

**STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD**

**PROBABLE CAUSE
DETERMINATION**

IN THE MATTER OF THE COMPLAINT OF PARISA ROUZEGAR REGARDING THE ANGELINE (ANDERSON)
FOR MINNESOTA COMMITTEE

On July 24, 2024, the Campaign Finance and Public Disclosure Board received a complaint submitted by Parisa Rouzegar regarding Angeline Anderson, a candidate for Minnesota House of Representatives District 56B. Angeline (Anderson) for Minnesota is the principal campaign committee of Angeline Anderson.

The complaint alleged violations of Minnesota Statutes section 211B.04, which regulates the use of disclaimers on campaign material. The complaint asserted that Ms. Anderson violated the disclaimer requirement “by failing to prominently display the correct disclaimer on most of her campaign materials and platforms” including on her committee’s website,¹ Facebook page,² X page,³ Instagram page,⁴ and lawn signs, as well as on a specific piece of printed “door knocking literature.” The complaint included seven screenshots, each apparently captured using a mobile phone or tablet, depicting portions of the Anderson committee’s website, social media pages, lawn signs, t-shirts, and printed campaign literature. Several of the screenshots attached to the complaint depicted disclaimers. The complaint did not state why the visible disclaimers violated Minnesota Statutes section 211B.04.

The complaint included a screenshot of the committee’s website showing that the website’s home page contains a disclaimer stating “Prepared and Paid for by Angeline for Minnesota, PO Box #133, Rosemount, MN 55068.” The complaint did not state any reason why the disclaimer is deficient.

The complaint included screenshots of the committee’s Instagram page, including a home page that contains the candidate’s name, office sought, website address, and several images. One of those images is a document soliciting contributions titled “Have you donated?” Another image is a document soliciting contributions titled “HAVE YOU HEARD ABOUT THE MN POLITICAL CONTRIBUTION REFUND PROGRAM?” Although they are difficult to read due to the size of the images within the screenshot attached to the complaint, the bottom of each document contains a disclaimer. The complaint did not state why the disclaimers are deficient.

The screenshots of the committee’s Instagram page also appear to depict photographs of the committee’s lawn signs and t-shirts, as well as a specific piece of printed campaign literature.

¹ angelineforminnesota.com

² facebook.com/angelineformn

³ x.com/angelineformn

⁴ instagram.com/angelineformn

The photographs appear to show that each lawn sign contains a disclaimer at the bottom of the sign. Due to the size of the images within the screenshots attached to the complaint, the text appearing at the bottom of each lawn sign is illegible. The complaint did not state any reason why the disclaimer printed on each lawn sign is deficient.

With respect to the printed campaign literature, only one side of the literature was depicted, and the literature occupies a small portion of a photograph within a screenshot of an Instagram post, making it impossible to discern whether the literature contains a disclaimer or not. The complaint did not include any allegations or evidence regarding what text, if any, appears on the reverse side of the literature.

The complaint included a screenshot of the committee's X page showing that the home page contains a disclaimer stating "Prepared and Paid for by the Angeline for Minnesota Committee, www.angelineforminnesota.com." The complaint did not state why the disclaimer is deficient.

The complaint included two screenshots of the committee's Facebook page depicting portions of the page's Posts section and About section. The portions of the Facebook page depicted within the screenshots did not appear to include a disclaimer in the form specified within Minnesota Statutes section 211B.04, subdivision 1.

"In determining whether a complaint states a prima facie violation, any evidence outside the complaint and its attachments may not be considered." Minn. R. 4525.0210, subp. 2. On August 7, 2024, the Board's chair determined that the complaint stated a prima facie violation of Minnesota Statutes section 211B.04 with respect to the Facebook page because the complaint alleged and provided evidence that the Facebook page lacked a disclaimer. The Board's chair determined that the complaint did not state a prima facie violation with respect to the other materials referenced in the complaint for the following reasons.

Based on the screenshots attached to the complaint, the home pages of the committee's website, X page, and Instagram page each appeared to include a disclaimer substantially in the form provided in Minnesota Statutes section 211B.04, subdivision 1. The lawn signs depicted in the complaint appeared to include a disclaimer, and while the text of the disclaimer was illegible due to the size of the screenshots attached to the complaint, the complaint did not explain why, or provide evidence demonstrating why, the disclaimers are deficient. To the extent that the complaint alleged that t-shirts depicted within screenshots of the committee's Instagram page lack a valid disclaimer, the complaint did not state a prima facie violation because the disclaimer requirement does not apply to wearing apparel under Minnesota Statutes section 211B.04, subdivision 3.

With respect to the printed campaign literature, the complaint did not depict the reverse side, so it was impossible to discern from the complaint whether the literature contained a disclaimer or not. Two-sided campaign literature is not required to include a disclaimer on each side, and speculation regarding what appears on the reverse side of the literature depicted would be necessary to reach the conclusion that the literature lacks a valid disclaimer. Because the

allegation in the complaint regarding the printed campaign literature was based on speculation rather than evidence, the complaint did not state a prima facie violation as to that literature.

On August 8, 2024, Angeline Anderson provided a written response to the complaint. Ms. Anderson explained that her committee's Facebook page includes a disclaimer in two different locations. First, a disclaimer appears within the "Privacy and legal info" portion of the page's About section, stating "Prepared and Paid for by the Angeline for Minnesota Committee, PO Box #133, Rosemount, MN 55068."⁵ Second, if a user selects the banner image displayed at the top of the page in order to expand the image, a disclaimer is visible at the bottom stating "Prepared and Paid for by Angeline for Minnesota, PO Box #133, Rosemount, MN 55068".⁶ Ms. Anderson provided screenshots indicating that the disclaimers were added when the page was created on April 8, 2024. The Facebook page also includes at least two links to the committee's website, which includes a proper disclaimer. The Board considered this matter at its meeting on September 4, 2024.

Analysis

When the Board chair makes a finding that a complaint raises a prima facie violation, the full Board then must determine whether probable cause exists to believe an alleged violation that warrants an investigation has occurred. Minn. Stat. § 10A.022, subd. 3 (d). A probable cause determination is not a complete examination of the evidence on both sides of the issue. Rather, it is a determination of whether there are sufficient facts and reasonable inferences to be drawn therefrom to believe that a violation of law has occurred.

If the Board finds that probable cause exists, the Board is required to determine whether the alleged violation warrants a formal investigation, considering the type and magnitude of the alleged violation, the knowledge of the respondents, any benefit to be gained from a formal investigation, the availability of Board resources, and whether the violation has been remedied. Minn. R. 4525.0210, subp. 5. If the Board finds that probable cause exists but does not order a formal investigation, the Board is required to either dismiss the complaint or order a staff review. Minn. R. 4525.0210, subp. 6.

Minnesota Statutes section 211B.04 generally requires a principal campaign committee to include on its campaign material a disclaimer substantially in the form provided in Minnesota Statutes section 211B.04, subdivision 1. With the exception of broadcast media, campaign material must include a disclaimer in the following format: Prepared and paid for by the [committee name], [address]. "The address must be either the committee's mailing address or the committee's website, if the website includes the committee's mailing address." Minn. Stat. § 211B.04, subd. 1. The disclaimer requirement is "satisfied for an entire website or social media page" if the required disclaimer "appears once on the home page of the site." Minn. Stat. § 211B.04, subd. 4. Certain types of campaign material are exempted from the disclaimer

⁵ [facebook.com/angelineformn/about_privacy_and_legal_info](https://www.facebook.com/angelineformn/about_privacy_and_legal_info)

⁶ [facebook.com/photo/?fbid=122106328046265835](https://www.facebook.com/photo/?fbid=122106328046265835)

requirement, including “wearing apparel” and “online banner ads and similar electronic communications that link directly to an online page that includes the disclaimer.” Minn. Stat. § 211B.04, subd. 3.

The disclaimers that appear within the committee’s Facebook page are substantially in the form provided in Minnesota Statutes section 211B.04, subdivision 1. While it appears that a user must select the banner image to view the disclaimer contained therein, that is not the case with respect to the disclaimer that appears within the “Privacy and legal info” portion of the page’s About section. The Facebook page’s About section is the equivalent of a “home page” for purposes of Minnesota Statutes section 211B.04, subdivision 4. Therefore, there is not probable cause to believe that a violation of the disclaimer requirement occurred.

Order:

1. The allegation that the Angeline (Anderson) for Minnesota committee failed to include a proper disclaimer within its Facebook page in violation of Minnesota Statutes section 211B.04 is dismissed without prejudice because there is not probable cause to believe that a violation occurred.



David Asp, Chair
Campaign Finance and Public Disclosure Board

Date: September 4, 2024