



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

September 26, 2016

Karen Wickett
209 West Saint Marys Street
Decatur, Michigan 49045

Dear Ms. Wickett:

The Department of State (Department) received a formal complaint filed by Bruce Abshagen 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 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).

In support of his complaint, Mr. Abshagen provided a picture of a sign which states, "Karen WICKETT for Decatur Township Clerk - A New Beginning [.]". There appears to be no paid-for-by statement on the sign.

The Department notes that Mr. Abshagen also alleges the signs are missing the disclaimer, "Not authorized by any candidate committee [.]". However, the disclaimer is not required if you or your committee paid for the signs. *Id.*

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. Abshagen, who will have an opportunity to submit a rebuttal statement to the Department. After reviewing all of the statements and materials

Karen Wickett
September 26, 2016
Page 2

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 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 cursive script that reads "Lori A. Bourbonais". The signature is written in dark ink and is positioned above the printed name.

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Bruce Abshagen

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 Bruce Abshagen		Daytime Telephone Number 269-423-8438	
Mailing Address 435 Lee Ave.			
City Deatur	State MI	Zip 49045	

Section 2. Alleged Violator		
Name Karen Wickett		
Mailing Address 209 West St Marys Street		
City Deatur	State MI	Zip 49045

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:

Her yard signs do not have Name & address of the person paying for them, NOR does it have the disclaimer, Not authorized by the candidate committee.

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

Picture of one of her signs.

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

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

October 17, 2016

Bruce Abshagen
435 Lee Avenue
Decatur, Michigan 49045

Dear Mr. Abshagen:

The Department of State received a response to the complaint you filed against Karen Wickett, 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 cursive script, appearing to read "Lori A. Bourbonais".

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Karen Wickett

RECEIVED/FILED
MICHIGAN DEPT OF STATE
2016 OCT -5 AM 11:00
ELECTIONS/GREAT SEAL

September 30, 2016

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

To Whom It May Concern,

I am replying to a formal complaint by Mr. Bruce Abshagen alleging violations on my campaign signs. The complaint was dated September 9, 2016.

Included is a photo representative of my signs now, corrected and stating, "Paid For By The Committee to Elect Karen Wickett For Decatur Township Treasurer 209 West St. Mary's Street Decatur, Michigan 49045". This wording is now on all of my signs, front and back. This, I believe corrects any violation alleged by Mr. Abshagen, since my signs do not require the "Not authorized by any candidate committee", since we are self-funded.

If you have further questions, or require more information please do not hesitate to contact me.

Yours truly,



Karen Wickett
209 West St. Mary's Street
Decatur, MI 49045
(224) - 829 - 6161



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

September 26, 2016

Karen Wickett
209 West Saint Marys Street
Decatur, Michigan 49045

Dear Ms. Wickett:

The Department of State (Department) received a formal complaint filed by Bruce Abshagen 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 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).

In support of his complaint, Mr. Abshagen provided a picture of a sign which states, "Karen WICKETT for Decatur Township Clerk - A New Beginning [.]". There appears to be no paid-for-by statement on the sign.

The Department notes that Mr. Abshagen also alleges the signs are missing the disclaimer, "Not authorized by any candidate committee [.]". However, the disclaimer is not required if you or your committee paid for the signs. *Id.*

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. Abshagen, 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 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 fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Lori A. Bourbonais

Bureau of Elections

Michigan Department of State

c: Bruce Abshagen

Karen
WICKETT
for Decatur Township Clerk

A New Beginning

The Committee To Elect Karen Wickett For Decatur Township Clerk, 703 W. 5th Street, Decatur, GA 30030



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

November 1, 2016

Karen Wickett
209 West Saint Marys Street
Decatur, MI 49045

Dear Ms. Wickett:

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. Abshagen'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 cursive script that reads "Lori A. Bourbonais".

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Bruce Abshagen

25 October 2016

Lori Bourbonias,

RECEIVED/FILED
MICHIGAN DEPT OF STATE

2016 OCT 31 PM 3: 07

ELECTORAL/CREAT SEAL

I received Karen Wickett's response to my complaint, I have to rebuttal her claim. In her letter she states, "Paid For By The Committee to Elect Karen Wickett for Decatur Township **Treasurer** 209 West St. Mary's Street Decatur, Michigan 49045", is worded on all her signs. She is not running for the Decatur Township **Treasurer** but for the Township Clerk's office. Enclosed is copy of her reply with Treasuer highlighted.

Thank You,


Bruce Abshagen

435 Lee. Ave.

Decatur, Mi 49045

269-423-8438

September 30, 2016

RECEIVED
DEPT OF STATE
2016 OCT -5 AM 11:00
ELECTIONS/CREAT SEAL

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

To Whom It May Concern,

I am replying to a formal complaint by Mr. Bruce Abshagen alleging violations on my campaign signs. The complaint was dated September 9, 2016.

Included is a photo representative of my signs now, corrected and stating; "Paid For By The Committee to Elect Karen Wickett For Decatur Township Treasurer 209 West St. Mary's Street Decatur, Michigan 49045". This wording is now on all of my signs, front and back. This, I believe corrects any violation alleged by Mr. Abshagen, since my signs do not require the "Not authorized by any candidate committee", since we are self-funded.

If you have further questions, or require more information please do not hesitate to contact me.

Yours truly,



Karen Wickett
209 West St. Mary's Street
Decatur, MI 49045
(224) - 829 - 6161



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

March 14, 2017

Karen Wickett
209 West Saint Mary's Street
Decatur, Michigan 49045

Dear Ms. Wickett:

The Department of State (Department) has completed its investigation of the complaint filed against you by Bruce Abshagen, 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. Abshagen'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. Abshagen filed his complaint on September 19, 2016. You filed a written response on October 5, 2016, and Mr. Abshagen filed a rebuttal statement on October 31, 2016.

Mr. Abshagen alleged that you failed to include a paid-for-by statement on your campaign signs. In support of his complaint, Mr. Abshagen provided a picture of a sign which stated, "Karen WICKETT for Decatur Township Clerk [.]". It appeared that the paid-for-by statement was omitted from the sign.

With your response you included a picture of a sign with a complete and correct paid-for-by statement written on it. You stated that you now included a complete paid-for-by statement on the front and back of all of your signs.

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

Karen Wickett
March 14, 2017
Page 2

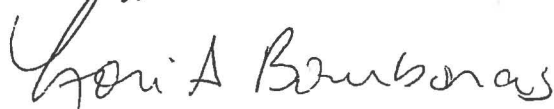
appropriate corrective measures to bring your campaign material into compliance with the MCFA.

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,

A handwritten signature in cursive script, appearing to read "Lori A. Bourbonais".

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Bruce Abshagen