

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
<https://www.courts.nh.gov>

PROBABLE CAUSE STATEMENT FOR ARREST WARRANT

I, Daniel J. Mederos declare under penalty of perjury:
(Name of officer)

1. I am employed by and my current assignment and experience is:

I am an Investigator with the N.H. Attorney General's Office. I am a full time certified New Hampshire Police Officer and have been for over 22 years. Prior to my current position, I was employed with the Nashua N.H. Police Department for over twenty years, where I served as a Detective and Detective Supervisor for the majority of those years responsible for criminal investigations. I graduated from the N.H. Police Academy in 2000 and since then have received additional extensive training over the years in the areas involving criminal investigations. My duties and responsibilities, as an Investigator with the N.H. Attorney General's Office, include investigating crimes that occur in the State of New Hampshire to include election law violations.

(Describe position, assignment, office, etc.)

2. I have information, based upon (Describe source, facts indicating reliability and credibility of source and nature of information. If based on personal knowledge, so state).

The information set forth in this Probable Cause Statement is based upon my observations, personal knowledge and information obtained from other individuals during the course of this investigation, as described in the following paragraphs of this Probable Cause Statement.

☒ See additional page(s) for more information

For these reasons I ask the Court to issue an arrest warrant for

Name Debra A. Paul, [REDACTED] Londonderry, NH 03053 DOB: [REDACTED]

For the following crimes:

RSA: 664:21 Descriptor: Penalty for Identification of Political Advertising NH RSA 664:16


RSA: _____ Descriptor: (6 counts) (Class A Misdemeanor)

RSA: _____ Descriptor: _____

RSA: _____ Descriptor: _____

RSA: _____ Descriptor: _____

08/15/2022
Date


Signature of Officer

Daniel J. Mederos
Name of Officer

Signed under the penalty of perjury, the penalty for which may include a fine or imprisonment or both.

PROBABLE CAUSE STATEMENT FOR ARREST WARRANT

Additional space for source description, facts indicating reliability and credibility of source and nature of information.

Please see attached Probable Cause Statement for details.

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
<https://www.courts.nh.gov>

Court Name: 10th Circuit - District Division - Derry Agency Case Number: 2022154755

ARREST WARRANT

To the sheriff of his deputies of any county in this state, or any police officer state or federal, within the state:

Daniel J. Mederos has established under oath that probable cause exists and an arrest warrant shall issue against the defendant,

Debra A. Paul, [REDACTED] Londonderry, NH 03053, D.O.B. [REDACTED],

In the county of Rockingham for one count of

See counts as listed below contrary to the New Hampshire

RSA: 664:21 Descriptor: Penalty for Identification of Political Advertising NH RSA 664:16

RSA: _____ Descriptor: (6 counts) (Class A Misdemeanor)

RSA: _____ Descriptor: _____

RSA: _____ Descriptor: _____

RSA: _____ Descriptor: _____

We command you to take him/her, if found to be in your jurisdiction, and bring him/her before the 10th Circuit - District Division - Derry Court.

August 15, 2022

Date



Signature of Judge / Justice of the Peace

Suzanne M. Gorman

Name of Judge / Justice of the Peace

RETURN

STATE OF NEW HAMPSHIRE

COUNTY OF _____

I have arrested the Defendant and now have him/her before the court as commanded.

Date

Signature of Officer

Name of Officer/Department

THE STATE OF NEW HAMPSHIRE

10th Circuit-District Division-Derry Court

ROCKINGHAM, SS

August 15, 2022

Supporting Probable Cause Statement for Arrest Warrant

Filename: 939 Debra Paul Arrest 08152022

I, Investigator Daniel J. Mederos, being duly sworn depose and say as follows:

I am an Investigator with the N.H. Attorney General's Office. I am a full-time certified New Hampshire Police Officer and have been for over 22 years. Prior to my current position, I was employed with the Nashua N.H. Police Department for over twenty years, where I served as a Detective and Detective Supervisor for the majority of those years responsible for criminal investigations. I graduated from the N.H. Police Academy in 2000 and since then have received additional extensive training over the years in the areas involving criminal investigations. My duties and responsibilities, as an Investigator with the N.H. Attorney General's Office, include investigating crimes that occur in the State of New Hampshire to include election law violations.

The information set forth in this Probable Cause Statement is based upon my observations, personal knowledge and information obtained from other individuals during the course of this investigation, as described in the following paragraphs of this Probable Cause Statement:

1. On February 19, 2019, the Attorney General's Office initiated an investigation into issues raised related to a political advertisement that ran in the Londonderry Times in the weeks leading up to the March 12, 2019 election. The Londonderry Times is a news publication owned and operated by Debra Paul's company, Nutfield Publishing. This investigation revealed the political advertisement in question failed to comply with New Hampshire Revised Statutes Annotated (RSA) Chapter 664 in requiring "paid for" language where "All political advertising shall be signed at the beginning or the end with the names and addresses of the candidate...responsible for it." RSA 664:14, I. Additionally the political advertisement in question failed to comply with RSA 664:16 requiring political advertisements printed in newspapers or periodicals to be marked "at the beginning or the end thereof with 'Political Advertising.'" The purpose of this is to distinguish newspaper editorials, endorsements, articles, or letters from paid advertisements.
2. On March 28, 2019 Assistant Attorney General Matthew Brodhead of the Election Law Unit issued Debra Paul, the publisher of Nuffield Publishing a letter addressing these violations and requesting Debra Paul take steps to correct these violations going forward as the Attorney General's Office would not be taking any further action on this matter. This letter addressed that in the event that Debra Paul again violated any provision of RSA Chapter 664, the Attorney General's Office may pursue regulatory or enforcement action.

3. On March 12, 2021 the Attorney General's Office received a complaint related to a recent political advertisement in the March 4, 2021 issue of the Londonderry Times that did not contain required "paid for by" language. An investigation was again initiated where on August 10, 2021, Chief Investigator Richard Tracy of the Attorney General's Office spoke with Debra Paul who owns and operates Nutfield Publishing and publishes the Londonderry Times. Chief Investigator Tracey pointed out to Debra Paul that the ad now in question did not contain the required "paid for" information and reminded her that ads in her paper are required to contain "paid for" language.
4. On September 23, 2021 Assistant Attorney General Myles Matteson of the Election Law Unit issued Debra Paul, of Nutfield Publishing, a letter addressing new violations. This letter referred to the March 28, 2019 warning letter Debra Paul received from the Attorney General's Office regarding violations of RSA 664:14 and RSA 664:16. This new letter documented as a reminder to Debra Paul, "All political advertising shall be signed at the beginning or the end with the names and addresses of the candidate...responsible for it." RSA 664:14, I. Debra Paul was advised in this this new letter that the advertisement now in question failed to contain the required responsible name and address information. Additionally she was advised RSA 664:16 requires political advertisements printed in newspapers or periodicals to be marked "at the beginning or the end thereof with 'Political Advertising.'" Debra Paul was notified her publication failed to designate the advertisement now in question as "Political Advertising" pursuant to RSA 664:16 and as the publisher she is responsible for complying with RSA 664:16 and ensuring that political advertising is properly labelled in her publication.
5. This September 23, 2021 letter to Debra Paul addressed that the Attorney General's Office would not be taking any further action on this new matter. She was advised given her prior warning regarding the requirements of RSA 664:16, this was her second and final warning against publishing political advertising without the mandatory "Political Advertising" designation. Debra Paul was notified that in the event she again violates provisions of RSA Chapter 664, the Attorney General's Office may pursue appropriate enforcement action.
6. On March 3, 2022 Laura Morin emailed the Election Law Unit of the Attorney General's Office and began corresponding with Assistant Attorney General Myles Matteson regarding her concerns regarding several recent political advertisements published in the Londonderry Times periodical. Morin identified multiple political advertisements published in the February 24, 2022 and March 3, 2022 issues of the Londonderry Times that did not contain either the proper "paid for by" name and address information nor the proper "Political Advertising" designation or both.
7. I reviewed both the February 24, 2022 and March 3, 2022 issues of the Londonderry Times and noted that they ran several political advertisements in each issue in reference to the upcoming March 8, 2022 local election. I confirmed these periodicals were circulated to Londonderry, New Hampshire residents by the United States Postal Service by means of a paid presorted postal permit.

8. The February 24, 2022 issue included three ads in violation of RSA 664:14 and/ or RSA 664:16. The first ad was labeled "VOTE YES ARTICLE 2" in reference to a vote on a proposed bond to fund a proposed Londonderry School District Office project. This ad contained no "paid for by" name and address information and no "Political Advertisement" designation. A second ad was in support of Budget Committee candidate Janet Huttula. This ad contained no "paid for by" address information and no "Political Advertisement" designation. A third ad in support of Racheal Killian for Londonderry School Board contained no "Political Advertisement" designation.
9. The March 3, 2022 issue included six ads in violation of RSA 664:14 and/ or RSA 664:16. Two ads were in support of Budget Committee candidate Janet Huttula. Both these ads failed to contain "paid for by" address information and "Political Advertisement" designation. An ad in support of Chad Frantz for Town Council contained no "Political Advertisement" designation. An ad labeled "Tim Porter for School Board" contained no "Political Advertisement" designation. An ad in support of Racheal Killian for Londonderry School Board signifying "Paid for by Londonderry Residents" had insufficient "paid for by" name identification, no "paid for by" address information and no "Political Advertisement" designation. The last ad, which was not originally pointed out by Laura Morin, was an ad labeled "VOTE YES ARTICLE 2" in reference to a vote on a proposed bond to fund a proposed Londonderry School District Office project. This ad contained no "paid for by" name and address information and no "Political Advertisement" designation.
10. On May 5, 2022 I made contact with Janet Huttula of Londonderry, New Hampshire. She confirmed she paid for and submitted three political ads to the Londonderry Times in support of her run for Londonderry Budget Committee member. These ads were published prior to the March 8, 2022 local election. She confirmed this was the first time she ran in any election and attempted to review what was required of her ads by state law. She confirmed she dealt directly with Debra Paul of the Londonderry Times when placing these ads. She advised Debra Paul was helpful as they reviewed the ads together and believed they met the required laws for political advertising. Janet Huttula was advised of the requirement for both the "paid for by" name and address information as to who is responsible for the ads. She was also made aware of the requirement that political ads have a "Political Advertisement" designation at the beginning or end of the ads. She was remorseful of her misinterpretation of what was required in these ads and confirmed any violations she may committed were unintentional.
11. On May 5, 2022 I made contact with Racheal Killian of Londonderry, New Hampshire. She confirmed she ran for Londonderry School Board member in the March 8, 2022 local election. She confirmed she dealt with Debra Paul of the Londonderry Times placing an ad in support of her run which was published in the February 24, 2022 issue of the Londonderry Times. She was made aware of the requirement that political ads have a "Political Advertisement" designation at the beginning or end of the ads. She advised she believed she was aware of and following all the rules required of her and this omission was unintentional.

12. Racheal Killian advised that she was not responsible for the ad published in the March 3, 2022 issue on the Londonderry Times in support of her run. She advised after this ad was published, she was made aware by a group of parents that they submitted the ad supporting her. She was unaware of which parents paid for and submitted the ad.
13. On May 5, 2022 I made contact with Debra Paul, owner/operator Nutfield Publishing, of [REDACTED] Londonderry, New Hampshire. Nutfield Publishing publishes the Londonderry Times and the Nutfield News/Tri-Town Times. She stated she and her husband are the only two employees of the company run which is run out of their home. She confirmed she is the publisher who handles what she described was the operations of the company to include dealing with all the advertising and billing while her husband assists with the layout and other assorted duties. She advised the Londonderry Times is a printed newspaper published multiple times a month and mailed to all Londonderry residents. She explained the Nutfield News/ Tri-Town Times is a newspaper that individuals can purchase for pick up or mailing. All the archive issues of these newspapers were available online at londonderrytimes.net and nutfieldnews.net.
14. Debra Paul was made aware of a complaint received by the Attorney General's Office regarding political ads run in the February 24, 2022 and March 3, 2022 issues of the Londonderry Times. She originally believed the complaint involved her filing her advertisement rates with the state. She confirmed the current advertisement rates for her publications are listed on and available on the websites for her publications. She advised this year she recalled contacting both the Attorney General's Office and the Office of the Secretary of State about her rates and was told she was "all set" as the rates are available and published on her websites. She couldn't recall who she spoke with at either agency and believed she was referred to one by the other.
15. Debra Paul confirmed she was issued two prior letters from the Attorney General's Office in 2019 and 2021 and believed she was currently following all the rules required of her. The only information she could recall in these letters were that the ads required a "paid for by name". She stated she was no longer in possession of these letters anymore and recalled dealing with Chief Investigator Tracy previously. I then reviewed each individual political ad in both the February 24, 2022 and March 3, 2022 issues of the Londonderry Times with Debra Paul. I pointed out all the violations of RSA 664:14 and/or RSA 664:16 to include the lack of "paid for by" name information, lack of "paid for by" address information and lack of "Political Advertisement" designation at the beginning or end of every ad. I addressed with her that these requirements were documented in the two previous letters along with warnings if she violated the provisions of RSA 644 again the Attorney General's Office could or may pursue regulatory or enforcement action.
16. Debra Paul advised her memory was poor and did not specifically recall what was told to her in the past about what language was required for political advertisements. She said she tried her best to review all the political advertisements to make sure they had the correct "paid for by" information. She believed the "paid for by" address information was

only required on political signage and not advertisements. She advised her business is stressful due to meeting deadlines and last-minute submissions and she was doing her best to meet the requirements of these political ads.

17. Debra Paul confirmed she processed and handled all the political advertisement submissions published in the February 24, 2022 and March 3, 2022 issues of the Londonderry Times. She advised the ads in both issues labeled "VOTE YES ARTICLE 2" in reference to a vote on a proposed bond to fund a proposed Londonderry School District Office project were submitted by Londonderry School Board member Bob Slater. She advised the March 3rd issue ad in support of Racheal Killian for Londonderry School Board signifying "Paid for by Londonderry Residents" was submitted and paid for by Monica Plourde.
18. I reviewed RSA's 664:14 and 664:16 and their requirements with Debra Paul. I referred her to the October 29, 2020 issue of the Nutfield News and a specific political that was an example having the proper "Political Advertisement" designation required and the proper "paid for by" name and address information required.
19. It was pointed out to Debra Paul that after reviewing all archived issues of the Londonderry Times and the Nutfield News/ Tri-Town Times between March 28, 2019 (date of first issued AGO warning letter) and March 3, 2022, the following was identified in each publication:
 - Londonderry Times 2020, 10 issues contained a total of 37 political ads with at least one violation of RSA 664 per ad.
 - Londonderry Times 2021, 4 issues contained a total of 5 political ads with at least one violation of RSA 664 per ad.
 - Londonderry Times 2022, 2 issues (February 24 and March 3) contained a total of 9 political ads with at least one violation of RSA 664 per ad.
 - Nutfield News/ Tri-Town Times 2020, 4 issues contained a total of 5 political ads with at least one violation of RSA 664 per ad.
 - Nutfield News/ Tri-Town Times 2021, 1 issue contained a total of 2 political ads with at least one violation of RSA 664 per ad.
20. On May 12, 2022 I made contact with Monica Plourde of Londonderry, New Hampshire who confirmed she and a group of other parents agreed purchase a support advertisement in the March 3, 2022 Londonderry Times issue for Racheal Killian's run for a position on the Londonderry School Board. Plourde advised she constructed and submitted the layout for the ad in question and dealt with Deb Paul of the Londonderry Times to publish and pay for the ad. She was unaware of the requirement for both the "paid for by" name and address information as to who is responsible for the ads. She was also made aware of the requirement that political ads have a "Political Advertisement" designation at the beginning or end of the ads. She said she has never been involved with political advertising prior and the group was only attempting to support a candidate who was low on campaign funds.

21. On May 12, 2022 the Election Law Unit at the Attorney General's Office received a Right-to-Know request via email from Debra Paul regarding the recent complaint about these political ads. In the email Debra Paul documented the following:

"I Debra Paul The owner of Nutfield Publishing LLC have received complaints about political ads for the last 3 years. My business is a 2 person operation and this is not my area of expertise. I am continuing to learn the proper way these ads must appear in the paper. I strongly believe I have made improvements in this area every year."

22. On May 12, 2022 I made contact with Robert "Bob" Slater of Londonderry, New Hampshire who confirmed he and another Londonderry School Board committee paid for ads published in the February 24, 2022 and March 3, 2022 issues of the Londonderry Times supporting a proposed bond to fund a proposed Londonderry School District Office project which was being voted upon in the upcoming local election. Slater advised he dealt directly with Deb Paul of the Londonderry Times to publish and pay for these ads. He said he supplied a flier for the layout of the ads published. He was unaware of the requirement for both the "paid for by" name and address information as to who is responsible for the ads. He was also unaware of the requirement that political ads have a "Political Advertisement" designation at the beginning or end of the ads. It was pointed out that several of ads he took out in the Londonderry Times in 2020 for his run for school board member also lacked these requirements. He apologized for the miscues and advised in the future he will be sure to ensure the required information is included in any political ad he is involved with.
23. On May 17, 2020 I made contact with Timothy Porter of Londonderry, New Hampshire who confirmed he ran for Londonderry School Board member in the March 8, 2022 local election. He advised he communicated with and paid Debra Paul of the Londonderry Times while placing an ad in support of his run which was published in the March 3, 2022 issue of the Londonderry Times. He was made aware of the requirement that political ads have a "Political Advertisement" designation at the beginning or end of the ads. He advised he was not aware of such requirement which was not pointed out to him by Debra Paul when placing the ad.
24. The elements of RSA 664:16 Identification of Political Advertising are:

Political advertising printed in newspapers, periodicals or billboards shall be marked at the beginning or at the end thereof "Political Advertising." Rates for advertising shall be filed, no later than 30 days prior to the deadline for filing for office for an election, with the secretary of state by each person or business organization publishing a newspaper or periodical, operating a radio or television station, or selling billboard space. Such schedule shall be open to public inspection, and such schedules may be amended. However, rates in such amendments shall not take effect until 5 days after they are filed with the secretary of state. No person or business organization publishing a newspaper or periodical, operating a radio or television station, or selling billboard space shall charge an advertising rate to any candidate, political committee, party or cause that is different from that charged to any other candidate, political committee, party or cause.

25. RSA 664:21 Penalty states:

I. Any fine assessed under the provision of this section shall be paid to the secretary of state for deposit into the general fund.

II. Nothing in this section shall be construed to limit the enforcement powers of the attorney general under RSA 664:18.

III. Any person who fails to file any report or statement on the date on which the report or statement is due under this chapter shall be subject to a daily fine of \$25 for every weekday for which the report or statement is late and until the report or statement is actually filed, except that candidates for the general court shall be subject to a daily fine of \$5 under this paragraph.

IV. A person liable under the provisions of this paragraph shall not also be subject to the penalties imposed under paragraph III. Any person who otherwise violates any provision of this chapter shall be guilty of a misdemeanor if a natural person or shall be guilty of a felony if any other person.

26. Based upon the foregoing information there is probable cause to believe Debra Paul of Nutfield Publishing, date of birth [REDACTED] did commit the crime of NH RSA 664:21 Penalty for Signature, Identification, and lack of Authorization for Political Advertising (Class A Misdemeanor) in that she knowingly printed four separate political advertisements in the March 3, 2022 issue of the Londonderry Times newspaper not signed at the beginning or end with the names and addresses of the candidate, his fiscal agent, or the name of the chairman or the treasurer of a political committee, or the name and address of a natural person, according to whether a candidate, political committee, or natural person is responsible for it as required by NH RSA 664:14

27. Based upon the foregoing information there is probable cause to believe Debra Paul of Nutfield Publishing, date of birth [REDACTED] did commit the crime of NH RSA 664:21, Penalty for Identification of Political Advertising (Class A Misdemeanor), in that she knowingly printed six separate political advertisements in the March 3, 2022 issue of the Londonderry Times newspaper not marked at the beginning or end with "political advertising" as required by NH RSA 664:16

DATED: August 15, 2022


Investigator Daniel J. Mederos

Signed under the penalty of perjury, the penalty for which may include a fine or imprisonment or both.