

Michigan Campaign Finance Complaint

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MICHIGAN DEPT OF STATE
2022 JUN 28 AM 9:36
ELECTIONS/GREAT SEAL

Section 1. Complainant

Name: Matthew Ross Schonert

Daytime Telephone Number: +1 (231) 250-9931

Mailing Address: 22050 Boulder Ave, Eastpointe, MI 48021

Email: mrschonert@gmail.com

Section 2. Alleged Violator

Name: Kristen McDonald Rivet

Mailing Address: 2600 CENTER AVE, BAY CITY, MI 48708

Email: info@kristenmcdonaldrivet.com

Section 3. Allegations

Sections of MCFA alleged to be violated:

169.247

Explain how those sections were violated:

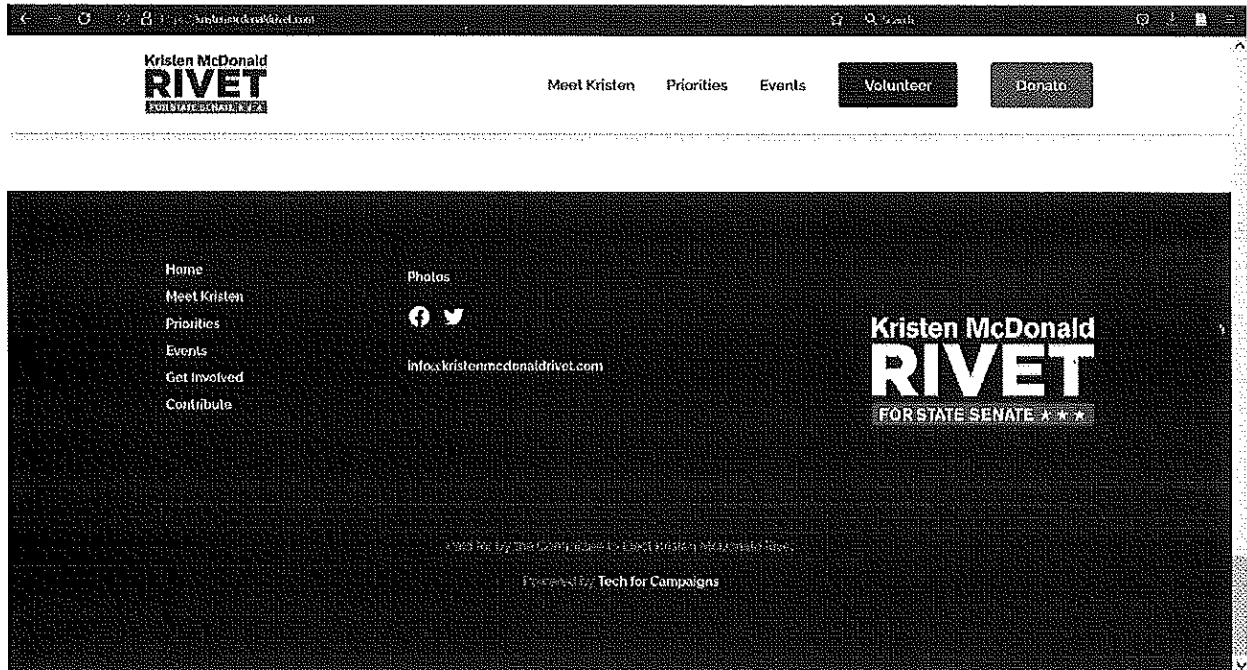
1. Kristen McDonald Rivet is a candidate for Michigan Senate.
2. The identifier on the campaign website at <https://kristenmcdonaldrivet.com> does not include the committee's address.
3. The committee's address appears nowhere on the home page.

Committee Name: COMMITTEE TO ELECT KRISTEN MCDONALD RIVET (ID: 520446)

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

A printout of the website's homepage is enclosed. Retrieved on June 18, 2022.

A screenshot of the identifier which is missing the committee's address is included below.



Section 4. Certification

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  06/18/2022
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:

Not applicable

~~_____~~
~~_____~~
~~_____~~

X _____
Signature of Complainant Date

Section 6. Submission

This complaint is hereby submitted to:

Michigan Department of State
Bureau of Elections
Richard H. Austin Building – 1st Floor
430 West Allegan Street
Lansing, Michigan 48918



Kristen McDonald Rivet

Advocate. Leader. Mother. Candidate
for Michigan Senate District 35

Sign up for our emails to stay up to date on our campaign!

Email Address*

Join Us

For the past 30 years, Kristen has improved the lives of children, working families and businesses in our Great Lakes Bay Region and across Michigan. She will continue to fight alongside us, leveling the playing field from Lansing.



Priorities

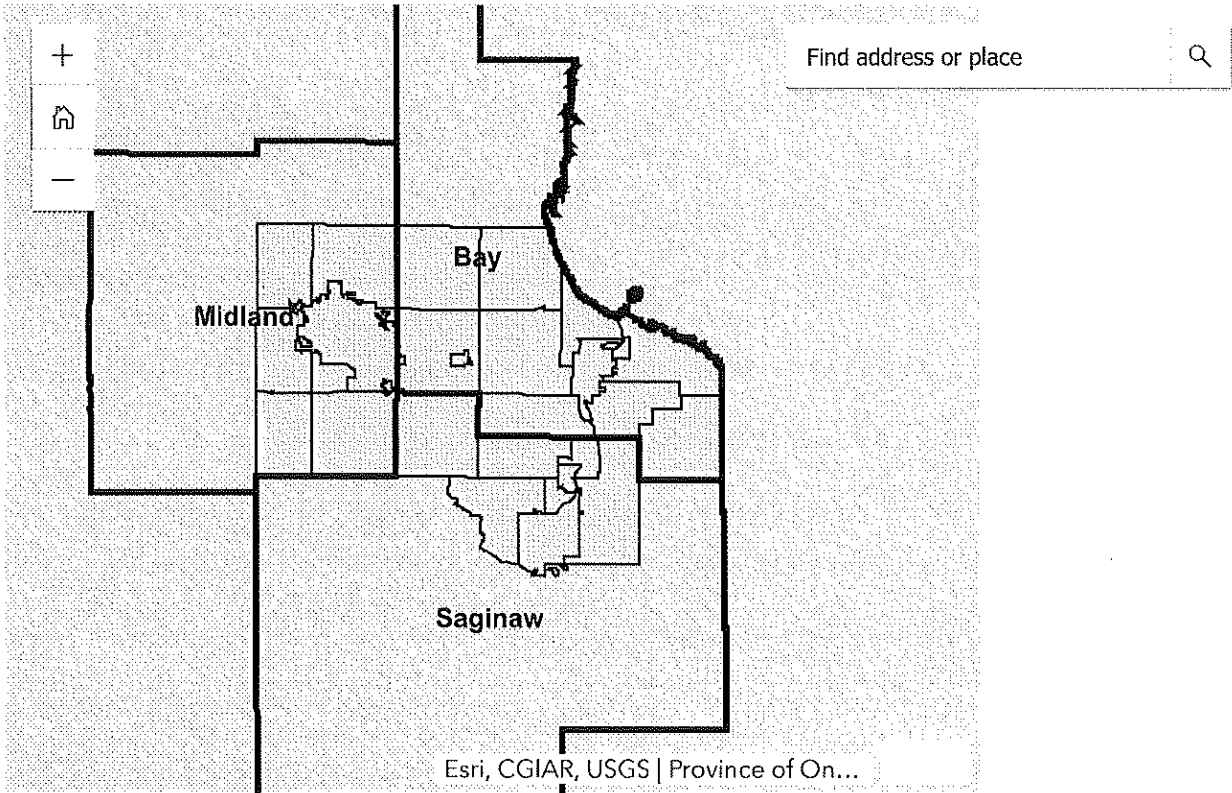
- > Education: Quality Education for All
- > Economy: Advancing Economic Opportunities for All
- > Revitalizing the Great Lakes Bay Region
- > Protecting Our Rights

Michigan Senate District 35

The new 35th Senate District includes parts of Bay, Midland, and Saginaw Counties including Auburn, Essexville, Bay City, Midland, Freeland, the City of Saginaw, and Buena Vista.

Serving over 250,000 constituents

Recent vote history indicates this will be a very competitive, very winnable race. Kristen's a quality candidate... let's win this now.



[View larger map](#)



Get Involved

Join us in our grassroots campaign to elect Kristen! From phone banking to office work, event hosting to donations, we're grateful for your support.

[Learn More](#)



Get to Know Kristen

Kristen McDonald Rivet has fought for decades to level the playing field and to improve the lives of our children, families and businesses. A life-long Michigander with extensive experience in advocacy, public policy, and leadership roles, Kristen is ready to serve us and get what we want done in Lansing.

[Learn More About Kristen](#)

Donate

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
\$10	\$25	\$50
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
\$100	\$250	\$500
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
\$1000	Other Amount	

[Home](#)

[Meet Kristen](#)

[Priorities](#)

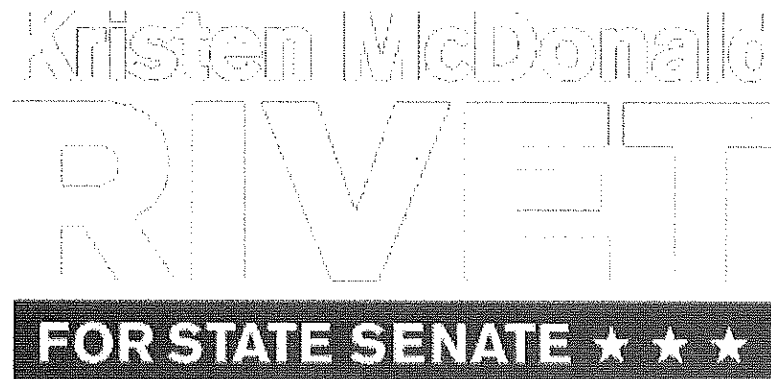
[Events](#)

[Get Involved](#)

[Contribute](#)

[Photos](#)

info@kristenmcdonaldrivet.com



Paid for by the Committee to Elect Kristen McDonald Rivet

Powered by [Tech for Campaigns](#)



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

July 29, 2022

Via Email at info@kristenmcdonaldrivet.com

Ms. Kristin McDonald Rivet
2600 Center Avenue
Bay City, MI 48708

Re: *Schonert v. McDonald Rivet*
Campaign Finance Complaint No. 2022-06-34-247

Dear Ms. Rivet:

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 committee address on your website; a copy of the complaint is enclosed.

The MCFA and corresponding administrative rules require a person who produces printed and 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.*

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 or electronic 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: Mr. Matthew Ross Schonert – Via Email at mrschonert@gmail.com