



Michigan Department of State
Campaign Finance Complaint Form

BUREAU OF ELECTIONS • RICHARD H. AUSTIN BUILDING - 1st Floor
430 W. ALLEGAN STREET • LANSING, MICHIGAN 48918

2020 JUL -9 PM 1:57

This complaint form may be used to file a complaint alleging that someone violated the Michigan Campaign Finance Act (MCFA). For instructions on how to complete this form, see the Campaign Finance Complaint Guidebook & Procedures document. All spaces are required unless otherwise indicated.

Section 1. Complainant			
Your Name <u>Linda Walters</u>		Daytime Telephone Number <u>(920) 456-9091</u>	
Mailing Address <u>7229 Pin Oak Cir</u>			
City <u>Augusta</u>	State <u>MI</u>	Zip <u>49012</u>	
Email (optional) <u>walters-1987@msn.com</u>			

Section 2. Alleged Violator			
Name <u>Alexander Harris</u>			
Mailing Address <u>868 Labelle Terrace</u>			
City <u>Richland</u>	State <u>MI</u>	Zip <u>49083</u>	
Email (optional) <u>DeputyClerk@RossTown.comcastbiz.net</u>			

Section 3. Allegations (Use additional sheets if more space is needed.)

Section(s) of the MCFA alleged to be violated: 57

Explain how those sections were violated:

Mr. Harris is the Deputy Clerk for Ross Township.
He is using the township's public office email system
paid for with public funds to campaign and advertise
as a way of contacting himself, as a public official
for his political campaign to be the next elected clerk.

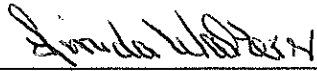
Evidence included with the submission of the complaint that supports the allegations:

Attached/Enclosed item 1: Ross Township directory
Enclosed item 2: Campaign mailer sent by
Mr. Harris to all residents in Ross Township.
Note: ~~the~~ public office email address next to his picture.

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

6 July 2020

Date

Section 5. Certification without Evidence (Supplemental to Section 4)

If, after a reasonable inquiry under the circumstances, you are unable to certify that certain factual contentions are supported by evidence as indicated above, you may 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

6 July 2020

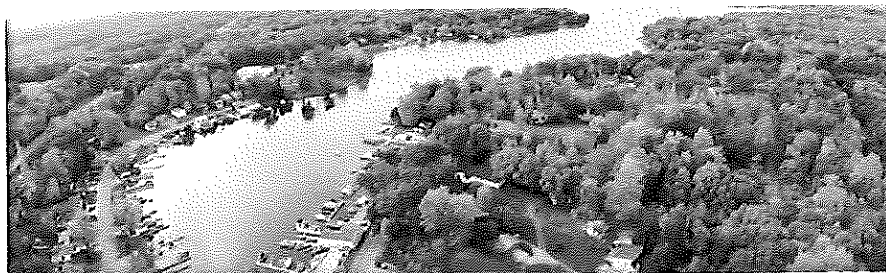
Date

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.

Section 6. Submission

Once completed, mail or hand deliver the complaint form with your evidence to the address below. The complaint is considered filed upon receipt by the Bureau of Elections.

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


[Home](#)
[Road Information](#)
[Newsletter](#)
[Elected Officials /
Board Members / Staff](#)
[Property / Tax Information](#)
[Public Notices](#)
[Meeting Agendas / Minutes](#)
[Forms & Applications](#)
[Elections](#)
[Employment](#)
[General](#)
[Registered Voter
Survey Analysis](#)
[Master Plan](#)
[FOIA](#)
[Parks / Recreation](#)
[Local Events & Resources](#)
[Remember When](#)
[Law Enforcement Proposals](#)

Office Staff and Board Members

General Township Email

Rosstownship@rosstown.comcastbiz.net

Supervisor: Supervisor@rosstown.comcastbiz.net

Clerk: Clerk@rosstown.comcastbiz.net

Treasurer: Syndee@rosstown.comcastbiz.net

Office

Office Manager: Mary Carol Wilkins

Office Hours: Monday-Thursday 9:00 - 4:30

Deputy Treasurer: Kent Williamson

Deputy Clerk: Alex Harris

Ross Township Board (Elected)

Rob Baker, Supervisor

Norm Kellogg, Clerk

Cynthia Genung, Treasurer

Mike Sulka, Trustee

Diana Langshaw, Trustee

Lynn Harmon, Trustee

David Senkewitz, Trustee

Ross Township Planning Commission

Jim Lauderdale, Chairman

Sherri Snyder

Michael Moore

Pamela Sager

Mark Markillie

Michael Bekes

Mike Sulka, Board Representative

Rebecca Harvey, P.C. Planner

Ross Township Zoning Board of Appeals

David Carpenter, Chairman

Jim Lauderdale

James Dekruyter

Blake Hawk (Alternate)

Jim Gilbert (Alternate)

Ross Township Board of Review

Larry Greer, Chairman

Joy Brown

Zach Klipsch

Mary Carol Wilkins (Alternate)

Assessor

Angela Story

Office Hours: Monday and Wednesday 1-4:30 p.m.

Building/Zoning Administrator

Associated Government Services, Inc. (AGS) 269-629-0600

[Forms &
Applications](#)
[Your
Vote
Counts](#)
[Zoning
Ordinances](#)

Fire Department

Doug Bogema, Fire Chief
David Shirley, Asst. Fire Chief

CONTACT US**EMAIL US:**

rosstownship@rosstown.comcastbiz.net

TEL: 269-731-4888

FAX: 269-731-5551

12086 M-89, Richland, MI 49083

OFFICE HOURS

• Mon-Thur 9-4:30

OFFICE CLOSINGS

- New Year's Day - Jan. 1st
- Martin Luther King Jr. Day - Jan. 20th
- President's Day - Feb. 17th
- Memorial Day - May 25th
- Labor Day - Sep. 7th
- Election Day - Nov. 3rd
- Veterans Day - Nov. 11th
- Thanksgiving - Nov. 26th
- Christmas Eve - Dec. 24
- New Year's Eve - Dec. 31

JOIN OUR MAILING LIST

E-mail address:

☒ Subscribe | ☐ Unsubscribe

SUBMIT

**SEARCH OUR SITE**

<input type="text"/>	<input type="submit" value="q"/>
----------------------	----------------------------------





Michigan Department of State
Campaign Finance Complaint Form

BUREAU OF ELECTIONS • RICHARD H. AUSTIN BUILDING - 1st Floor
430 W. ALLEGAN STREET • LANSING, MICHIGAN 48918

2020 OCT 26 PM 1:58

This complaint form may be used to file a complaint alleging that someone violated the Michigan Campaign Finance Act (MCFA). For instructions on how to complete this form, see the Campaign Finance Complaint Guidebook & Procedures document. All spaces are required unless otherwise indicated.

Section 1. Complainant			
Your Name <u>Linda Walters</u>		Daytime Telephone Number <u>(920) 456 9091</u>	
Mailing Address <u>7229 Pin Oak Circle</u>			
City <u>Augusta</u>	State <u>MI</u>	Zip <u>49012</u>	
Email (optional) <u>walterstim@yahoo.com</u>			

Section 2. Alleged Violator			
Name <u>Alexander D. Harris</u>			
Mailing Address <u>868 LaBelle Ter</u>			
City <u>Richland</u>	State <u>MI</u>	Zip <u>49083</u>	
Email (optional) <u>Harr1530@msu.edu</u>			

Section 3. Allegations (Use additional sheets if more space is needed.)

Section(s) of the MCFA alleged to be violated: 1b9.224 Section 24

Explain how those sections were violated:

I allege that Alexander Harris spent and/or received in excess of \$1000 on his campaign. I base this on the fact that he had at least 100 campaign signs and a 8 1/2 x 11 campaign mailer. The mailer was sent to the entire township. The cost of postage alone would put him close or over the \$1000 limit.

Evidence included with the submission of the complaint that supports the allegations:

- Attachment 1: Statement of Organization
- 2: Copy of mailer (actual size)
- 3: Copy of campaign ~~sign~~ sign

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

Linda W. Stern
Signature of Complainant

Oct 21, 2020
Date

Section 5. Certification without Evidence (Supplemental to Section 4)

If, after a reasonable inquiry under the circumstances, you are unable to certify that certain factual contentions are supported by evidence as indicated above, you may 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.

Section 6. Submission

Once completed, mail or hand deliver the complaint form with your evidence to the address below. The complaint is considered filed upon receipt by the Bureau of Elections.

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

Section of the MCFA alleged to be violated: 169.224 Section 24

I, Linda Walters, allege that Alexander D. Harris did exceed the \$1000 limit during his campaign for the Township Clerk position. Mr. Harris had at least 100 campaign signs and had sent a campaign mailer. The campaign mailer was 8 ½ x 11 and was sent to the entire Ross Township population. The cost of the postage alone would put him over \$1000. The cost of the printing of the mailer would also put him over the \$1000 limit.

Mr. Harris, as of today, has not updated his Statement of Organization nor has he filed any financial documents to reflect that he did exceed \$1000, if proven to be accurate.



1. Committee ID #: 55123		*2. Type of Filing: <input checked="" type="checkbox"/> Original: <input type="checkbox"/> Amendment to Items:		Eff. Date:
*3. Full Name of Committee (must include Candidate's first and last name): Alex Harris				
*4a. Candidate Full Name: Last Name Harris		First Name Alexander		M.I. D
*4b. Political Party (if applicable): Republican		*4c. County of Residence: Kalamazoo		
*4d. Office Sought: Township Clerk		*4e. District or Jurisdiction: Boss Township		
*5. Date Committee was Formed:				
*6a. Committee Phone: (269)806-9918		6b. Committee Fax #: N/A		
*6c. Committee Email Address: Harr1530@msu.edu		6d. Committee Website Address: N/A		
*7a. Complete Committee Mailing Address (May be PO Box): *7b. Complete Committee Street Address (May not be PO Box): 868 LaBelle Ter Richland, MI 49083				
*8. Treasurer Name and Complete Residential Address: Cathi Lynn Lawrence Harris 8741 Merrimac Richland, MI 49083				
Phone #: 269-629-5619		Email Address: Harrisnc3@comcast.net		
9. Designated Record Keeper Name and Complete Address: Phone #: _____ Email Address: _____				RECEIVED APR 17 2020
<p>*10. REPORTING WAIVER REQUEST:</p> <p><input checked="" type="checkbox"/> YES, I/WE WANT TO APPLY FOR THE REPORTING WAIVER. The committee does not expect to receive or expend in excess of \$1,000.00 in an election. I/We understand that if the committee does not spend or receive in excess of \$1,000.00 in an election, the committee does not owe detailed campaign statements. I/We further understand that the Reporting Waiver will be automatically lost if the committee exceeds the \$1,000.00 threshold and all required campaign statements must be filed. A Reporting Waiver does not exempt a committee from filing Late Contribution Reports.</p> <p><input type="checkbox"/> NO, I/WE DO NOT WANT TO APPLY FOR THE REPORTING WAIVER. The committee expects to receive or expend in excess of \$1,000.00 in an election. I/We understand that the committee owes detailed campaign statements even if the committee does not spend or receive in excess of \$1,000.00 in an election. I further understand that the Reporting Waiver cannot be requested retroactively to avoid filing requirements and to avoid paying late filing fees. Further information regarding Reporting Waivers can be found in Appendix C of the Committee Manual.</p>				
<p>*11. Name and Address of Depositories of Intended Depositories of committee funds. (Michigan Bank, Credit Union or Savings & Loan Association) While this item must be completed, an account does not have to be opened until the first contribution is received.</p> <p>*Official Depository (name and address):</p> <p>Secondary Depository (name and address):</p>				
<p>12. Verification: I/We certify that all reasonable diligence was used in the preparation of the above statement and that the contents are true, accurate and complete to the best of my/our knowledge or belief. If filing campaign statements electronically, we further agree that the signatures below shall serve as the signatures that verify the accuracy and completeness of each statement filed electronically by the committee. I/We certify that all reasonable diligence will be used in the preparation of each statement electronically filed by this committee and that the contents of each statement will be true, accurate and complete to the best of my/our knowledge or belief. (Sign Name and Date)</p>				
*Candidate: Alexander D Harris		Date: 4/14/2020		*Current Treasurer
*Designated Record Keeper (if Applicable): Cathi Lynn Lawrence Harris		Date: 4/13/2020		

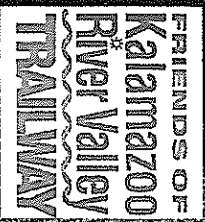
Vote August 4th



Alumni



Alumni



PRSRT STD
ECRWSS
U.S. POSTAGE
PAID
EDDM RETAIL

****ECRWSSDDM****
LOCAL POSTAL CUSTOMER

DeputyClerk@RossTown.comcastbiz.net

Alex Harris for Ross Township Clerk

Hello Constituent:

As our current Ross Township Clerk Norm Kellogg retires, I would be privileged to carry on what I have learned under his mentorship as the Assistant Clerk. I have performed all of the duties of the Clerk and know how to do the job well. My personal agenda is nothing more than to serve my hometown in this role. I like people, and genuinely value listening to your questions or concerns for improving our community.

With profound willingness to speak up on your behalf, I will challenge the choices of local government for the benefit of you and yours. My vote on the community board belongs to you, my constituents, and is not tied to board member loyalty.

People make the difference

Sincerely,

Alex Harris

- 2 ½ years of training as Assistant Clerk for Ross Township
- Deputized for elections and registering people to vote
- Kellogg Biological Station 2 ½ years
- Worked 9 years at Kalamazoo County Household Hazardous Waste to protect our most precious natural resource, drinking water
- Western Michigan University Graduate – Bachelors of Science in Communications, Geography & Health
- Gull Lake High School Graduate
- 4th generation Ross Township resident
- Yorkville Community Church member, serving as a Trustee

Mission –

- Provide a safe environment in which to live
- Maintain and enhance the rural character and quietude of our community
- Protect all the natural resources
- Respond to the needs of the Township with respect and concern
- Uphold and enforce the local, state, and Federal laws

**ALEX
HARRIS**

FOR **ROSS** 
**TOWNSHIP
CLERK**

SOS, Disclosure

From: SOS, Elections
Sent: Tuesday, July 21, 2020 3:15 PM
To: SOS, Disclosure
Subject: FW: Sign Complaint
Attachments: Sign Complaint.pdf; HarrisSign.jpg; HarrisSign2.jpg

From: Walters Family <walters_1987@msn.com>
Sent: Tuesday, July 21, 2020 3:06 PM
To: SOS, Elections <Elections@michigan.gov>
Subject: Sign Complaint

CAUTION: This is an External email. Please send suspicious emails to abuse@michigan.gov

Dear Elections Office – Please see attached. A hard copy was placed in the mail today. This is an urgent matter as the primary election is on August 4, 2020.

Mr. Harris was notified by Sarah Joshi, Kalamazoo Election Specialist, regarding this matter. Mr. Harris failed to correct the signs but instead added “flag” stickers to the signs. There are roughly 125 signs throughout the community. Sarah’s contact information is sojosh@kalcouny.com.

Thank you for your assistance in this matter. I can be reached at phone number (920) 456-9091.

Respectfully,

Linda Walters



Michigan Department of State
Campaign Finance Complaint Form

BUREAU OF ELECTIONS • RICHARD H. AUSTIN BUILDING - 1st Floor
430 W. ALLEGAN STREET • LANSING, MICHIGAN 48918

This complaint form may be used to file a complaint alleging that someone violated the Michigan Campaign Finance Act (MCFA). For instructions on how to complete this form, see the Campaign Finance Complaint Guidebook & Procedures document. All spaces are required unless otherwise indicated.

Section 1. Complainant			
Your Name: Linda Walters		Daytime Telephone Number: (930) 456 9091	
Mailing Address: 7329 Pin Oak Circle			
City: Augusta	State: MI	Zip: 49013	
Email (optional): walters_1987@msn.com			

Section 2. Alleged Violator			
Name: Alex Harris			
Mailing Address: 868 Labelle Terrace			
City: Richland	State: MI	Zip: 49083	
Email (optional): DeputyClerk@RossTown.comcastbiz.net			

Section 3. Allegations (Use additional sheets if more space is needed.)

Section(s) of the MCFA alleged to be violated: **47**

Explain how those sections were violated:

Lack of identifications on campaign signs. Mr. Harris has been informed by Sarah Joshi, Kalamazoo Election Specialist, several times. There are roughly 125 signs throughout the Township. Instead of ~~se~~ correcting signs, he simply added flag stickers. Sarah Joshi contact information is sajoshi@kalcounty.com

Evidence included with the submission of the complaint that supports the allegations:

See attached pictures

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

Kimberly Watson
Signature of Complainant

31 July 2020
Date

Section 5. Certification without Evidence (Supplemental to Section 4)

If, after a reasonable inquiry under the circumstances, you are unable to certify that certain factual contentions are supported by evidence as indicated above, you may 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.

Section 6. Submission

Once completed, mail or hand deliver the complaint form with your evidence to the address below. The complaint is considered filed upon receipt by the Bureau of Elections.

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

We Support the
Coff Lake Dam Project!

ALEX HARRIS

FOR ROSS
TOWNSHIP
CLERK



**ALEX
HARRIS**

FOR ROSS 
**TOWNSHIP
CLERK**

August 13th 2020

Re: Walters v. Harris
Campaign Finance Complaint
No. 2020-07-52-57

Dear Adam:

In Michigan, it is unlawful for a public or an individual acting on its behalf to use or authorize the use of equipment, supplies, personnel, funds, or other public resources to make a contribution or expenditure.

Ms. Walters alleges that I have used my Ross Township email account improperly.

I appreciate this concern being brought to my attention, this was a problem that I am unaware of. The email was first used when the Township of Ross, notarized the "Affidavit of Identity and Receipt of Filing" on March 16, 2020, which was sent to the Kalamazoo County Clerk, none of which mentioned this being a use of public resources. Also two township trustees, David S. and Diana L. emailed this address in June 2020 with regard to supporting Walters and not me for the August 4th election.

As soon as the Township of Ross, and I, became aware of this mistake, July 2020 – my email was deactivated. This email account never sent any outgoing mail to any residents regarding my election. There was no equipment, supplies, personal time or other cost incurred by the Township of Ross.

The rough draft for my election post card was peer reviewed by many people in the community. None of which had any awareness, that using my email address, was a use of public resources. I thank Ms. Walters committee for informing the township and myself, to better serve one another. I will be vigilant in the future to only use my email for proper township business.

Sincerely:

Alex Harris



STATE OF MICHIGAN
JOCELYN BENSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

July 24, 2020

Alexander Harris
868 Labelle Terrace
Richland, MI 49083

Re: *Walters v. Harris*
Campaign Finance Complaint
No. 2020-07-52-57

Dear Mr. Harris:

The Department of State (Department) received a formal complaint filed by Linda Walters against you alleging violations of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.* A copy of the complaint and supporting documentation is enclosed with this letter.

In Michigan, it is unlawful for a public body or an individual acting on its behalf to use or authorize the use of equipment, supplies, personnel, funds, or other public resources to make a contribution or expenditure. MCL 169.257(1). The words "contribution" and "expenditure" are terms of art that are generally defined to include a payment or transfer of anything of ascertainable monetary value made for the purpose of influencing or made in assistance of the qualification, passage, or defeat of a ballot question. MCL 169.204(1), 169.206(1). A knowing violation of this provision is a misdemeanor offense. MCL 169.257(4).

Ms. Walters alleges that you have used your Ross Township email account improperly to expressly advocate in support of your election as Township Clerk.

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. The investigation and resolution of this complaint is governed by section 15 of the Act and the corresponding administrative rules, R 169.51 *et seq.* An explanation of the investigation process is enclosed with this letter and a copy is available on the Department's website.

If you wish to file a written response to this complaint, you are required to do so within 15 business days of the date of this letter. Your response may include any written statement or additional documentary evidence you wish to submit. Due to the ongoing public health emergency, the Department asks that all materials be submitted via email to Elections@Michigan.gov to my attention. 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 answer will be provided to Ms. Walters, 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 57(4) of the Act.

If you have any questions concerning this matter, you may contact me via email.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Fracassi". The signature is stylized with a large, sweeping "A" and a cursive "Fracassi".

Adam Fracassi
Bureau of Elections
Michigan Department of State

c: Linda Walters



STATE OF MICHIGAN
JOCELYN BENSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

October 29, 2020

Alexander Harris
868 LaBell Ter
Richland, MI 49083

Re: *Walters v. Harris*
Campaign Finance Complaint
No. 2020-8-147-33

Dear Mr. Harris:

The Department of State (Department) has received a formal complaint submitted against you by Linda Walters alleging violations of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.* A copy of the complaint and supporting materials is enclosed.

The MCFA requires candidates and committees file contributions and expenditures with the appropriate filing official by specific dates. MCL 169.233(1) – (3). The MCFA requires a committee that receives or expends more than \$1,000 during any election to file campaign finance reports in compliance with the Act. MCL 169.233(6). A person who knowingly omits or underreports expenditures required to be disclosed by the Act is subject to a civil fine of not more than \$1,000 or the amount of the expenditures omitted or underreported, whichever is greater. MCL 169.233(11).

Ms. Walters alleges that you have requested a reporting waiver on your statement of organization but have sent a mailer to all residents and posted signs that all exceeded \$1,000.

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. The investigation and resolution of this complaint is governed by section 15 of the Act and the corresponding administrative rules, R 169.51 *et seq.* An explanation of the investigation process is enclosed with this letter and a copy is available on the Department's website.

If you wish to file a written response to this complaint, you are required to do so within 15 business days of the date of this letter. 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.

Alex Harris
October 29, 2020
Page 2

A copy of your answer will be provided to Mr. Breen, 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 33(11) of the Act.

If you have any questions concerning this matter, you may contact me at (517) 335-3234.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Fracassi", written in a cursive style.

Adam Fracassi
Bureau of Elections

Enclosures

c: Linda Walters

August 31, 2020

Re: *Walters v. Harris*

Campaign Finance Complaint

No. 2020-07-96-57

Dear Mr. Fracassi,

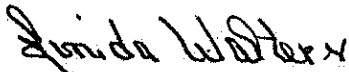
In my response to Mr. Harris here is my rebuttal statement, please see below:

Mr. Harris does not dispute that he did violate Michigan Campaign Finance Law. However, in his statement he does not take responsibility for the alleged violation. He instead blames others that are not responsible for items the candidate publishes or sends regarding their campaign. In my opinion, Mr. Harris intentionally used his work email to emphasis that he is the current Deputy Clerk of Ross Township; the email address was displayed prominently on the mailer. The mailer was sent to the entire Ross Township population which has roughly 5000 residential addresses.

It is not the responsibility of those that proofread the mailer to allow Mr. Harris to not be responsible; two trustees emailing him at this address does not mean it was permissible or that Mr. Harris was not responsible. I spoke to Diana L. and she stated that she does not have his personal email and always emailed him at his office email. She said she emailed him out of professional courtesy.

As for the email address being deactivated, it is my understanding that the email address was deactivated after his sister shared the mailer on Facebook August 1, 2020. The township was notified by me and it was then that the email account was deactivated. I do not fault Mr. Harris for the sharing of the mailer by others on Facebook.

Respectfully,

A handwritten signature in black ink that reads "Linda Walters". The signature is written in a cursive, flowing style.

Linda Walters

(920) 456-9091

Fracassi, Adam (MDOS)

From: Fracassi, Adam (MDOS)
Sent: Tuesday, August 18, 2020 11:20 AM
To: harr1530@msu.edu
Subject: Walters v. Harris - Campaign Finance Complaint
Attachments: Answer Letter.pdf; August 13th 2020 Answer.pdf

Please see attached a copy of correspondence sent. If you have questions, let me know.

Thank you,

Adam Fracassi, Election Law Specialist
Michigan Bureau of Elections
P.O. Box 20126
Lansing, Michigan 48901

Fracassi, Adam (MDOS)

From: Fracassi, Adam (MDOS)
Sent: Tuesday, August 18, 2020 11:19 AM
To: Walters Family
Subject: Walters v. Harris - Campaign Finance Complaint
Attachments: Answer Letter.pdf; August 13th 2020 Answer.pdf

Please see attached correspondence regarding the abovementioned complaint.

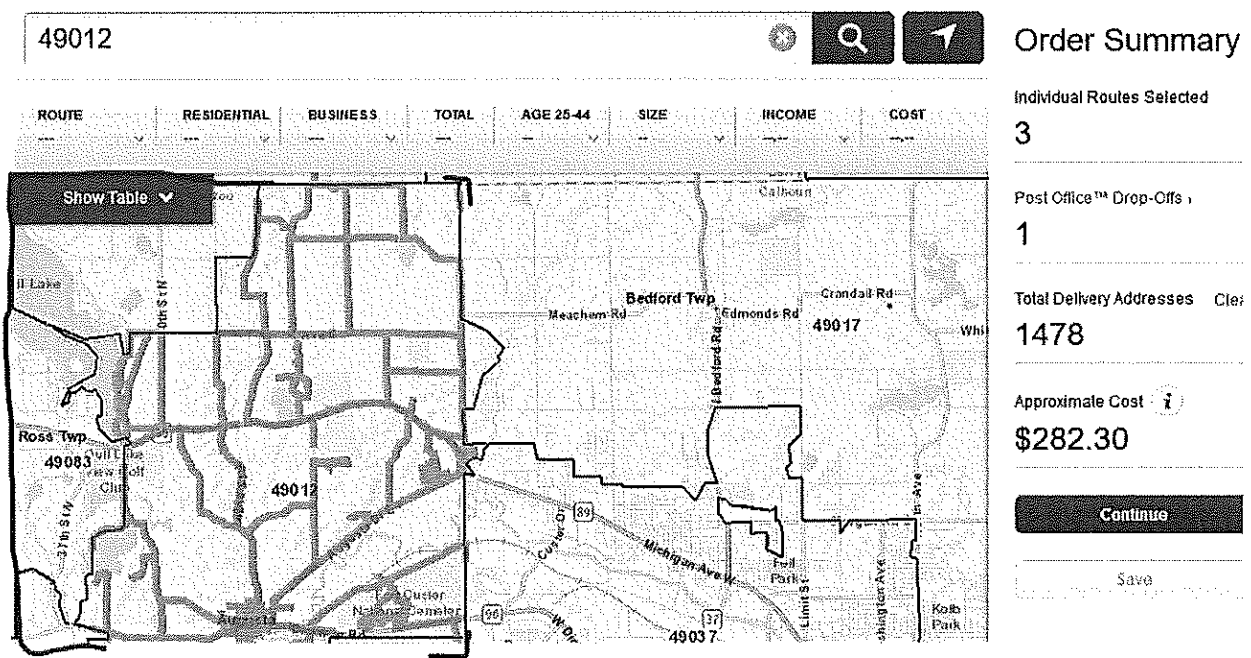
Adam Fracassi, Election Law Specialist
Michigan Bureau of Elections
P.O. Box 20126
Lansing, Michigan 48901

Dear Mr. Fracassi:

Thank you for the concern, it is a privilege to serve our fellow neighbor and most importantly try and see the best in who they are, as our freedom of speech is a right. To reiterate, committee #55123 did not receive or expend in excess of the \$1,000 threshold.

The fiscal responsibility and transparency regarding the campaign finance law for Alex Harris, is true and accurate. The statements made by my opponent regarding "false facts" are poorly overstated assumptions or rounding errors with a political ploy.

Example False fact "delivery alone for the entire township would put me over" – as of 11/6/20 the zip 49012 has the majority of our Ross township residents, there are 1,478 doors in that zip code, according to our USPS. That total postage costs ~\$283.



(As you can see the light blue lines indicate the zip code 49012.) The Red is ~ Ross Township

The hard work of knocking on the other 49083 doors was sweat equity, it cost nothing, and this helps to build trust in your neighbor, try it. Again to reiterate, committee #55123 did not receive or expend in excess of the \$1,000 threshold.

Sincerely,

Alex Harris

Fracassi, Adam (MDOS)

From: Harris, Alexander <harr1530@msu.edu>
Sent: Friday, November 6, 2020 11:45 PM
To: Fracassi, Adam (MDOS)
Subject: Re: Walters v. Harris - Campaign Finance Complaint
Attachments: campaignfinance.docx

CAUTION: This is an External email. Please send suspicious emails to abuse@michigan.gov

Dear Mr. Fracassi:

I received a letter in the mail from you regarding No.2020-8-147-33. Please see the attached statement.

there are a few discrepancies in the letter you sent, first it is noted that Ms. Walters is the complainant - then you referenced a copy of my answer will be provided to Mr. Breen? A few other problems with consistency are the changing email addresses from the complainant - walters4clerk@gmail.com, walters-1987@msn.com, waltersTIM@yahoo.com. I am questioning who is really behind all these complaints?

thank you for the help, should I send a hard copy to 430 west allegan, in lansing?

your neighbor in Michigan

Alex

From: Fracassi, Adam (MDOS) <FracassiA@michigan.gov>
Sent: Tuesday, August 18, 2020 11:19 AM
To: Harris, Alexander <harr1530@msu.edu>
Subject: Walters v. Harris - Campaign Finance Complaint

Please see attached a copy of correspondence sent. If you have questions, let me know.

Thank you,

Adam Fracassi, Election Law Specialist
Michigan Bureau of Elections
P.O. Box 20126
Lansing, Michigan 48901

Fracassi, Adam (MDOS)

From: Fracassi, Adam (MDOS)
Sent: Friday, January 22, 2021 1:23 PM
To: Harris, Alexander
Subject: Walters v. Harris
Attachments: Answer Letter.pdf; campaignfinance.pdf

Mr. Harris,

Please find attached correspondence related to the complaints that have been filed against you. If you have any questions, please let me know.

Adam Fracassi, Election Law Attorney
Michigan Bureau of Elections
P.O. Box 20126
Lansing, Michigan 48901



STATE OF MICHIGAN
JOCELYN BENSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

May 4, 2021

Alex Harris
868 LaBelle Terrace
Richland, MI 49083

Via email

Re: *Walters v. Harris*
Campaign Finance Complaint
No. 2020-07-96-47; 2020-07-52-57; 2020-10-183-24

Dear Mr. Harris:

The Department of State (Department) has finished investigating the three complaints filed against you by Linda Walters alleging violations of the Michigan Campaign Finance Act (MCFA). This letter concerns the disposition of the complaints.

There are three complaints filed against you, all of which have been merged for administrative efficiency. The first complaint alleges that you have improperly used township resources by placing your township email address on campaign materials. The second complaint alleges that you have exceeded the reporting waiver. The third complaint alleges that you have failed to place a proper identifier on your campaign yard signs.

You have responded to each complaint. Importantly, you have stated that you did not intentionally leave the paid for by statement off and that you did not exceed the reporting waiver threshold. You provided an estimated cost to mail something to each door and indicated that you spent the majority of your effort knocking on doors rather than mailing.

In Michigan, it is unlawful for a public body or an individual acting on its behalf to use or authorize the use of equipment, supplies, personnel, funds, or other public resources to make a contribution or expenditure. MCL 169.257(1). A public body is allowed produce or disseminate factual information concerning issues relevant to the function of the public body. MCL 169.257(1)(b). The words "contribution" and "expenditure" are terms of art that are generally defined to include a payment or transfer of anything of ascertainable monetary value made for the purpose of influencing or made in assistance of the qualification, passage, or defeat of a ballot question. MCL 169.204(1), 169.206(1).

The MCFA obligates candidates to file reports so long as they do not request a reporting waiver under section 24 of the Act. MCL 169.224. Candidates may request a reporting waiver so long as they do not spend or receive more than \$1,000 in contributions or expenditures. *Id.*

The MCFA and corresponding administrative rules require a person who produces printed material that relates to an election 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 Department has reviewed the evidence submitted in the matter and dismisses the first two complaints as insufficient to conclude that a potential violation has occurred. First, in your response, you indicated that you did not send or receive campaign emails to that account, and that the account was deactivated after it was put onto the flyer. Given that it was never used for campaign purposes, the Department concludes that there was no improper expenditure made of ascertainable monetary value to support your election, and dismisses this complaint.

Similarly, the Department dismisses the second complaint which alleges that you have exceeded the reporting waiver threshold. In your response, you indicated that the primary campaign activity conducted was door to door canvassing. You further provided evidence that even if a mailer was done to every door, it would cost approximately \$200 in postage. Therefore, without evidence to the contrary, the Department determines that the evidence is insufficient to conclude a violation has occurred and dismisses this complaint.

Regarding the third complaint alleging violations of section 47, the evidence submitted supports the conclusion that a potential violation of the Act has occurred. From the outset, the Department must consider whether it is an expenditure covered by the MCFA. The yard sign specifically states "Alex Harris for Ross Township Clerk" which uses words of express advocacy as defined by the Act. MCL 169.206(2)(j). Because it urges voters to vote for you using words of express advocacy and was published by your committee, the signs are covered by the ambit of the Act and must include the paid for by statement outlined under section 47. MCL 169.206(2)(j). However, the signs have completely omitted the required paid for by statement. Since this phrase is absent, the evidence supports the conclusion that a potential violation has occurred.

After reaching this conclusion, the Act 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.*

Given this, the Department concludes that a formal warning is a sufficient resolution to the complaint and is hereby advising you that MCL 169.247(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.

Alex Harris
May 4, 2021
Page 3

Note that all printed materials referencing you or your candidacy produced in the future must include this identification statement. For all materials currently in circulation, the paid for by statement must be corrected.

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).

Sincerely,

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

Adam Fracassi
Bureau of Elections
Michigan Department of State

Enclosure
c: Linda Walters, via email

Fracassi, Adam (MDOS)

From: Fracassi, Adam (MDOS)
Sent: Tuesday, May 4, 2021 5:12 PM
To: Fracassi, Adam (MDOS)
Subject: Walters v. Harris - Campaign Finance Complaints
Attachments: Determination.pdf

Good evening –

Please see the attached. The Department's file in this matter is now closed and will be posted on its website. If you have any questions, please let me know.

Thank you,

Adam Fracassi, Election Law Attorney
Michigan Bureau of Elections
P.O. Box 20126
Lansing, Michigan 48901