

Campaign Finance Complaint Form Michigan Department of State

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.*). All information on the form must be provided along with an original signature and evidence. **Please print or type all information.**

I allege that the MCFA was violated as follows:

Section 1. Complainant		
Your Name Cindy Cronk	Daytime Telephone Number (517) 719-5146	
Mailing Address 14248 Webster Rd.		
City Bath	State MI	Zip 48808

Section 2. Alleged Violator		
Name Dr. Jason Almerigi		
Mailing Address 6051 Clise Road		
City Bath	State MI	Zip 48808

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 MICHIGAN DEPT. OF STATE
 ELECTIONS/GREAT SEN.
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Section 3. Alleged Violations (Use additional sheet if more space is needed.)

Section(s) of the MCFA violated:

Section 169.247 of the MICHIGAN CAMPAIGN FINANCE ACT, Act 388 of 1976

Explain how those sections were violated:

None of Jason Almerigi's signs have a written statement of who paid for them, nor do they reference a campaign committee as required by the Campaign Finance Act..

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

15566 Park Lake Rd, East Lansing, Mi 48823; 6075 Clise Rd Bath, Mi 48808 (Jason's address);

6081 Park Lake Rd Bath, Mi 48808, and there are dozens of others I can submit if needed

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

Cindy Cronk
Signature of Complainant

7-14-2022
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:

X

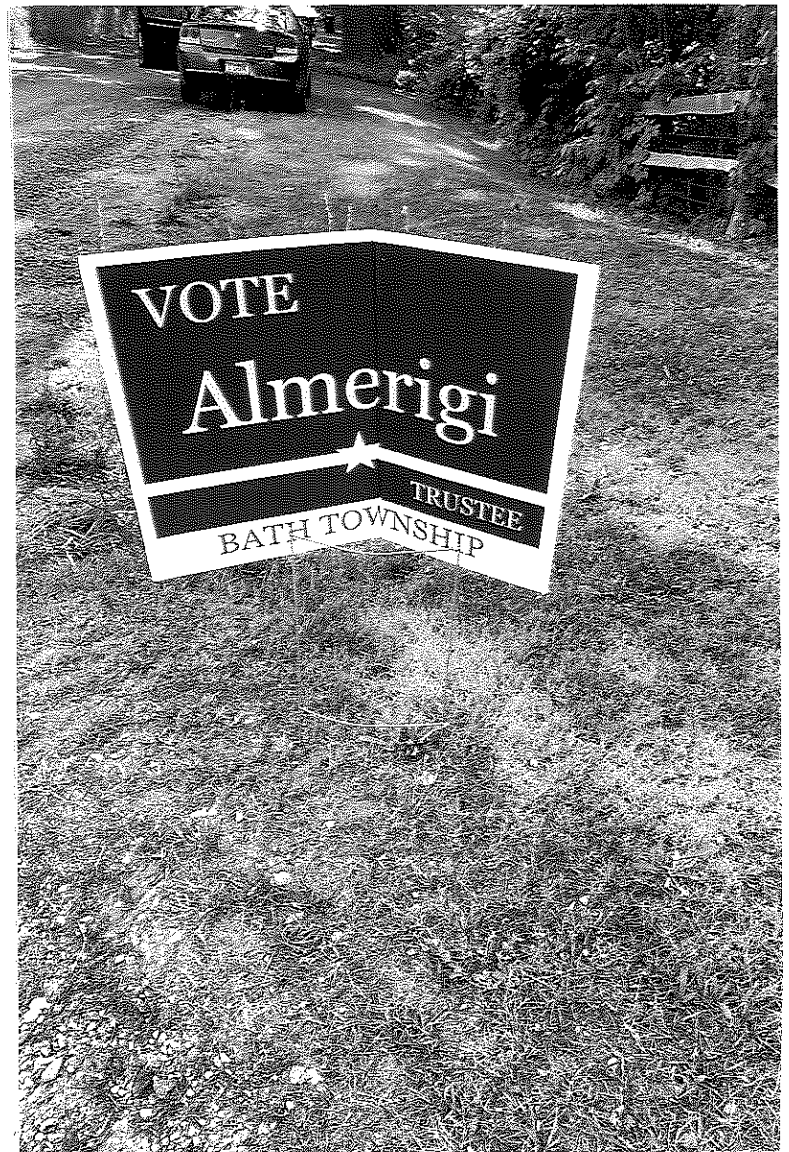
Signature of Complainant

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.

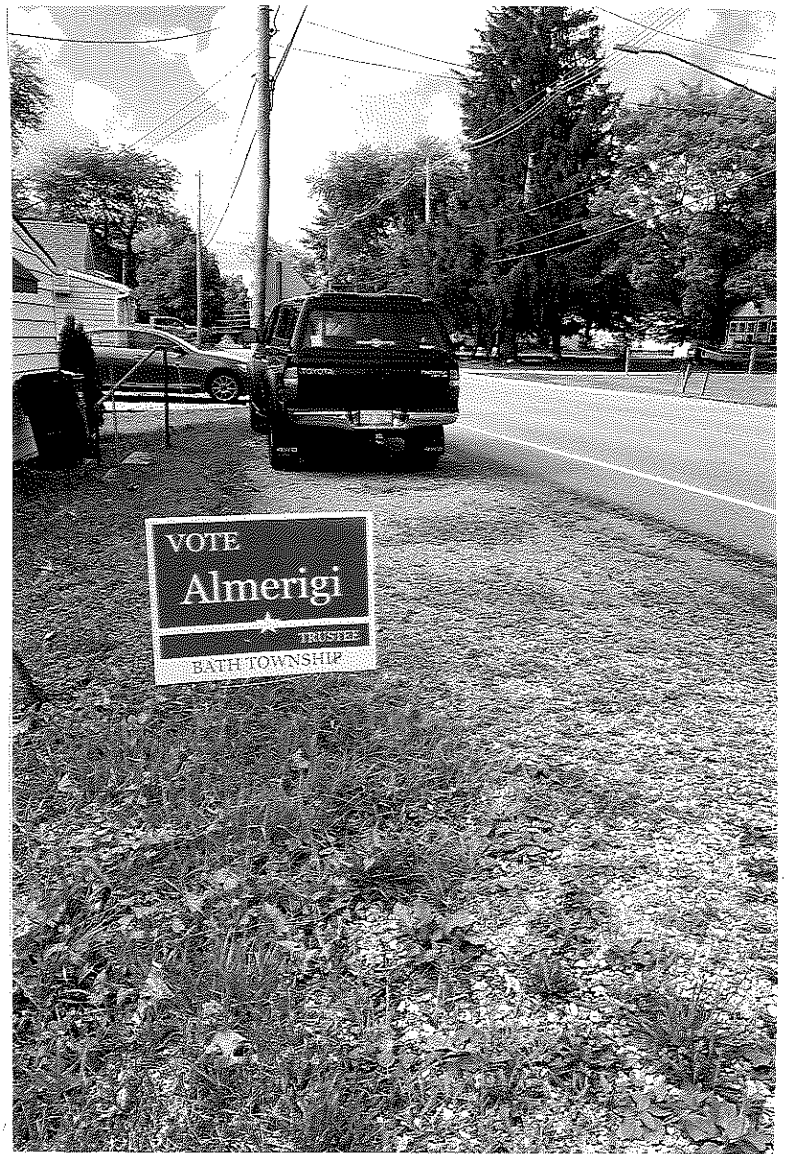
Mail or deliver the completed complaint form with an original signature and evidence to the following address:

Michigan Department of State
Bureau of Elections
Richard H. Austin Building - 1st Floor











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

September 8, 2022

Via Email at almerigi@gmail.com

Dr. Jason Almerigi
6051 Clise Road
Bath, MI 48808

Re: *Cronk v Almerigi*
Campaign Finance Complaint No. 2022-07-49-247

Dear Dr. Almerigi:

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 campaign identifiers on campaign signs; a copy of the complaint is enclosed.

The MCFA and corresponding administrative rules require a person who produces printed or electronic 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 the materials fall within the ambit of the MCFA. Because the materials explicitly advocate for the election or defeat of a candidate, or for the passage or defeat of a ballot proposal, the materials contain express advocacy as defined by the Act. MCL 169.206(2)(j). As explained above, such materials must contain a "paid for by" statement listing the name and address of the committee purchasing the materials. However, the evidence shows that the materials at issue here omit part or all of that required statement. That absence supports the conclusion that a potential violation of the MCFA 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.*

Dr. Jason Almerigi

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You emailed the Department on July 19, 2022 – prior to the Department receiving the complaint. In the email you indicated that you had corrected your yard signs by attaching labels providing for the full paid for by statement.

The Department has reviewed your email and is satisfied that you are complying with the Act's requirements to the best of your ability. Therefore, the Department determines that this formal warning is a sufficient resolution to the complaint. The Department now considers this matter closed and will take no further action against you at this time.

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,

Regulatory Section
Bureau of Elections
Michigan Department of State

Attachment

c: Ms. Cindy Cronk