



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

July 1, 2016

Jacob Hill
1109 East Michigan Avenue #37
Battle Creek, Michigan 49014

Dear Mr. Hill:

The Department of State (Department) received a formal complaint filed by Dean Rumsey 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 signs. 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. Rumsey provided pictures of signs which state, "Jacob Hill Emmett Treasurer [.]". The paid-for-by statement on the signs appears 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. Rumsey, 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

Jacob Hill
July 1, 2016
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(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 long, sweeping tail on the final letter.

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Dean R. Rumsey

Campaign Finance Complaint Form Michigan Department of State

2016 JUN 28 PM 3:05

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		
Dean R. Rumsey		305-797-4050
178 Moonwood Trail		
Battle Creek	MI	49014

Section 2. Alleged Violator		
Jacob Hill		
1109 E. Michigan Ave. #37		
Battle Creek	MI	49014

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

Section(s) of the MCFA violated: **MCL 169.247**

Explain how those sections were violated:

The "Committee to elect Jacob Hill" has produced and has placed placards by various thoroughfares in Emmett Township that do NOT bare "upon it an identification that contains the name and address of the person paying for the matter." Specifically, the placards do not contain any address of the person paying for the matter.

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

5 X 7 photos of the front and the back of the placards have been included.

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

Den R. Runcey
Signature of Complainant

6-22-16
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





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

July 14, 2016

Dean R. Rumsey
178 Moonwood Trail
Battle Creek, Michigan 49014

Dear Mr. Rumsey:

The Department of State received a response to the complaint you filed against Jacob Hill, 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: Jacob Hill

Jacob Hill
Committee To Elect Jacob Hill
226 Embury Dr.
Battle Creek, MI 49014

RECEIVED
2016 JUL 13 AM 9:36
ELECTORAL SERVICES

Department of State
Bureau of Elections
Richard H. Austin Bldg., 1st floor
430 West Allegan Street
Lansing, Michigan 48918

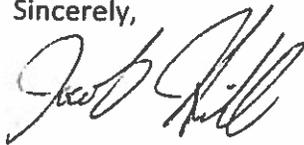
July 6, 2016

To whom it may Concern:

As per your departmental letter regarding a complaint filed by Mr. Dean R. Rumsey concerning MCL 169.247. I ask that this matter be resolved by my corrective measures of attaching a sticker, see below sticker, to each and every sign that I have thought Emmett Township on the various properties. This was an accident on my part when I ordered my signs, and I forgot to correct them after I placed them out in the public.

I appreciate Mr. Rumsey for his concern to correct my mistake and I have provided a picture to show the actions that I have taken to fix this issue. Please be advised that the same day that I received the letter from the Bureau of Elections, I immediately corrected each and every sign. Thank you.

Sincerely,



Jacob Hill
Candidate for Emmett Township Treasurer
Committee to elect Jacob Hill, 1109 E. MI. #37,
Battle Creek, MI. 49014

uture

AND FOR BY COMMITTEE TO ELECT JACOB HILL

1109 E. MI. #37 Battle Creek,
MI 49014

1109 E. MI. #37, Battle Creek,
MI. 49014



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

September 19, 2016

Jacob Hill
1109 East Michigan Avenue #37
Battle Creek, Michigan 49014

Dear Mr. Hill:

The Department of State (Department) has completed its investigation of the complaint filed against you by Dean Rumsey, 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. Rumsey'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. Rumsey filed his complaint on June 28, 2016, and you filed a written response on July 13, 2016. Mr. Rumsey did not file a rebuttal statement with the Department.

Mr. Rumsey alleged that you failed to include a complete and correct paid-for-by statement on your campaign signs. In support of his complaint, Mr. Rumsey provided pictures of signs which stated, "Jacob Hill Emmett Treasurer[.]" The paid-for-by statements on the signs appeared to omit your committee's address.

In your response you admitted that your signs were not in compliance with the Act at the time the complaint was filed, but once the omission was brought to your attention you printed stickers with your committee's address and affixed the stickers to each of your signs. You provided a copy of a picture of the sign with the sticker affixed. You also provided a sticker.

While the Department believes that the evidence tends to show that your campaign material failed to contain a complete and correct 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: Dean Rumsey