



# COMPLAINT FOR VIOLATION OF THE CAMPAIGN FINANCE AND PUBLIC DISCLOSURE ACT

OCT 11 PM 1:51

CAMPAIGN FINANCE &  
PUBLIC DISCLOSURE BOARD

All information on this form is private and confidential until a finding is issued by the Board.

### Information about complaint filer

Name of complaint filer <i>Pat Shaffridge</i>	
Address <i>525 Park St</i>	
City, state, zip <i>St Paul, MN 55103</i>	Daytime telephone no. <i>651-222-0022</i>

### Identify person/entity you are complaining about

Name of person/entity being complained about <i>Alice Johnson</i>
Address <i>4301 Balkentype Ln NE</i>
City, state, zip <i>Spring Lake Park, MN 55432</i>
Title of respondent (if applicable) <i>Senate Candidate</i>
Board/Department/Agency/District # (if legislator)

*Pat SL*  
Signature of person filing complaint

*10/11/12*  
Date

Send completed form to: Campaign Finance & Public Disclosure Board  
Suite 190, Centennial Building  
658 Cedar Street  
St. Paul, MN 55155

If you have questions call: 651/296-1721; 800/657-3889; or  
for TTY/TDD communication contact us through the Minn. Relay Service at 800/627-3529  
Board staff may also be reached by e-mail at: cf.board@state.mn.us.

This document is available in alternative formats to individuals with disabilities by calling 651/296-5148; 800/657-3889; or through the Minnesota Relay Service at 800/627-3529.

Give the statute cite of the portion of Chapter 10A, or Minn. Rules you believe has been violated.

10A.01

You will find the complete text of Minn. Stat. §10A and Minn. Rules Chapters 4501 - 4525 on the Board's website at [www.cfboard.state.mn.us](http://www.cfboard.state.mn.us) .

**Nature of complaint**

Explain in detail why you believe the respondent has violated Chapter 10A, the Campaign Finance and Public Disclosure Act. Attach an extra sheet of paper if necessary. Attach any documents, materials, minutes, resolutions or other evidence to support your allegations.

See attached narrative and exhibit.

Minn. Stat. 10A.02, subd 11 - Violations; enforcement.

The board shall investigate any alleged violation filed in writing with the board. For an alleged violation of sections 10A.25 (expenditure limits) or 10A.27 (additional limits) the board shall either enter into a conciliation agreement or make a public finding of whether or not there is probable cause, within 60 days of the filing of the complaint. For alleged violations of all other sections, the board shall within 30 days after the filing of the complaint make a public finding of whether or not there is probable cause to believe a violation has occurred.

The deadline for action may be extended by a majority vote of the board. Within a reasonable time after beginning an investigation of an individual or association, the board shall notify that individual or association of the fact of the investigation. The board shall make no finding without notifying the individual or association of the nature of the allegations and affording an opportunity to answer those allegations.

Any hearing or action of the board concerning a complaint or investigation shall be confidential until the board makes a public finding concerning probable cause or enters into a conciliation agreement.

Except as provided in section 10A.28, after the board makes a public finding of probable cause the board shall report that finding to the appropriate law enforcement authorities.

STATE OF MINNESOTA  
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD  
  
COMPLAINT FOR VIOLATION OF THE CAMPAIGN FINANCE  
AND PUBLIC DISCLOSURE ACT

Introduction

This complaint alleges a violation of Minnesota Statutes §10A.01 subdivision 18 by the Minnesota DFL Party, DFL Senate Caucus, DFL endorsed Minnesota Senate District 37 candidate Alice Johnson, and the Alice Johnson for Minnesota Senate committee and/or its agents (collectively referred to as Respondents). On or about September 29, 2012, the Minnesota DFL Party disseminated campaign materials in support of the Alice Johnson campaign. The purported independent expenditure was made with the express or implied consent, authorization, or cooperation of, or in concert with or at the request or suggestion of the DFL endorsed Senate District 37 candidate Alice Johnson, her principal campaign committee Alice Johnson for Minnesota Senate, and/or its agents (collectively referred to as Johnson). Respondents have violated Chapter 10A, the Campaign Finance and Public Disclosure Act by disseminating campaign materials as independent expenditures that were, in fact, not independent of Johnson.

Facts

Alice Johnson is the DFL endorsed candidate for the Minnesota Senate in Senate District 37. On or about September 29, 2012, the Minnesota DFL Party disseminated literature by U.S. Mail to influence voters to support the Alice Johnson campaign for Minnesota Senate District 37. See, Exhibit A. Several photographs of Alice Johnson appear on the literature. See, Id. The disclaimer identifies the literature as an independent expenditure prepared and paid for by the Minnesota DFL Party. See, Id.

Argument

An independent expenditure requires that the expenditure be made “without the express or implied consent, authorization, or cooperation of, and not in concert with or at the request or suggestion of, any candidate or any candidate's principal campaign committee or agent.” Minnesota Statutes, §10A.01, subd. 18. The Board has emphasized that there must be a high wall of separation between the party unit and its candidates if the party unit's expenditures are to qualify as independent expenditures. See, Findings and Order in the Matter of the Complaint of Bob Murray regarding House District 54A Republican Party of Minnesota and Citizens for (Mark) Fotsch.

It is apparent that all of the photographs in which Alice Johnson is a subject in the literature were taken with the active participation of Ms. Johnson. See, Exhibit A. Searches for photographs of Alice Johnson, including her official campaign website, facebook, flickr, and google images, reveal that photographs used in the purported independent expenditure are not publicly available. See, Exhibit B, C, D, and E. The Minnesota DFL Party's use of photographs that are unavailable

to the general public is strong evidence that the expenditures were made with the express or implied consent, authorization, or cooperation of, or in concert with or at the request or suggestion of Johnson. The Minnesota DFL Party did not maintain the necessary high wall of separation from Johnson. As a result, the expenditures do not qualify as an independent expenditure and should be found to be in violation of Minnesota Statutes, §10A.01.

The criteria for independence cannot be maintained even if the photographs are remotely available. The Board has found that it does not require active approval of the expenditure by a candidate or agent to defeat the independence requirement. See, Findings and Order in the matter of the complaint of Arvid Dixen regarding Philip Krinkie. Even implied consent, resulting from action or inaction, can change the character of the expenditure to an approved expenditure. See, Id. In the case of the photographs of Alice Johnson, if the photographs are publicly available they are in an obscure location, and it would require the Minnesota DFL Party or the DFL Senate Caucus to get implied consent, authorization, or cooperation of, or action in concert with or at the request or suggestion of Johnson to locate them. Therefore, even if the photographs are available in some form, approval or acquiescence, defeating independence would still be required from Johnson for the photographs to be placed in the possession of the Minnesota DFL Party.

Further evidence that the expenditures were made with the express or implied consent, authorization, or cooperation of, action in concert with or at the request or suggestion of Johnson is evidenced by the staged photographs. The DFL Senate Caucus reported spending \$547.99 on camera equipment in the month of June. See, Exhibit F. The facts suggest that a DFL Senate Caucus or DFL Party representative met with Johnson to coordinate efforts on supposed independent expenditures. The necessary high wall of separation simply cannot be maintained when representatives of the DFL Senate Caucus and the DFL State Central Committee are literally in the room with Johnson as the purported independent expenditures are being produced.

#### Conclusion

Photographs of Minnesota Senate District 37 candidate Alice Johnson are on campaign material identified as independent expenditures approved and paid for by the Minnesota DFL Party. The facts demonstrate a coordination of effort between Johnson, the DFL Senate Caucus and the Minnesota DFL Party. As a result, the expenditures do not qualify as an independent expenditure and should be found to be in violation of Minnesota Statutes, §10A.01. It is requested that the Board provide appropriate relief and penalties as prescribed by law.

Dated: 10/11/12

Respectfully submitted,

By Pat Sh  
Pat Shortridge, Chair  
Republican Party of Minnesota  
525 Park Street, Suite 250  
Saint Paul, MN 53703  
637-222-0022  
chair@mngop.com

This is an independent expenditure, not approved by any candidate, nor is any candidate responsible for it. Prepared and paid for by the Minnesota DFL Party, 255 E. Plato Blvd, St. Paul, MN 55107. Not authorized by any candidate or candidate's committee.

EXHIBIT A

## STATE SENATOR PAM WOLF ANSWERED: OUT-OF-STATE CORPORATIONS.

**Pam Wolf couldn't find money in the budget to fully fund education. In fact, Pam Wolf cut \$82 million from Anoka-Hennepin schools—a cut of more than \$3,000 per student.\***

**But what did Wolf find the money for? Huge tax breaks for out-of-state corporations.\***

**Pam Wolf's priorities just don't pass the test. State Senator Pam Wolf put tax breaks for out-of-state corporations ahead of our kids.**

\* Source: Minnesota Department of Education



Exhibit A Part One

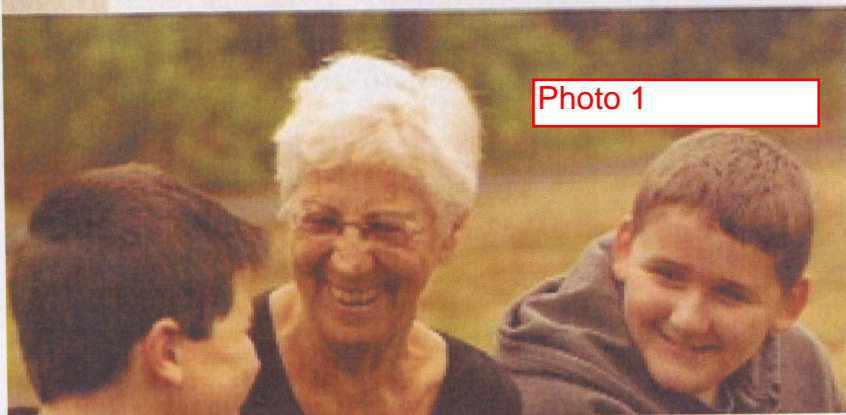


Photo 1

### PAM WOLF? SHE'S FAILING US. WE DESERVE BETTER.

A photograph of children painting at a table with an adult supervisor. In the foreground, a young girl with red hair, wearing a red sweater, is smiling and holding a paintbrush in a small cup. Behind her, another child is painting, and an adult woman is supervising. The table is covered with paint bottles and a palette. The background shows a classroom setting with colorful decorations.

# Minnesota kids

OR OUT-OF-STATE

As a retired teacher, Alice Johnson knows we can't keep shortchanging our schools.



Exhibit A Part 2

**Alice Johnson is worried that budget cuts have driven our state to the bottom of the rankings** nationally for elementary school class sizes—we're now 47<sup>th</sup> in the nation.  
(source: National Center for Education Statistics)

We're packing kids into overcrowded classrooms where they can't get the individualized attention they need to succeed.



Photo 1



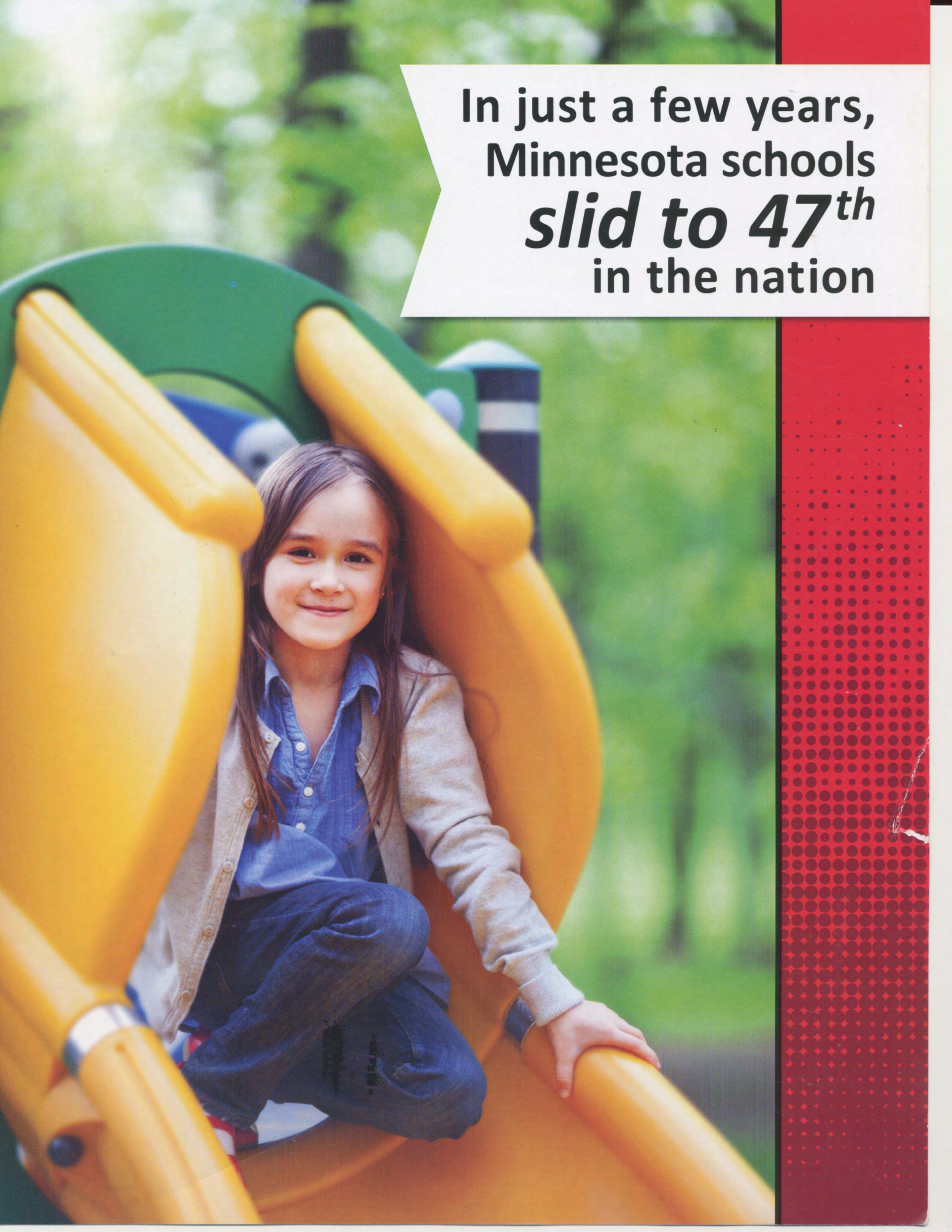
## Alice Johnson has a better plan for our schools

- Restore the state funding cut by the legislature that forced districts to borrow money and increase taxes on property owners.
- Reduce class sizes so our teachers can teach and kids can learn.
- Work to lower in-state college tuition for middle-class families.

# Vote for Alice Johnson for State Senate. She'll put Minnesota first.

This is an independent expenditure, not approved by any candidate, nor is any candidate responsible for it. Prepared and paid for by the Minnesota DFL Party, 255 E. Plato Blvd, St. Paul, MN 55107. Not authorized by any candidate or candidate's committee.





In just a few years,  
Minnesota schools  
***slid to 47<sup>th</sup>***  
in the nation



# Alice Johnson

For Minnesota Senate

## Vote Alice Johnson Tuesday, November 6th

[Home](#) [About Alice](#) [Why Alice is Running](#) [Endorsements](#) [Contact Alice](#)



- Homeowner in Spring Lake Park for 45 years
- Masters Degree, Harvard University
- Volunteer Mediator for Anoka County
- SBM (Spring Lake Park, Blaine, Mounds View) Volunteer Fire Department - Board Member
- Anoka-Ramsey Community College Foundation - Board Member
- Former Member - Minnesota House of Representatives

[Events](#)



[Donate](#)

Donated by a volunteer to the Alice Johnson for Minnesota Senate campaign

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For Minnesota Senate

Vote Alice Johnson  
Tuesday, November 6th

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**We can do better.** It is time to end partisan politics and focus on the priorities of Minnesota. As a resident of Spring Lake Park for 45 years, I have had the opportunity to listen to people in our community. I am ready to fight for our core values. I can help restore Minnesota's focus on its people, their education and good jobs.

**I have the experience to bring people together.** I know how to build consensus and find solutions. While in the Minnesota House of Representatives, I proudly chaired the K-12 Education Finance Division and served on the Transportation, Education and Tax committees.

I want to put those skills to work for you. **Working together, we can get back to a Minnesota that works.** Join me in finding solutions for the challenges ahead.

Events

 friend

Donate

Donated by a volunteer to the Alice Johnson for Minnesota Senate campaign

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For Minnesota Senate

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**Move our Economy Forward.** Alice will promote economic development through smart investments, sound infrastructure, and clean energy. Alice supports policies to help small business start-up and grow, creating living wage jobs for area families. **She will work to keep these businesses strong and successful – here in Minnesota.**

**Provide Quality Education for All Children.** Alice opposes measures to balance the state budget by borrowing billions from our schools. This has caused schools to make drastic cuts that have negatively affected our children's learning. She believes that quality education is the key to Minnesota's future success. **All students should have the opportunity to receive a quality education and be trained for the jobs of the 21st century.**

**Reduce Property Taxes on Homeowners and Businesses.** Alice opposes the elimination of the Homestead Property Tax Credit. This legislation resulted in skyrocketing property taxes for our businesses and homeowners. **Alice will work to reduce property taxes, recognizing that the state budget should not be balanced on the backs of businesses and families.**

[Events](#)



[Donate](#)

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- About Alice
- Why Alice is Running
- Endorsements
- Contact Alice



- Endorsements to Date:**
- Minnesota AFL-CIO
  - Education Minnesota
  - Minnesota Police & Peace Officers
  - Women Winning
  - Minnesota Women's Political Caucus
  - AFSCME
  - Minnesota Council 5
  - Conservation Minnesota
  - DFL Veterans Caucus
  - Minnesota Nurses Association
  - Minneapolis Building and Construction Trades Council
  - Clean Water Action
  - SEIU
  - IBEW
  - Joint Council 32 DRIVE
  - United Transportation Union
  - DFL Hunting and Fishing Caucus

Events



Donate

Donated by a volunteer to the Alice Johnson for Minnesota Senate campaign

# Alice Johnson

For Minnesota Senate

**Vote Alice Johnson**  
**Tuesday, November 6th**

[Home](#) [About Alice](#) [Why Alice is Running](#) [Endorsements](#) [Contact Alice](#)



**Alice would love to talk with you!**

Address:  
801 Ballantyne Lane  
Spring Lake Park, MN 55432

Phone:  
(763)-786-2025

Email:  
[alice@alicejohnsonformnsenate.com](mailto:alice@alicejohnsonformnsenate.com)

**How do you volunteer?**

Please contact:  
Mary Beth Scavo – Volunteer Coordinator  
Phone: (612) 889-8326 or  
Email: [marybeth.scavo@comcast.net](mailto:marybeth.scavo@comcast.net)

**Events**



**Donate**

Donated by a volunteer to the Alice Johnson for Minnesota Senate campaign

# Alice Johnson

For Minnesota Senate

**Vote Alice Johnson**  
**Tuesday, November 6th**

- Home
- About Alice
- Why Alice is Running
- Endorsements
- Contact Alice



**Door Knocks:**

This is one of the most impactful ways of reaching the voter because you put a "face" to who Alice is and what she stands for. If you have not door knocked before, do not worry, we will train you it is a great way to enjoy the fall colors while getting in your exercise

Monday – Friday: Between 4 – 8pm  
 Saturday: Between 9am – Noon

**Phone Banks:**

Monday – Friday: Between 4pm – 8pm  
 Saturday: Between 9am – Noon

**The BIG Literature Drop**

9 a.m. Saturday, October 27th at Alice's house, 801 Ballantyne Lane, Spring Lake Park

**Regularly Scheduled Events leave from the:**

**Coordinated Campaign Office: 9696 University Ave. NE, Coon Rapids**  
 (Grey building with orange stripes, Building bears former name: Locomotion)

It is extremely important when working an event from the Coordinated Campaign Office to say you are there to work on the behalf of Alice Johnson. Please ask for Antonia!

**How do you volunteer?**

Please contact:  
 Mary Beth Scavo & Volunteer Coordinator  
 Phone: (612) 889-8326 or  
 Email [marybeth.scavo@comcast.net](mailto:marybeth.scavo@comcast.net)

Events



Donate

Donated by a volunteer to the Alice Johnson for Minnesota Senate campaign

EXHIBIT C

**Alice Johnson for MN Senate Photos** ▼

Click and drag to select

Photos of Alice Johnson for MN Senate    Photos    Albums

Awesome Screenshot Done

Sponsored

Career/Tech Night  
-Oct 16  
century.edu



Learn about career & tech programs. Application fee waived. Chance to win \$250 in tuition.

Fly Southwest Airlines®

Get there quicker

[southwest.com](http://southwest.com)

New nonstop service from Minneapolis/St. Paul to Orlando and Milwaukee starts November 4.

Your degree. Your terms.



Earn a degree online at USD while working full-time. Hear from our students. Apply today.

Remodel Seminar, Edina MN



Home remodeling seminar on everything you need to know for your next remodel.


Duration: 1 • Chat (Off)  
10-4 (except on M A Peterson Design Build


Helzberg Diamonds




FREE Cultured Pearl Earrings w/ ANY purchase! Online-only, while supplies last! Code: FREE


19,176 people like



**Alice Johnson for MN Senate** Photos ▾




Click and drag to select










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**Career/Tech Night**  
 -Oct 16  
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Learn about career & tech programs. Application fee waived. Chance to win \$250 in tuition.

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Our Newest Nonstops



New nonstop service from Minneapolis/St. Paul to Orlando and Milwaukee starts November 4.



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alice johnson

SEARCH

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Find This Person Get current address and phone number instantly! Search for free. www.peoplefinders.com

Sort: Relevant Recent Interesting

View: Small Medium Detail Slideshow



From carol



From Mpla55408



From carol...



From Salem...



From M41bdrive...



From marvinb1



From carol



From stacynowicki



From Namey...



From peulaeburch



From Namey...



From #1AliceFan



From Fox Point...



From baconmusi...



From baconmusi...



From marvinb1



From carol...



From @Sausage!



From stacynowicki



From Ashley.



From eqadams63



From eqadams63



From @Sausage!...



From kirk-g



From stacynowicki



From FlickrFan



From andyandot...



From carol...



From Special...



From kevingavin

1 2 3 4 5 6 7 next ->

(300 results)

PROJECT IMAGINAT  
A FILM FESTIVAL INSPIRED BY

VIEW NOW

Groups

- Old Soldiers (rest in peace)  
477 members | 14,624 photos
- Remembrance Day, Veterans Memorials  
3,010 members | 19,917 photos

Photographers

- wrbphotography - Louisville K  
See related photos
- Moominpappa06  
See related photos

Tag Clusters

- Photos with tags like wonder, aliceinwonderland and girl
- Photos with tags like twilight, edward

Looking to license a photo?

Looking to license an image? through the treasure trove of Flickr enrolled in the Getty Images P

Places

- Ottawa, Ontario  
See related photos
- Zurich, Canton of Zurich  
See related photos

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Sign in

Search

About 72,600 results (0.43 seconds)

SafeSearch moderate

Web

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Past week

Custom range...

All results

By subject

Any size

Large

Medium

Icon

Larger than...

Exactly...

Any color

Full color

Black and white



Page 2

Any type

Face

Photo

EXHIBIT E

Clip art  
Line drawing

Standard view  
Show sizes



























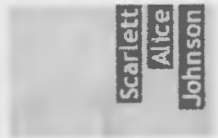
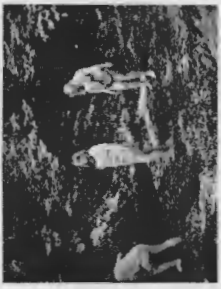


Horry and Adm Robinson and Sharda

















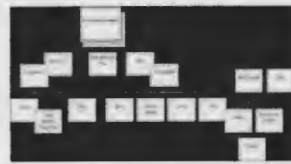
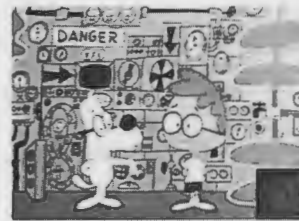




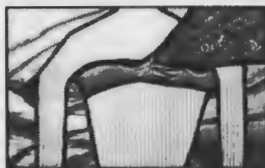








**Blore-Johnson**  
 There was a pretty home wedding last night at the residence of Mr. and Mrs. Nelson W. Johnson, 119 Linden street, Camden, when their daughter, Miss M. Ella Johnson, became the bride of J. Paul Blore, also of Camden. Rev. Dr. A. W. Spooner, of Cape May, officiated. The bride was given away by her father, Miss Maud E. Cross, of Boston, was maid of honor. The bridesmaids were Misses Sarah C. Blore, M. Alice Johnson, Christot B. Baird and M. Margaret Williams. Frank E. Bierfreund was best man.



**Donate**



**The Pledge of Allegiance**  
 I hereby pledge my loyalty to the flag of the United States of America, and to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.



**METERLY SPEAKING - LET'S EAT**

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Schedule B1 - EXP General Expenditures  
Minnesota DFL Senate Caucus

		<b>EXHIBIT F</b>			
3M Club 3M Center Saint Paul, MN 55144					
Date	Specific purpose of expenditure	Paid	Unpaid	In Kind	Total
06/29/2012	Downpayment for Fundraiser	1,000.00			
Added Value Printing 10755 93rd Ave N Osseo, MN 55369					
Date	Specific purpose of expenditure	Paid	Unpaid	In Kind	Total
07/05/2012	Golf Tournament Signs	1,226.15	0.00	0.00	1,226.15
AFSCME International (Registered Id: 30204) 1625 L St NW Washington, DC 200365665					
Date	Specific purpose of expenditure	Paid	Unpaid	In Kind	Total
05/12/2012	In kind: NCEC Senate Targeting Data	0.00	0.00	2,020.00	2,020.00
Air Charters Inc 8768 N Bay Dr Chanhassen, MN 55317					
Date	Specific purpose of expenditure	Paid	Unpaid	In Kind	Total
05/15/2012	Air Fare	2,379.38	0.00	0.00	2,379.38
Alyssa Siems Roberson Featherstone 3932 38th Ave. S Minneapolis, MN 55406					
Date	Specific purpose of expenditure	Paid	Unpaid	In Kind	Total
07/01/2012	Volunteer Food & Beverage for training	733.00	0.00	0.00	733.00
Applebee's 590 W 79th St Chanhassen, MN 55317					
Date	Specific purpose of expenditure	Paid	Unpaid	In Kind	Total
05/29/2012	Candidate Meeting	58.21	0.00	0.00	58.21
Axel's Bonfire 850 Grand Ave Saint Paul, MN 55105					
Date	Specific purpose of expenditure	Paid	Unpaid	In Kind	Total
06/22/2012	Fundraising Lunch	174.34	0.00	0.00	174.34
B & H Video 420 9th Ave New York, NY 10001					
Date	Specific purpose of expenditure	Paid	Unpaid	In Kind	Total
06/15/2012	Camera Equipment	547.99	0.00	0.00	547.99
Backstreet Pizza 195 S Robert Saint Paul, MN 55107					
Date	Specific purpose of expenditure	Paid	Unpaid	In Kind	Total
01/18/2012	Volunteer Food	54.59	0.00	0.00	54.59
05/22/2012	Volunteer Food	63.68	0.00	0.00	63.68
05/23/2012	Volunteer Food	35.44	0.00	0.00	35.44
05/24/2012	Volunteer Food	38.58	0.00	0.00	38.58
06/04/2012	Volunteer Food	48.58	0.00	0.00	48.58
06/12/2012	Volunteer Food	71.90	0.00	0.00	71.90
06/19/2012	Volunteer Food	51.89	0.00	0.00	51.89
	<b>Total</b>	364.66	0.00	0.00	364.66
Bakers Square 1949 S Robert St Saint Paul, MN 55118					
Date	Specific purpose of expenditure	Paid	Unpaid	In Kind	Total
02/08/2012	Fundraising Meeting	25.28	0.00	0.00	25.28
Thomas Bakk 2361 Retreat Lodge Rd Cook, MN 557238729 Employment: State of MN					
Date	Specific purpose of expenditure	Paid	Unpaid	In Kind	Total
06/21/2012	Ground Transportation	124.00	0.00	0.00	124.00