



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

August 13, 2013

Virginia Williams  
35774 Abbey Drive  
Romulus, Michigan 48174

Dear Ms. Williams:

The Department of State (Department) received a formal complaint filed by Barry Baumann 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 your campaign signs. A copy of Mr. Baumann's 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), 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(5).

In support of his complaint, Mr. Baumann provided copies of pictures of a campaign sign which states "ELECT VIRGINIA WILLIAMS FOR CITY COUNCIL [.]". It appears that the paid-for-by statement is omitted from the sign.

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 this 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, 1<sup>st</sup> 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. Baumann, 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 that a violation of [the MCFA] has occurred [.]". MCL 169.215(10). Note that the Department's

Barry Baumann  
August 13, 2013  
Page 2

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(5) of the Act.

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

Sincerely,



Lori A. Bourbonais  
Bureau of Elections  
Michigan Department of State

c: Barry Baumann

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

**Reset Form**

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.*).

**Please print or type all information.**

I allege that the MCFA was violated as follows:

2012 AUG 15 11:10:23

BUREAU OF ELECTIONS  
MI DEPT OF STATE

|  |   |                     |
|--|---|---------------------|
| <b>Section 1. Complainant</b>                  |   |                     |
| Your Name<br><b>Barry T. Baumann</b>           | Daytime Telephone Number<br><b>734-595-3230</b> |                     |
| Mailing Address<br><b>38715 Cherokee Drive</b> |   |                     |
| City<br><b>Romulus</b>                         | State<br><b>MI</b>                              | Zip<br><b>48174</b> |

|  |                    |                     |
|--|--------------------|---------------------|
| <b>Section 2. Alleged Violator</b>                         |                    |                     |
| Name<br><b>Romulus Council Candidate Virginia Williams</b> |                    |                     |
| Mailing Address<br><b>35774 Abbey Dr.</b>                  |                    |                     |
| City<br><b>Romulus</b>                                     | State<br><b>MI</b> | Zip<br><b>48174</b> |

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

Section(s) of the MCFA violated: **169.247 Section 47 (1)**

Explain how those sections were violated:  
Romulus City Council Candidate Virginia Williams has been placing her campaign signs around the City of Romulus.

These signs DO NOT carry the candidate disclaimer notification as required by Michigan Election Law (MCFA-Act.388 of 1976).All Candidates know that this disclaimer is mandatory on signs.

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

Attached are photographs detailing the lack of the required disclaimer on signs. These signs measure 18"x24", thus meet the required standards of compliance of this law.

**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

  
Signature of Complainant

July 30, 2013

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:*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

X

Attached are photographs detailing the lack of the required disclosure 

Signature of Complainant

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 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

MICHIGAN CAMPAIGN FINANCE ACT (EXCERPT)  
Act 388 of 1976

**169.247 Printed matter or radio or television paid advertisement having reference to election, candidate, or ballot question; names and addresses; size and placement of identification or disclaimer; rules; exemptions; statement that payment made "with regulated funds"; violation as misdemeanor; penalty.**

Sec. 47. (1) Except as otherwise provided in this subsection and subject to subsections (3) and (4), a billboard, placard, poster, pamphlet, or other printed matter having reference to an election, a candidate, or a ballot question, shall bear upon it the name and address of the person paying for the matter. Except as otherwise provided in this subsection and subject to subsections (3) and (4), if the printed matter relating to a candidate is an independent expenditure that is not authorized in writing by the candidate committee of that candidate, the printed matter shall contain the following disclaimer: "Not authorized by any candidate committee". An individual other than a candidate is not subject to this subsection if the individual is acting independently and not acting as an agent for a candidate or any committee. This subsection does not apply to communications between a separate segregated fund established under section 55 and individuals who can be solicited for contributions to that separate segregated fund under section 55.

(2) A radio or television paid advertisement having reference to an election, a candidate, or a ballot question shall identify the sponsoring person as required by the federal communications commission, shall bear the name of the person paying for the advertisement, and shall be in compliance with subsection (3) and with the following:

(a) If the radio or television paid advertisement relates to a candidate and is an independent expenditure, the advertisement shall contain the following disclaimer: "Not authorized by any candidate".

(b) If the radio or television paid advertisement relates to a candidate and is not an independent expenditure but is paid for by a person other than the candidate to which it is related, the advertisement shall contain the following disclaimer:

"Authorized by .....".  
(name of candidate or name of candidate committee)

(3) The size and placement of an identification or disclaimer required by this section shall be determined by rules promulgated by the secretary of state. The rules may exempt printed matter and certain other items such as campaign buttons or balloons, the size of which makes it unreasonable to add an identification or disclaimer, from the identification or disclaimer required by this section.

(4) Except for a candidate committee's printed matter or radio or television paid advertisements, each identification or disclaimer required by this section shall also indicate that the printed matter or radio or television paid advertisement is paid for "with regulated funds". Printed matter or a radio or television paid advertisement that is not subject to this act shall not bear the statement required by this subsection.

(5) A person who knowingly violates this section is guilty of a misdemeanor punishable by a fine of not more than \$1,000.00, or imprisonment for not more than 93 days, or both.

History: 1976, Act 388, Eff. June 1, 1977;—Am. 1978, Act 348, Imd. Eff. July 12, 1978;—Am. 1996, Act 225, Imd. Eff. May 30, 1996;—Am. 2001, Act 250, Eff. Mar. 22, 2002;—Am. 2012, Act 277, Imd. Eff. July 3, 2012.

Compiler's note: Section 2 of Act 225 of 1996, which amended this section, provides:

"Section 2. If any portion of this amendatory act or the application of this amendatory act to any person or circumstance is found to be invalid by a court, the invalidity does not affect the remaining portions or applications of this amendatory act that can be given effect without the invalid portion or application, if those remaining portions are not determined by the court to be inoperable. To this end, this amendatory act is declared to be severable."

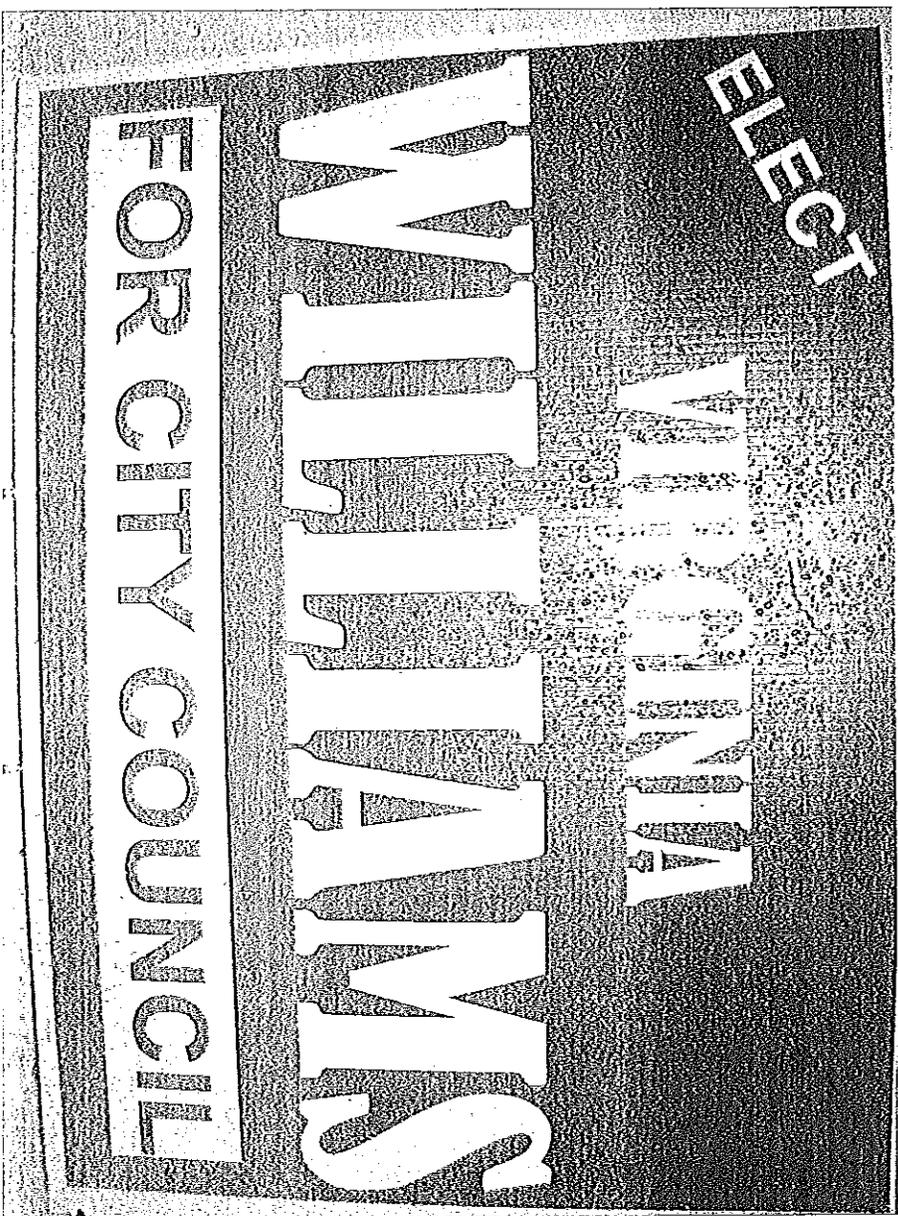


EXHIBIT A

①

Side 1

TOTAL SIGN  
(FRONT)

NO DISCLAIMER

FOR CITY

EXHIBIT A

Bottom Left  
of side 1

2

NO DISCLAIMER

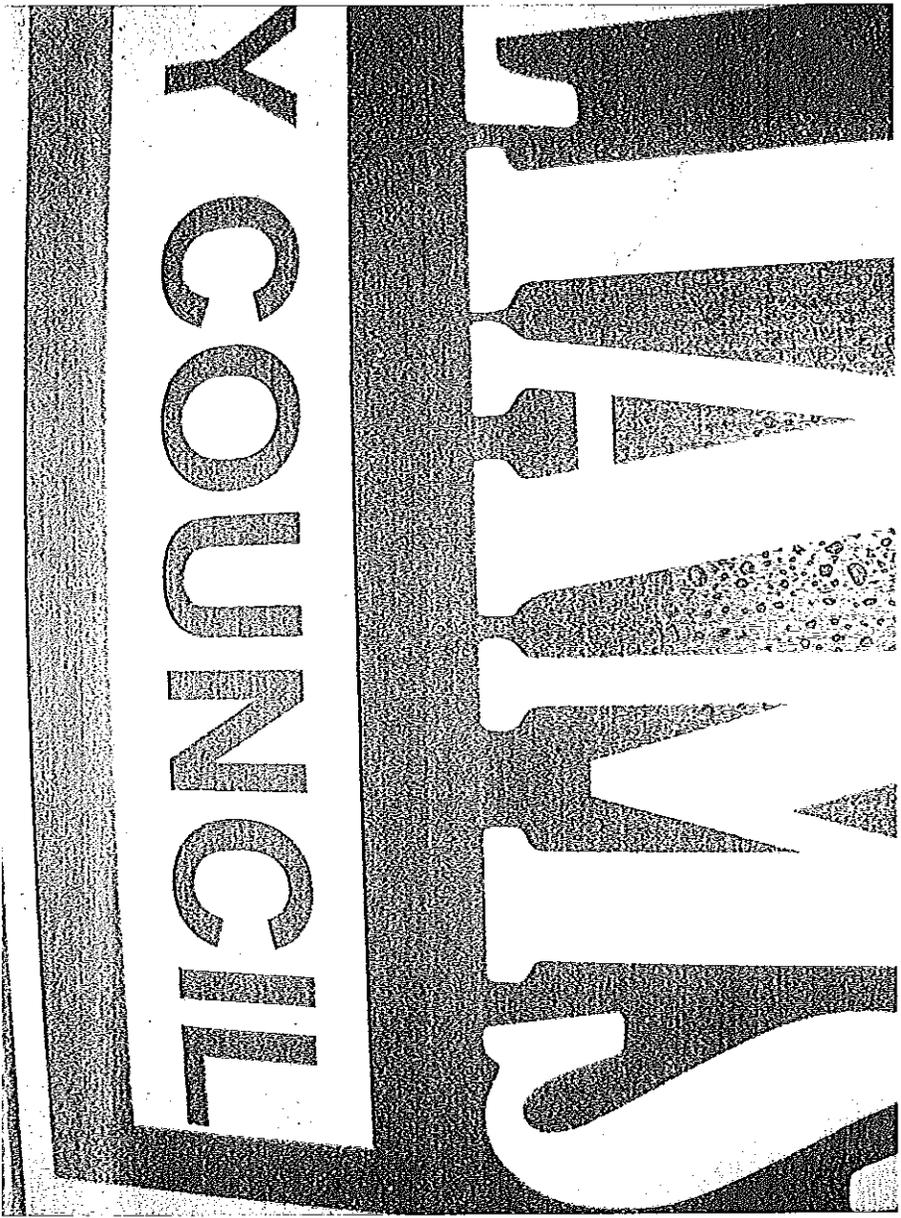


EXHIBIT A

③

Side A ←

Bottom Right of

← NO DISCLAIMER

# VIRGINIA MILLMANS CITY COUNCIL

EXHIBIT B

①

FRONTAL OF TOTAL  
SIDE 2

NO DISCLAIMER

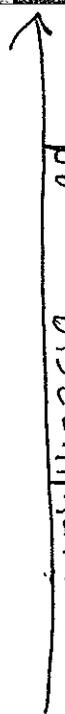


EXHIBIT B

(2)

Bottom left  
of side 2

PO DISCLAIMER



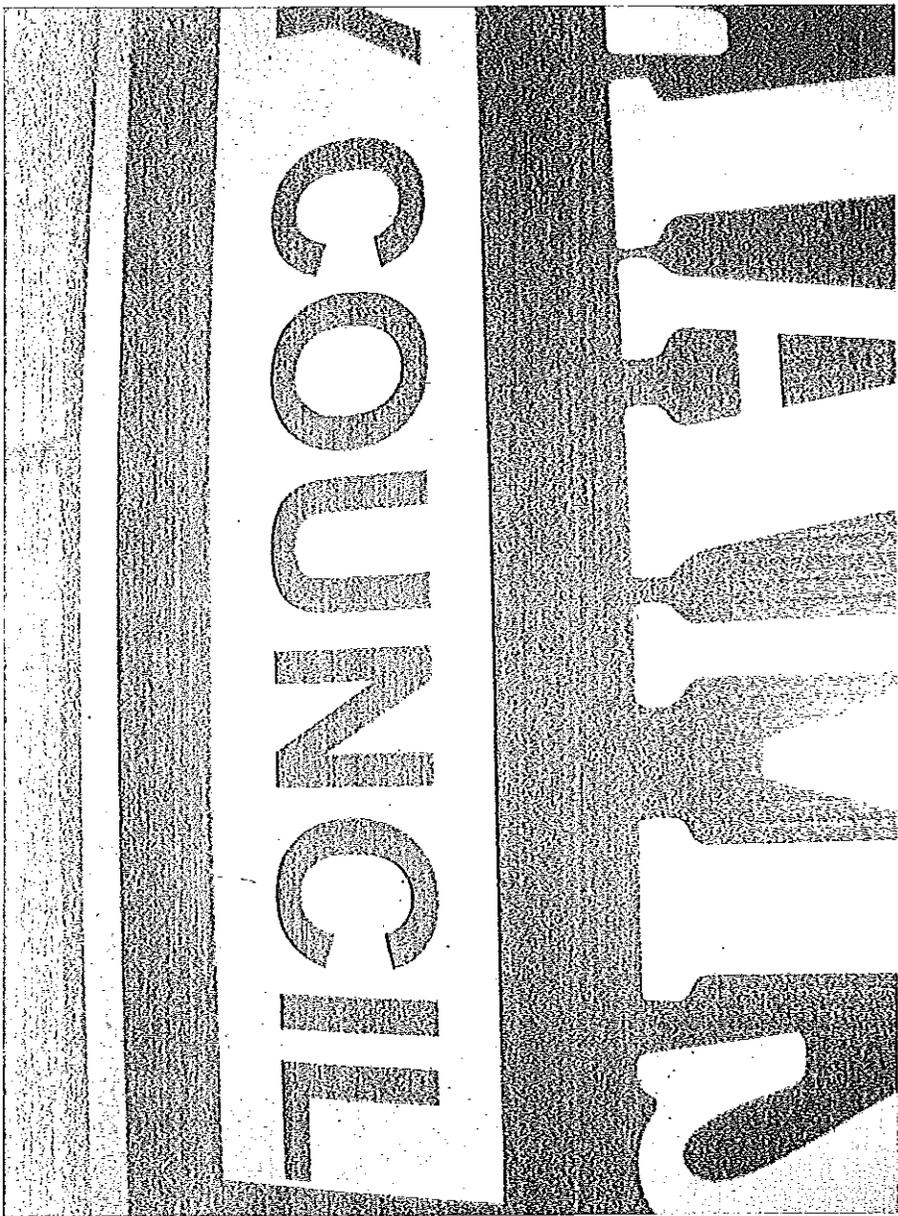


EXHIBIT B

③

Bottom Right  
DF SIDE 2

← NO DISCLAIMER



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

September 9, 2013

Barry T. Baumann  
38715 Cherokee Drive  
Romulus, Michigan 48174

Dear Mr. Baumann:

The Department of State received a response to the complaint you filed against Virginia Williams, 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, 1<sup>st</sup> Floor, 430 West Allegan Street, Lansing, Michigan 48918.

Sincerely,

A handwritten signature in cursive script that reads "Lori A. Bourbonais".

Lori A. Bourbonais  
Bureau of Elections  
Michigan Department of State

c: Virginia Williams

BUREAU OF ELECTIONS  
MI DEPT OF STATE

August 18, 2013 2013 SEP -6 AM 10: 03

Lori A. Bourbonnais  
Bureau of Elections  
Richard Austin Building- 1<sup>st</sup> Floor  
430 West Allegan Street  
Lansing, Michigan 48918

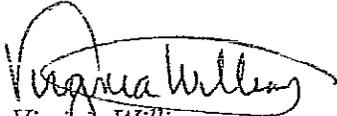
Virginia Williams  
35774 Abbey Drive  
Romulus, MI 48174

Re: Michigan Campaign Finance Complaint MCFA 1976 PA 388, MCL 169.247(1)

Dear Ms. Bourbonnais:

I'm writing in response to Mr. Baumann Campaign Finance Complaint. This was an oversight by an employee (Megan) of the company that printed the yard signs. I have corrected the error base on MCFA 169.247(1) in support of my response I've included a copy of the corrections that was made., I also included a copy of the post card that was printed for the August 6, 2013 Election, this shows that the paid for by Committee to Elect Virginia Williams PO Box 1262 Taylor, MI 48180 was included. I truly apologize for the oversight of the yard signs. Again the correction to the yard signs has been made.

Thank you,

  
Virginia Williams

BRITAIN'S

OR CITY COUNCIL

Paid for by CTE Virginia Williams Sec City Council P.O. Box Taylor, Michigan 48180



**NEW Leadership NEW Vision NEW Direction for the City of Romulus**

**August 6, 2013**



# ELECT VIRGINIA WILLIAMS

*for* **Romulus City Council**

- Resident of Romulus for 36 years
- Married to Johnny Williams
- A proud parent of five that graduated from Romulus High
- A proud grandmother of three that attends Romulus Schools
- Ford Motor retiree
- Community Activist
- Caregiver for the disabled
- President of Romulus Citizens for Social Change
- Member of the King Solomon Baptist Church
- Member of the Michigan Democratic Party
- Member of National Action Network
- Member of the Change Agent Consortium
- Member of American Progressive Association
- Member of the Romulus Recreation Commission
- Endorsed by UAW Region 1A



*"I will work for the people to bring accountable and transparency to our city. I will help restore the trust and integrity in our city government."*

*Fighting for VOTER'S RIGHT*

## **I WIN, YOU WIN**

Printed For by the Committee to Elect Virginia Williams P.O. BOX 11262 Taylor, MI 48180



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

December 4, 2013

Virginia Williams  
35774 Abbey Drive  
Romulus, Michigan 48174

Dear Ms. Williams:

The Department of State (Department) has completed its investigation of a complaint filed against you by Barry Baumann, 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 signs. This letter concerns the disposition of Mr. Baumann'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(5).

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.*

The complaint was filed by Mr. Baumann on August 6, 2013, and you filed a written response on September 6, 2013. Mr. Baumann did not file a rebuttal statement.

Mr. Baumann alleged that your campaign yard signs, which stated "ELECT VIRGINIA WILLIAMS FOR CITY COUNCIL [.]" did not contain a paid-for-by statement.

In response, you filed a letter which stated that an error was made on the signs due to an oversight by the sign company, and that you corrected the signs to comply with the MCFA. You provided a copy of a picture of a yard sign with a complete and correct paid-for-by statement added in ink at the bottom.

While the Department believes that the evidence tends to show that your yard signs originally 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 signs in compliance with the Act.

Additionally, the Department is advising you, if you choose to seek elective office in the future, that section 47(1) of the Act and R 169.36(2) requires 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(5), 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: Barry T. Baumann