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Hasan

For Hamtramck

City Council

Paid for by: Friends of Mohammed Hassan



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

February 14, 2014

Mohammed Hassan
2425 Neibel
Hamtramck, Michigan 48212

Dear Mr. Hassan:

The Department of State (Department) has completed its investigation of the complaint filed against you by Rachel Srodek, 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 Ms. Srodek'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 Ms. Srodek on June 27, 2013 and you filed a written response on July 30, 2013. Ms. Srodek did not file a rebuttal statement.

Ms. Srodek alleged that your campaign signs did not contain a complete and correct paid-for-by statement. In support of her complaint, Ms. Srodek provided a copy of a picture of a sign which stated "Re-Elect Mohammed Hassan for City Council [.]". It appears from this picture that the paid-for-by statement is omitted from the sign.

In response, you filed a letter which stated that a majority of your signs did contain an identification statement which said, "Paid-for by: Friends of Mohammed Hassan [.]" but that you had 15 new signs printed which mistakenly omitted a paid-for-by statement. You also stated that you used adhesive labels with a paid-for-by statement on those signs to bring them into compliance with the Act. You further stated that some of those stickers had been removed by someone else from your signs.

While the Department believes that the evidence tends to show that your campaign material failed to contain a complete paid-for-by statement because your identification statements omitted

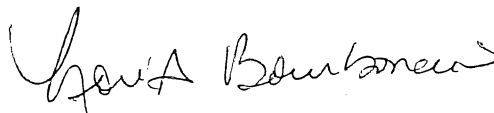
the address of your committee, section 15(10) of the MCFA requires the Department to “endeavor to correct the violation or prevent a further violation by using informal methods such as a conference, conciliation, or persuasion [.]” The Department is satisfied that you took appropriate corrective measures to attempt to bring your signs into compliance with the MCFA. Please note, however, that the paid-for-by statements on your signs must also include the address of your committee.

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 dark ink, appearing to read "Lori A. Bourbonais", is written over the typed name.

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Rachel Srodek