



**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 <i>Tanya Stewart</i>		Daytime Telephone Number <i>989-600-1367</i>	
Mailing Address <i>1969 West Hines Road</i>			
City <i>Sanford</i>	State <i>MI</i>	Zip <i>48657</i>	
Email (optional) [REDACTED]			

Section 2. Alleged Violator			
Name <i>Jessica Barber</i>			
Mailing Address <i>1327 West Olson Road</i>			
City <i>Midland</i>	State <i>MI</i>	Zip <i>48640</i>	
Email (optional) [REDACTED] <i>989-205-9333</i>			
<i>www.FaceBook.com/Vote-2020-Lee-Township</i>			
Section 3. Allegations (Use additional sheets if more space is needed.)			

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

Explain how those sections were violated:

See Attachment: PDFs
Complaint on Jessica Barber running for
Treasurer in Lee Township 2020

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

See Attachments: 1A, 2A, 2B, 2C, 2D, 2E, 2F,
and 3A: PDF

Jessica Barber for Treasurer

[lives at: 1327 West Olson, Midland Michigan 48640]

There is a post on the web page "Vote 2020 Lee Township" that is worded to read as though this person is up for Re-Election, when she is not. See Attachment 1A.

I wonder who paid for her signs that she posted around the township and has been posting pictures of on the web page "Vote 2020 Lee Township"?

See Attachments: 2A, 2B, 2C, 2D, 2E, and 2F.

Does she not have to have the approval of the township to use that name in her elections materials?

Where did she get the flyers printed? See PDF Attachment: 3A

Locations of some signs posted around the township:

1] NW corner of M30 and Justin Ct. [not sure if on the property or on corner]

The nearby address is 841 North Meridian Road, Midland Michigan 48640. The signs are located south of driveway.

2] Corner of West Olson Road and North 8 Mile

The nearby address is 982 West Olson Road, and the driveway is on North 8 Mile.

3] On north side of West Olson Road, across the road from nearby address of 360 Kobler Road, Midland Michigan 48640 [which runs south off of west Olson road]

4] South side of the road across from [1332 West Olson Road, Midland Michigan 48640]

5] 1428 West Olson Road, Midland Michigan 48640

6] 1369 West Olson Road, Midland Michigan 48640


7] 601 North 9 Mile Road, Sanford Michigan 48657

8] 528 and 526 North 9 Mile Road, Sanford Michigan 48657 [connected building]

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

7-15-20
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

Related Pages



Mom's Creations
Arts & Entertainment



Like



Message



Space Station Art School
\$ · Art School
Closed Now



Like



Vote 2020 Lee Township

July 14 at 9:56 PM · 🌐



This Face Book page was created by the Committee to Re-Elect Laura Dawson: Clerk, Geoffrey Gwisdala: Supervisor, Jessica Barber: Treasurer and Lawrence Henry: Trustee. It's purpose is to promote these 4 Candidate's. We have given you the link to the County List of candidates. Please help us help our Township. Vote August 4, 2020

<https://www.co.midland.mi.us/CountyClerk/Elections.aspx>



CO.MIDLAND.MI.US

County of Midland, Michigan > County Clerk
> Elections

1 Share



Like



Comment



Share



Vote 2020 Lee Township is at Hair Odyssey LLC.

July 13 at 4:48 PM · Midland, MI · 🌐



Send Message





3

2 Comments 6 Shares



Like



Comment



Share



Vote 2020 Lee Township



July 8 at 10:03 PM · Facebook for Android ·

We are hitting the pavement! "Here's our signs." Help us help the township. Vote August 4, 2020.



2

9 Shares



Like



Comment



Share



Vote 2020 Lee Township



Send Message



1 Share



Like



Comment



Share



Vote 2020 Lee Township is at Hair Odyssey LLC.



July 13 at 4:48 PM · Midland, MI ·



4



Like



Comment



Share



Vote 2020 Lee Township



July 13 at 11:32 AM ·

Everyone living in Lee Township, please educate yourselves on the candidates running for office. We really need people who




Send Message





Vote 2020 Lee Township



July 4 at 10:47 AM · 

Go Girl! You've got this



Jessica Ann July 3 at 5:39 PM · Facebook for Android · 





Send Message



   47

1 Comment


 Like

 Share



Sandi Broyles Brabaw is at Hair Odyssey LLC.



July 13 at 4:47 PM · Midland, MI · 


Vote 2020



 2

1 Share


 Like

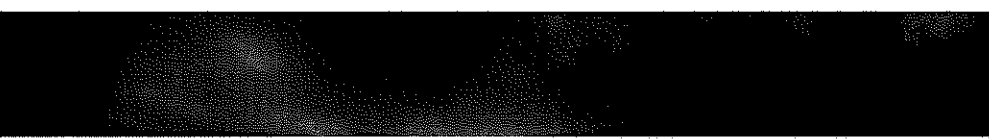
 Share



Sandi Broyles Brabaw



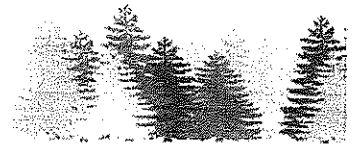
July 13 at 11:34 AM · 





JESSICA BARBER

Township Treasurer



I am running for Lee Township Treasurer because I want to make a difference in the community that I live in. I believe in honest communication and would like to see transparency between local government and the **community.**

I have been in the banking industry for over 12 years.
I am currently branch manager for Isabella Bank in Midland.
I have a bachelor's degree in Business Administration.

I am involved in the Midland Business Alliance and a Board **Member for the Reese Endeavor.**

Past- LEADERSHIP ROLES IN COMMUNITY ORGANIZATION:

Young Professional of the Year Award in 2018
from the Mt. Pleasant Area Chamber of Commerce

Previous board member for the Young
Professionals Network of Mt. Pleasant

Board member for the Red Cross of Isabella
County

Junior Achievement and Big Brothers Big Sisters



jessica.annbarber@yahoo.com

989.205.9333

<https://www.facebook.com/Vote-2020-Lee-Township>



DAWSON
LEE TWP CLERK

☒ VOTE
LAWRENCE
HENRY
Trustee

VOTE
**Jessica
Barber**
Lee TWP Treasurer



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

July 30, 2020

Jessica Barber
1327 West Olson Road
Midland, MI 48640

Re: *Stewart v. Barber*
Campaign Finance Complaint
No. 2020-07-100-47

Dear Ms. Barber:

The Department of State (Department) has received a formal complaint alleging you have violated MCL 169.247 of the Michigan Campaign Finance Act (MCFA) by failing to include a complete and correct identification statement on certain campaign-related materials. A copy of the complaint is enclosed.

The complaint was submitted to the Department on July 16, 2020 and alleges that you have distributed yard signs that did not include a proper paid for by statement. A picture of the yard signs is included with the complaint.¹

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).

Upon review, 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 "Vote Jessica Barber Lee Twp Supervisor" 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

¹ The complaint raises other allegations, however, subjects outside of the MCFA cannot be the basis of a complaint filed under the Act. See MCL 169.215(5) ("[a] person may file with the secretary of state a complaint that alleges a violation of *this act* [.]")

Jessica Barber
July 30, 2020
Page 2

statement outlined under section 47. MCL 169.206(2)(j). However, the signs have completely omitted the paid for by statement which is required by the Act. Since this 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.

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. If this information has been included in your materials and you wish to rebut the Department’s conclusion, you must respond in writing to the Department within 15 business days of the date of this letter otherwise the Department will treat the complaint as resolved.

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: Tanya Stewart

SOS, Disclosure

From: Pretend Friend <pretendfriend0@gmail.com>
Sent: Thursday, July 16, 2020 12:15 PM
To: SOS, Disclosure; Pretend Friend
Subject: Complaint on Jessica Barber running for Treasurer in Lee Township 2020 Election
Attachments: 1A.jpg; 2A.jpg; 2B.jpg; 2C.jpg; 2D.jpg; 2E.jpg; Complaint on Jessica Barber running for Treasurer in Lee Township 2020.pdf; 3A.pdf; Page 2.pdf; JB Page 1.pdf

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

Greetings,

I am writing this complaint out to you because I fear there might be some wrong doing, and or some things might be done on the shady side of what is right and fare to all.

I scanned the pages of the complaint form and are the attachments JB Page 1 and Page 2.

I am also very concerned about the complaint being shown to the people it is agents, because I fear retaliation from them or their supporters.

I have seen the Clerk [who this person is working with] at local meetings and have seen her and those she is in league with, and those that support her or she is working their agenda. They are not nice people at all. They are the kind that stalk and harass people in the community, and use various intimidation tactics on.

I understand that I need to give you my name when filing this complaint, but I need to be assured that they will not get my name when the complaint is processed or not. Otherwise myself and my family will come under attack by these people and their cohorts.

They are very shady and run the line of the law rather curvy every chance they can. Just so you have an idea of the kind of people you will be dealing with should you look into these allegations. I hope you do, and want to be wrong, but feel deep down inside that they are not playing by the same rules as everyone else is.

And in the end that will only hurt this community more so than it already has been so far this year. Let's try to end this year on a better note that it has been so far.

Thank you very much for your time, and I'm looking forward to at the least talking with you. If there is anything else you need from me, please let me know.

Sincerely,

Tanya Stewart

[If I do not know the number you are calling from I may not answer, but please leave me a message and I will return your call as soon as I can. Or whenever works best for you.]

SOS, Disclosure

From: Pretend Friend <pretendfriend0@gmail.com>
Sent: Thursday, July 16, 2020 12:33 PM
To: SOS, Disclosure; Pretend Friend
Subject: Re: Complaint on Jessica Barber running for Treasurer in Lee Township 2020 Election
Attachments: 2F.jpg

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

Here is the other attachment that I could not put in the first email.

On Thu, Jul 16, 2020 at 12:15 PM Pretend Friend <pretendfriend0@gmail.com> wrote:

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