

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

**PRIMA FACIE
DETERMINATION**

IN THE MATTER OF THE COMPLAINT OF CASSIE FREDREGILL REGARDING THE CAMPAIGN FOR RON KRESHA (HOUSE) COMMITTEE

On April 11, 2024, the Campaign Finance and Public Disclosure Board received a complaint submitted by Cassie Fredregill regarding Representative Ron Kresha, who represents s House District 10A. The Campaign for Ron Kresha (House) committee (17500) is Representative Kresha's principal campaign committee.

The complaint alleges that the Kresha committee's campaign Facebook page displays the phone number for Representative Kresha's office at the Minnesota House of Representatives (651-296-4247). The complaint provides screenshots of the Kresha committee's Facebook page and a screenshot of Representative Kresha's contact information from the House of Representatives' website. The complaint also alleges that the Kresha committee sent a postcard asking voters to support him at the Republican endorsing convention for House District 10A, and that the postcard has incorrect times for the start of the convention. The complainant provides a copy of the postcard from the Kresha committee stating the District 10A convention would begin at 9 a.m. The complainant also provides copies of the official calls for the District 10A and District 10B conventions which state that while the District 10B convention would begin at 9 a.m., the District 10A convention would not begin until 11 a.m.

Determination

Minnesota Statutes section 10A.01, subdivision 11, defines the term contribution, in relevant part, to mean "money, a negotiable instrument, or a donation in kind that is given to a political committee, political fund, principal campaign committee, local candidate, or party unit." Minnesota Statutes section 10A.01, subdivision 13, defines the term donation in kind to mean "anything of value that is given, other than money or negotiable instruments." The complaint alleges and provides evidence that the phone number provided on the Kresha committee's Facebook page is the phone number for Representative Kresha's legislative office. The office is staffed by a legislative assistant. Legislative assistants are paid by the House of Representatives to assist legislators in their legislative work. The use of a phone number and paid legislative staff to answer phone calls made to the number has value to a principal campaign committee, and therefore may need to be reported as an in-kind contribution to the principal campaign committee.

Minnesota Statutes section 10A.20, subdivision 3, requires a committee to disclose all of its financial activity on its reports to the Board, including in-kind transactions. The Kresha committee filed a 2023 year-end report and two amended 2023 year-end reports. The 2023

year-end reports do not disclose any in-kind contributions to the committee. The chair therefore concludes that the complaint states a prima facie violation of Minnesota Statutes section 10A.20, subdivision 3.

Minnesota Statutes section 211B.06, prohibits the preparation or dissemination of false information.¹ The complaint alleges that the Kresha committee's postcard had incorrect times for the House District 10A endorsing convention. However, the Board does not have investigative authority with respect to Minnesota Statutes section 211B.06. The complaint therefore does not state a prima facie violation of Minnesota Statutes Chapter 10A or of those sections of Chapter 211B under the Board's jurisdiction, with respect to the postcard.

Pursuant to Minnesota Statutes section 10A.022, subdivision 3, this prima facie determination is made by a single Board member and not by any vote of the entire Board. This prima facie determination does not mean that the Board has commenced, or will commence an investigation or has determined a violation by any of the individuals or entities named in the complaint.

Pursuant to Minnesota Statutes section 10A.022, subdivision 3 (d), within 60 days of the date of this determination, the Board will make findings and conclusions as to whether probable cause exists to believe that a violation of Minnesota Statutes section 10A.20 has occurred and warrants a formal investigation. The complainant and the respondent named in this prima facie determination will be given an opportunity to be heard by the Board prior to any decision on probable cause.

Until the Board makes a public finding or enters into a conciliation agreement, this matter is subject to the confidentiality requirements of Minnesota Statutes section 10A.022, subdivision 5.

/s/ David Asp
David Asp, Chair
Campaign Finance and Public Disclosure Board

Date: April 26, 2024

¹ See [281 Care Committee v. Arneson, 766 F.3d 774 \(8th Cir. 2014\)](#) regarding the constitutionality of Minnesota Statutes section 211B.06.