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October 24, 2022

Mr. Jeff Sigurdson
jeff.sigurdson@state.mn.us
Executive Director
Minnesota Campaign Finance and Public
Disclosure Board
190 Centennial Office Building
658 Cedar Street
St. Paul, MN 55155

Re: Illegal Coordination between Kim Crockett for Secretary of State Committee and
American Principles Project PAC.

Dear Jeff:

We represent the Minnesota DFL and submit this letter complaint on the Minnesota DFL's behalf pursuant to Minn. Stat. § 10A.022, subd. 3 and Minn. Stat. § 211B.32. As set forth below, the Kim Crockett for Secretary of State Committee (Reg. No. 18732) ("Crockett Campaign") has engaged in illegal coordination with the unregistered American Principles Project PAC ("American Principles"). These are flagrant violations of Minnesota campaign finance laws. We request that the Board investigate the violations identified in this letter pursuant to its authority under Minn. Stat. § 10A.022, subd. 3, and assess appropriate penalties for these violations of Minnesota law.

On October 21, 2022, American Principles tweeted a video of a false and misleading advertisement attacking Minnesota Secretary of State Steve Simon. This video is also being broadcast on television. The disclaimer at the end of the video states that it is an independent expenditure but, as noted above, American Principles is not registered with the Board. The Crockett Campaign retweeted this video. Exhibit A.

These actions undermine the independence of the expenditures and result in multiple violations of Minnesota campaign finance law. As you know, an "independent expenditure" is "an expenditure expressly advocating the election or defeat of a clearly identified candidate ... if the expenditure is 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 or any local candidate or local candidate's agent." Minn. Stat. § 10A.01, subd. 18.

By retweeting the campaign material, the Crockett Campaign expressly consented to not only that specific expenditure but also to the subsequent publication of similar campaign materials affecting the race. The candidates and the campaign are saying to American Principles, "we like what you are doing, keep it up." This endorsement of the campaign material means that

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all subsequent campaign material distributed by American Principles supporting the election of Kim Crockett or advocating for the defeat of Secretary of State Simpn are “coordinated expenditures” and must be reported as contributions subject to the \$4,000 contribution limit.

Finally, American Principles’ expenditure which was retweeted by candidate Kim Crockett is a “coordinated expenditures” due to the candidate’s participation in the “distribution of the final product.” Minn. Stat. § 10A.176, subd. 7. Kim Crockett embraced the campaign material and took the affirmative step of retweeting it to her followers. This increased the reach of the campaign material to include Kim Crockett’s Twitter followers.

These constitute clear *prima facie* violations of Minnesota campaign finance law, and we respectfully request the Board conduct a prompt investigation of the full extent of the coordination between the Crocket Campaign on the one hand and American Principles on the other and assess appropriate penalties for these serious violations.

Please feel free to contact me with any questions. Thank you.

Very truly yours,

LOCKRIDGE GRINDAL NAUEN P.L.L.P.

A handwritten signature in black ink, appearing to read 'CN Nauen', written in a cursive style.

Charles N. Nauen

Enclosures

c: Minnesota DFL
David Zoll

EXHIBIT A

↻ Kim Crockett Retweeted



American Principles 🇺🇸

@aproject

NEW AD:

Steve Simon is a
defund-the-police radic
[#MNSOS](#)

Corrupt. Lawless. Extre

He can't be trusted.

radicalstevesimon.com