason' on Incident at St. Peter's?

Hey Kyler,

I'm Max, a Missoula-based journalist.
I’m working on a story for Reason [reason.com] about the recent indecent at St. Peter’s, and was hoping to get comment from the AG’s office on the following questions:

- Can you provide any further details of the patient’s alleged communications restrictions?

- Per the patient’s claims that she was not permitted to see family, did those instances fall outside of existing hospital protocol?

- Does the Attorney General believe that ivermectin is an effective treatment for COVID-19?

- Does the Attorney General believe that a patient’s request for ivermectin falls under the Right to Try Act?

My deadline is EOD tomorrow.

Thanks very much,

--
Max Savage Levenson
(c) 717.395.2205
Montana Cannabis Weekly [mtcannabisreview.substack.com]

--
Max Savage Levenson
(c) 717.395.2205
Montana Cannabis Weekly [mtcannabisreview.substack.com]
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Sent: Friday, October 22, 2021 11:28 AM  
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Subject: Montana story

Jason –

Can you give me a call about this story?  
https://reason.com/2021/10/22/montana-attorney-general-harasses-hospital-staff-for-refusing-to-administer-ivermectin-to-a-patient/  
[reason.com]

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Kyler Nerison

Communications Director

Attorney General Austin Knudsen, Montana Department of Justice

406-444-2031

Kyler.nerison@mt.gov

<image001.jpg>

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(248) 935-1733
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Communications Director
Attorney General Austin Knudsen, Montana Department of Justice
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I'm sure you've even the Democrat leadership letter. Response attributable to me:

Given the misinformation being reported in the media regarding this incident, we welcome a conversation with any member of the legislature. So far, no Democrats have reached out.

The misinformation is a reference to any insinuation that anyone at our agency gave any directive to hospital staff regarding any specific medical treatment. Additionally, no one was threatened or had their clinical judgment questioned while the Department of Justice was trying to get to the bottom of the serious allegations made against the hospital.

Sent from my iPhone

On Oct 21, 2021, at 4:55 PM, Nerison, Kyler <Kyler.Nerison@mt.gov> wrote:

Yes

Sent from my iPhone

On Oct 21, 2021, at 4:43 PM, John Adams <jadams@montanafreepress.org> wrote:

Can I attribute the information to you as we discussed?

John S. Adams
Executive Director, Editor-in-Chief
Montana Free Press
jadams@montanafreepress.org
(406) 465-9359

On Thu, Oct 21, 2021 at 4:00 PM Nerison, Kyler <Kyler.Nerison@mt.gov> wrote:

John –
If possible, please use this “on background” as well following our previous conversation. The trooper did not enter the hospital or speak with any hospital staff. I am still working on getting the statements take to send to you.

Thanks,

Kyler

From: John Adams <jadams@montanafreepress.org>
Sent: Thursday, October 21, 2021 1:17 PM
To: Nerison, Kyler <Kyler.Nerison@mt.gov>
Subject: Re: [EXTERNAL] Re: Interview Request

Kyler,

Thanks for being responsive to my interview request. I think it's really important that the citizens hear directly from their elected officials.

I would like to know who contacted Kris Hansen. There are at least two elected officials who commented on the Facebook Post regarding the patient that appears to have led to some of this; Lt. Gov. Juras (which is what caused my confusion during the interview), and Sen. Manzella. Can you try to get me that information and either confirm or deny whether either of those two officials was involved?

Thanks,

John

John S. Adams
Executive Director, Editor-in-Chief
Montana Free Press
jadams@montanafreepress.org
On Thu, Oct 21, 2021 at 10:49 AM Nerison, Kyler <Kyler.Nerison@mt.gov> wrote:

We’ll probably call pretty soon here

From: John Adams <jadams@montanafreepress.org>
Sent: Thursday, October 21, 2021 9:13 AM
To: Nerison, Kyler <Kyler.Nerison@mt.gov>
Subject: Re: [EXTERNAL] Re: Interview Request

Yes, that is correct.

John S. Adams
Executive Director, Editor-in-Chief
Montana Free Press
jadams@montanafreepress.org
(406) 465-9359

On Thu, Oct 21, 2021 at 9:09 AM Nerison, Kyler <Kyler.Nerison@mt.gov> wrote:

I was just writing you a message. Yes, we should be able to shoot for something later this morning. To make sure I understand, you’re conducting the interview?

From: John Adams <jadams@montanafreepress.org>
Sent: Thursday, October 21, 2021 8:57 AM
To: Nerison, Kyler <Kyler.Nerison@mt.gov>
Subject: [EXTERNAL] Re: Interview Request
Hi Kyler,

I've interviewed several former sheriffs and Highway Patrol chiefs on the record regarding the question of jurisdictional creep highlighted by the incident last week and I'd like to interview the Attorney General to get his side.

I've interviewed Attorney General Knudsen many times over the years and we've always had a respectful relationship. Given the tension around this issue, I think this would be a great opportunity for AG Knudsen to speak directly to the questions people have about this incident and tell his side of it in his own words.

I really don't want to publish a story in which the Attorney General's voice is not represented, and as one former Gallatin County Sheriff said in an interview, "it's an important conversation to have."

I'm planning to file my story by end of the day today (Thursday). I can make time at any point today. 15-20 minutes should suffice, though I'd carve out as much time as the AG wishes to talk.

Feel free to call me if you have any questions.

Thanks,

John

John S. Adams
Executive Director, Editor-in-Chief
Montana Free Press
jadams@montanafreepress.org
On Wed, Oct 20, 2021 at 8:41 PM John Adams <jadams@montanafreepress.org> wrote:

Kyler,

I’d like to request an interview with Attorney General Knudsen regarding the St. Peter’s Health incident.

Can we set up a time tomorrow (Thursday)?

Thanks,

John

John S. Adams
Executive Director, Editor-in-Chief
Montana Free Press
jadams@montanafreepress.org
(406) 465-9359
Thank you for this, Kyler. Max and I looked through these today and still believe everything in the piece is backed up by sources and other reporting.

On Fri, Oct 22, 2021 at 5:53 PM Nerison, Kyler <Kyler.Nerison@mt.gov> wrote:
Here’s some more details on factual errors and important omissions. Look forward to your response.

First, your headline is still wrong. Not only factually, but the hospital has not said that anyone at the Montana Department of Justice, let alone the Attorney General, was involved.

"...in a subsequent conference call arranged and attended by Knudsen, three unnamed public officials allegedly "harassed and threatened" hospital staff to have them administer ivermectin."

This sentence is also not true - there was no "hospital staff" on this call, there were not three public officials on this call, and the hospital has not said that

Local officials agreed with the hospital: after being contacted by the state trooper Knudsen dispatched. Lewis and Clark County Attorney Leo Gallagher said there was no evidence of a criminal offense.

You note the Attorney General is a Republican. Why not that the count attorney, also an elected official, is a Democrat?
Knudsen's office declined to answer specific questions, but in a statement given to Reason, spokesperson Kyler Nerison denied the accusations of harassment and threats.

Again, the hospital has never said that anyone at the Montana Department of Justice was one of the three unnamed "public officials"

A followup story from the Montana State News Bureau included evidence that the hospital fell outside of the attorney general's jurisdiction, and he was not in the right to dispatch a state trooper there at all.

As the linked story notes, the Montana Department of Justice has concurrent jurisdiction over title 45 and also the authority to review claims relating to medical patients.

Intervening in the case of a man who violently assaulted a restaurant employee and threatened him with a concealed weapon that he did not have a permit for; Knudsen took over the case and had two of the charges dropped.

All charges in this case were alleged and one of the dropped charges was for a law that is no longer on the books.

From: Jason Russell <jason.russell@reason.com>
Sent: Friday, October 22, 2021 2:47 PM
To: Nerison, Kyler <Kyler.Nerison@mt.gov>
Subject: Re: [EXTERNAL] Re: Montana story

Thank you, Kyler, but we plan to leave the story as is. Max already quoted from this statement in the piece, and we don’t see any evidence of a specific factual error.

Sent from my iPhone

On Oct 22, 2021, at 3:25 PM, Nerison, Kyler <Kyler.Nerison@mt.gov> wrote:

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Kyler Nerison
Communications Director
Attorney General
Austin Knudsen, Montana
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Twitter: @JRussellMI [twitter.com]

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