

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

**PROBABLE CAUSE
DETERMINATION**

IN THE MATTER OF THE COMPLAINT OF TROY SCHEFFLER REGARDING THE CROW WING COUNTY
RPM

On August 28, 2025, the Campaign Finance and Public Disclosure Board received a complaint submitted by Troy Scheffler regarding the Crow Wing County RPM, Board registration number 20131. The Crow Wing County RPM is a local political party unit of the Republican Party of Minnesota.¹

The complaint alleges violations of Minnesota Statutes section 211B.04, which regulates the use of disclaimers on campaign material. The complainant states that on August 29, 2024, he noticed flyers prepared and disseminated around the Brainerd Lakes area by the Crow Wing County RPM, advertising an event to be held on September 6, 2024, in Crosslake. The complaint includes a copy of the flyer, labeled Exhibit 1, which states that attendees may “Hear, meet, and visit with current elected officials, and 2024 candidates.” The flyer includes the names and photographs of three incumbent candidates for the state legislature, a member of the United States House of Representatives, and the incumbent Crow Wing County sheriff. The flyer does not include a disclaimer stating who prepared and paid for the flyer. The flyer includes text stating “Not sponsored by any political organization or candidate”. The complaint alleges that the flyer was uploaded to the party unit’s website on August 30, 2024.²

The complainant states that he “inquired about the matter on” the Crow Wing County RPM’s Facebook page,³ and then was blocked from viewing that page. The complainant alleges that he notified the party unit that the disclaimer on the flyer was inadequate. The complainant asserts that on August 30, 2024, he visited the party unit’s office and was told that the party unit “was indeed preparing and disseminating the flyers” and was informed that a new version of the flyer had been produced at the direction of the party unit’s deputy chair, Donna Winge. The complaint includes a copy of a second version of the flyer, labeled Exhibit 5. The second version of the flyer appears to be identical to the original except for the omission of text at the bottom stating “Not sponsored by any political organization or candidate”. As with the original version, the second version of the flyer does not include a disclaimer stating who prepared and paid for the flyer.

The complaint includes a photo of a sign labeled Exhibit 2, titled “Why I Vote For Conservatives”, which includes a disclaimer stating:

¹ cfb.mn.gov/reports-and-data/viewers/campaign-finance/party-unit/20131/

² cwgop.com/uploads/1/2/5/2/125224629/meet_your_legislators.pdf

³ facebook.com/profile.php?id=100064496270141

The complaint alleges that the address displayed on the sign was not the party unit's registered mailing address and that the sign was displayed by the Crow Wing County RPM at events held in 2024. Board records show that the mailing address listed within the party unit's registration and statement of organization,⁴ from February 2016 until March 2023, was the post office box address listed above, at which time the party unit's registration was amended to provide a different post office box address. The sign listed policy objectives of conservatives and did not identify any candidate.

On September 5, 2025, the Board's chair determined that the complaint stated a prima facie violation of Minnesota Statutes section 211B.04 with respect to the material depicted in Exhibits 1, 2, and 5. On September 28, 2025, the Crow Wing County RPM's chair, Lowell Smith, provided a written response.

Mr. Smith stated that two individuals decided to host the event held on September 6, 2024, "on their own with no financial support from" the party unit. Mr. Smith said that those individuals "are not a part of the Crow Wing County RPM" but asked the party unit to distribute flyers advertising the event at a victory office⁵ and at events "to help spread the word." Mr. Smith stated that "The campaign material was not the property of Crow Wing County RPM." Mr. Smith explained that "As we were handing out the flyers, we noticed some had their disclaimer cut off. Deputy Chair, Donna Winge, noticed this and corrected the problem by replacing those with ones that had a full disclosure at the bottom." In response to a question from Board staff, Mr. Smith said the "disclaimer" that was cut off was the text stating "Not sponsored by any political organization or candidate". No version of the flyer disseminated by the party unit included a disclaimer identifying who prepared and paid for the flyers. Mr. Smith noted that while a copy of the flyer was uploaded to the party unit's website, the website includes a complete disclaimer. With respect to the sign labeled Exhibit 2, Mr. Smith said that the party unit's treasurer forgot to change the address within the disclaimer to match the party unit's current mailing address. Mr. Smith stated that the address within the disclaimer on the sign has since been updated.

On October 8, 2025, Mr. Scheffler supplemented his complaint, alleging that Mr. Smith misstated the sequence of events with respect to the flyer for the September 6, 2024, event. Mr. Scheffler asserted that Ms. Winge intentionally photocopied the flyers in a manner that omitted the text stating "Not sponsored by any political organization or candidate". Mr. Smith stated that Ms. Winge is uncertain of the precise sequence of events and that the information he provided was based on her recollection. Mr. Smith again stated that at some point, it was discovered that copies made of the flyer lacked the "Not sponsored by any political organization or candidate" text, and those copies were replaced with copies that included that text.

⁴ See Minn. Stat. § 10A.14.

⁵ cwgop.com/uploads/1/2/5/2/125224629/victory_office_flyer.pdf

The Board considered this matter at its meeting on October 15, 2025. Mr. Scheffler, Mr. Smith, and the Crow Wing County RPM's treasurer, John Sylvester, each appeared before the Board.

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. Minn. R. 4525.0210, subp. 3a.

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, subdivision 1, generally requires campaign material to include a disclaimer with "the name and address of the person or committee causing the material to be prepared or disseminated" in a specific format. Campaign material prepared or disseminated by a party unit that is not an independent expenditure and is not disseminated by broadcast media must include a disclaimer in the following format: Prepared and paid for by the [party unit name], [address]. The address must be either the party unit's mailing address or its website address, if the website includes the party unit's mailing address. Minn. Stat. § 211B.04, subd. 1. Campaign material includes "any literature, publication, or material that is disseminated for the purpose of influencing voting at a primary or other election, except for news items or editorial comments by the news media." Minn. Stat. § 211B.01, subd. 2. For purposes of Minnesota Statutes section 211B.04, the term "committee" includes a party unit and any individuals "acting together" with that party unit "to influence the nomination, election, or defeat of a candidate or to promote or defeat a ballot question." Minn. Stat. § 211B.01, subd. 4. The disclaimer requirement "does not apply to an individual or association that is not required to register or report under chapter 10A or 211A." Minn. Stat. § 211B.04, subd. 3 (b).

The flyers depicted in Exhibits 1 and 5 regarding the event held on September 6, 2024, do not include a disclaimer in the form required by statute. The Crow Wing County RPM has acknowledged that it produced copies of the flyer and disseminated the flyers. While the individuals who organized the event and provided one or more copies of the flyer to the party unit may not have been considered members of the Crow Wing County RPM, they were part of the "committee" comprised of the Crow Wing County RPM for purposes of the disclaimer requirement because they acted together with the party unit to prepare and disseminate the flyers. The copy of the flyer uploaded to the party unit's website was not required to include a

disclaimer because the home page of its website includes a disclaimer.⁶ Minn. Stat. § 211B.04, subd. 4. Whether the printed flyers included text stating “Not sponsored by any political organization or candidate” is immaterial to the disclaimer requirement because that text does not identify who prepared and paid for the flyers.

The sign depicted in Exhibit 2, titled “Why I Vote For Conservatives”, included a disclaimer in the form required by statute except that the mailing address included within the disclaimer was not a valid mailing address for the Crow Wing County RPM at the time the sign was displayed at events held in 2024. A mailing address included within a disclaimer does not necessarily have to be the mailing address listed within an association’s registration and statement of organization. For example, an association registered with the Board may have multiple mailing addresses. However, the address must be a valid address at the time the campaign material in question is disseminated. Therefore, the Board concludes that there is probable cause to believe that the Crow Wing County RPM violated Minnesota Statutes section 211B.04, subdivision 1.

The flyers depicted in Exhibits 1 and 5 did not include a disclaimer and thereby may have caused confusion regarding who prepared and paid for the flyers. The sign depicted in Exhibit 2 included a mailing address that was not valid in 2024, but otherwise included a complete disclaimer. It is unlikely that the inclusion of an old mailing address had any impact on the ability of those who viewed the sign to contact the Crow Wing County RPM, particularly because the sign was displayed at events where an individual volunteering on behalf of the party unit would have been present.

While it is important for campaign material to include a disclaimer as required by statute, alleged disclaimer violations involving printed flyers advertising a single event and a small sign displayed at events are less serious violations than the types of violations that typically warrant a formal investigation. The Crow Wing County RPM has been registered with the Board since 1986 and does not have any history of past violations. There is no apparent information or benefit to be gained from issuing formal findings rather than an informal resolution of the matter. Considering those factors, the Board concludes that a formal investigation is not warranted.

Order:

1. Although probable cause exists to believe that the Crow Wing County RPM violated Minnesota Statutes section 211B.04, subdivision 1, by failing to include a complete and accurate disclaimer on two pieces of campaign material, a formal investigation is not warranted.
2. The Board’s executive director is directed to initiate a staff review regarding this matter pursuant to Minnesota Rules 4525.0320. The staff review may be resolved by a conciliation agreement with the Crow Wing County RPM. If the staff review establishes that a violation occurred and the matter cannot be resolved by conciliation agreement, the executive

⁶ cwgop.com

director is directed to prepare findings to resolve the matter. If the staff review establishes that no violation occurred, the staff review must be closed pursuant to Minnesota Statutes section 10A.022, subdivision 3b.

/s/ Faris Rashid
Faris Rashid, Chair
Campaign Finance and Public Disclosure Board

Date: October 15, 2025