



**Michigan Department of State
Campaign Finance Complaint Form**

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

RECEIVED/FILED
MICHIGAN DEPT OF STATE

2021 OCT 13 AM 11:23

This complaint form may be used to file a complaint alleging that someone violated the ELECTIONS/GREAT SEAL 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	Jack Coleman		Daytime Telephone Number
			269-535-2328
Mailing Address	16276 Kipker Rd		
City	State	Zip	
Three Rivers,	MI	49093	
Email (optional)	JACKDColeman400@gmail.com		

Section 2. Alleged Violator			
Name	Shane Nelson		
Mailing Address	276 E. North St		
City	State	Zip	
Marcellus	MI	49067	
Email (optional)			

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:

Shane Nelson is a Chairman that calls them selves
The Cass County Tea Party. They meet twice a month,
collect cash without reporting it, in any amount.
endorse candidates and make contributions to candidates
through a check book of a member. They do not have

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

a statement of organization, or filed as a 501c4.

They have a Facebook page called "CASS COUNTY, MI 912 TEA PARTY"
Please investigate this.



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

January 7, 2022

Shane Nelson
276 E. North St.
Marcellus, MI 49067

Re: *Coleman v. Nelson*
Campaign Finance Complaint No. 2021-10-43

Dear Mr. Nelson,

The Department of State (Department) has received a formal complaint filed against you by Jack Coleman alleging that you are involved with an organization that has made contributions or expenditures of a political nature in excess of \$500 but which has failed to report those contributions or expenditures as required by the Michigan Campaign Finance Act (MCFA or Act). Specifically, Mr. Coleman alleges that you are the chair of the Cass County Tea Party organization and that the Cass County Tea Party collects funds from members for the purpose of contributing those funds to candidates for office.

In Michigan, "any group acting jointly," MCL 169.211(2), that "receives contributions or makes expenditures for the purpose of influencing or attempting to influence the action of the voters for or against the nomination or election of a candidate, the qualification, passage, or defeat of a ballot question, or the qualification of a new political party, if contributions received total \$500.00 or more in a calendar year or expenditures made total \$500.00 or more in a calendar year" is a committee regulated by the MCFA. MCL 169.203(4). A contribution is "a payment, gift, subscription, assessment, expenditure, contract, payment for services, dues, advance forbearance, loan, or donation of money or anything of ascertainable monetary value, made for the purpose of influencing the nomination or election of a candidate, for the qualification, passage, or defeat of a ballot question, or for the qualification of a new political party." MCL. 169.204(1). Under the MCFA, a committee making contributions to candidates must file a statement of organization within 10 days of the committee's formation, MCL 169.224(1), and file required campaign statements on the schedule set out in the MCFA, MCL 169.233 & MCL 169.235. Failure to file the required statement of organization is a misdemeanor punishable by a fine of not more than \$1,000.00, MCL 169.224(1), while repeated failure to file required campaign statements is "a misdemeanor punishable by a fine of not more than \$1,000.00 or imprisonment for not more than 90 days, or both." MCL 169.233(8).

The purpose of this letter is to inform you of the Department's examination of these matters and of 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 are 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, 420 West Allegan Street, Lansing, Michigan 48918. Materials should also be sent via email to Elections@Michigan.gov given the ongoing pandemic. 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 answers will be provided to Mr. Coleman, who will have an opportunity to submit a rebuttal statement to the Department. After reviewing all 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 penalties provided in sections 24(1) and 33(8) of the Act.

Sincerely,



Adam Eracassi

Regulatory Manager

Sign in to your account

1-28-22

To whom it may concern

My name is Shane Nelson and I am the one listed in the complaint No 2021-10-43.

Please note the address I sent this response from. My 15 business day response was cut close because it was delivered to an old address I just moved from.

I am indeed the chairman of the Cass County TEA party for what that means. It was decided by those in our small group a year ago that I would be called the chairman. Those of us that meet up, publically, out in the open and sometimes at a local Library etc, discuss politics, our country and those running for office. It is true, our local "group", we are not a 501C4 organization and as far as I'm aware, don't need to be.

I believe not being a 501C4 allows us like any other small group of citizens, to gather, discuss our local politicians and or those running for office and yes, vocally endorse them just like any other small group. If we were a Yarn knitting club could we gather and discuss politics? What if we were a Bridge club? We are no different and just like any free american.

As for Mr Colemans allegation of "We collect money from it's members for the purpose of contributing those funds to candidates for office" goes, Mr Coleman has never been to one of our public meetings that I know of and any evidence of this allegation is either 3rd party, hearsay or completely taken out of full context meaning it's missing the full information.

We among our handfull do pass a small donation jar around when we gather to meet. It's not at all uncommon for those donations to range from \$0 to \$4 or \$5 depending on the person and thier personal financial condition. When we meet, we usually have anywhere from 5 to 10 people gathered. We are a very small group of grass roots type individuals. As per MCL 169.211(2), this \$500 per calendar year limit is definately something I will keep a close eye on. I don't think we've ever violated that law with the small donations our group collects to give things away as mentioned above. But now that I know about this law, I will certainly be sure we stay at or below this amount. Those small donations we collect for buying US Constitutions or refreshments for our meetings will be watched.

What do we do with that money? Well, we always spend what we get from those of us that donated a few dollars at meetings to purchase some pocket constitutions which we give away for free, yes free! We try our hardest to give on to as many senior high school students as we can in our rural county. This, is the kind of thing we do!

Sometimes we may decide to spend a few dollars on drinks or cookies for a meeting too. If this is the kind of "business" that requires a 501C4, I would be shocked and disappointed.

Now, when we gather, as mentioned, we do discuss and see with a general concinsus who is running that we like. We are an open, public meeting, do not collect dues or a membership fee and also mostly friends. Sometimes we also decide for example, maybe I like a particular candidate and so do two other friends in the meeting, we may decide to personally donate to them or even spend some time helping a candidate if they would like and could use us. Sometimes we may even go as far as to discuss how much one has donated to a candidate or how much they paln to.

Again, this is no different than a "yarn club" or a "coffee club" would be allowed to do. Can I not be friends with a neighbor, discuss politics and ask him if he has donated or how much to a candidate? Of coarse I could.

Where the real problem is here.

The vast majority in our group are not fans of Mr. Coleman. He does have a fan in the group but only one. Mr Coleman simply cannot stand the fact that our group didn't endorse him but instead we endorsed his competitor and speak open and truthfully our thoughts about Mr Coleman. I have

personally donated to his competitor, Jerry Solis. That donation was straight out of my own bank account for the sum of \$500 and was NEVER funded by ANY group. That is my hard earned money and it's fully legal for me to donate that to him personally no matter what "club" I'm a part of. Now, I fully intend on maxing out my donation to Mr Colemans competitor and that will be the first time in my life I have maxed out any donation. I will look to be safe, but the limit may be \$1050 that I'm personally allowed to donate. Hopefully, it's more. I personally donate my time helping Mr Colemans competitor in any way I can. As a matter of fact, when I get done writing this response I will be introducing Mr Colmans competitor at a meet and greet this evening.

If ANY of those in our group give money to a candidate, it is, and has always either been owed to them (maybe 1 or 2 friends work a booth for a candidate when the candidate isn't there and we sell some of their T-shirts etc) or it's simply a personal donation. This is the ONLY time our group has handed any of it's "members money for anything. Only when we may have collected money while working an event for a candidate while selling the candidates merchandise for them. That is not "our" money, so we must give that to them.

Are there any other people in our "group" that have personally donated to Mr Colemans competitor? Sure, I bet there is but funded by our "group"? No, If Mr Coleman has evidence to the contrary, I would like to see it where I know with certainty, it can be explained and the allegation dispelled. It almost seems like Mr Coleman is on a "fishing trip" and even sent me a social media message telling me "I should hire a lawyer" to respond to this complaint as well as discredit his competitor in his race for Representative and even says as much in the attached social media screenshots.

He is simply trying to silence me and or the "group". I will send screenshots of this and other messages Mr Coleman blasted on social media while trying to look like some sort of hero with what he called a "Public Service Announcement" of this complaint. He is simply using an arm of the State, to intimidate people or a group of people that are verbally in favor of his competitor. You can see in the attached screenshots, Mr Coleman is even expecting me to explain a candidates finances?

While our small group doesn't have much money and certainly not enough to try to influence a campaign like alleged in Mr Colemans social media allegation to me when he says " it sure looks like a bunch of dark money", we do have loud voices and we intend to keep using those voices. Mr Coleman is simply a vindictive person trying to abuse power before it's even given to him. Imagine the abuses that could take place if he does have power...

Shane Nelson



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

June 10, 2022

Jack Coleman
16276 Kipker Road
Three Rivers, MI 49093

Re: *Coleman v. Nelson*
Campaign Finance Complaint No. 2021-10-43

Dear Mr. Coleman:

The Department of State received a response from Shane Nelson to the complaint you filed against them alleging a violation of the Michigan Campaign Finance Act, 1976 P.A. 388, MCL 169.201 *et seq.* A copy of the response is provided as an enclosure with this letter.

You may file a rebuttal statement after reviewing the enclosed response. If you elect to file a rebuttal statement, you are required to do so within 10 business days of the date of this letter. The rebuttal statement may be emailed to BOERegulatory@michigan.gov or mailed to the Department of State, Bureau of Elections, Richard H. Austin Building, 1st Floor, 430 West Allegan Street, Lansing, Michigan 48918.

Sincerely,

A handwritten signature in blue ink that reads "Adam Fracassi".

Adam Fracassi, Regulatory Manager
Bureau of Elections
Michigan Department of State



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

September 9, 2022

Shane Nelson

Via Email: kd8ujm@yahoo.com

Re: *Coleman v. Nelson*
Campaign Finance Complaint No. 2021-10-43

Dear Mr. Nelson:

The Department of State (Department) has finished investigating the campaign finance complaint filed against you by Jack Coleman on October 13, 2021. The complaint alleges you are involved with an organization called the Cass County Tea Party which has made contributions or expenditure of a political nature in excess of \$500 and failed to report those contributions or expenditures as required by the Michigan Campaign Finance Act (MCFA or Act).

You responded to the complaint on April 27, 2022. In your response you indicated that you are the chairman of the Cass County Tea party. You also indicated your organization passes a small donation jar around when you gather to meet, and that it is not uncommon for those donations to range from \$0 to \$5 depending on the person. You also explained that the money collected is used to purchase U.S. Constitutions and refreshments for your meetings.

Mr. Coleman was notified of your response on June 10, 2022, but did not provided a rebuttal.

In Michigan, "any group acting jointly," MCL 169.211(2), that "receives contributions or makes expenditures for the purpose of influencing or attempting to influence the action of the voters for or against the nomination or election of a candidate, the qualification, passage, or defeat of a ballot question, or the qualification of a new political party, if contributions received total \$500.00 or more in a calendar year or expenditures made total \$500.00 or more in a calendar year" is a committee regulated by the MCFA. MCL 169.203(4). A contribution is "a payment, gift, subscription, assessment, expenditure, contract, payment for services, dues, advance forbearance, loan, or donation of money or anything of ascertainable monetary value, made for the purpose of influencing the nomination or election of a candidate, for the qualification, passage, or defeat of a ballot question, or for the qualification of a new political party." MCL. 169.204(1). Under the MCFA, a committee making contributions to candidates must file a statement of organization within 10 days of the committee's formation, MCL 169.224(1), and file required campaign statements on the schedule set out in the MCFA, MCL 169.233 & MCL

169.235. Failure to file the required statement of organization is a misdemeanor punishable by a fine of not more than \$1,000.00, MCL 169.224(1), while repeated failure to file required campaign statements is "a misdemeanor punishable by a fine of not more than \$1,000.00 or imprisonment for not more than 90 days, or both." MCL 169.233(8).

The Department concludes that there is insufficient evidence to determine that a potential violation of the Act has occurred. Specifically, the Department finds your detailed explanation regarding how the Cass County Tea Party uses the donations credible. Additionally, no evidence was submitted showing that the donations were used to influence the nomination or election of a candidate or the passage or defeat of a ballot question.

As such, the Department dismisses the allegations contained in the complaint and will take no further action.

Sincerely,



Adam Fracassi, Regulatory Manager
Regulatory Section
Bureau of Elections
Michigan Department of State

c: Jack Coleman