



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

August 13, 2014

Joseph Taylor  
1874 East Empire Avenue  
Benton Harbor, Michigan 49022

Dear Mr. Taylor:

The Department of State (Department) received a formal complaint filed by Marletta Seats 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 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(5).

In support of her complaint, Ms. Seats provided pictures of signs which state "Vote For & Elect Joseph TAYLOR County Commissioner [.]". It appears that there is no paid-for-by statement on the signs.

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.

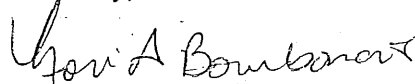
**If you wish to file a written response to the complaint, you are required to do so within 15 business days of the date of this letter.** Your response may include any written statement or additional documentary evidence you wish to submit. All materials must be sent to the Department of State, Bureau of Elections, Richard H. Austin Building, 1<sup>st</sup> 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 Ms. Seats, 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 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, appearing to read "Lori A. Bourbonais".

Lori A. Bourbonais  
Bureau of Elections  
Michigan Department of State

c: Marletta Seats

**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:

<b>Section 1. Complainant</b>		
Your Name <b>Marletta Seats</b>	Daytime Telephone Number <b>269 470 5622</b>	
Mailing Address <b>1644 Stanley Dr</b>		
City <b>Benton Harbor</b>	State <b>MI</b>	Zip <b>49022</b>

<b>Section 2. Alleged Violator</b>		
Name <b>Joseph Taylor</b>		
Mailing Address <b>1874 E. Empire Ave.</b>		
City <b>Benton Harbor</b>	State <b>MI</b>	Zip <b>49022</b>

<b>Section 3. Alleged Violations</b> (Use additional sheet if more space is needed.)
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Section(s) of the MCFA violated: **Section 169.233a**

Explain how those sections were violated:

**Mr Joseph Taylor did not include the source of his campaign contributions on campaign signage.**

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

**Photographic evidence, exhibits (A) through(F)**

21 8 16 9 - 2023

STANDARD 10 11 2023

**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

8/4/2014

Date

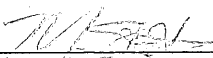
**Section 5. Certification without Evidence (Supplemental to Section 4)**

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:*

Contentions are supported with photographic evidence.

X

  
Signature of Complainant

7/4/2014

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.

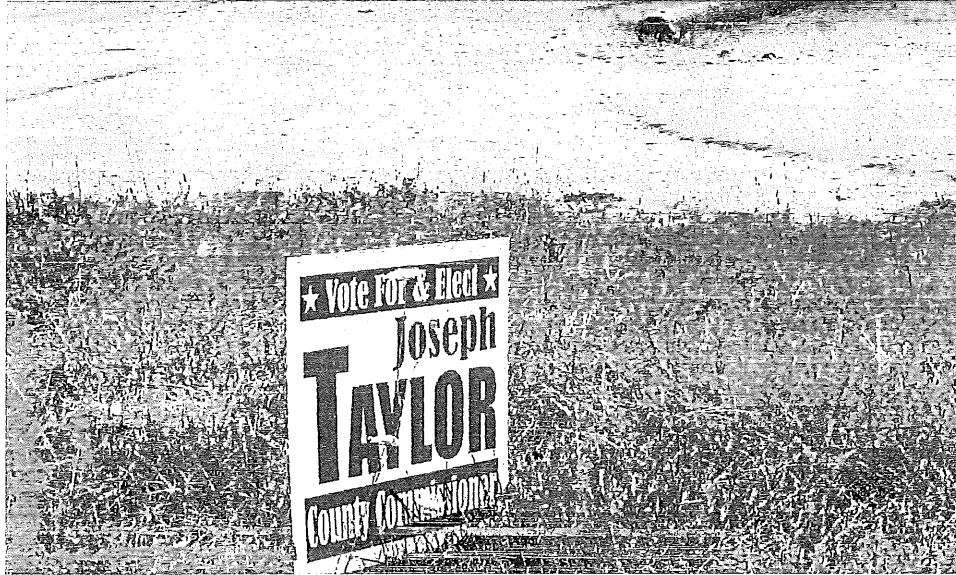
Mail or deliver the completed complaint form and evidence to the following address:

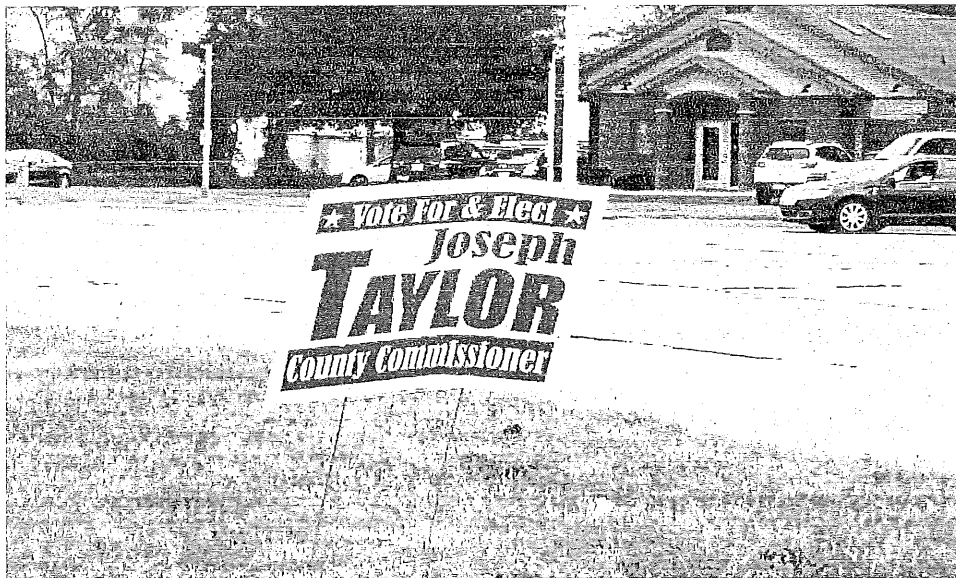
Michigan Department of State  
Bureau of Elections  
Richard H. Austin Building – 1st Floor  
430 West Allegan Street  
Lansing, Michigan 48918

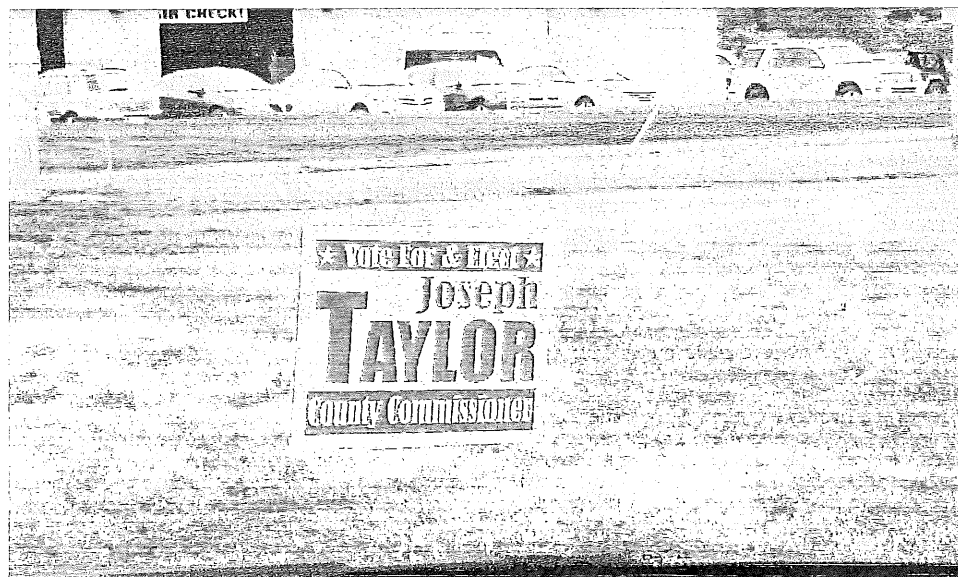
★ **Vote For & Elect** ★

**Joseph**  
**TAYLOR**

**County Commissioner**











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

October 30, 2014

Joseph Taylor  
1874 East Empire Avenue  
Benton Harbor, Michigan 49022

Dear Mr. Taylor:

The Department of State (Department) has completed its investigation of the complaint filed against you by Marletta Seats, 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. Seats 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.

Ms. Seats filed her complaint on August 6, 2014. The Department provided notice to you of the complaint and the Department's intention to investigate the complaint by letter dated August 13, 2014. In its August 13, 2014 letter to you, the Department informed you that "[i]f you fail to submit a response, the Department will render a decision based on the evidence furnished by the complainant." You did not file an answer with the Department. Therefore, the Department renders this decision based upon the evidence provided by Ms. Seats.

Ms. Seats alleged that your campaign signs failed to include a paid-for-by statement indicating the name and address of the person who paid for the signs. In support of her complaint, Ms. Seats provided pictures of signs which stated "Vote For & Elect Joseph TAYLOR County Commissioner. It appears from these pictures that the paid-for-by statement was omitted from your signs.

Based upon these pictures, the Department believes that the evidence tends to show that your campaign signs failed to contain a paid-for-by statement. If the Department believes a violation of the Act has occurred, 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 [.]”

As an informal resolution, the Department is issuing this warning letter to you. 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 the person who paid for the signs. 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 A. Bourbonais  
Bureau of Elections  
Michigan Department of State

c: Marletta Seats