



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

August 19, 2016

Aaron Mitchell
33256 Bernice Avenue
Paw Paw, Michigan 49079

Dear Mr. Mitchell:

The Department of State (Department) received a formal complaint filed by Stephen Rajzer against you, alleging that you violated the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.* The investigation and resolution of this complaint is governed by section 15 of the Act and the corresponding administrative rules, R 169.51 *et seq.* A copy of the complaint and supporting documentation is enclosed 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).

Mr. Rajzer alleges that your campaign material failed to include a complete and correct paid-for-by statement. In support of his complaint, Mr. Rajzer provided pictures of a sign which states, "Aaron Mitchell van buren county clerk [.]". There does not appear to be a paid-for-by statement on the sign. Mr. Rajzer also provided a picture of a yard sign which states, "Aaron Mitchell van buren county clerk [.]". The paid-for-by statement on the yard sign appears to omit your committee's address. Finally, Mr. Rajzer provided a fundraiser flyer. The paid-for-by statement on flyer appears to be incomplete.

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, 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.

Aaron Mitchell
August 19, 2016
Page 2

A copy of your answer will be provided to Mr. Rajzer, 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 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 penalties 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,

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Stephen Rajzer

**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.**

I allege that the MCFA was violated as follows:

Section 1. Complainant		
Your Name	Stephen Rajzer	Daytime Telephone Number 269-808-1001
Mailing Address	1109 W Franklin St	
City	State MI	Zip 49203

Section 2. Alleged Violator		
Name	Aaron Mitchell and/or The Committee to Elect Aaron Mitchell Van Buren County Clerk	
Mailing Address	33256 Bernice Ave	
City	State MI	Zip 49079

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

Section(s) of the MCFA violated:
169.247

Explain how those sections were violated:

Not all candidate printed material contains proper disclaimer. Billboard/Banner often used in the bed of a truck contains no disclaimer (see evidence 1,2,3). Invite to event (evidence 4) contains an incomplete disclaimer missing "Paid for" or "Authorized by."

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

Enclosed pictures. Numbered in upper right hand corner of picture and referred to in above explanation of violation.

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

8/10/16

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:

X

Signature of Complainant

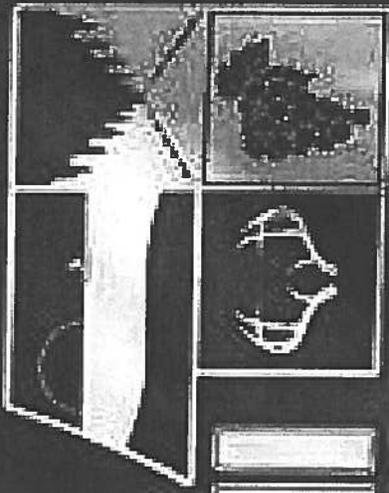
Date

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.

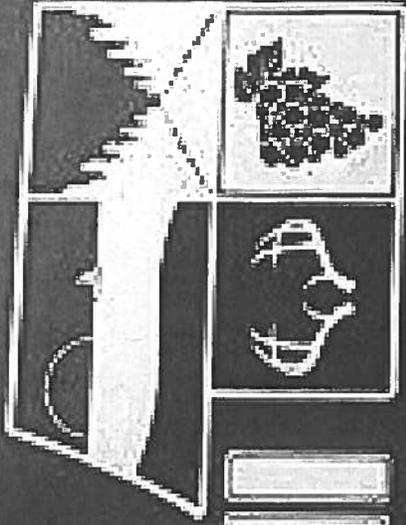
Mail or deliver the completed complaint form with an **original signature and evidence** to the following address:

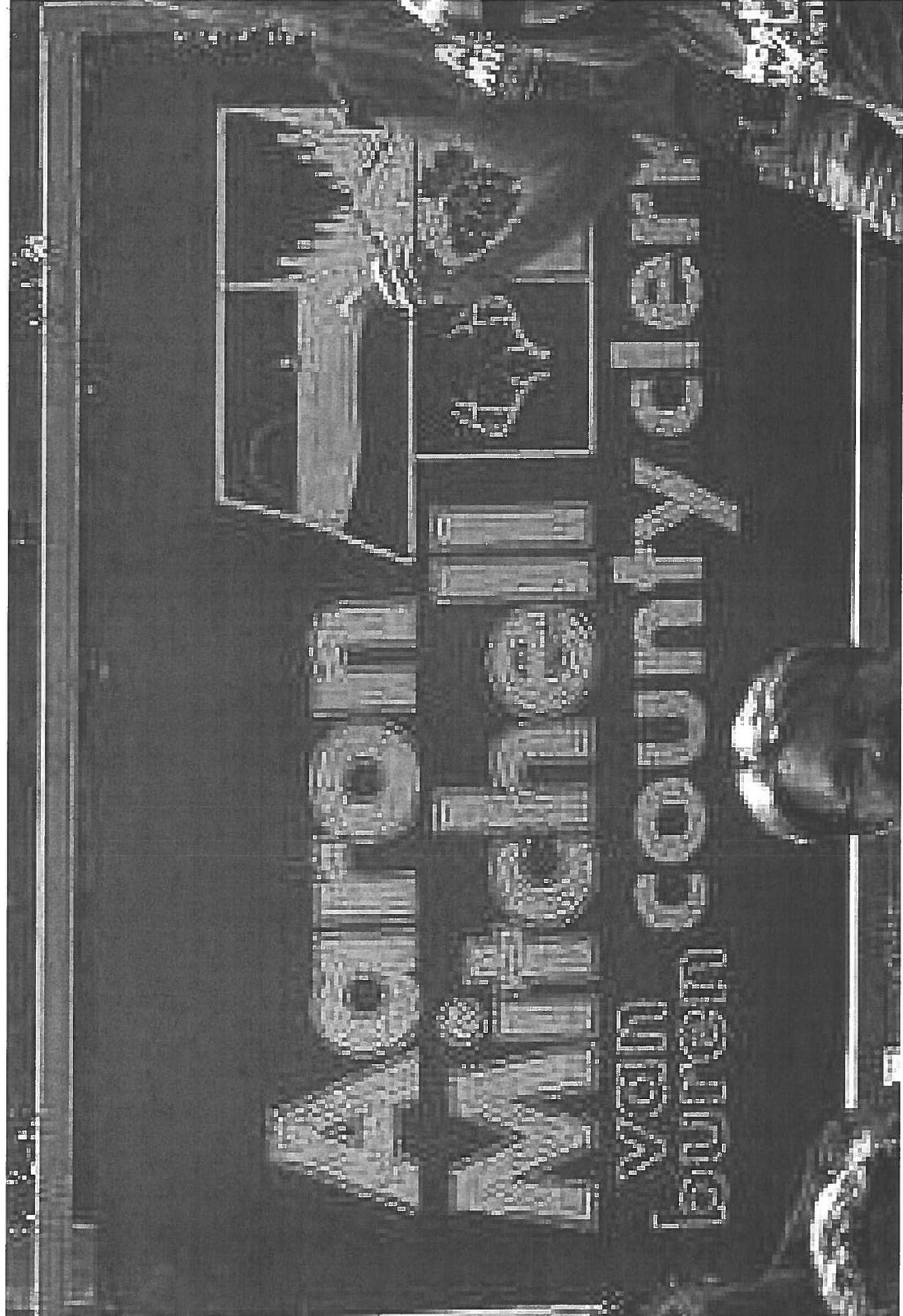
Michigan Department of State
Bureau of Elections
Richard H. Austin Building – 1st Floor
430 West Allegan Street
Lansing, Michigan 48918

Aaron Mitchell
buren county clerk

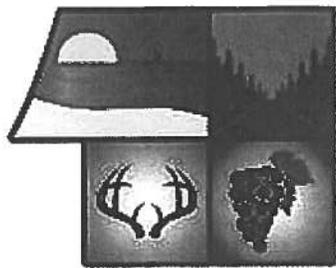


**Aaron
Mitchell**
Van Buren county clerk





4



You are cordially invited to a Picnic Fundraiser event for Aaron Mitchell



Friday, August 12th, 6 - 9 pm
Warner Vineyards Winery & Event Center
Paw Paw MI 49079

RSVP:

Please RSVP by Aug. 11th By Phone .269.501.1863

Host Committee:

Diana and Rene Rodriguez
Hollie and Ben Brousseau
Maria and Ben Bowater
Marsha and Don Brown
Patrick Warner

Bonnie and Jerry Osborne
Christing and Zach Morris
Liz and Paul Balk
Heather and Jeff Vandermolten

Karen and Carl Wickett
Ellen and Marcus Hamre
Jennifer and Steve Dalton
Judy and Bruce Cutting
Lisa Johnson

Contribution Levels:

\$25 \$50 \$100 \$250



You may contribute by writing a check. You may pay at the door. Please make checks payable to Committee to elect Aaron Mitchell for Van Buren County Clerk. When you are donating by check please include your employer and occupation in the message. Please note Michigan law limits contributions to \$1000 per person. Cash donations not accepted. No corporate checks, please.

JOIN TEAM MITCHELL

Phone: 269-501-1863
Mitchell4vbcc@gmail.com
Facebook.com/AaronMitchellforVBClerk

Committee to elect Aaron Mitchell Van Buren County Clerk, 31256 Berwick Ave. Paw Paw, MI 49079

Bourbonais, Lori (MDOS)

From: Stephen Rajzer <sjrajzer@gmail.com>
Sent: Tuesday, August 16, 2016 10:02 PM
To: Bourbonais, Lori (MDOS)
Subject: Re: Clerk candidate violation of state law

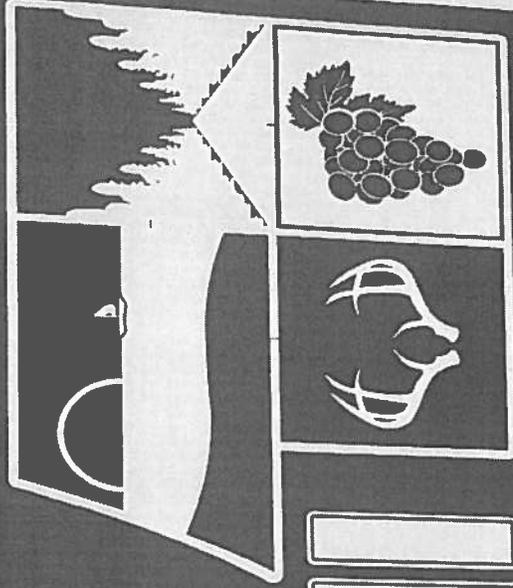
Lori-

Thank you for your call back regarding the Campaign Finance Complaint form I completed and mailed regarding The Committee to Elect Aaron Mitchell Van Buren County Clerk. As an amendment to my mailed complaint I submit to you via this email a photo of their campaign yard signs with an incomplete illegal disclaimer.

Also, please note on August 4th I did also file a complaint with the Van Buren county prosecuting attorney regarding MCL 168.944 violations based on the information you provided below from state law. I met with a MI State Police Detective on Friday, August 12 to make a police report based on instruction from the county prosecutors office.

Thank you for your assistance and your work to keep integrity in our election process.
-Stephen

Aaron Mitchell Van Buren county clerk



Paid For By The Committee To Elect Aaron Mitchell Van Buren County Clerk



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

September 6, 2016

Stephen Rajzer
1109 W Franklin St
Jackson, Michigan 49203

Dear Mr. Rajzer:

The Department of State received a response to the complaint you filed against Aaron Mitchell, 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: Aaron Mitchell

September 6, 2016

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

2016 SEP -6 PM 12:41
ELECTIONS/CURRENT SERIAL

Dear Lori,

I have received the complaint made by Mr. Rajzer and I would like for you to know that I had no intentions of violating Michigan Election law with any of my materials. My yard signs did not have the committee's address printed on them, therefore, I have fixed that with a vinyl sticker that I am applying to all of our signs that we have not handed out, and have also ordered enough labels for all of my signs and as we locate them will apply the labels to those as well. Attached is a photo of the sign with the applied vinyl sticker.

To address other concerns, vinyl stickers have also been applied to the banner. I've attached a picture of the banner with the committee name and address. The missing phrase of "paid for "on our fundraiser is noted and although I can't fix that since the fundraiser is over, I am certainly aware and will be diligent to make sure that phrase is included on any newly printed election materials.

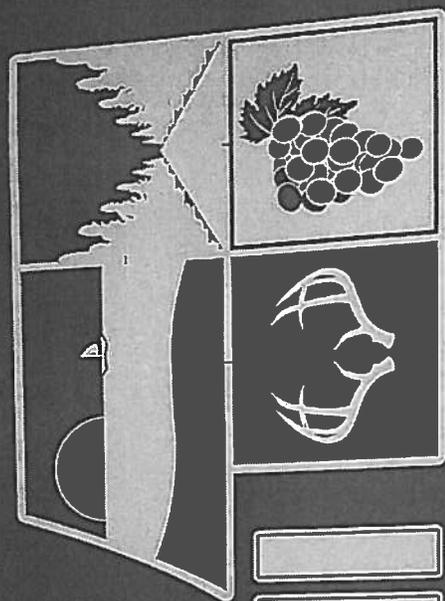
Two years ago I ran for school board and had signs printed and did not include the committee address. I did not realize that it was necessary. My wife and I are essentially my campaign managers and were not aware of the need for the address; we thought it was only the disclaimer that was needed on the signs. When I turned my petition in, that was all I was told by our current county clerk, no mention of an address at all.

Regarding MCL 168.944, in no way do I attempt to make people believe that I am the incumbent. I am not using words such as "incumbent" or "re-elect" to make one believe I currently hold that position. Every single person I have spoken with about my candidacy, I explain my experience in multiple places and not one of them is associated with Van Buren County or any of their offices. All of my written materials have clearly spoken to the need for change and needing to change directions. However, I am going to make sure that there is no violation or miscommunication with the public, so I am writing "FOR" on all signs I hand out in the future. I will also make sure that all of my supporters are aware of the requirements, so either I or the homeowner will apply the "FOR" on the signs. That is also demonstrated in the attached picture as well.

With these alterations I have made to my banner, and my signs pertaining to the address labels and the writing of "FOR" I feel I am in compliance of all election laws. However, it would be greatly appreciated if someone could send me a link to a copy of all current relevant election laws to assure going forward that I am in the know of all potential pitfalls for those of us that are new to the process.

Please understand that at no point was or will I ever try to be anything less than my best. My lack of knowledge in campaign finance law is what lends itself to my mistakes. And I agree that in running for a position as chief election officer, I need to know these things. I just wished this information could have been brought to my attention before we had to waste everybody's time and taxpayer's money.

Sincerely,
Aaron Mitchell

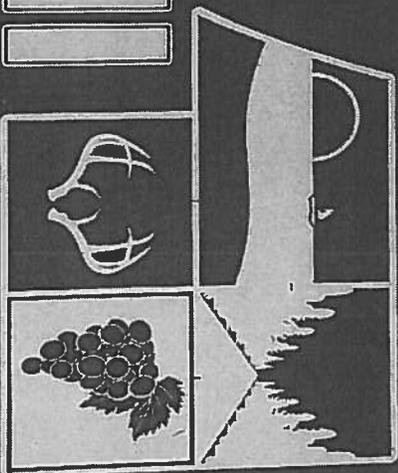


Aaron Mitchell

van buren county clerk

Committee to elect Aaron Mitchell Van Buren County Clerk, 33256 Bernice Ave. Paw Paw, MI 49079

Aaron Mitchell
FOR
Van Buren county clerk



Paid For By The Committee To Elect Aaron Mitchell Van Buren County Clerk

332581 Berrico Avenue, Paw Paw, MI 49078



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

September 28, 2016

Aaron Mitchell
33256 Bernice Avenue
Paw Paw, Michigan 49079

Dear Mr. Mitchell:

This letter concerns the complaint that was recently filed against you, which relates to a purported violation of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.* The Department of State has received a rebuttal statement from the complainant, a copy of which is enclosed with this letter.

Section 15(10) of the MCFA, MCL 169.215(10), requires the Department to determine within 45 business days from the receipt of the rebuttal statement whether there is a reason to believe that a violation of the Act has occurred. Mr. Rajzer's complaint remains under investigation at this time. At the conclusion of the review, all parties will receive written notice of the outcome of the complaint.

Sincerely,

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

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Stephen Rajzer

September 20, 2016

RECEIVED/FILED
MICHIGAN DEPT OF STATE
2016 SEP 23 PM 1:58
CLERK HORS/CREAT SEAL

Lori Bourbonais
Bureau of Elections
Michigan Department of State
Richard H. Austin Building, 1st Floor
430 W. Allegan
Lansing, MI 48918

Ms. Bourbonais,

I regret that after reviewing Mr. Aaron Mitchell's response to my initial complaint that a rebuttal is needed. It was certainly my hope that Mr. Mitchell would prove he had no intention of violating state law and would provide evidence to show he has made every effort possible to correct his violations. Unfortunately, Mr. Mitchell's actions and response do neither. In his response he lies to the state (photo evidence attached), blames the current county clerk and others, admits to violating the law previously, and brings up another law violation not relevant to the campaign finance violation.

In the first paragraph of his response Mr. Mitchell admits his violation, and goes on to say he is fixing problem. His lie, and where it becomes clear that he is intentionally violating the law is when he writes that he has, "...ordered enough labels for all of my signs and as we locate them will apply the labels to those as well." I draw your attention to images included with my complaint. These are five images taken this morning (I delayed as long as possible to give Mr. Mitchell ample time to right his wrong). The pictures of Sign 1 and Sign 2 are located on Delaware Street in Decatur, MI within the Village of Decatur. This is VERY important to know because Mr. Mitchell is the Decatur Village Manager. How is it possible that in the months time since your initial letter (dated August 19, 2016) Mr. Mitchell hasn't been able to fix these signs? Delaware Street is the main road in and out of the village. Decatur is littered with Mr. Mitchell's improper signs. I am happy to provide more evidence at your request. However, please draw your attention to Sign 3, also taken this morning, across the street from Mr. Mitchell's home. This photo evidence makes Mr. Mitchell's claim that he is going to fix his signs, "...as we locate them..." a lie to you and the state. Mr. Mitchell's neighborhood has several signs that have not been fixed, again happy to submit more evidence. Please also note that Red Arrow Highway the main road from Mr. Mitchell's house also has numerous of his signs still not updated. One must ask- How hard is it to locate the signs on your street? How hard is it to locate the signs in the town where you are employed as Village Manager? How hard is it to locate the signs on the roads you must take to get from your home to the Village of Decatur?

Mr. Mitchell is grasping for straws in an attempt to cover-up his intentional violations. He first admits to having previously violated the law when running for school board, he then blames the current county clerk, and then near the conclusion of his letter he wants the state to provide him all information he should know. Mr. Mitchell writes, "My lack of knowledge in campaign finance law is what lends itself to my mistakes. And I agree that running for a position as chief election officer, I need to know these things." Given that Mr. Mitchell was the Decatur Village Clerk, was the Antwerp Township Deputy Clerk, is on the Paw Paw Public Schools Board of Education, and is currently the Decatur Village Manager it is improbable to believe Mr. Mitchell did not know, did not have access to, or could not obtain relevant election law. As a candidate for office it is Mr. Mitchell's obligation to follow applicable laws. Long

standing legal principle states, "Ignorantia juris non excusa" translated as "Ignorance of the law excuses not."

Lastly, please let me address the topic Mr. Mitchell brings up regarding his false designation of incumbency. Either Mr. Mitchell is blinded by the excellent graphic design of his sign (kuddos on a sign well done!), or simply struggles to follow the law. Before I proceed please humor me and read the following italicized text out loud, *Aaron Mitchell Van Buren County Clerk*. What did you just read, you read that Mr. Mitchell is the Van Buren County Clerk, but he's not! MCL 168.944 is very clear. Based on Mr. Mitchell's letter he wants the law to say he just can't use the words incumbent or re-elect if you don't already hold the elected office. However, the law says more than that, it states "Any person who advertises ... or otherwise indicates, represents, or gives the impression that a candidate for public office is the incumbent, when in fact the candidate is not the incumbent, is guilty of a misdemeanor punishable as provided in section 934." Pursuant state law I brought this matter to the attention of Van Buren County Prosecutor Mike Bedford and Michigan State Police Detective Sergeant Michael Spring. Currently, the matter is under review with the Kalamazoo County Prosecutors office as they were assigned by the Michigan Attorney General's office as special prosecutor. Even though Mr. Mitchell is claiming in his letter to you he is also adding the word "for" to his yard signs it is easy to see from the evidence I've submitted that is another lie.

In closing, contrary to Mr. Mitchell's claims the evidence I've provide clearly indicate he is intentionally and willfully violating state campaign finance and election laws. I believe the state must assign the applicable misdemeanor penalty and require his campaign materials included those distributed that are publicly visible become compliant with state laws. Just last week in multiple letter to the editor columns Mr. Mitchell says his campaign, "... is and always will be about Principles, Honesty, and Integrity." Sadly, Mr. Mitchell is showing none of those characteristics when it comes to his campaigns adherence to state law.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stephen J. Rajzer". The signature is fluid and cursive, with a long horizontal stroke at the end.

Stephen J. Rajzer

Aaron Mitchell Van Buren county clerk

Paid For By The Committee To Elect Aaron Mitchell Van Buren County Clerk

Sign 1 Side A (IMG-8779)
Near 315 E Delaware, Decatur
Photo taken 9/20/16 6:16 AM

Aaron Mitchell Van Buren county clerk

Paid For By The Committee To Elect Aaron Mitchell Van Buren County Clerk

Sign 1 Side B (Invy - 8880)
Near 315 E Delisware, Decsbr
Photo taken 9/20/16 6:17 am

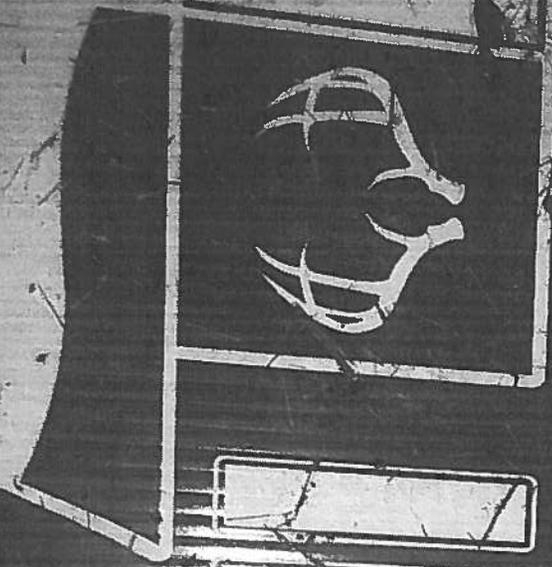
Aaron Mitchell
Van Buren
county clerk



Sign 2 Side A (504-8891)
Near 409 E Delaware, Decatur
Photo Taken 9/20/16 6:18 AM

Aaron Mitchell

Van Buren County Clerk



Paid For By The Committee To Elect Aaron Mitchell Van Buren County Clerk

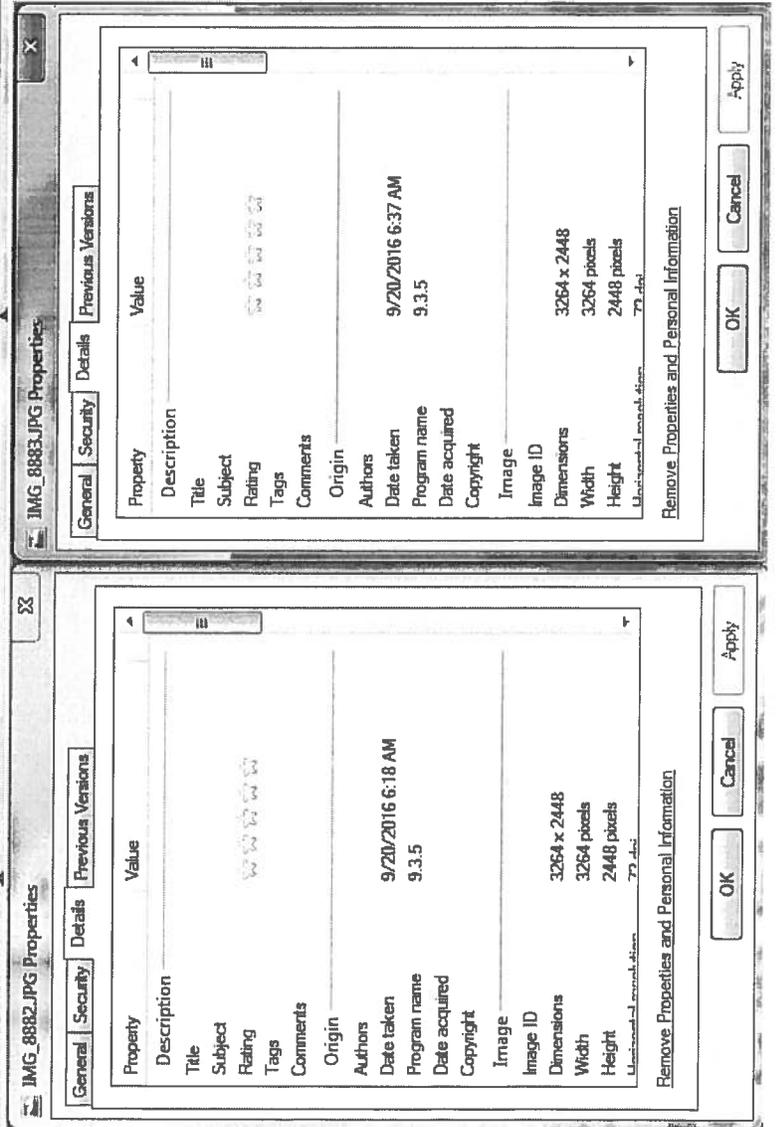
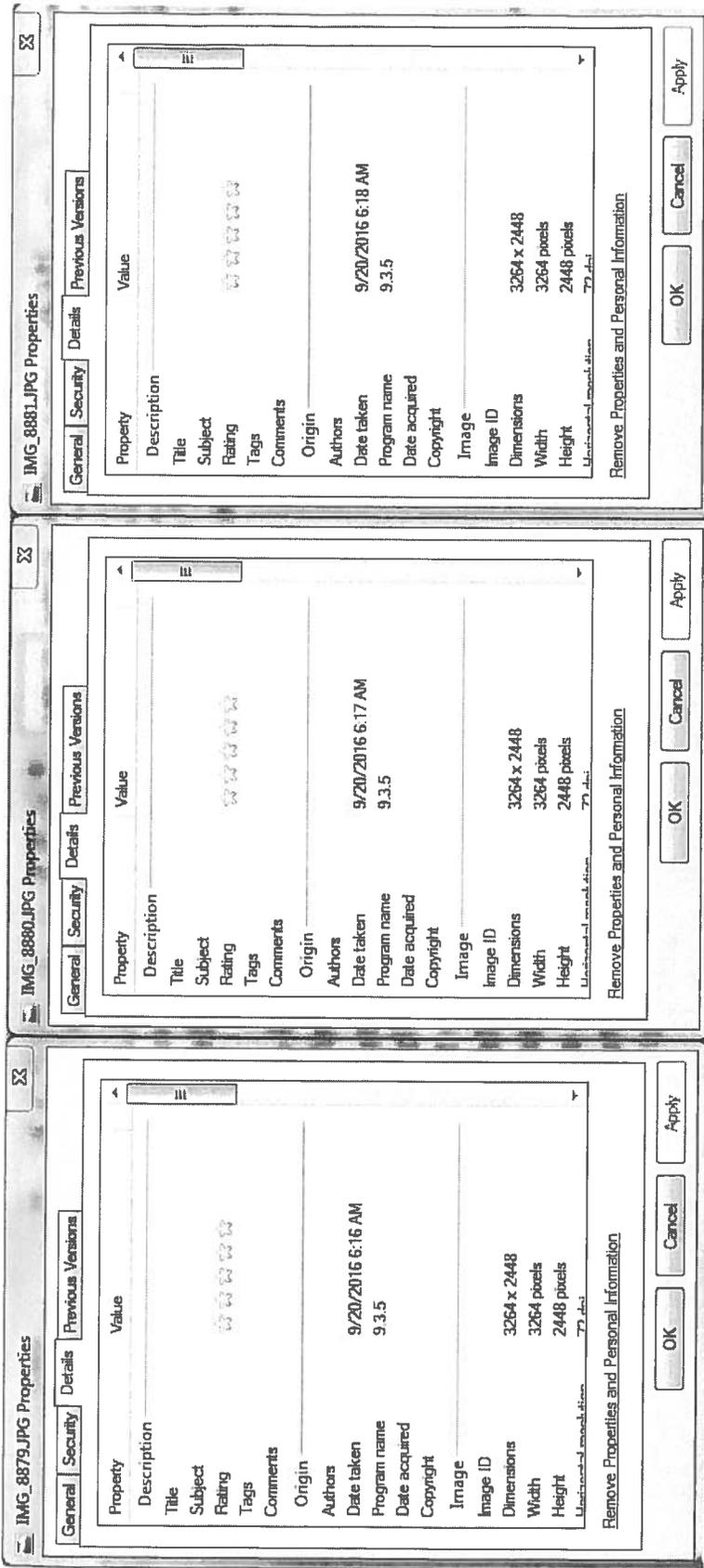
Sign Z Side B (img-8882)
Near 409 E Delaware, Decatur
Photo Taken 9/20/16 6:18 AM

Aaron Mitchell Van Buren county clerk

Paid For By The Committee To Elect Aaron Mitchell Van Buren County Clerk

Sign 3 (IMG_8883)
New 33256 Bernice Ave Paw Paw
Across from Mr. Mitchell's house
Photo taken 9/20/16 6:37 AM

Evidence of picture date & time.



Readers' voice

think that this is
and an indication
tions to be your
you look closer,
all of these mail

Dear Editor and
Van Buren County Voters,

My name is Aaron Mitchell and I am running for Van Buren County Clerk. I am currently the Village Manager of Decatur. I was recently promoted from Village Clerk/Treasurer.

Before I came to Decatur, I was Antwerp Township's Deputy Clerk. I believe that I have the education, experience, enthusiasm and leadership skillsets to create a county clerk's office that is efficient and effective projecting into the future.

I obtained a Bachelor's Degree in Public Administration from WMU. I am the Vice-President of Paw Paw Public Schools Board of Education, an Elder at RedArrow Ministries, and a proud member of the Paw Paw Lions Club.

I live in Paw Paw with my amazing wife and two wonderful kids, who I was able to stay at home with until they were old enough to attend school.

I am asking for your vote; I am running as an Independent. I intended to file for the partisan office when Mrs. Leary decided to retire. As questions were asked about her retirement, it was made clear that Mrs. Leary was not retiring, so I decided not to file by the April deadline.

However, the day after the partisan filing deadline, my wife received a retirement announcement from Mrs. Leary stating that she had decided not to seek another term, but not to worry, her chief deputy clerk filed paperwork to take on the responsibility of the county clerk.

My frustration is that this is not a position to be appointed, it's one to be elected, and the decision made inside the clerk's office was calculated and specific to run interference so no one else would file against Suzie Roehm.

Since I could no longer file to run as a Republican or Democrat, my option was to run as an Independent with no party affiliation. It required collecting a minimum of 600 signatures from voters within Van Buren County. With the help of my friends and family, I obtained 850 signatures in a little over a month.

My campaign is and always will be about Principles, Honesty, and Integrity. Anyone who knows me and my character knows that I carry myself with those three

words.

So, I'm asking for your support and vote on November 8. Please vote Mitchell for Van Buren County Clerk and help me bring transparency back to the county clerk's office.

Respectfully submitted,

Aaron Mitchell

CANDIDATE FOR VAN BUREN
COUNTY CLERK

October 4, 2016

Lori Bourbonais
Bureau of Elections
Michigan Department of State
Richard H. Austin Building, 1st Floor
430 W. Allegan
Lansing, MI 48918

Ms. Bourbonais,

I timely filed a rebuttal dated September 20, 2016, but given Mr. Aaron Mitchell's inaction to bring his campaign materials/yard signs into compliance I submit to you an update. While viewing the following images please keep in mind in Mr. Mitchell's response he stated to the Department of State that he has "...ordered enough labels for all of my signs and as we locate them will apply the labels to those as well." I understand that the campaign finance violation of improper disclaimer and his use of false incumbency don't both fall under your purview, however, I believe it is important for you to know some of the details related to the false incumbency while you consider his continued intentional violations of law.

From the Michigan State Police report that I obtained pursuant the Freedom of Information Act I have learned that on August 18, 2016 Mr. Mitchell was interviewed by D/Sgt Michael Spring of the Michigan State Police. At that time Mr. Mitchell admitted his wife had been previously informed of the inherent violation by a Mr. Jason Watts (which I have learned to have taken place on August 1, 2016). He also state that, "he has attempted to correct this issue and stated he would do what is necessary to correct everything on the signs." This was August 18th, more than a month before I filed my response to you and documented he had no genuine attempt to fix the signs as he located them.

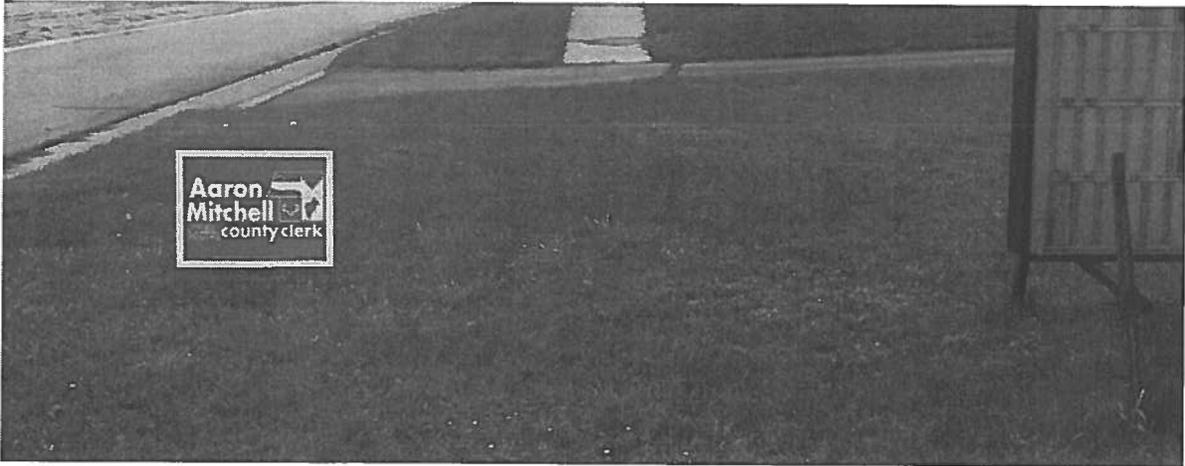
Then dated September 20, 2016 Mr. Mitchell is notified from the Kalamazoo County Office of the Prosecuting Attorney that they have been assigned as special prosecutor by the Michigan Attorney General to review the complaint. Chief Assistant Prosecuting Attorney Carrie Klein in her letter to Mr. Mitchell writes that, "Clearly, the phrase can be interpreted and has been interpreted by some as falsely putting yourself forth to the voters as an incumbent for the Clerk's Office. I certainly understand why a reasonable person would come to that conclusion; however, your signage and literature do not use any content which blatantly refers to you as the incumbent Clerk. Hence, the decision not to charge you at this time has been reached." I believe that Ms. Klein is improperly applying the law because the statute reads that material that, "... gives the impression that a candidate for public office is the incumbent," is a violation. However, I respect Ms. Klein's decision and appreciate her consideration of the matter. She goes on in her letter to state she is aware that, "...there are still yard signs and a banner which remain unchanged. It would serve you best if you put forth a substantial effort to collect all of the original materials and ensure that only unambiguous materials are used from this point forward in your campaign."

Given Mr. Mitchell's written response to the Michigan Department of State, statements to D/Sgt Spring, and advice from Kalamazoo County Chief Assistant Prosecuting Attorney Klein I provide you the following images and descriptions.

Photo taken: 10/2/16 at 4:12 pm. on Delaware Street (near intersection with Burke Street). Same location as provide as evidence on 9/20/16



Cropped and zoomed in version of same image:



Another picture at same location as above (photo taken 10/2/16 at 4:13pm)



Another sign on Delaware St (near intersection N. George St) Photo taken 10/2/16 at 4:17 pm



Photo in front of Decatur Village President's Home on St. Mary's Street in Decatur (Mr. Mitchell is the Village Manager), only has the 'for' added. Photo taken 10/2/16 at 4:29 pm



This map from Van Buren County website explains the next pictures. Mr. Mitchell's home is pointed to with the Black arrow. The home circled in red is 3207 Bernice Ave and the following picture is from there. The home circled in purple also still has a sign in violation, but I was not able to comfortably obtain an image.

Owner Name: MITCHELL AARON K & HEATHER J
Parcel Address: 33256 BERNICE AVE
PAW PAW, MI 49079
Mailing Address: 33256 BERNICE AVE
PAW PAW, MI 49079

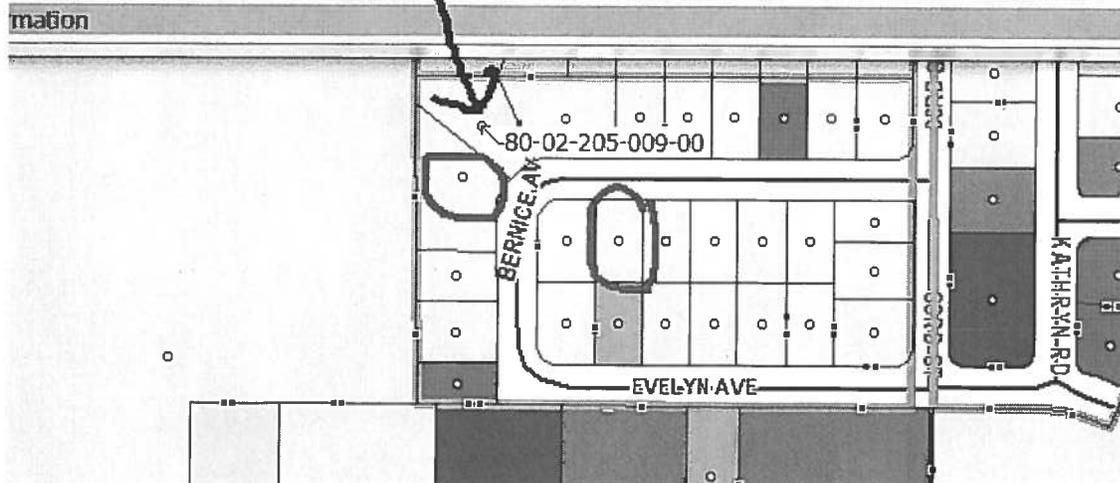


Photo taken: 10/2/16 at 6:27 pm. Located at 33207 Bernice Ave, Paw Paw MI. The sign DOES NOT have a proper disclaimer.



Zoomed in version of above image:



This is only a sampling of the material that remains out misleading and misinforming the public. Sadly, rather than fixing their mistakes Mr. Mitchell and his wife have taken to social media and newspapers editor columns to lay blame on others and publicly name me without telling all of the facts.

Respectfully,

Stephen J. Rajzer



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

January 25, 2017

Aaron Mitchell
33256 Bernice Avenue
Paw Paw, Michigan 49079

Dear Mr. Mitchell:

The Department of State (Department) has completed its investigation of the complaint filed against you by Stephen Rajzer, 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. Rajzer'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. Rajzer filed his complaint on August 12, 2016. You filed a written response on September 6, 2016, and Mr. Rajzer filed a rebuttal statement on September 23, 2016.

Mr. Rajzer alleged that you failed to include a complete and correct paid-for-by statement on some of your campaign material. In support of his complaint, Mr. Rajzer provided pictures of a sign which stated, "Aaron Mitchell van buren county clerk [.]". It appeared the paid-for-by statement was omitted from the sign. Mr. Rajzer also provided a picture of a yard sign which stated, "Aaron Mitchell van buren county clerk [.]". The paid-for-by statement on the yard sign appeared to omit your committee's address. Finally, Mr. Rajzer provided a fundraiser flyer. The paid-for-by statement on flyer appeared to be incomplete.

In your response you stated that your yard signs were missing the paid-for-by statement, but that you printed labels and stickers to correct your signs. You provided pictures of a sign and a banner with vinyl stickers containing a complete and correct paid-for-by statement affixed. You also acknowledged that your fundraiser flyer was missing the words "paid for by." Finally, you stated that any new campaign material produced would include a complete and proper paid-for-by statement.

Aaron Mitchell
January 25, 2017
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While the Department believes that the evidence tends to show that your campaign material failed to contain complete and correct paid-for-by statements, 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 offers to resolve this matter informally by issuing this warning letter.

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: Stephen Rajzer