



Michigan Department of State
Campaign Finance Complaint Form

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

REC'D BY MAIL ROOM
 MICHIGAN DEPARTMENT OF STATE

2020 JUN 22 PM 3: 12

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 ERIC GRAVELLE		Daytime Telephone Number 906-420-6570	
Mailing Address P.O. Box 344			
City NEWBERRY	State MI	Zip 49868	
Email (optional) SLASHHOT646@YAHOO.COM			

Section 2. Alleged Violator			
Name MICHAEL J. FOSSUM			
Mailing Address 403 W. AVE B			
City NEWBERRY	State MI	Zip 49868	
Email (optional)			

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

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

Explain how those sections were violated:

DOES NOT HAVE AN IDENTIFICATION STATEMENT
ON CAMPAIGN SIGNS OR FACEBOOK SITE.

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

3 PHOTOS - 2 SHOWING CAMPAIGN SIGNS, 1 SHOWING

FACEBOOK SITE. 1 PHOTO ALSO SHOWS REPRESENTATION AS
"SHERIFF ELECT MICHAEL J. FOSSUM" "LUCY COUNTY SHERIFF"

SHERIFF

ELECT

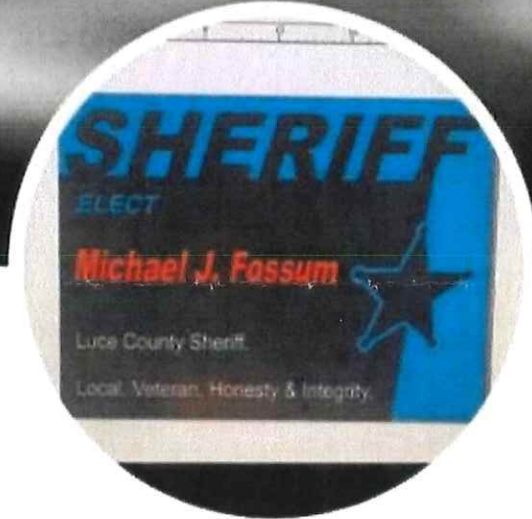
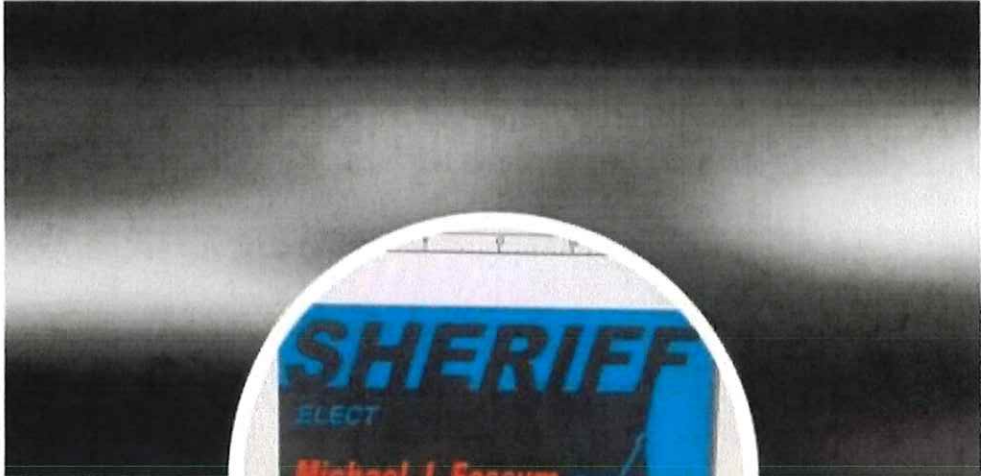
Michael J. Fossum

Luce County Sheriff.

Local, Veteran, Honesty & Integrity.

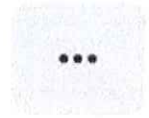


Michael Fossum



Michael Fossum (Fossum for Sheriff)

Add Friend



Deputy at Luce County Sheriff's House and Jail

Studied at Lake Superior State University

Went to Newberry High School

Lives in McMillan, Michigan

More



Edit



ELECT
FOSSUM
LUGE COUNTY SHERIFF



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

June 30, 2020

Michael Fossum
405 W. Ave B
Newberry, MI 49868

Re: *Gravelle v. Fossum*
Campaign Finance Complaint
No. 2020-06-38-47

Dear Mr. Fossum:

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 June 22, 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.

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 "Elect Fossum Luce County Sheriff" 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 gambit of the Act and must include the paid for by statement outlined under section 47. MCL 169.206(2)(j). However, the signs have completely omitted the required paid for by statement. Since this phrase 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

Michael Fossum
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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". The signature is fluid and cursive, with a large loop at the end.

Adam Fracassi
Bureau of Elections
Michigan Department of State

Enclosure
c: Eric Gravelle