



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

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

RECEIVED/FILED  
 MICHIGAN DEPT OF STATE

2021 OCT 26 AM 11:21

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 MATTHEW HINDELANG		Daytime Telephone Number 734 645 4723	
Mailing Address 900 LINCOLN			
City GROSSE POINTE	State MI	Zip 48230	
Email (optional) MATT.HINDELANG@GMAIL.COM			

Section 2. Alleged Violator			
Name DAVID FRIES			
Mailing Address 453 RIVARD			
City GROSSE POINTE	State MI	Zip 48230	
Email (optional)			

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

Section(s) of the MCFA alleged to be violated: 169.247

Explain how those sections were violated:

CANDIDATE MAILED PROMOTIONAL MATERIALS  
WITHOUT A STATEMENT OF WHO PAID FOR IT, AS  
REQUIRED BY SEC. 47 (1).

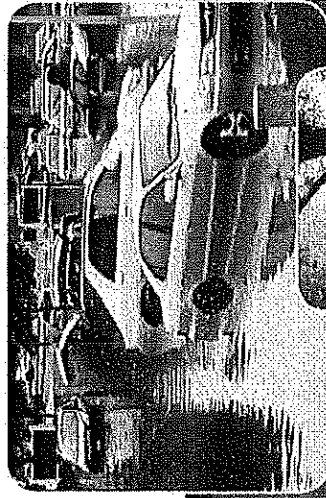
Evidence included with the submission of the complaint that supports the allegations:

PLEASE SEE ATTACHED MAILER BROCHURE

# VISION

**FLOODING**  
is our number  
**1 THREAT**

We need to hard-wire and implement, on an annual basis, a Flood Action Plan (FAP); augmented to our Federal Emergency Management Action Plan (FEMAP) with Standard Operating Procedures (SAP)



# ★ DAVE ★ FRIES

Grosse Pointe  
City Council



★ DAVE ★

David T. Fries  
Grosse Pointe City Council

## PRO BUSINESS

- Support a New "Vision" – Flood Action Plan
- MEDC Economic Development Program
- Promote Michigan "Main Street Program"
- "Lower Taxes"
- Increase "Foot Traffic" with more event planning in the Business Districts
- Reduce Government "Red Tape"
- Signs – Improvements – Operation
- Provide Public City "Improvements" – Streets, Sidewalks and Parks
- Promote the "Mack Avenue Study Agreement" with the City of Detroit

## PRO COMMUNITY

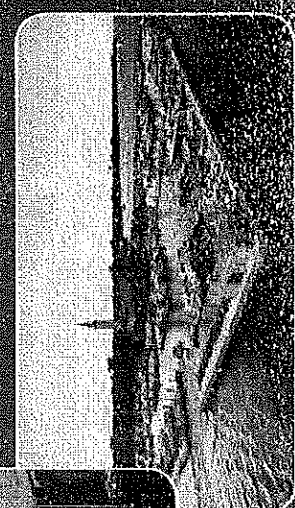
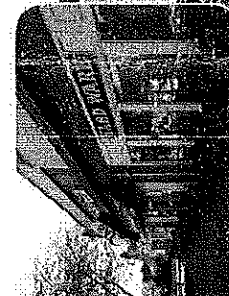
- Improved Citizen Communication and Transparency with the City Council
- "Lower Taxes"
- Reduce Citizen "Red Tape" Petitioning City Council
- Keep the Community and Business District "Clean"
- Provide respectful, fair and adequate "Law and Code Enforcement"
- Promote Equality
- Support Grosse Pointe Public Schools (Teachers) and Libraries (Librarians)
- Member of the Grosse Pointe Foundation
- Member of the Lakeshore Optimist Club of Grosse Pointe
- Member of the Grosse Pointe War Memorial Veteran's Club

## EXPERIENCE

- Certified Acquisition Professional
- Certified Level III Logistician
- Certified by the American Management Association
- Home Management Services LLC – Property Management
- USAFR Lieutenant Colonel (ret) – Disaster Preparedness Officer

## EDUCATION

- Public Administration
- Business Administration
- Program Management
- Configuration Management
- Logistics
- Inventory Management
- Contracting





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

December 2, 2021

David Fries  
453 Rivard Blvd.  
Grosse Pointe, MI 48230

Re: *Hindelang v. Fries*  
Campaign Finance Complaint  
No. 2021-10-55-247

Dear Mr. Fries:

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 and alleges that you have distributed mailers 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 mailer includes your name immediately followed by "Grosse Pointe City Council" in two separate places. Additionally, the mailer summarizes your stances as "pro business" and "pro community" as well as including sections detailing your "experience" and "education." Taken as a whole, the mailer can only be understood as express advocacy as defined by the Act. MCL 169.206(2)(j). Because the mailer urges voters to vote for you and was published by your committee, the mailer is covered by the ambit of the Act and must include the paid for by statement outlined under section 47. *Id.* However, the mailer has completely omitted the required paid for by statement. Since this phrase is absent, the evidence supports the conclusion that a potential violation has occurred.

David Fries  
December 2, 2021  
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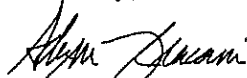
After reaching this conclusion, the Act requires the Department to “endeavor to correct the violation or prevent a further violation by using informal methods” if it finds that “there may be reason to believe that a violation ... has occurred [.]” MCL 169.215(10). The objective of an informal resolution is “to correct the violation or prevent a further violation.” *Id.*

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,



Adam Fracassi  
Bureau of Elections

C: Matthew Hindelang