

COMPLAINT FOR VIOLATION OF THE CAMPAIGN FINANCE AND PUBLIC DISCLOSORE ACTA 1:5;

CAMPAIGN FINANCE & PUBLIC DISCLOSURE BOARE

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

Information about comp	laint filer
Name of complaint filer Part Short 24e	
Address Park St.	
St Paul MN 55/03	Daytime telephone no.
ldentify person/entity you are co	mplaining about
Name of person/entity being complained about	
1489 Sw 28th of Po Box 265	
City, state, zip	
Title of respondent (if applicable) Senate Candidate	
Board/Department/Agency/District # (if legislator)	
Signature of person filing complaint	10/11/12_ Date
Send completed form to: Campaign Finance & Public Disclosure B	oard

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.			
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 .			
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 attacked parrative and achibit.			

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 24 candidate Vicki Jensen, and the Vicki Jensen for 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 Vicki Jensen 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 24 candidate Vicki Jensen, her principal campaign committee Vicki Jensen for Senate, and/or its agents (collectively referred to as Jensen). 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 Jensen.

Facts

Vicki Jensen is the DFL endorsed candidate for the Minnesota Senate in Senate District 24. On or about September 29, 2012, the Minnesota DFL Party disseminated literature by U.S. Mail to influence voters to support the Vicki Jensen campaign for Minnesota Senate District 24. See, Exhibit A. Several photographs of Vicki Jensen 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 Vicki Jensen is a subject in the literature were taken with the active participation of Ms. Jensen. See, Exhibit A. Searches for photographs of Vicki Jensen, including her official campaign website, facebook, flickr, and google images, reveal that photos used in the purported independent expenditure are not publicly

available. See, Exhibit B, C, D, and E. The Minnesota DFL Party's use 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 Jensen. The Minnesota DFL Party did not maintain the necessary high wall of separation from Jensen. 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 Vicki Jensen, 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 Jensen to locate them. Therefore, even if the photographs are available in some form, approval or acquiescence, defeating independence would still be required from Jensen 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 Jensen 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 Jensen 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 Jensen as the purported independent expenditures are being produced.

Conclusion

Photographs of Minnesota Senate District 24 candidate Vicki Jensen 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 Jensen, 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,

Pat Shortridge, Chair

Republican Party of Minnesota

525 Park Street, Suite 250 Saint Paul, MN 55103

651-222-0022

chair@mngop.com

EXHIBIT A

Photo 1

Vicki Jensen

If you're tired of politicians who are only out to make a name for themselves, vote for someone who's earned a reputation for finding solutions that work.

To the property of the party of

Sensible solutions begin with sensible people.

Photo 2

Jensen Jensen Jeor state senator

Vicki Jensen

If you're tired of politicians who are only out to make a name for themselves, vote for someone who's earned a reputation for finding solutions that work.



Photo 4

A businesswoman who understands how to improve the economy and build good-paying jobs.

Vicki Jensen operates a successful insurance agency with her husband Trevor in Owatonna. She is active in her local Chamber of Commerce.

As our Senator, Vicki will work with *all* sides to streamline and reduce regulations, help new businesses, invest in modern infrastructure and build development in Greater Minnesota.

A school leader who works for innovation and student achievement.

A member of the Owatonna School Board, Vicki works to make sure tax dollars are spent wisely and students get the best education possible.

She champions researched, prudent and proven methods to improve student achievement

As our Senator, Vicki will make sure that our area gets its fair share of state funding, for effective methods of evaluating teachers, and for greater collaboration between schools, businesses, universities and vocational schools



Making state government more efficient and effective.

"Bull-in-the-china-shop" tactics are great at grabbing headlines, but they often fail.

Vicki Jensen will put private sector principles to work at the Capitol - reward hard work and foster innovation and good ideas that cut costs and improve efficiency.





Faribault Chamber of Commerce has uploaded the video of their "Candid Conversations with Candidates" to their website. You do have a choice in this election and it is always best to hear from the candidates before you vote on November 6th.



If you have not met me, I am Vicki Jensen, candidate for Senate District 24. The district includes cities and townships in Dodge, Rice, Steele and Waseca counties.

I'm an independent insurance agent and operate Jensen Agency-Insurance Brokers along with my husband, Trevor. We live in Owatonna and are raising our three children. Miranda attends Winona State University, Ryan begins classes at Rochester Technical College this fall and Benjamin is an active second grader.

As a school board member, I'm working hard for Owatonna School District families and the taxpaying community to ensure there is accountability in publicly-funded programs. My conversations with students, parents and community members about their concerns for what the budget cuts we needed to make this year and what they would mean to their future will always stay with me. I will take those conversations to St Paul. Our students deserve the time and commitment it takes to ensure we can find a long term funding solution for our schools.

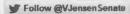
As the chair of the public policy committee at the legislative actions do not reflect these values. I will work hard to restore balance and chamber of commerce, I worked hard for business owners by reviewing local, state and national business policies. I ensured we were not just opposing things but taking an active role in finding solutions. As tri-chair on the city efficiency task force, we were able to review the city budgeting process and bring lean government practices to the city. Greater Minnesota has been impacted with higher burdens in property taxes due to the cuts to Local Government Aid and the elimination of the Market Value Homestead Credit. Property and business owners deserve someone dedicated to and willing to work hard on finding solutions to the rise in our property taxes.

I am running because I appreciate what life in our district has always offered; a great place to raise a family, sustained employment, the benefits of first-rate education and strong communities. Recent fight to get things accomplished for our communities and our state.

I am eager to hear from you. Please contact me with any concerns, questions or ideas you have.

Vicki Jensen For Senate PO Box 265 Owatonna, MN 55060 Phone: (507) 456-8165 Email: <u>yjensen@vickijensen.com</u>
Like Us on Facebook: <u>Yicki JensenForSenate</u>
Follow Us on Twitter: <u>YJensenSenate</u>





Vicki, I know it takes money to a campaign, please accept my don

Donate



Or you may send donations dire Vickl Jensen For Senate PO Box 265 Owatonna, MN 55060

Proven Community Leaders

School Board Member

Chamber Board of Directors

Steele County Farmers Union Secretary/Treasurer

Steele County DFL Chair

City Efficiency Task Force Tri-Cha

Owatonna Chamber Public Policy C

MN Business Woman Legislatiave (

2012 Owatonna Business Women-Woman of Achievement Nominee

Leadership Owatonna Graduate

Prepared and Paid for by Vicki Jensen for Senate PO Box 265 Owatonna, MN 55060

............

Awesome Screenshot

Done





novate and Improve Education

get and keep the qualified and energetic teachers we all want our classrooms we must create an evaluation system that measu

performance and collaboratively fosters exceptional teacher and staff performance. The right training, the right support, and the right meas make a formula for success in our schools. We can do no greater goo erations to come.

ating an outcome based solution in partnership

business, universities and vocational institutions to maximize or

e and our tax dollars, is an essential ingredient to keep our great ource, our kids, here in greater Minnesota! If we put time, energy purces into all of our students, our communities will attract more

to take advantage of that talent and foster a vibrant and strong ecor

Education starts with the basics and the sooner kids get on the right track the more successful they will likely be. That's why I support all kindergarten and early childhood development. These are long term investments

that make for stronger communities.



Strengthen Local Business

ocal business owners are risk takers who step out to create a product or service. When they are successful they will create jobs. I v o encourage reasonable risk and remove barriers to success by:

- Creating efficient regulatory processes
- Encouraging community development
- Investing in modern infrastructure
- Providing incentives to new businesses to get up and

When we think about running the government like a business we new more than ever,

to make investments in our state that will encourage growth in our b through things

like.

- Vocational and technical education for an ever changing workforce.
- Health care reforms that create real value to both our citizens and our businesses.
 - Transportation and energy policy that creates a connected ommunity in greater Minnesota.



pire Efficiencies in Government

small business owner, and tri-chair of the city efficiency force, I know there are many aspects of government which can,

nore like a business. Capturing efficiencies where ever possible s

JENSEN
FOR STATE SENATE
Working Hard For YOUR Family

Home Issues Get Involved Media/Events/News Contact Us

	can count on me!		
I'll support you by	y: *		
Displaying a Yard			
Walking in Parade			
Distributing Litera	ature		
Hosting a House	Party		
Making Phone Calls			
Helping in the Car	mpaign Office		
Mhatever is Need	led		
Name *	•		
First	Last		
Address *	•		
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Line 1	State		
Line 1	State		
Line 1	State		
Line 1 Line 2 City			
Line 1 Line 2 City Zip Code			
Line 1 Line 2 City Zip Code			

Awesome Screenshot Done



Media



Parades

















Events

October

10/08/2012 10am Local Candidate Forum Owatonna Area Retired Educa Association

10/08/2012 7pm State Candidate Forum American Association of Unive Women, Faribault

10/09/2012 7pm State Candidate Forum - Coalition of Greater Minnesc

10/11/2012 6:30pm State Candidate Forum - Izaak Walton League

10/15/2012 Noon State Candidate Forum - Rotary Club

10/17/2012 10am State Candidate Forum - St Lucas Care Center

News

Bringing Your voices to St Paul Throug Strc Independent Leadership

Several Candidate Forums Planned in Owat

Political Fliers Mislead in Waseca

Senate Candidate Vicki Jensen No "Hand P. special Interest Groups

GOP Senator, Senate CDadidate Talk Abour 24's Wide Demographic

Faribault Needs to do Some Work to Find E District 24 Senator

Jensen Talks With Voter at the Steele Cour

Jensen Voice Will Be Missed on School Boa

Jensen Launches Senate Bid

Vicki Jensen Announces Run For Senate





Please contact us with concerns, questions and ideas you have.

Name *		
First	Last	
Email *		
Comment *		
Submit		

Done Awesome Screenshot



I reject negative campaign strategies.

0 Comments

As we face less than 35 days until our elections, I am witnessing the presence of interest groups from outside our district increasing their messaging here. 1, myself,

have now been the subject of at least three negative attack ads. For those of you who know me and are getting to know me, you have expressed anger about such negative and inaccurate information being spread throughout our district.

Please know that I absolutely reject any of these personal and negative campaign strategies toward myself or used against my opponent. They are insulting to voters' intelligence and degrade our entire democratic process. My campaign will continue to address the issues that matter to this state through a respectful, though sometimes robust, conversation.

I know and love this district. I am running to be your state senator to bring YOUR voices to St. Paul. The more we all become involved, the less impact these outside groups have on our decisions here in our communities. But I need your help in reaching out to the voters of Southern Minnesota, re-engaging them in the election process. Please consider calling a list of voters, dropping off literature, passing on my web page info, posting a yard sign, or bringing a friend to one of the upcoming forums so he/she can learn more about how the RESIDENTS of District 24 can take back this great place we live and have real representation in our state legislature.

Tweet 0

Like 0

Add Comment

Candidate for § District 24. Inc cities and town

Vicki Jense

Dodge, Rice, S Waseca countie **Archives**

October 2012 July 2012 June 2012

Categorie:

All

RSS Feed

Head, Heart, Hands and Health

07/18/2012

0 Comments

Minnesota has had a long history with county fairs and the healthy spirit of competition it represents through the judging of 4-H projects. I love to walk through the 4-H buildings and see the projects completed by the youth in our communities.

It has been enhanced now as Benjamin, our youngest, has decided 4-H is something he would like to be part of. Trevor had a great time at the Waseca county fair explaining all the projects he completed and all the activities he participated in when he was a member of 4-H. From the softball games to the state fair and everything in between. It is these kinds of organizations that bind us together and help us remember where we came from.

The motto itself is inspiring. I pledge my head to clearer thinking, my heart to greater loyalty, my hands to larger service, and my health to better living, for my family, my dub, my community, my country and my world.

I think it is very fitting that Minnesota was one of only two states that added "my family" to their pledge. Do you know the other state?

Tweet 0

Like 0

Add Comment

Show Your Colors

06/26/2012

0 Comments

In Minnesota women of the suffrage movement were encouraged to "Show Your Colors!" by wearing bright yellow ribbons, the suffrage color. In 1914 the Minnesota suffragists planted yellow flower gardens to keep the movement alive during the summer.

That is why I chose the color yellow to represent my campaign. The color yellow represented sunlight and

Done



₫ Like

Lecture Benes



Plymouth, MN: Hear Brené Brown Thursday, Oct. 11, 7:00 p.m. A free public event.

Like • 954 people like this.

Fly Southwest Airlines®





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

Mayo Clinic Healthy Living



There are alternat path to better hea find our more about Alternative Medicin

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Remodel Semin Edina MN

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Home remodeling seminar on everything you need to know for your next remodel.
Distinct Oct
M A Peterson Design Build





Birth control helps you plan for your future. Make an appointment today.



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Awesome Screenshot

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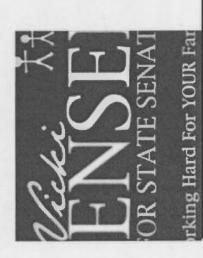




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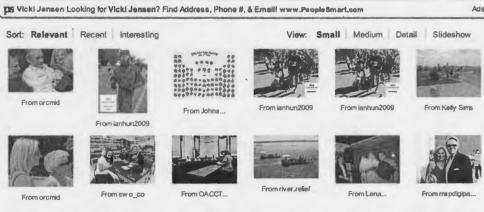
Photos Groups People

vicki jensen

SEARCH

Full Text | Ta Advanced Sea

EXHIBIT D







From baabaa300



From cynthetta







From MkePWebb

Groups

Views: 25,000 886 members | 992 photos

Photographers

more...

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orcmid - Seattle, Washington, USA See related photos

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Photos with tags like wedding, bride and marriage

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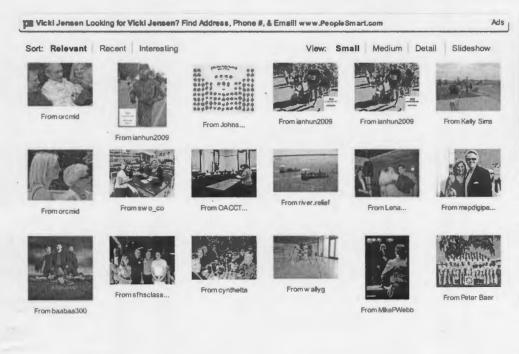
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vicki jensen

SEARCH

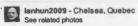
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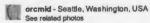


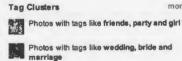














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vicki jensen

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9641472.ipg vickijensen.com 221 × 305 - If you have not met me, I am Vicki Jensen, Similar More sizes

















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Any color Full color Black and white





















EXHIBIT E

Page 2

Any type Face Photo

Clip art Line drawing

Standard view Show sizes



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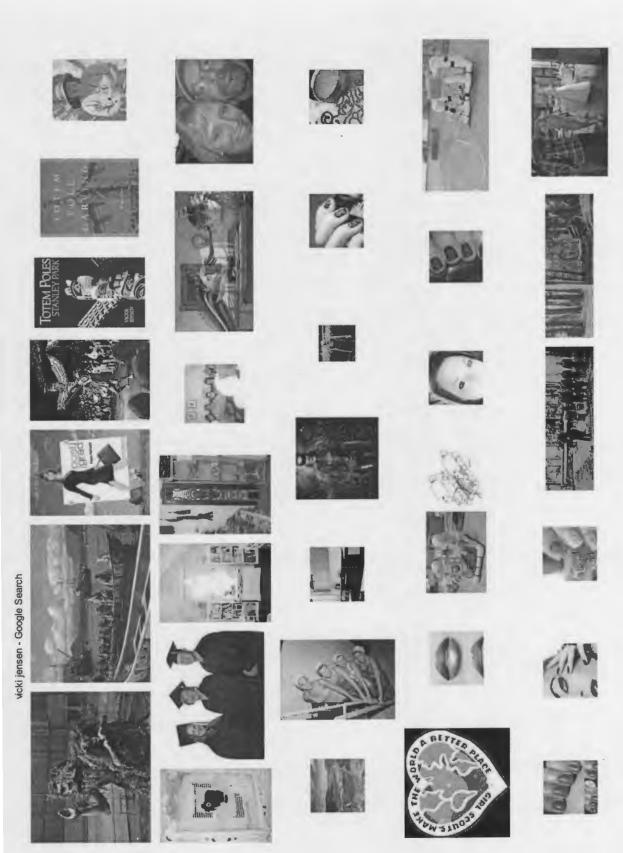
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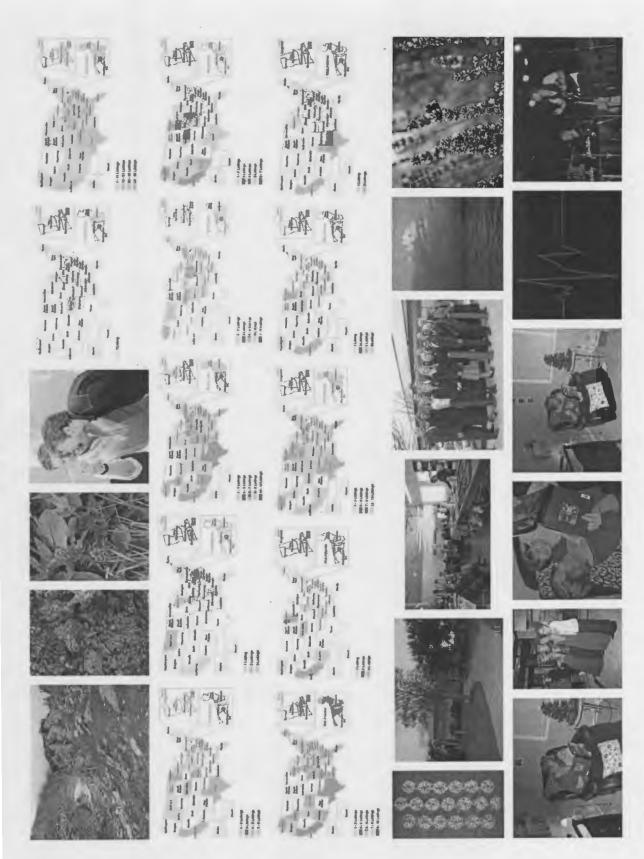
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Schedule B1 - EXP General Expenditures Minnesota DFL Senate Caucus

3M Center Saint Paul, MN 55144 Date Specific purpose of expenditure		Paid	1	EXHIBIT F	
06/29/2012	Downpayment for Fundraiser	1,000.00	•	-XIIIDII F	
		1,000.00			
Added Value	e Printing Ave N Osseo, MN 55369				
Date	Specific purpose of expenditure	Paid	Unpaid	In Kind	Tota
07/05/2012	Golf Tournament Signs	1,226.15	0.00	0.00	1,226.1
VECUME 10+	ernational (Registered Id: 30204)	,,===			1,220.1
	Washington, DC 200365665				
Date	Specific purpose of expenditure	Paid	Unpaid	In Kind	Tota
05/12/2012	In kind: NCEC Senate Targeting Data	0.00	0.00	2,020.00	2,020.0
Air Charters	Inc				
	Dr Chanhassen, MN 55317				
Date	Specific purpose of expenditure	Paid	Unpaid	In Kind	Tota
05/15/2012	Air Fare	2,379.38	0.00	0.00	2,379.3
Alyssa Siems	s Roberson Featherstone				
3932 38th Av	ve. S Minneapolis, MN 55406				
Date	Specific purpose of expenditure	Paid	Unpaid	In Kind	Tota
07/01/2012	Volunteer Food & Beverage for training	733.00	0.00	0.00	733.00
Applebee's					
	St Chanhassen, MN 55317				
Date	Specific purpose of expenditure	Paid	Unpaid	In Kind	Tota
05/29/2012	Candidate Meeting	58.21	0.00	0.00	58.2
Axel's Bonfire	e				
	ve Saint Paul, MN 55105				
Date	Specific purpose of expenditure	Paid	Unpaid	In Kind	Tota
06/22/2012	Fundraising Lunch	174.34	0.00	0.00	174.34
B & H Video					
	New York, NY 10001	Paid	Homeid	în Kind	Tota
Date	Specific purpose of expenditure		Unpaid		
06/15/2012	Camera Equipment	547.99	0.00	0.00	547.99
Backstreet P					
	t Saint Paul, MN 55107	Doid	Linnaid	In Kind	Tota
Date	Specific purpose of expenditure	Paid	Unpaid	In Kind	
01/18/2012	Volunteer Food Volunteer Food	54.59 63.68	0.00 0.00	0.00 0.00	54.59 63.68
05/23/2012	Volunteer Food 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
	Tota	al 364.66	0.00	0.00	364.66
Bakers Squa	re				
	rt St Saint Paul, MN 55118				
Date	Specific purpose of expenditure	Paid	Unpaid	In Kind	Tota
2/08/2012	Fundraising Meeting	25.28	0.00	0.00	25.28
homas Bakk					
	Lodge Rd Cook, MN 557238729				
	ent: State of MN Specific purpose of expenditure	Paid	Unpaid	In Kind	Tota
Date					
06/21/2012	Ground Transportation	124.00	0.00	0.00	124.00