



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

February 1, 2013

Sarah Davenport  
1385 Saginaw Highway  
Mulliken, Michigan 48861

Dear Ms. Davenport:

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 October 30, 2012. Mr. Moore did not file a rebuttal statement.

Mr. Moore alleged that your campaign signs failed "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 "Sarah DAVENPORT for Drain Commissioner [,]" It appears that there is no paid-for-by statement on the sign.

In response, you filed a picture of one of your signs which bears the handwritten notation "Paid for by Sarah Davenport for Drain Commissioner PO Box 158, Mulliken MI 48861 [,]" You stated that this notation only appeared on one side of the sign. You further stated that all of the signs were taken down after the August primary election.

While it did not appear from the original evidence provided that your signs included a proper paid-for-by statement, it is unclear from the evidence whether the statement may have appeared on the other side of the sign. Consequently, Mr. Moore's complaint is dismissed.

However, 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).

Sincerely,



Lori Bourbonais  
Bureau of Elections  
Michigan Department of State

c: Harry Moore