

Smith, Jessica (MDOS)

From: Jack Knowles <mjknowles3@gmail.com>
Sent: Friday, December 17, 2021 12:01 PM
To: SOS, Disclosure
Cc: Edward Golembiewski
Subject: Campaign Finance Complaint
Attachments: Campaign-Finance-Complaint-12-17-21.pdf

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

Attached please find a completed Campaign Finance Complaint Form for what I believe is a campaign finance violation by an individual/group that has mounted a recall campaign in Scio Township, Washtenaw County.

They have hand delivered/circulated printed flyers without any identification of who paid for them. These flyers are on glossy, heavy stock with a cutout to hang on a doorknob. They are expensive.

In addition, he/they have a website as well, that also contains no information about who has paid for it. The website address is: www.recallhathaway.org

I have provided copies of the 'doorknob' flyer and a printout of the website pages. None of this material states who has paid for it.

Thank you for looking into this.

Jack Knowles
3420 Woodlea Drive
Ann Arbor, MI 48103
734-564-6723



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 DEC 20 PM 4:01

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 <u>JACK KNOWLES</u>		Daytime Telephone Number <u>734-564-6723</u>
Mailing Address <u>3420 WOODLEA DRIVE</u>		
City <u>ANN ARBOR</u>	State <u>MI</u>	Zip <u>48103</u>
Email (optional) <u>MJKNOWLES3@GMAIL.COM</u>		

Section 2. Alleged Violator		
Name <u>DAVID READ</u>		
Mailing Address <u>713 MERLIN WAY</u>		
City <u>DEXTER</u>	State <u>MI</u>	Zip <u>48130</u>
Email (optional) <u>DAVIDREAD@BITSOFLIGHT.COM</u>		

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

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

Explain how those sections were violated:

1. PRINTED MATERIALS - NO INFORMATION ON WHO PAID FOR THE COMMUNICATION

2. WEBSITE - WWW.RECALLHATHAWAY.ORG LACKS THE SAME INFORMATION

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

1. 'DOORKNOB' FLYER

2. WEBSITE - PRINTED PAGES (PRINTED ON 12/16/21)

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

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

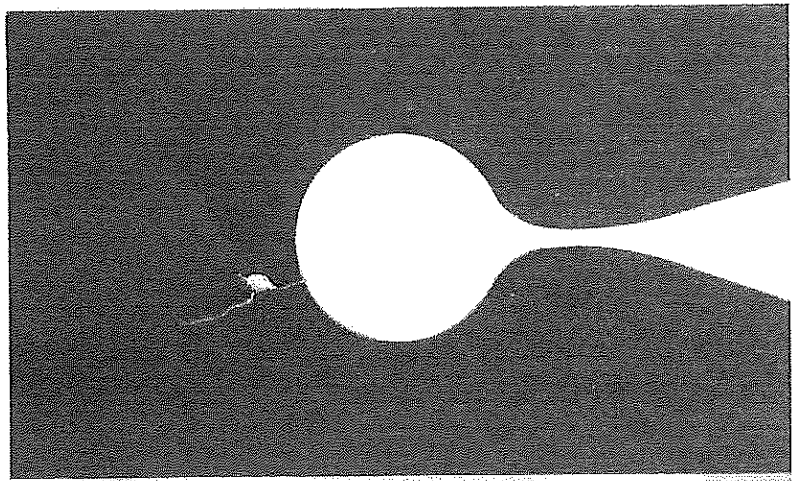
RECALL HATHAWAY

For the past year, the citizens of Scio Township have been subjected to the mismanagement and questionable dealings of Supervisor Will Hathaway and Trustee Jane Vogel. On November 5, 2021, the Election Commission of Washtenaw County approved the Petition of Recall against both Hathaway and Vogel. Over the next several weeks, we will be gathering signatures to ensure the recall is placed on the ballot for a special election scheduled for May 3, 2022. Join us please in saving Scio! Our community deserves better!

See additional information on how to volunteer, donate, links to video clips providing further evidence of Jane Vogel and Will Hathaway's questionable behavior at www.recallhathaway.org

SAVE SCIO!

Visit us today at
www.recallhathaway.org



Will Hathaway

Attempting to double his salary against all norms and regulations. Working to subvert the statutory duties of the Scio Clerk. Advocating to curb all public comments at Board meetings. Repeatedly ignoring fiduciary duties. Interfering with accounting. Lacking civility and professionalism toward the Clerk and members of the community. Disregarding the laws and standards governing the position of Supervisor. Brazen power grab to consolidate authority in his hands, against all regulations and norms. Unethically attempting to stack Compensation Committee in his favor.

Jane Vogel

Engaging with Supervisor Hathaway to undermine the Clerk of Scio and deprive her of the tools she needs to do her job. Unwillingness to perform the duties of Trustee. Constantly complaining about the length of Board meetings. Leaving Board meetings early. Overt attempts to curb public comments. Withholding information from the community. Rude and unprofessional behavior. Ignorance of her duties and obligations as a Trustee. Maintaining outside influences in relationships to the detriment of the Township. Working with Hathaway to double his salary; an action which is currently under litigation.

Visit us today at

www.recallhathaway.org

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Recall Hathaway & Vogel

Home

PLEASE TURN PHONES AND TABLETS LANDSCAPE FOR MOBILE VIEWING

About Us

We are a concerned and growing group of Scio residents who have become aware that the Township is in crisis. We have banded together in an attempt to bring sanity and civility back to the Board table. Among us are doctors, lawyers, homemakers, engineers, small business owners, several husband-and-wife teams, partners, in short, a diverse group of concerned citizens working to bring trust back to our Township Board.



Why Recall?



The new members we elected in hopes that they

would melt with the incumbents have proven to be
recalcitrant and deaf to the needs of the body
politic of Scio Township. We need change. We need
to SAVE SCIO.

**WHY
RECALL?**

Join Us

We can't do this on our own. In order to reach our
goals, we're going to need help from our
community. There are plenty of ways to get
involved! Spreading the word and donating are
great ways to support our goals. There are also
volunteer options. These include distributing
posters and flyers, making phone calls, and
collecting signatures/circulating petitions. To learn
more and/or sign up, click the image to the right.

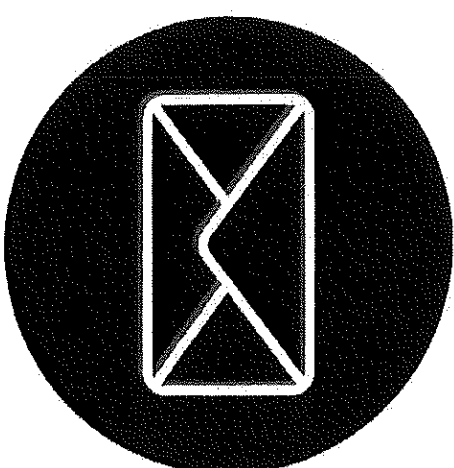
**JOIN US
TODAY**





Donate

Donations are a great way to support our cause! All donations will go directly towards the Recall Effort. Any donations, no matter the size, are always appreciated.



Contact

For any questions, comments, concerns, or suggestions, please feel free to contact us! Go to this page to find out how.

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Recall Hathaway & Vogel

About Us

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Our Sponsors

Our Treasurer is David Read who served on the Board for ten years, was Deputy Clerk for five years and served on multiple Township committees and commissions during his tenure including the Planning Commission, the Land Preservation Commission and the Transportation Alternatives Planning committee.

Our Record Keeper is Pat Stein who became active in Scio Township government while working toward an ordinance that prohibits the use of engine brakes in the township. As a long-time activist, Pat knows firsthand how just one or two people can make a positive change to local government and the laws of this state.



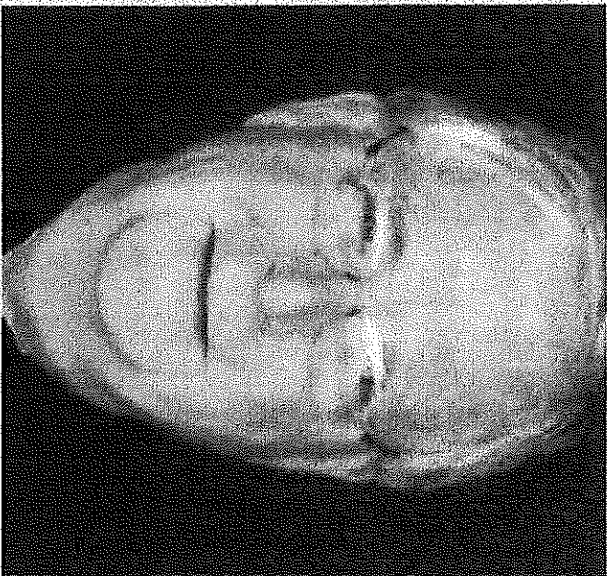


Photo by Robert Read



For any questions, comments, or concerns, please visit our [Contact Us](#) page [here](#)

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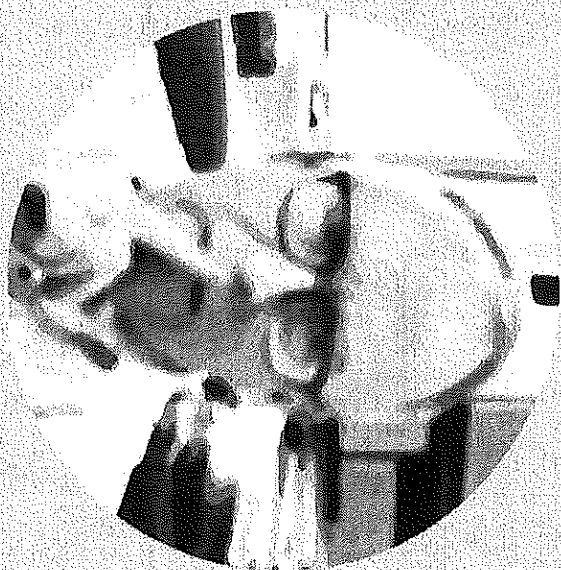


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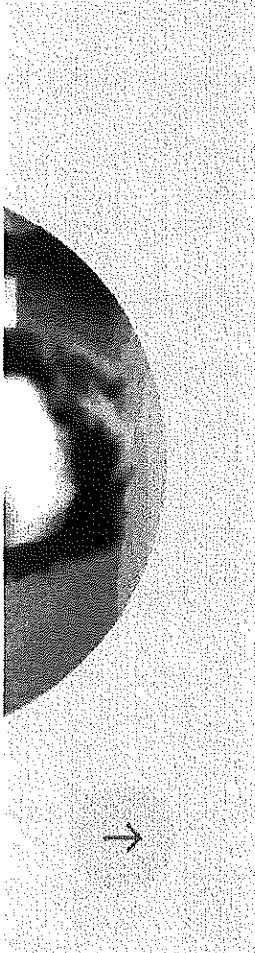
Recall Hathaway & Vogel

Why Recall?

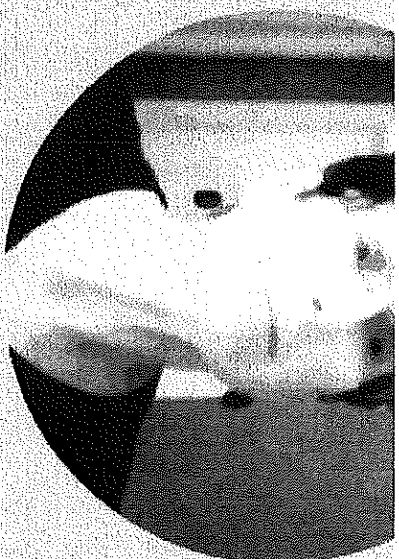
They are trying to silence our voices and the voices of fellow Board members. Click on each officer to learn more.



Supervisor Will Hathaway



Trustee Jane Vogel



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Recall Hathaway & Vogel

Join Us

Recall Hathaway: Volunteer Information

 mknowles3@gmail.com (not shared) Switch account

* Required

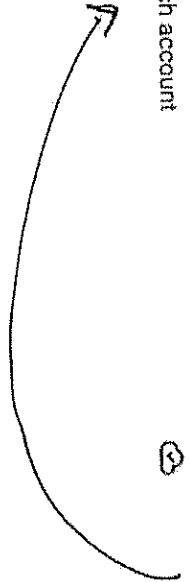
Full Name *

Your answer

Address

Your answer

Please provide one or both of the following:



THIS IS A LOCKE
FOR M THAT NOTHAWAY
ENTERERS YOUR EMAIL



Email

Your answer



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Recall Hathaway & Vogel

Donate!

First, thank you for your support!

Of course, you want to know what your money will be used for. Well, you're looking at it. We've hired a local graphic artist to design, implement and maintain our website. Our site is modest but it does require frequent attention. Then there are the petitions. We calculate that we'll need at least 3,000 signatures per officer. The actual number is 2,439 but with duplicates and invalid or illegible signatures, we'll need at least 3,000. Each petition has room for only 12 signatures so that means we'll need at least 250 copies of the signed petitions/officer being recalled. 300 copies would be safer because not all petitions will be filled. We are hoping to get at least 30 volunteers to circulate petitions so if each volunteer had 10 petitions for each officer, we'll need 900 copies of the petitions! And each volunteer will need clip boards, pens, etc. We are also planning to circulate flyers explaining to our fellow residents why we are undertaking this arduous process. And then of course, yard signs and perhaps a mailing. In short, all of the work that goes into any campaign. If would like to donate, any amount is appreciated. Please make your check out to "Committee to Recall Hathaway" and mail it to:

David Read
713 Merlin Way
Dexter, MI 48130

Once again, thank you in advance for your support.



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Recall Hathaway & Vogel

Contact Us

Name *

Email Address *

Phone Number

Message *

Submit



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

March 1, 2022

David Read
713 Merlin Way
Dexter, MI 48130

Re: *Knowles v. Read*
Campaign Finance Complaint No. 2021-12-71-47

Dear Mr. Read:

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 printed materials and maintained a website for election-related purposes that did not include a proper paid for by statement. A picture of the mailers and the website are 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 printed materials and the website both advocate for the recall of Will Hathaway and Jan Vogel, and indicate that your organization is in the process of collecting signatures to qualify a recall petition for the ballot. This is express advocacy as defined by the Act. MCL 169.206(2)(j). Because the website and the printed materials explicitly advocate for the recall of sitting officeholders, the website and the printed materials are covered by the ambit of the Act and must include the paid for by statement outlined under section 47. *Id.* However, both the website and the printed materials 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 Read
January 26, 2022
Page 2

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,

A handwritten signature in black ink, appearing to read "Adam Fracassi", written in a cursive style.

Adam Fracassi
Bureau of Elections
Michigan Department of State