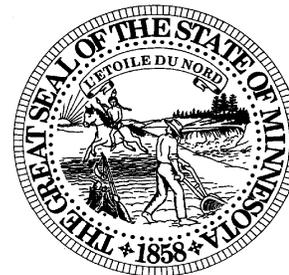


Minnesota

Campaign Finance and Public Disclosure Board



Date: October 3, 2018

To: Board members

From: Megan Engelhardt, Assistant Executive Director

Telephone: 651-539-1182

Re: Complaint of Rep. Drazkowski against Neighbors for Ilhan (Omar) committee — Request to expand scope of investigation

On August 16, 2018, the Board found probable cause for an investigation regarding the Neighbors for Ilhan (Omar) committee's possible violations of Minnesota Statutes sections 10A.20 and 211B.12 and Minnesota Rules 4503.0900 based on two complaints by Rep. Steve Drazkowski. The probable cause determination combined the prima facie determinations into one investigation because they both involved the same set of facts.

During the course of the investigation, staff has reviewed the committee's 2017 year-end report of receipts and expenditures and discovered multiple questionable noncampaign disbursements and one questionable campaign expenditure, all apparently related to out-of-state travel. The noncampaign disbursements appear to include airfare and other expenses related to attending five conferences and other events, all categorized as expenses of serving in public office.

Noncampaign Disbursements
Young Officials Conference; suspected location San Francisco, CA
National Immigrant Justice Center; Chicago, IL
Girl Up UN Conference (Girl Empowerment Conference); Washington, D.C.
European Young Leaders Conference; Tallinn, Estonia
African Network of Southwest Florida's Annual Gala (Somali New Arrival Conference); Florida
Campaign Expenditures
Unity Rally; Boston, MA

Payment of those expenses with committee funds may violate Minnesota Statutes section 211B.12 and Rep. Omar's appearance at a campaign rally for a Boston City Council candidate may violate Minnesota Statutes section 10A.27, subdivision 9(d). Minnesota Statutes section 10A.01, subdivision 26, paragraph (10), provides that noncampaign disbursements include payment for the candidate's expenses for serving in public office.

Travel expenses can fall within this category when the reason for the candidate's attendance at the event is to help the candidate in the performance of the duties of the office held and the candidate would not have attended the event if the candidate were not an office holder. Based on the descriptions of the events provided on the report and in the Omar response, most of the out-of-state travel does not appear to have been to events that would have helped a candidate in the performance of state representative duties. Of particular concern are the committee funds that were used to pay for international travel by Rep. Omar.

Pursuant to Minnesota Statutes section 10A.022, subdivision 3(b), if the investigation of a complaint reveals potential violations not referenced in the complaint, the Board may only broaden the scope of the investigation after making a determination “that probable cause exists to believe a violation that warrants a formal investigation has occurred.” A probable cause determination finding additional potential violations of Minnesota Statutes section 211B.12 and Minnesota Statutes section 10A.27, subdivision 9(d), is attached.

The probable cause determination orders a broadened investigation to include both the allegations in Rep. Drazkowski’s complaints and potential violations resulting from the out-of-state travel referenced in the committee’s 2017 year-end report of receipts and expenditures.

Attached are the documents relevant only to this probable cause determination. If any Board members would like copies of the previously provided documents, please let me know.

Attachments

First probable cause determination
Response from Omar Committee
Draft second probable cause determination