



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

July 17, 2012

Todd Walter
6224 Arbor Trail
Grand Ledge, Michigan 48837

Dear Mr. Walter:

The Department of State (Department) received a formal complaint filed by Harry Moore 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. Moore'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. Moore provided a picture of a sign which states "Todd Walter Delta Township Trustee [.]". It appears that there is no "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 this complaint, you are required to do so within 15 business days of your receipt 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.

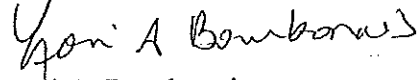
A copy of your reply will be provided to Mr. Moore, who will have an opportunity to submit a rebuttal statement to the Department. After reviewing all of the statements and materials provided by the parties, the Department will determine whether "there may be reason to believe that a violation of [the MCFA] has occurred [.]". MCL 169.215(10). Note that the Department's enforcement powers include the possibility of entering a conciliation agreement, conducting an

Todd Walter
July 17, 2012
Page 2

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,

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

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Harry Moore

**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 <u>Harry Moore</u>	Daytime Telephone Number <u>517.543.0157</u>	
Mailing Address <u>7018 N. Cochran Rd.</u>		
City <u>Charlotte</u>	State <u>MI</u>	Zip <u>48813</u>

Section 2. Alleged Violator		
Name <u>Todd Walter</u>		
Mailing Address <u>6224 Arbor Trl.</u>		
City <u>Grand Ledge</u>	State <u>MI</u>	Zip <u>48837</u>

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:

Many of the candidate's initial campaign signs fail to "bear upon [them] the name and address of the person paying for the matter." Since ^{some} subsequent signs have included disclosure, it should be assumed that violating signs are being knowingly left in violation of the section.

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

Photos attached.

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

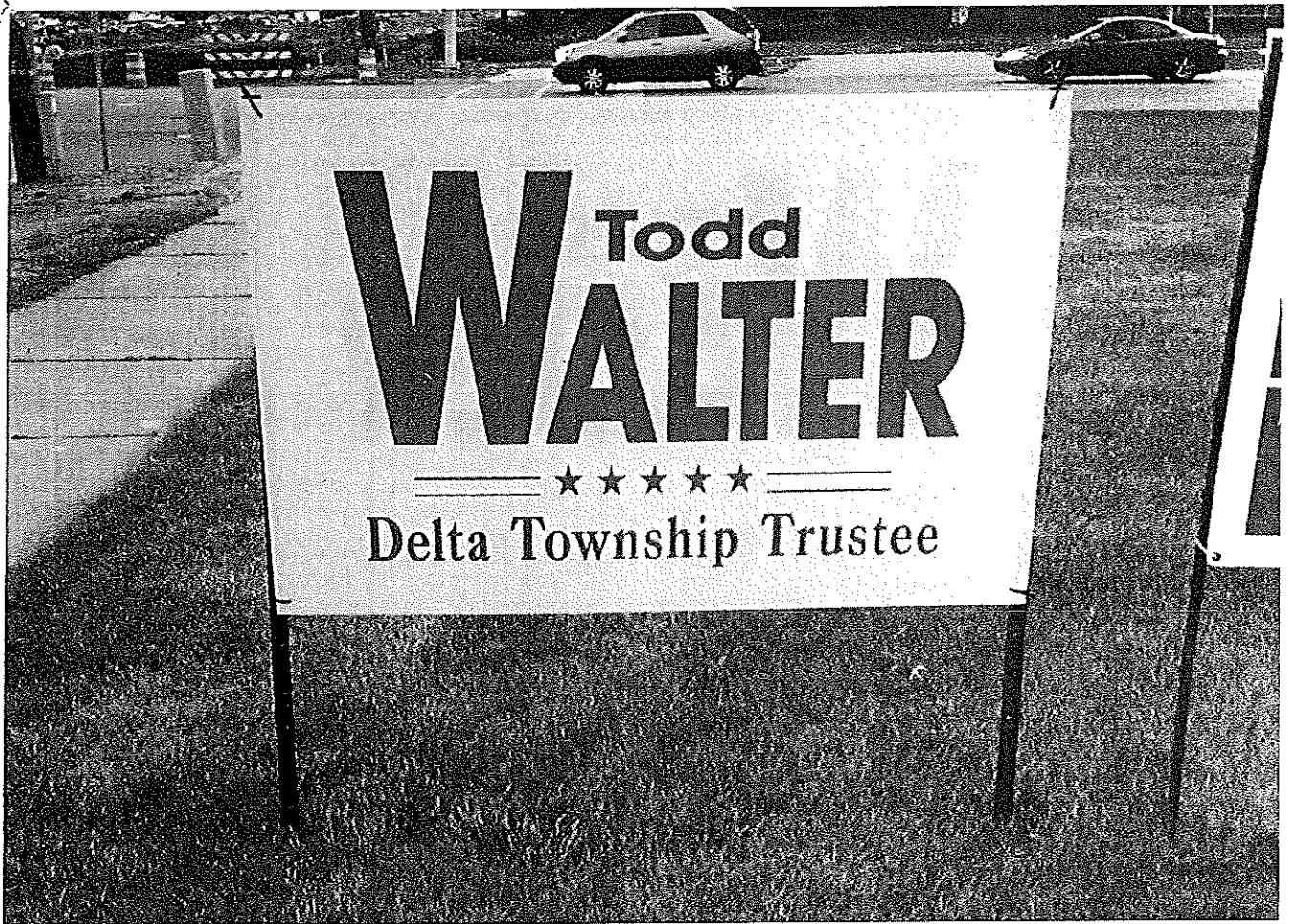
Signature of Complainant

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 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



W Todd
WALTER

==== ★ ★ ★ ★ ★ =====
Delta Township Trustee

Todd
WALTER

★★★★★
Delta Township Trustee

Mr. Harry Moore
Treasurer, ECDP
7018 N. Codman
Charlotte, MI 48813

Michigan Dept. of State
Bureau of Elections
Richard H. Austin Building - 1st Floor
430 West Allegan St.
Lansing, MI 48918

BUREAU OF ELECTIONS
MI DEPT OF STATE
2012 JUL 16 PM 1:39



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

July 27, 2012

Harry Moore
7018 North Cochran Road
Charlotte, Michigan 48813

Dear Mr. Moore:

The Department of State received a response to the complaint you filed against Todd Walter, which concerns alleged violations 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 your receipt 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 that reads "Lori A. Bourbonais".

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Todd Walter

BUREAU OF ELECTIONS
MI. DEPT OF STATE

July 20, 2012

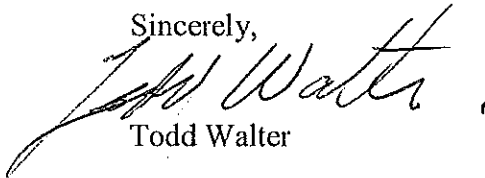
Lori Bourbonais
Bureau of Elections
Michigan Department of State

2012 JUL 26 PM 3: 02

Dear Lori,

I received the letter of the formal complaint filed by Mr. Moore against me showing that my campaign signs are in violation of the Michigan Finance Campaign Act 1976 PA 388, MCL 169.247 (1), by failing to include a complete and correct identification statement on some of my campaign signs. I have checked all 36 of my Large campaign signs that are placed throughout Delta Township and found a couple of signs that were missing the Label identifying who paid for the sign. I have corrected the signs in question on July 20th, 2012 and I have attached pictures showing it was done.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd Walter", with a stylized flourish at the end.

Todd Walter

ELECT

W Todd
WALTER

★★★★★
Delta Township Trustee

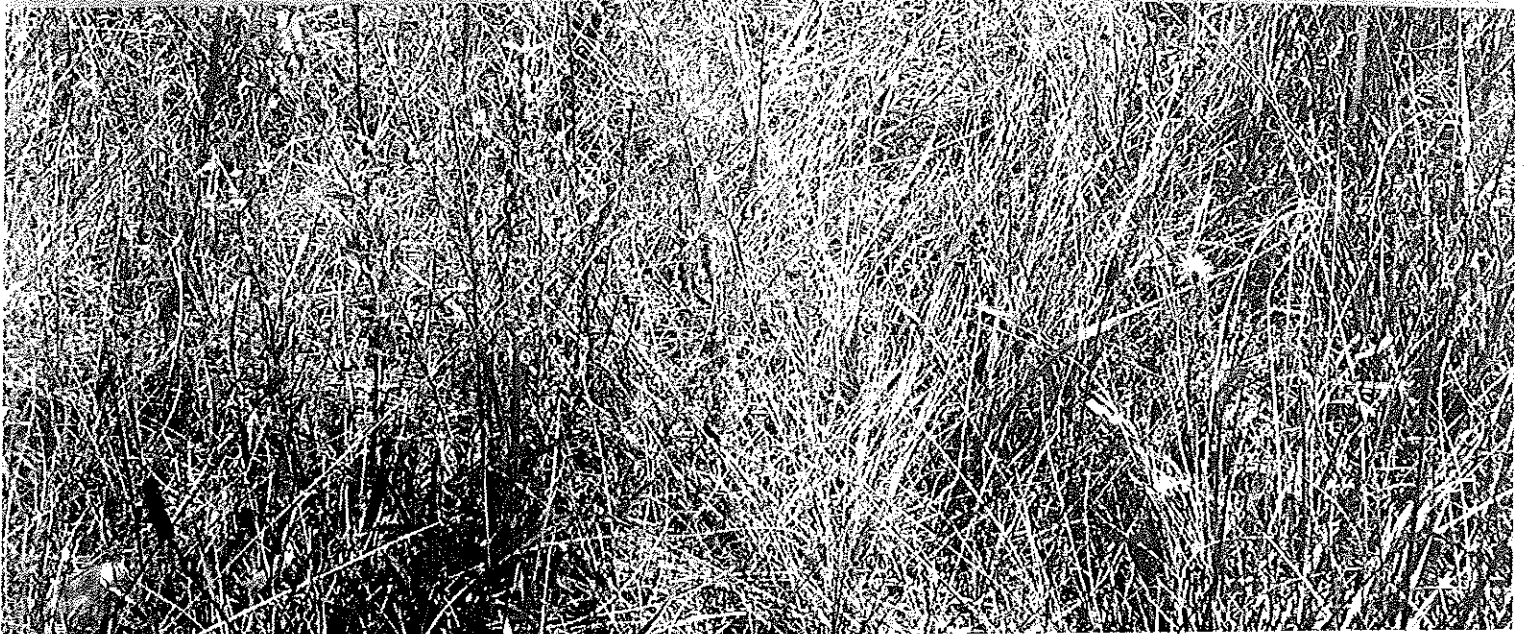
PAID FOR BY THE C T E TODD WALTER 6224 ARBOR TRAIL GL MI 48837

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PAID FOR BY THE C T E TODD WALTER 6224 ARBOR TRAIL G L MI 48837



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 Harry Moore	Daytime Telephone Number 517.543.0157	
Mailing Address 7018 N. Cochran Rd.		
City Charlotte	State MI	Zip 48813

Section 2. Alleged Violator		
Name Todd Walter		
Mailing Address 6224 Arbor Trl.		
City Grand Ledge	State MI	Zip 48837

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:

Many of the candidate's initial campaign signs fail to "bear upon [them] the name and address of the person paying for the matter." Since ^{some} subsequent signs have included disclosure it should be assumed that violating signs are being knowingly left in violation of the section.

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

Photos attached.



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

October 12, 2012

Todd Walter
6224 Arbor Trail
Grand Ledge, Michigan 48837

Dear Mr. Walter:

The Department of State (Department) has completed its investigation of a complaint filed against you by Harry Moore, 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 identification statement on your campaign signs. This letter concerns the disposition of Mr. Moore'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. Moore on July 16, 2012, and you filed a written response on July 26, 2012. Mr. Moore did not file a rebuttal statement.

Mr. Moore alleged that many of your "initial campaign signs fail[ed] to bear upon them the name and address of the person paying for the matter." Mr. Moore provided as evidence a picture of a sign which states "Todd Walter Delta Township Trustee [.] It appears that there is no paid-for-by statement on the sign.

In response, you filed a letter which stated that you checked all 36 of your large campaign signs and did find "a couple of signs that were missing the [l]abel indentifying who paid for the sign." You also stated that you corrected those signs on July 20, 2012. You provided as evidence pictures of signs with proper identification statements on them.

While the Department believes that the evidence tends to show that some of your signs failed to contain a proper 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 signs 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(5), 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 Bourbonais
Bureau of Elections
Michigan Department of State

c: Harry Moore