STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

Advisory Statement on Redboxing

What is redboxing? Redboxing is the posting to a candidate's website of specific instructions concerning advertising that the candidate's campaign believes would be beneficial. Its elements often include:

- a suggested time frame for the advertising,
- target audiences and/or media markets,
- language proposing specific advertising media, for example "voters need to see," "read," "hear," or "see on the go" or "a television campaign should begin …," and/or
- a requested message.

Commission Guidance. Candidates and PACs are advised that the Commission will generally treat redboxing by a candidate as a request or suggestion that others engage in the advertising specified in the redboxed instructions. Redboxing creates a substantial risk for candidates. If a PAC engages in the requested advertising in response to the redboxed instructions, the candidate likely has received a contribution that may exceed legal limits – even in situations where the candidate engaged in no private communications or pre-arrangements with the PAC. If a complaint to the Commission provides sufficient grounds to believe an over-the-limit contribution occurred, it will investigate. Maine Clean Election Act (MCEA) candidates should be aware that any spending caused by a redbox could be considered an illegal contribution under the MCEA.

What is not redboxing? Candidates remain free to publish photos, position statements, press releases and other materials concerning the candidate's positions and qualifications, even if they expect such materials to be used by independent spenders. Campaigns may also make general, non-specific requests for support. The Commission does not view those activities as redboxing because they do not provide specific instructions for others to advertise. Please contact the Ethics Commission if you have questions about this guidance.

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OFFICE LOCATED AT: 45 MEMORIAL CIRCLE, AUGUSTA, MAINE
WEBSITE: WWW.MAINE.GOV/ETHICS
PHONE: (207) 287-4179 FAX: (207) 287-6775