



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

October 27, 2015

Thomas Webb
3017 52nd Street
Grand Rapids, Michigan 49512

Dear Mr. Webb:

The Department of State (Department) received a formal complaint filed by Robert Baker 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 material. 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. Baker provided a copy of a picture of a sign which states, "WEBB for Kentwood COMMISSIONER [.]". There does not appear to be a paid-for-by statement on 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 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. Baker, 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

Thomas Webb
October 27, 2015
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 cursive script that reads "Lori A. Bourbonais".

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Robert Baker

**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:

Section 1. Complainant		
Your Name <i>Robert BAKER</i>	Daytime Telephone Number <i>417-434-5518</i>	
Mailing Address <i>5843 Blaine Ave SE</i>		
City <i>KENTWOOD</i>	State <i>MI</i>	Zip <i>49508</i>

Section 2. Alleged Violator		
Name <i>Thomas Webb</i>		
Mailing Address <i>3017 52nd ST</i>		
City <i>GRAND RAPIDS</i>	State <i>MI</i>	Zip <i>49512</i>

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2015 OCT 23 PM 2:38
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ELECTIONS/GREAT SEAL

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

Section(s) of the MCFA violated:

Campaign signs lacking disclosure of funding

Explain how those sections were violated:

Candidate Webb's campaign signs without required disclosure of funding per statute.

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

PER attached email from City of Kentwood - Kent County
PER attached photo

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

10/20/15

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:

Electron/Campaign signs lacking identification of funding.

X



Signature of Complainant

10/20/15

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

BOB BAKER

From: DeSteiguer,Susan <susan.desteiguer@kentcountymi.gov>
Sent: Tuesday, October 20, 2015 8:16 AM
To: BOB BAKER
Subject: RE: City of Kentwood Election violations - Webb

Good morning, Mr. Baker

I assume the "proper registration" you refer to on the signs is the disclosure of who paid for the sign. If that is so, please give me some approximate locations where these signs are located and I will contact Mr. Webb to again inform him of the statute.

Please understand this office has no enforcement authority. As stated below, if someone wishes to file a formal complaint it is done in Lansing at the following:

http://www.michigan.gov/documents/Complaint_Process_Info_from_60420_7.pdf

Also, your complaint regarding the placement of signs on rental property is not covered in Michigan's election statute or in Michigan's campaign finance statutes. If there is a local ordinance on placement, that is enforced by the city of Kentwood.

Susan deSteiguer
Kent County Director of Elections
300 Monroe Ave NW
Grand Rapids, MI 49503
616-632-7650

From: BOB BAKER [mailto:Bob_Baker@tamko.com]
Sent: Monday, October 19, 2015 10:46 AM
To: DeSteiguer,Susan
Subject: City of Kentwood Election violations - Webb

Susan – see information below regarding City of Kentwood Commissioner Candidate that continues to defy Election Protocol that was reported to the City of Kentwood and passed onto your office. Beyond the lack of proper registration on the signs, this unscrupulous candidate is placing signs in rental properties without permission of owner, but rather the renter of home under the false pretense. Upon inspections of 15 yard signs over the weekend, he has not complied with the State guidelines. Please contact Mr. Webb and demand compliance or removal of signs and hold him accountable to the guidelines governing all candidates.

Thank you for your attention to this ongoing situation.

Bob Baker

Bob: You are welcome. Susan DeSteiguer, Kent County Elections Supervisor, will contact the candidate to inform Mr. Webb disclosure is required. They can place stickers on the signs to comply. Formal complaints are sent to Lansing but the County wouldn't expect much response on something like this. Terry

From: BOB BAKER [mailto:Bob_Baker@tamko.com]
Sent: Monday, October 12, 2015 1:59 PM
To: Schweitzer, Terry <schweitt@ci.kentwood.mi.us>
Cc: Kasunic, Dan <kasunicd@ci.kentwood.mi.us>
Subject: RE: Webb Election Signs

Thank You

-----Original Message-----

From: Schweitzer, Terry [schweitt@ci.kentwood.mi.us]
Sent: Monday, October 12, 2015 11:49 AM Central Standard Time
To: BOB BAKER
Cc: Kasunic, Dan
Subject: Webb Election Signs

Mr. Baker: We went out and verified that while a larger Webb sign did include a statement regarding the committee to elect funding of the sign, a smaller yard sign did not include the notation. The City Clerk has been advised of the absence of this message on his smaller signs. The City Clerk will pass it along to the Kent County staffer who handles such complaints. The complaints and violations are ultimately forwarded to and enforced upon by State of Michigan personnel. Terry Schweitzer

Confidentiality Notice: The information contained in this email belongs to the sender, is confidential and may be legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this email is strictly prohibited. If you received this email in error, please immediately delete and destroy all copies of the original email and its attachments, and notify the sender.

Bob Baker

TAMKO Building Products, Inc.
Territory Manager – West MI
417-434-5518
bob_baker@tamko.com

Confidentiality Notice: The information contained in this email belongs to the sender, is confidential and may be legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this email is strictly prohibited. If you received this email in error, please immediately delete and destroy all copies of the original email and its attachments, and notify the sender.

WE BEB

★ ★ ★ ★ ★ *for* ★ ★ ★ ★ ★

Kentwood

COMMISSIONER



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

November 25, 2015

Robert Baker
5843 Blaine Avenue SE
Kentwood, Michigan 49508

Dear Mr. Baker:

The Department of State received a response to the complaint you filed against Thomas Webb, 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: Thomas Webb

Attn:

Department of State

Bureau of Elections

Richard H. Austin Building

1st Floor

430 West Allegan Street

Lansing, MI 48918

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MICHIGAN DEPT OF STATE

2015 NOV -6 PM 3:43

ELECTIONS/GREAT SEAL

To whom it may Concern,

Our signs were originally placed with a sticker on one side of each sign making them in compliance. When we were notified by the county of the situation we went out to examine and correct the problem. It has been found that some of the stickers were removed by someone and at that time we replaced the stickers. It is unfortunate that this has happened; it was not known to myself and was corrected immediately upon notification by the county. It is apparent to me that these stickers were removed intentionally by my opponents or his supporters. This complaint was filed by my opponent's family and I suspect that they were the ones that removed my stickers which caused them to not be in compliance.

Best regards,



Thomas Webb

10-31-15



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

October 27, 2015

Thomas Webb
3017 52nd Street
Grand Rapids, Michigan 49512

Dear Mr. Webb:

The Department of State (Department) received a formal complaint filed by Robert Baker 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 material. 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. Baker provided a copy of a picture of a sign which states, "WEBB for Kentwood COMMISSIONER [.]". There does not appear to be a paid-for-by statement on 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 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. Baker, 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



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

December 17, 2015

Thomas Webb
3017 52nd Street SE
Grand Rapids, Michigan 49512

Dear Mr. Webb:

This letter concerns the complaint that was recently filed you by Robert Baker, 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 60 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. Baker'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: Robert Baker

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State
Richard E. Austin Building
430 W. Allegan
Lansing, MI 48918

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2015 DEC 11 PM 2:22

OFFICE OF THE GREAT SEAL

Lori,

It pains me to offer the following rebuttal to the tales and unsubstantiated theories of Mr. Webb's response regarding the MCFA complaint on file. Mr. Webb's written response does not offer any evidence disputing the documented violation. His diatribe offers nothing but conspiracy, speculation, blame and an attempt of character assault.

The City and County Clerks inspected random signs and confirmed the violations in different locations of the City. The stickers did not exist. Mr. Webb could have offered numerous evidentiary items to address the complaint: Campaign financial records for 200+ stickers... A picture of the alleged stickered signs...or simply admitting he was in violation and the signs were removed. Mr. Webb's response is an attempt of creative prose and conjecture rather than fact or evidence to prove the absence of the violation. It is an obvious violation and non-reputed. Mr. Webb should be held accountable.

In closing, I would ask the Board of Elections to find in favor of the MCFA complaint due to the lack of evidence presented to answer the MCFA inquiry: **"there may be reason to believe that a violation has occurred"**. I hope that a lesson is learned and consider this matter closed.

Respectfully,



R.D. Baker

CC: T. Webb



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

March 1, 2016

Thomas Webb
3017 52nd Street
Grand Rapids, Michigan 49512

Dear Mr. Webb:

The Department of State (Department) has completed its investigation of the complaint filed against you by Robert Baker, 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 your campaign signs. This letter concerns the disposition of Mr. Baker'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. Baker filed his complaint on October 23, 2015. You filed a written response on November 6, 2015, and Mr. Baker filed a rebuttal statement on December 11, 2015.

Mr. Baker alleged that you failed to include a paid-for-by statement on your campaign signs. In support of his complaint, Mr. Baker provided a copy of a sign which stated, "WEBB for Kentwood COMMISSIONER". It appeared that your sign did not contain a paid-for-by statement.

In your response you indicated that your signs had a sticker on them with the paid-for-by statement, and that someone had been removing the stickers. You further indicated that as soon as you were notified, you replaced the stickers. However, you did not provide any evidence to the Department, such as a picture of a sign with the sticker on it.

The Department believes that the evidence provided to it 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 [.]".

Thomas Webb
March 1, 2016
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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 black ink that reads "Lori A. Bourbonais". The signature is written in a cursive, flowing style.

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Robert Baker