



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 JUL 14 PM 1:42
 ELECTIONS/GREAT SEAL

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 Leslie Haney		Daytime Telephone Number 310-893-8906	
Mailing Address 3123 Begole St			
City Flint	State MI	Zip 48504	
Email (optional) jellybean48439@yahoo.com			

Section 2. Alleged Violator			
Name Del Tonya Burns			
Mailing Address 2831 Berkley St			
City Flint	State MI	Zip 48504	
Email (optional)			

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

Section(s) of the MCFA alleged to be violated: MCFA Act 388 Subsection 11e9-247

Explain how those sections were violated:

Ms. Burns has not provided any information on her mailings as to who funded the literature she has mailed out to the voters.

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

yes, I included a photo copy of the original mailer that she has sent out.

6th Ward
Deserves Better
VOTE

**TONYA
BURNS**

6th Ward
CITY COUNCIL



Flints **Homicide Rate** is up 40% (3/16/21 Flint Crime Stats)
Flint has had 88 Homicides combined 2020/2021.
Lawlessness and Shootings are out of control. Flint needs
more Police and Preventive Services, that I will help put in place.

TIFFANY FAITH COLEMAN
3123 BEGOLE ST
FLINT, MI 48504



Dilapidated Homes are problematic.
The 6th Ward is slated to have only two homes demolished in 2021
with many more that need to be on the demo list.
Blight is a major problem that's plaguing the city of Flint. More funds
have to be allocated to have a clean and **Beautiful City**.

turn
-over-



CRIME &

BLIGHT

"BURNS ME UP!"

VOTE TONYA

BURNS

6TH WARD CITY COUNCIL



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

July 29, 2021

Del Tonya Burns
2831 Berkley Street
Flint, MI 48504

Re: *Haney v. Burns*
Campaign Finance Complaint
No. 2021-7-19-47

Dear Ms. Burns

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 14, 2021 and alleges that you have distributed campaign materials that did not include a proper paid for by statement. A picture of the mailers 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 materials specifically state "Vote Tonya Burns 6th Ward City Council" 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 materials are covered by the ambit 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

Del Tonya Burns

July 29, 2021

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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: Leslie Haney