



STATE OF MICHIGAN
RUTH JOHNSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

July 1, 2016

Harold Nichols
P.O. Box 669
Baldwin, Michigan 49304

Dear Mr. Nichols:

The Department of State (Department) received a formal complaint filed by Dan Sloan against you, alleging that you violated section 47(1) of the Michigan Campaign Finance Act (MCFA), 1976 PA 388, MCL 169.247(1), by failing to include a complete and correct identification statement on certain campaign materials. A copy of the complaint is provided as an enclosure with this letter.

The MCFA and corresponding administrative rules require a person who produces printed material that relates to an election to include the phrase "Paid for by [name and address of the person who paid for the item]." MCL 169.247(1), Mich. Admin. R 169.36(2). A knowing violation constitutes a misdemeanor offense punishable by a fine of up to \$1,000.00, imprisonment for up to 93 days, or both. MCL 169.247(6).

In support of his complaint, Mr. Sloan provided a picture of a sign which states, "HAROLD NICHOLS FOR SHERIFF [,]" and a palm card which states, "NICHOLS FOR SHERIFF" and "PLEASE VOTE AUGUST 2nd [,]" The paid-for-by statements on these materials appear to omit your committee's address.

The purpose of this letter is to inform you of the Department's examination of these matters and your right to respond to the allegations before the Department proceeds further. It is important to understand that the Department is neither making this complaint nor accepting the allegations as true.

If you wish to file a written response to the complaint, you are required to do so within 15 business days of the date of this letter. Please include any evidence that reflects any corrective measures you have taken to bring your campaign material into compliance with the MCFA. Your response may include any written statement or additional documentary evidence you wish to submit. All materials must be sent to the Department of State, Bureau of Elections, Richard H. Austin Building, 1st Floor, 430 West Allegan Street, Lansing, Michigan 48918. If you fail to submit a response, the Department will render a decision based on the evidence furnished by the complainant.

A copy of your reply will be provided to Mr. Sloan, who will have an opportunity to submit a rebuttal statement to the Department. After reviewing all of the statements and materials provided by the parties, the Department will determine whether "there may be reason to believe

Harold Nichols

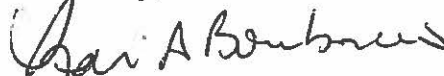
July 1, 2016

Page 2

that a violation of [the MCFA] has occurred [.]” MCL 169.215(10). Note that the Department’s enforcement powers include the possibility of entering a conciliation agreement, conducting an administrative hearing, or referring this matter to the Attorney General for enforcement of the criminal penalty provided in section 47(6) of the Act.

If you have any questions concerning this matter, you may contact me at (517) 241-0395.

Sincerely,

A handwritten signature in black ink that reads "Lori A. Bourbonais". The signature is written in a cursive style with a large initial "L".

Lori A. Bourbonais

Bureau of Elections

Michigan Department of State

c: Dan Sloan

**Campaign Finance Complaint Form
Michigan Department of State**

This complaint form may be used to file a complaint alleging that someone violated the Michigan Campaign Finance Act (the MCFA, 1976 PA 388, as amended; MCL 169.201 *et seq.*). All information on the form must be provided along with an original signature and evidence. Please print or type all information.

RECEIVED/FILED
MICHIGAN DEPT OF STATE
2010 JUN 30 PM 2:33
ELECTORAL DIVISION/GREAT LAKES

I allege that the MCFA was violated as follows:

| Section 1. Complainant | | |
|------------------------|--------------------------|-------|
| Your Name | Daytime Telephone Number | |
| Dan Sloan | 231-287-2309 | |
| Mailing Address | | |
| 10035 E 40TH ST. | | |
| City | State | Zip |
| Chase | MI | 49623 |

| Section 2. Alleged Violator | | |
|-----------------------------|----------------|-------|
| Name | Harold Nichols | |
| Mailing Address | | |
| PO Box 669 | | |
| City | State | Zip |
| Baldwin | MI | 49304 |

Section 3. Alleged Violations (Use additional sheet if more space is needed.)

Section(s) of the MCFA violated:

Section 47(1)

Explain how those sections were violated:

Failure to a complete and correct identification on certain yard signs and brochures

Evidence that supports those allegations (attach copies of pertinent documents and other information):

attached are a picture of a yard sign and a brochure.

Section 4. Certification (Required)

I certify that to the best of my knowledge, information, and belief, formed after a reasonable inquiry under the circumstances, each factual contention of this complaint is supported by evidence.

X

Dan Sloan

Signature of Complainant

6-30-16

Date

Section 5. Certification without Evidence (Supplemental to Section 4)

Section 15(6) of the MCFA (MCL 169.215) requires that the signed certification found in section 4 of this form be included in every complaint. However, if, after a reasonable inquiry under the circumstances, you are unable to certify that certain factual contentions are supported by evidence, you may also make the following certification:

I certify that to the best of my knowledge, information, or belief, there are grounds to conclude that the following specifically identified factual contentions are likely to be supported by evidence after a reasonable opportunity for further inquiry. Those specific contentions are:

Harold Nichols violated MCFA, 1976, PA
388, MCL 169.247(1) by failing to
provide a complete and correct identification
on certain yard signs and brochures.

X

Dan Sloan

Signature of Complainant

6-30-16

Date

Section 15(8) of the MCFA provides that a person who files a complaint with a false certification is responsible for a civil violation of the MCFA. The person may be required to pay a civil fine of up to \$1,000.00 and some or all of the expenses incurred by the Michigan Department of State and the alleged violator as a direct result of the filing of the complaint.

Mail or deliver the completed complaint form with an **original signature and evidence** to the following address:

Michigan Department of State
Bureau of Elections
Richard H. Austin Building - 1st Floor
430 West Allegan Street
Lansing, Michigan 48918

HAROLD
★ NICHOLS ★

FOR SHERIFF

NICHOLS16.COM

PAID FOR BY THE COMMITTEE TO ELECT HAROLD NICHOLS

HAROLD ★ NICHOLS

SHERIFF



NICHOLS FOR SHERIFF

**NEW LEADERSHIP, ACCOUNTABILITY
& TRANSPARENCY
FOR LAKE COUNTY**

"For me, running for Sheriff is not a decision, it's a calling. It's the culmination of a twenty year career in law enforcement."

While interviewing for my first position at the Lake County Sheriff's Office, I was asked what my long term goals would be. Without any hesitation I said, "I want to be the Sheriff one day."

I've worked hard during my career preparing for this day. With 20 years of law enforcement experience in areas of increasing responsibility, I want to assure you that I fully understand the responsibility that I am undertaking. I believe you will find my qualifications and experience compliment my plan and that now is the time to raise the standards of law enforcement in our community.

PLEASE VOTE AUGUST 2ND
www.nichols16.com

My Plan

- **Reduce Drugs**
- **More Community Involvement**
- **Services for Seniors of Lake Co.**
- **Raise the Standard**
- **Modernization**
- **School Law Enforcement**

My Simple Vision:

Raise the standard of law enforcement in Lake County through new leadership, accountability, and transparency

My Life:

- *Born and raised in Lake County*
- *My wife was raised in Lake County*
- *2 Children attending Baldwin Schools*
- *My family was raised to appreciate all the outdoor activities Lake County has to offer. We spend our personal time enjoying hunting, fishing, riding dirtbikes, and snowmobiles. We are members of St. Ann's Catholic Church in Baldwin and spend many hours volunteering in the community.*

Visit my website for more details

www.nichols16.com

HAROLD ★ NICHOLS

SHERIFF



PLEASE VOTE AUGUST 2ND

nicholsforsherifflakecounty@gmail.com | 231-745-3063

PAID FOR BY THE COMMITTEE TO ELECT HAROLD NICHOLS



STATE OF MICHIGAN
RUTH JOHNSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

July 28, 2016

Dan Sloan
10035 East 40th Street
Chase, Michigan 49623

Dear Mr. Sloan:

The Department of State received a response to the complaint you filed against Harold Nichols, which concerns an alleged violation of the Michigan Campaign Finance Act (MCFA), 1976 P.A. 388, MCL 169.201 *et seq.* A copy of the response is provided as an enclosure with this letter.

If you elect to file a rebuttal statement, you are required to send it within 10 business days of the date of this letter to the Bureau of Elections, Richard H. Austin Building, 1st Floor, 430 West Allegan Street, Lansing, Michigan 48918.

Sincerely,

A handwritten signature in black ink that reads "Lori A. Bourbonais".

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Harold Nichols

2015 JUL 21 PM 1:35

ELECTRONIC SCREEN COPY

July 18, 16

Dear Lori Bourbonais,

I am writing this response letter in regards to Mr. Sloans allegations pertaining to the address on my printed materials and signs. It was to my understanding that the intent of an address on printed material was so that someone seeing the material could contact the person responsible for said material. On all printed material I have my email address, and home phone number. At no time did I intend to break any type of law. Upon learning of this simple oversight I corrected all material with the addition of a physical address. As you can see with the invoice from 6-10-16 I had stickers made and I also had new brochures and new signs made with the physical address. The old signs and brochures were corrected by adding stickers to them.

It is my sincere hope that this simple oversight that has already been corrected will be sufficient to remedy this matter.

Sincerely,
Fred J. Nichols

HAROLD
★
NICHOLS ★

FOR SHERIFF

NICHOLS16.COM

PAID FOR BY THE COMMITTEE TO ELECT HAROLD NICHOLS, P.O. BOX 669 BALDWIN, MI 49304

HAROLD
★
NICHOLS ★

FOR SHERIFF

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P.O. BOX 673 • BALDWIN, MI 49304

HAROLD ★ NICHOLS

FOR SHERIFF

My Plan

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Visit my website for more details
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PLEASE VOTE AUGUST 2ND

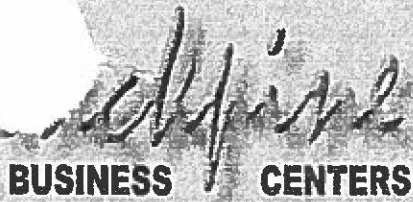
PAID FOR BY:
COMMITTEE TO ELECT HAROLD NICHOLS
PO Box 609, Baldwin, MI 49304

PERMIT STD
EXPENSE,
US POSTAGE
PAID
FDIM RETAIL

LOCAL POSTAL
CUSTOMER

P.O. BOX 669 • BALDWIN, MI 49304

P.O. BOX 669 • BALDWIN, MI 49304



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1 C.O.D.

Nichols for Sheriff
Natalie Nichols

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Invoice

No. **38935**

Date 6/10/2016

Customer P.O. No.

| QUANTITY | DESCRIPTION | AMOUNT |
|---|-------------|---|
| 1,000 | Sign Labels | 70.00 |
| Sales Rep: Taken by: Sally | | SUBTOTAL 70.00 TAX 4.20 SHIPPING TOTAL 74.20 AMOUNT DUE 74.20 |
| File Originals Ship Via: Call Sign Labels | | |

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HAROLD ★ NICHOLS

SHERIFF



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nicholsforsherifflakecounty@gmail.com | 231-745-3063

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PO BOX 669, BALDWIN, MI 49304

HAROLD ★ NICHOLS

SHERIFF



NICHOLS FOR SHERIFF

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FOR SHERIFF



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STATE OF MICHIGAN
RUTH JOHNSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

October 17, 2016

Harold Nichols
P.O. Box 669
Baldwin, Michigan 49304

Dear Mr. Nichols:

The Department of State (Department) has completed its investigation of the complaint filed against you by Dan Sloan, which alleged that you violated section 47(1) of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.247(1), by failing to include a complete and correct identification statement on certain campaign-related material. This letter concerns the disposition of Mr. Sloan's complaint.

The MCFA and corresponding administrative rules require a person who produces printed material that relates to an election to include the phrase "Paid for by [name and address of the person who paid for the item]." MCL 169.247(1), R 169.36(2). A knowing violation constitutes a misdemeanor offense punishable by a fine of up to \$1,000.00, imprisonment for up to 93 days, or both. MCL 169.247(6).

The Act also requires the Department to "endeavor to correct the violation or prevent a further violation by using informal methods [.]" if it finds that "there may be reason to believe that a violation ... has occurred [.]". MCL 169.215(10). The objective of an informal resolution is "to correct the violation or prevent a further violation [.]". *Id.*

Mr. Sloan filed his complaint on June 30, 2016, and you filed a written response on July 21, 2016. Mr. Sloan did not file a rebuttal statement with the Department.

Mr. Sloan alleged that you failed to include a committee address in the paid-for-by statements on certain campaign material. In support of his complaint, Mr. Sloan provided a picture of a sign which stated, "HAROLD NICHOLS FOR SHERIFF [.]" and a palm card which stated, "NICHOLS FOR SHERIFF" and "PLEASE VOTE AUGUST 2nd [.]". The paid-for-by statements on these materials appeared to omit your committee's address.

In your response you stated that you believed your email address was sufficient, but that upon learning of this simple oversight you printed stickers with a complete committee address and affixed the stickers to each of your signs and other materials. You provided a picture of the stickers and corrected signs, along with campaign material produced after you received notice that the committee street address was required. It appears that this material contains complete and correct paid-for-by statements, including the committee address.

Harold Nichols
October 17, 2016
Page 2

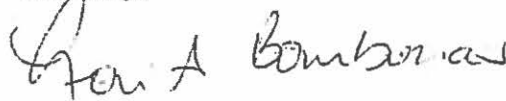
While the Department believes that the evidence tends to show that your campaign material failed to contain a paid-for-by statement, section 15(10) of the MCFA requires the Department to “endeavor to correct the violation or prevent a further violation by using informal methods such as a conference, conciliation, or persuasion [.]” The Department is satisfied that you took appropriate corrective measures to bring your campaign material into compliance with the MCFA.

Additionally, the Department is advising you that section 47(1) and R 169.36(2) require you to print a complete and accurate identification statement on all campaign materials, consisting of the phrase “paid for by” followed by the full name and address of your committee. Note that all printed materials that refer to an election or your candidacy produced in the future must include this identification statement.

Please be advised that this notice has served to remind you of your obligation under the Act to identify your printed matter, and may be used in future proceedings as evidence that tends to establish a knowing violation of the Act. A knowing violation is a misdemeanor offense and may merit referral to the Attorney General for enforcement action. MCL 169.247(6), 215(10).

The Department now considers this matter closed and will take no further action against you at this time.

Sincerely,



Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Dan Sloan