



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

2022 AUG -2 AM 8:40

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	Sarah Cross	Daytime Telephone Number
Mailing Address		8103330483
6984 Challis Rd		
City	Brighton	State
		ME
		Zip
		48116
Email (optional)	sarahmaycross@gmail.com	

Section 2. Alleged Violator		
Name	Andy Storm	
Mailing Address	2729 Toby Dr	
City	Brighton	State
		ME
		Zip
		48114
Email (optional)	astorm96@gmail.com	

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

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

Explain how those sections were violated:

- signs & banners do not contain proper identifiers
- 1) no address
- 2) if this is a candidate committee it doesn't contain candidate's name
- 3) if this is a PAC, it doesn't state paid for with regulated funds
- 4) signs imply candidate is endorsed by MEAC

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

photo of signs

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

7/12/22

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

Robotics • Autonomous Vehicles • 3D Printing

ANDY
STORM

Brighton School Board

PAID FOR BY THE COMMITTEE TO ACCELERATE INDUSTRY 4.0 IN MICHIGAN



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

August 30, 2022

Via Email at astorm96@gmail.com

Mr. Andy Storm
2729 Toby Drive
Brighton, MI 48114

Re: *Cross v Storm*
Campaign Finance Complaint No. 2022-08-73-47

Dear Mr. Storm:

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 and banners; 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.*

Mr. Andy Storm

Page 2

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,

Regulatory Section
Bureau of Elections
Michigan Department of State

Attachment

c: Ms. Sarah Cross – Via email at sarahmaycross@gmail.com

McInerney, Jenny (MDOS)

From: Andy Storm <astorm96@gmail.com>
Sent: Thursday, September 1, 2022 5:54 PM
To: MDOS-BOERegulatory
Subject: Re: Campaign Finance Complaint No. 2022-08-73-47

Categories: Robin

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

Dear Regulatory Section:

I am confirming receipt of the attached documents. Thank you for bringing Mrs Cross' concerns to my attention. I have never met Mrs Cross, did not know prior to receiving your correspondence who she is, and was surprised to see she submitted a formal complaint. I have never held political office in my life. It never dawned on me that members of our community would actually take the time to file a formal complaint, against another citizen in their own community, about a sign the local citizen is using to run (volunteer) for the local school board. That she took issue with the sign not having an address on it struck me as peculiar, so I reached out to members of the community here in Brighton and learned the following:

1. [Mrs Cross is an attorney who has filed complaints](#) against other volunteer citizens in our community
2. [Mrs Cross has filed complaints against mothers](#) in the Brighton community.
3. Mrs Cross is very aware that any citizen of our community running for School Board needs to file paperwork through the clerk's office. The address she suggests she is seeking, can be found in the local clerk's office.

Regarding my formal response to the complaint:

1. Thank you for bringing Mrs Cross' concern to my attention. I have notified the sign company who prints my signs that they did not include the address of my campaign committee on my signs, which is my home address of 2729 Toby Drive, Brighton, MI 48114
2. I have requested stickers from the sign company to place onto any of the signs that I put up going forward which will include my campaign committee address.
3. If Mrs Cross was truly concerned about the address of my campaign committee, she could have easily retrieved it from the Livingston County Clerk's office. I have filed all of the appropriate paperwork through the clerk's office and the paperwork is on file for her use as of this writing.
4. Mrs. Cross references the campaign committee name that I used during my 2018 campaign for Brighton School Board, on the photo she submitted to you as "evidence". As mentioned above, I filed all of the appropriate paperwork through the clerk's office and the address referenced on the paperwork is accurate. I will place stickers on any 2018 campaign signs that I use going forward.
5. Per my communication above, my campaign committee is not a PAC.

6. She suggests my campaign signs imply that I am endorsed by MEDC...that is false. There is nothing on my signs that suggest or imply I am endorsed by anyone.

Please know, I have not received any physical copies of Mrs Cross' complaint nor have I received the official letter from the state that you sent to me via email. I would greatly appreciate it if you could send me a hard copy of each for my records. The documents can be mailed to my home address:

Andy Storm
2729 Toby Drive
Brighton, MI 48114

Please know my opposition has stolen a significant amount of my signs, and in the last 48 hours, the sign that was included in Mrs Cross' complaint against me has been removed. Can you please clarify what process I need to follow to take possession of my signs? Do you have any suggestions regarding how to recover all of the signs that have been stolen?

Thank you for all that you do to support free and fair elections in the State of Michigan!

Andy

On Tue, Aug 30, 2022 at 3:44 PM MDOS-BOERegulatory <MDOS-BOERegulatory@michigan.gov> wrote:

Good afternoon:

Please see the attached correspondence.

Thank you.

Regulatory Section

Bureau of Elections

(517) 335-3234