



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 NOV -4 PM 12: 22

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>TERENCE COLLINS</u>		Daytime Telephone Number <u>586-675-2769</u>	
Mailing Address <u>1220 HARVARD RD</u>			
City <u>GROSSE POINTE PARK</u>	State <u>MI</u>	Zip <u>48230</u>	
Email (optional) <u>terence_collins@ATT.NET</u>			

Section 2. Alleged Violator			
Name <u>GRAIG DONNELLY</u>			
Mailing Address <u>1220 LAKEPOINTE</u>			
City <u>GROSSE POINTE PARK</u>	State <u>MI</u>	Zip <u>48230</u>	
Email (optional) <u>grossepointe3@gmail.com</u>			

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

Section(s) of the MCFA alleged to be violated: MCL 169-224 MCL 169-247

Explain how those sections were violated:

MCL 169-224 - GROUP OR INDIVIDUALS FAILED TO FORM AN
INDEPENDANT POLITICAL ACTION COMMITTEE AND
PROCEEDED TO SPEND IN EXCESS OF \$3000 FOR AD.

MCL 169-247 AD PLACED ON OCTOBER 28th DID NOT
HAVE PROPER MCFA DISCLOSURE

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

OCTOBER 28th CENTER SECTION ADVERTISEMENT. AD COST
DETAILS
SEARCH OF WAYNE COUNTY + MICHIGAN STATE COMMITTEES

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



Michigan Department of State
Campaign Finance Complaint Form

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

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Section 1. Complainant			
Your Name <u>TERENCE COLLINS</u>		Daytime Telephone Number <u>586-675-2769</u>	
Mailing Address <u>1222 HARVARD RD</u>			
City <u>GROSSE POINTE PARK</u>	State <u>MI</u>	Zip <u>48230</u>	
Email (optional) <u>terence_collins@ATT.NET</u>			

Section 2. Alleged Violator			
Name <u>BIANCA GARCIA</u>			
Mailing Address <u>2001 24th STREET</u>			
City <u>DETROIT MI</u>	State <u>MI</u>	Zip <u>48216</u>	
Email (optional) <u>GROSSEPOINTEPARK3@gmail.com</u>			

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

Section(s) of the MCFA alleged to be violated: MCL 169-224, MCL 169-247

Explain how those sections were violated:

MCL 169-224 - GROUP OR INDIVIDUALS FAILED TO FORM AN
INDEPENDANT POLITICAL ACTION COMMITTEE AND
PROCEEDED TO SPEND IN EXCESS OF \$3000 FOR AD.

MCL-169-247 - AD PLACED ON OCT 28th 2021 DID NOT
HAVE PROPER MCFA DISCLOSURE

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

OCT 28th, 2021 CENTER SECTION ADVERTISEMENT, ADD COST DETAILS
SEARCH OF WAYNE COUNTY + MICH STATE COMMITTEE DATABASE

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)

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Section 1. Complainant			
Your Name TERENCE COLLINS		Daytime Telephone Number 586-675-2769	
Mailing Address 1222 HARVARD RD			
City GROSSE POINTE PARK	State MI	Zip 48230	
Email (optional) terence.collins@ATT.NET			

Section 2. Alleged Violator			
Name FRANK JOYCE			
Mailing Address 1155 LAKEPOINTE			
City GROSS POINTE PARK	State MT	Zip 48230	
Email (optional) grossepointe3@gmail.com			

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

Section(s) of the MCFA alleged to be violated: MCL-169-224 MCL-169-247

Explain how those sections were violated:

MCL-169-224 - GROUP OR INDIVIDUALS FAILED TO FORM AN
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PROCEEDED TO SPEND IN EXCESS OF \$3000 FOR ADD
MCL-169-247 - AD PLACED ON OCTOBER 28th 2021 DID NOT
HAVE PROPER MCFA DISCLOSURE

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

OCT 28TH 2021 COUNTER SECTION ADVERTISEMENT. ADD COST DETAILS
SEARCH OF WAYNE COUNTY & MICH STATE COMMITTEE DATABASE.

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Signature of Complainant

Date

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

Terence Collins
1222 Harvard Rd.
Grosse Point Park, MI 48230

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

November 1, 2021

To Whom It May Concern,

RECEIVED/FILED
MICHIGAN DEPT OF STATE
2021 NOV -4 PM 12:22
ELECTIONS/GREAT SEAL

On October 28th, 2021 the attached advertisement titled, "Values and Votes in Grosse Pointe Park", was ran in the Grosse Pointe Times. The Grosse Pointe Times is one of several dozen local weekly news papers published by C&G News Papers and has a local circulation of 19,862 Homes including all 5 of the Grosse Pointe Communities.

The advertisement reads like an independent Political Action Committee ad, but the disclaimer at the bottom right indicates it was paid for by three independent individuals. The disclaimer fails to indicate that any candidate or candidate committee did not authorize the message or materials- MCL 169.247. The advertisement makes specific claims against two candidates in a local City Council election in Grosse Pointe Park. Two of the individuals listed as paying for the advertisement (Graig Donnely and Frank Joyce) appear as donors for three of the opposing candidates in their most recent Campaign Disclosure statements.

Grosse Pointe Park City Council Election Committee for Timothy Kolar
Committee to Elect Jeffrey Greer
Darci McConnell for Council

A search of Wayne County and State of Michigan Committee databases does not indicate that the three individuals listed have formed a committee as required by MCL 169.224 any time a committed or individual spend more than \$500 in a calendar year . The cost of this two page full color political advertisement according to Mike Low from the C&G times was \$3,190.00 (attached Email).

As these individuals have failed to form a committee I am three individual complaints as I believe all three have failed to meet both MCL 169.224 and MCL 169.247 and should be held responsible for their actions as individuals and a defacto PAC.

If you have any questions I can be reached at 586-675-2769

Regards,

Terence Collins



Values

Our priority is racial justice. That's why we believe the November 2nd Grosse Pointe Park election is about more than flood control and good pizza on Kercheval. As a certain billboard anonymously placed at the Detroit border says, this election is about values.

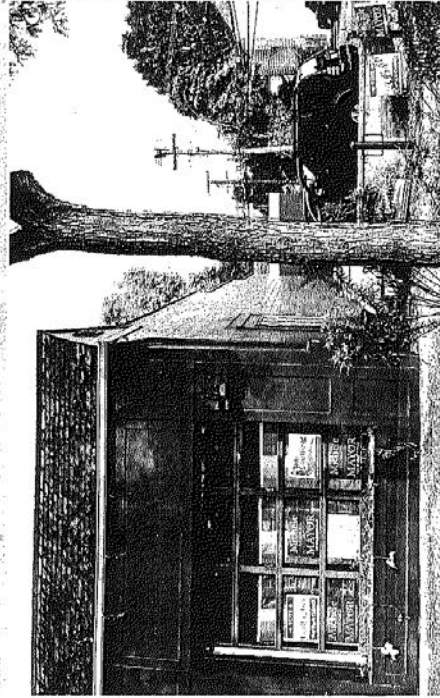
Using a values prism, the Trumpian amount of gaslighting and flagrant dishonesty coming especially from two of the candidates endorsed by the Grosse Pointe News deserves scrutiny.

We understand that people value the amenities that have come with increased economic investment on Kercheval. Many Park residents also appreciate the taxpayer subsidized, residents-only donated theaters and other resources in Grosse Pointe Park.

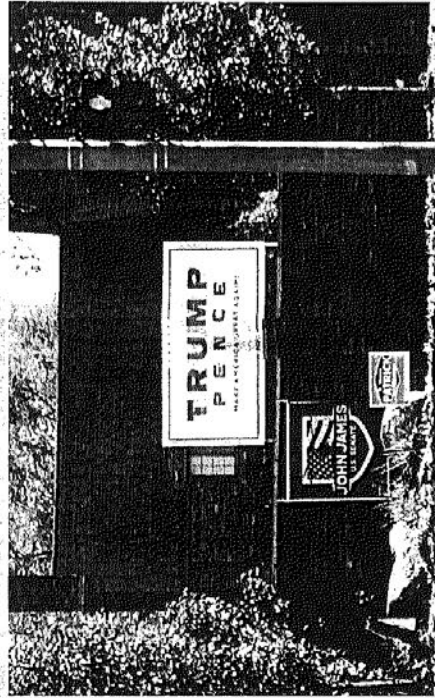
Call us naive, but we think we can have nice things and a lot less racism too. Actually, we think racial justice is itself a nice thing. And that we can better achieve that justice by moving away from policies and practices controlled by a secretive white elite that has been making the big decisions for decades.

Speaking of gaslighting, Mayoral candidate Michele Hodges toggles between her Facebook page, Hodges for Mayor website, event appearances and campaign finance reporting to sow confusion about whether she is but a passive observer of her own candidacy.

What's not confusing is how candidate Hodges responded to voter education invitations from the Grosse Pointes & Harper Woods branch of the NAACP and the League of Women Voters. Upon watching the videos, it's obvious that she responded differently to the NAACP. For the predominantly white LWV, she followed their format to the letter. When it came to the NAACP, though, Hodges refused to answer even one of the excellent questions they posed.



Gay Pride flags displayed along with campaign signs



Max Wiener's 2020 Trump sign

Rather than respond to the NAACP of the struggle against racism, the O to portray herself as a great white ad white people often feel compelled to their racial benevolence. And then I believe that she taunted the NAACP her base? We can't say. Our opinion and deeply offensive.

Then there's Max Wiener pretend people. Wiener is counting on no (objected to displaying the Gay Pri Council meeting.

Apparently, Wiener also believes that sign he had in his yard just last year to learn that he is a leader of the 14 stronghold.

Let's not Trumpify

Do all four Grosse Pointe News end All we know is that when you see o all four. And that they have campaign It's no secret that the Trump strategy can from now until 2024. For the ge think stopping them in their tracks is the right thing to do.

*Paid for and photo
Bianca Garcia, Graig
grossepointe*

s & Votes in Grosse Pointe Park

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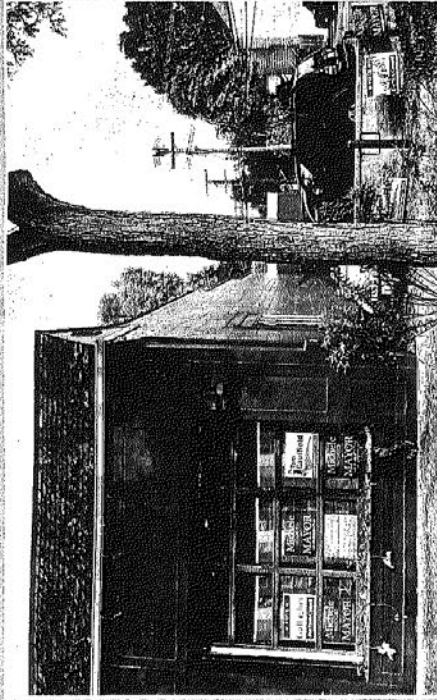
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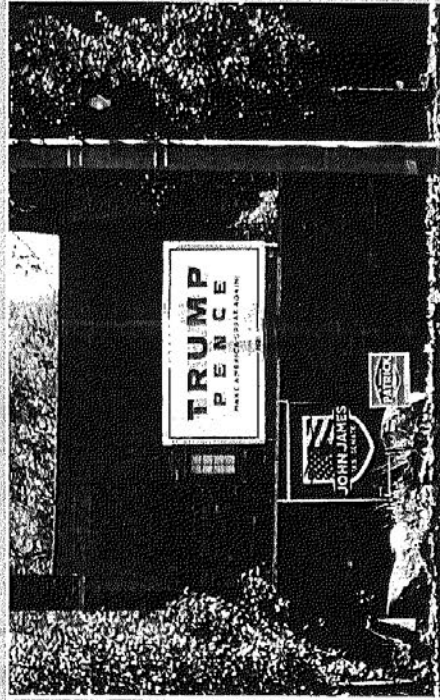
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Gay Pride flags displayed along with campaign signs



Max Wiener's 2020 Trump sign

Rather than respond to the NAACP's questions, Hodges used a sacred site of the struggle against racism, the Ossian Sweet House in Detroit, as a prop to portray herself as a great white advocate for racial equality. We get it that white people often feel compelled to proclaim their racial innocence, even their racial benevolence. And then proclaim it some more. Does Hodges believe that she taunted the NAACP in a clever way that will resonate with her base? We can't say. Our opinion is that her maneuver was patronizing and deeply offensive.

Then there's Max Wiener pretending to be an advocate for LGBTQ+ people. Wiener is counting on no one remembering that he has publicly objected to displaying the Gay Pride flag at a Grosse Pointe Park City Council meeting.

Apparently, Wiener also believes that we have forgotten the gigantic Trump sign he had in his yard just last year. Or that voters won't take the time to learn that he is a leader of the 14th District Republican Party, a Trump stronghold.

Let's not Trumpify Grosse Pointe Park

Do all four Grosse Pointe News endorsed candidates share Trump's values? All we know is that when you see one of their signs you almost always see all four. And that they have campaigned together at many events.

It's no secret that the Trump strategy is to capture local offices wherever they can from now until 2024. For the good of our community and beyond, we think stopping them in their tracks in Grosse Pointe Park this November is the right thing to do.

Paid for and photography provided by:

Bianca Garcia, Graig Donnelly & Frank Joyce

grossepointepark3@gmail.com

Terence Collins

From: Mike Low [MLow@candgnews.com]
Sent: Friday, October 29, 2021 9:06 PM
To: Terence Collins
Subject: RE: Center Page Add in the GP Times

Hello Terrence,

Full Page rates are as follows for a political ad.

Grosse Pointe Times (Circulation 19,862 Homes)

Full Page /Full Color: (\$1,595.00) per ad.

Full Page / One Color: (\$1,497.00) per ad.

Full Page /Black & White: (\$1,165.00) per ad.

If you are considering the center two pages the rate would be based on Full Color.
(\$3,190.00).

Please let me know should you have any other questions or concerns.

Best,
Mike Low
C&G News
248-860-2174
mLow@candgnews.com

From: Terence Collins [terence_collins@att.net]
Sent: Friday, October 29, 2021 8:42 PM
To: Mike Low
Subject: RE: Center Page Add in the GP Times

It will be a political Ad

-----Original Message-----

From: Mike Low [<mailto:MLow@candgnews.com>]
Sent: Friday, October 29, 2021 8:38 PM
To: Terence Collins
Subject: Re: Center Page Add in the GP Times

Hello Terence,
Can you please tell me what
~~type of business you have?~~

Sent from my iPhone

On Oct 29, 2021, at 8:35 PM, Terence Collins <terence_collins@att.net> wrote:



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

February 09, 2022

Graig Donnelly
1220 Lakepointe St.
Grosse Pointe Park, MI 48230

Frank Joyce
1155 Lakepointe St.
Grosse Pointe Park, MI 48230

Bianca Garcia
2001 24th St.
Detroit, MI 48216

Re: *Collins v. Donnelly*
Campaign Finance Complaint No. 2021-11-58-224

Collins v. Joyce
Campaign Finance Complaint No. 2021-11-58-224

Collins v. Garcia
Campaign Finance Complaint No. 2021-11-58-224

Dear Mr. Donnelly, Mr. Joyce, and Ms. Garcia,

The Department of State (Department) has received a formal complaint filed against you by Terence Collins. The complaint alleges that you violated the Michigan Campaign Finance Act (MCFA or ACT) by purchasing an advertisement in the *Grosse Pointe Times* without reporting that expenditure to the Wayne County Clerk.

In Michigan, an expenditure is "a payment, donation, loan, or promise of payment of money or anything of ascertainable monetary value for goods, materials, services, or facilities in assistance of, or in opposition to, the nomination or election of a candidate." MCL 169.206(1). Persons making expenditures in excess of \$500 are required to either (1) register as a committee, MCL 169.224(1); MCL 169.203(4), or file independent expenditure reports, MCL 169.251(1). A failure to either file as a committee or to report an independent expenditure is "a misdemeanor

punishable by imprisonment for not more than 90 days or a fine of not more than \$1,000.00, or both.” MCL 169.224(1); MCL 169.251(2).

In addition to reporting requirements, the MCFA and corresponding administrative rules also 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).

The purpose of this letter is to inform you of the Department’s examination of these matters and of your right to respond to the allegations before the Department proceeds further. It is important to understand that the Department is neither making this complaint nor accepting the allegations as true. The investigation and resolution of this complaint are governed by section 15 of the Act and the corresponding administrative rules, R 169.51 *et seq.* An explanation of the investigation process is enclosed with this letter and a copy is available on the Department’s website.

If you wish to file a written response to this complaint, you are required to do so within 15 business days of the date of this letter. Your response may include any written statement or additional documentary evidence you wish to submit.

All materials must be sent to the Department of State, Bureau of Elections, Richard H. Austin Building, 1st Floor, 420 West Allegan Street, Lansing, Michigan 48918. Materials should also be sent via email to Elections@Michigan.gov given the ongoing pandemic. If you fail to submit a response, the Department will render a decision based on the evidence furnished by the complainant.

A copy of your answers will be provided to Mr. Collins, who will have an opportunity to submit a rebuttal statement to the Department. After reviewing all the statements and materials provided by the parties, the Department will determine whether “there may be reason to believe that a violation of [the MCFA] has occurred.” MCL 169.215(10).

Sincerely,

Adam Fracassi
Regulatory Manager
Bureau of Elections

GOODMAN HURWITZ & JAMES, P.C.

ATTORNEYS AND COUNSELORS

1394 E. JEFFERSON AVENUE

DETROIT, MI 48207

(313) 567-6170 / (313) 251-6068 FAX

WILLIAM H. GOODMAN

wgoodman@goodmanhurwitz.com

JULIE H. HURWITZ

jhurwitz@goodmanhurwitz.com

KATHRYN BRUNER JAMES

kjames@goodmanhurwitz.com

March 1, 2022

Via Electronic and U.S. Mail

Michigan Department of State
Bureau of Elections
Richard H. Austin Building, 1st Fl.
420 West Allegan St.
Lansing, MI 48918

Attn: Adam Fracassi

**Re: *Collins v. Donnelly*
Campaign Finance Complaint No. 2021-11-58-224**

***Collins v. Joyce*
Campaign Finance Complaint No. 2021-11-58-224**

***Collins v. Garcia*
Campaign Finance Complaint No. 2021-11-58-224**

Dear Mr. Fracassi,

Please be advised that I represent, Mr. Donnelly, Mr. Joyce, and Ms. Garcia. My clients strongly oppose the Complaint in these matters and ask that they be dismissed. This complaint arises from an ad that was published in the Grosse Pointe Times on October 28, 2021 but has just been brought to our attention. We are thus belatedly responding, at the last minute, to a complaint that is almost four months old.

My clients – Donnelly, Joyce, and Garcia – are local citizens who are very concerned about growing evidence of racism and intolerance in the Grosse Pointes. As well, they are concerned with the mean-spirited attempts to create a barrier between Grosse Pointe and Detroit – both physical and spiritual. These concerns are best evidenced by a series of ads that they have written and paid to have published in the Grosse Pointe Times, both before and after the October 28th ad. A few examples are attached, which evidence those concerns. As well, they are reflected in a series of editorials by these three, in BridgeDetroit and other media outlets. Please view the link below. we-gp.org/Justice-is-the-Pointe.

RECEIVED/FILED
MICHIGAN DEPT OF STATE
2022 MAR -8 PM 2:31
ELECTIONS/GREAT SEAL

Each of the ads addresses the variety of ways in which racism and hatred have challenged and endangered the Grosse Pointe community. As such, these statements have been designed to alert the community to the danger, which my clients believe confronts it.

The October 28, 2021, ad was no different. It did not advise voters to vote against any candidate. Rather, it informed of the extent to which racism and intolerance were infecting it. In that sense, this ad was presented to the community in the same fashion as previous ads (and ones to follow) had done – to alert warn Grosse Pointers to disturbing and dangerous developments in their community. Thus, it did not “oppose” the candidacy or election of these specific candidates. It never asked that people refuse to vote for them. Rather it exposed their beliefs to public scrutiny and allowed the voters to think and choose for themselves.

As a consequence, we respectfully request that these complaints be dismissed.

Sincerely,

Goodman Hurwitz & James, P.C.

A handwritten signature in black ink, appearing to read 'William H. Goodman', with a stylized flourish at the end.

William H. Goodman

WHG:los
Attachments

Dispelling the Myths used to attack Critical Race Theo

What is Critical Race Theory?

Critical Race Theory was conceived in the 1970s by legal scholars trying to understand why the civil rights legislation past 20 years had not eliminated racial inequality in America. While this theory focused on the law, it reflected the reality that our economic, educational, housing, health care and justice systems have developed with racial biases.

Why has education become a battleground?

The concept of systemic racism is an existential threat to white supremacy. The idea that students may learn an history of the founding and building of our country refutes the long-cherished notion that white people acquire their society through hard work and opportunity available to all, not because systems are rigged in their favor.

To counter this concept, opponents falsely say it is indoctrinating children to see themselves as oppressors or victims on their skin color. They call it divisive. They claim it teaches hate.

This dishonest narrative is intended to prevent any equity work in public schools, whether this is professional development, curriculum reviews, restorative justice, discipline policies, hiring practices, or collecting data around race to address gaps and impact educational outcomes.

How does this impact our local public school system?

Three organizations have taken root locally to oppose diversity, equity and inclusion initiatives in Grosse Pointe schools. United Michigan and the Wayne County chapter of Moms for Liberty are affiliated with national organizations. K1 Classroom is locally based.

Get the facts. Speak up. Let your voices be heard!

By arming ourselves with knowledge and truth we protect the progress of past antiracist activists and lay the path to equity in the future. Write the Board of Education at schoolboard@gpschools.org or attend an upcoming meeting.

We welcome your thoughts, questions, requests for signs, financial donations and membership requests.

You can learn more at: we-gp.org/Justice-is-the-Pointe

Paid for by: WE (Welcoming Everyone) GP and the Grosse Pointes & Harper Woods Branch NAACP in collaboration with Bianca Garcia, Graig Donnelly & Frank Joyce of Grosse Pointe Park

Justice is the Pointe

Black History is American History

400 years of African-American history began with the first documented arrival of Africans to the English colonies in August 1619. Approximately 20 individuals disembarked from a ship at Point Comfort, Virginia. Slavery was not institutionalized at that point and the individuals were sold as involuntary labor or indentured servants and told they would work under contract for a certain period before being granted freedom and the rights of other citizens. This moment marked a painful time in American history, when Africans were brought against their will, brought to this country, and forced into the life of slavery.

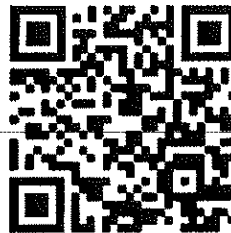
The month of February has been a period for the African-American community, since the 1970's, to celebrate 28 days – 29 during Leap Year – to acknowledge and celebrate all things Black. Black History Month is celebrated across the United States, Canada, United Kingdom, Germany and Netherlands, and by systems that recognize the month by incorporating Black History into programming, as well as television networks and many organizations.

This month the National Association of the Advancement of Colored People (NAACP) celebrates 111 years and the Grosse Pointes & Harper Woods Branch celebrates 6 years, of service to ensure a society in which all individuals have equal rights without discrimination based on race, sexual and gender identity and religion.

Black History is and always has been American History – so let's celebrate it year-round.

The Grosse Pointes & Harper Woods NAACP Branch is featuring 28 days of little-known Black History throughout this month. Visit our Facebook page at facebook.com/GPHWNAACP and website gphwnaACP.com to learn more, become a member or make a donation. Together, we can make tomorrow's history today.

Join us! We welcome your thoughts, questions, requests for signs, solidarity and financial donations at we-gp.org/Justice-is-the-Pointe



Paid for by:
We (Welcoming Everyone) GP and the Grosse Pointes & Harper Woods Branch NAACP
In collaboration with
Dianne Gaudin, Curtis Donnelly & Frank Jones of Grosse Pointes Park

Justice is the Pointe

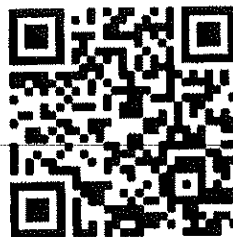
More and more Grosse Pointers are expressing their support for social justice. We are flying Pride banners. Hundreds have put Black Lives Matter signs in our yards. We are studying history to find out what we have not been told. We are attending city council meetings, joining marches, parades, panel discussions, and writing letters and op eds. We are advocating for racist policy changes. We are listening and learning, speaking out and standing up.

Today we are publishing the first of what will be a monthly message for racial justice. We have much to discuss here in the Grosse Pointes, and we look forward to continued dialogue. Our ads will address various topics crafted by different individuals and organizations.

We will ask timely questions, such as: why is Black History only the focus of one short month? Don't we need true and complete history all the time? We will note and put in context important anniversaries, such as Dr. King's historic speech at Grosse Pointe South. We will identify and lift up anti-racist work in the community and join in solidarity with individual and groups doing the work.

We expect opposition and efforts to silence us. Many have already received threatening harassment mail, hate speech and social media abuse. This is a product of generations of white supremacy that continues to be tolerated in the Pointes. It makes us more determined to advocate for equity, inclusion and peace.

Join us! We welcome your thoughts, questions, requests for signs, solidarity and financial donations at: we-gp.org/Justice-is-the-Pointe



Paid for by:

We (Welcoming Everyone) GP and the Grosse Pointe Harper Woods Branch NAACP

In collaboration with

Rianca Garcia, Graia Donnelly & Frank Jayce of Grosse Pointe Park

Justice is the Pointe

Stop Asian Hate. Black Lives Still Matter.

Asian Americans have suffered an exponential increase in incidents of harassment, implicit bias, and crimes from their fellow Americans over the last year. Terms like “Kung Flu” and “Chinese Virus” have the long-standing history of white supremacy and racist hate rooted in an ugly side of American history.

The recent murders of six women of Asian descent in Georgia have served to bring this racist hate surface. Locally there have been incidents of bullying and hate against Asian children on playgrounds, school hallways, a Korean flag was stolen and disrespected from a Grosse Pointe Farms front porch, and Asian families live with fear of what is next.

This is all part of a larger system of violence and racism against all communities of color including Black, Brown and Indigenous people in our country. It is time to stop the silence and to stand in solidarity support with our Asian, Black, and Brown neighbors. We must speak up, educate and actively fight racism and injustice. It is time to loudly proclaim that we need to STOP ASIAN HATE and that BLACK LIVES STILL MATTER.

We stand in solidarity against hate, systematic racism, and gender-based violence. We invite all to join Georgia NAACP and Grosse Pointes & Harper Woods NAACP to sign the Asian Americans Advancing Justice Atlanta collective community statement at advancingjustice-atlanta.org/aaajcommunitystatement.

BUT LET’S NOT STOP THERE

We must support our neighbors and step up and speak up when we see any actions of hate or racism. This is now to create space for social justice in our own individual capacity. Please join WE GP in a 21 Day 1 Equity Challenge to further your understanding of power, privilege, supremacy, oppression, and equity. we-gp.org/Racial-Equity-Challenge

Join us! We welcome your thoughts, questions, requests for signs, solidarity and financial donations at we-gp.org/Justice-is-the-Pointe



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WE (Welcoming Everyone) GP and the Grosse Pointes & Harper Woods Branch NAACP

In collaboration with

Diana Cousin, Carla Donnelly, & Frank Jones of Grosse Pointe Park

Justice is the Pointe: A Night to Remember

The Rev. Martin Luther King, Jr. arrived at Grosse Pointe South High School on March 14, 1968 — three weeks before he was assassinated — under police escort. The Detroit police bomb squad had swept the building. In a split vote, the Grosse Pointe Board of Education only approved the visit contingent on the event sponsor, the Grosse Pointe Human Relations Council, purchasing a \$1 million insurance policy.

Approximately 200 protestors from a Proud Boys like organization called Breakthrough lined the entrance to the gym with signs. One read, "USA forever — Traitors must die!" Many had infiltrated the gym using forged tickets. The Human Relations Council's president, Rev. Harry Meserve of the Grosse Pointe Unitarian Church, urged the sold-out crowd to respect Dr. King's "right to speak and your neighbors right to hear."

"In this America, children grow up in the sunlight of opportunity," King said. "But there is another America. This other America has a daily ugliness about it that transforms the buoyancy of hope into the fatigue of despair."

The event very nearly didn't happen. Breakthrough, the Grosse Pointe Property Owners Association and others in opposition campaigns. Jude Huetteman, program chairperson for the Human Relations Council, received a phone call threatening, she almost canceled the event. Residents at heated school board meetings argued the high school shouldn't be a platform for dangerous, radical and Communist views.

Today, similar rhetoric is used to demean the Black Lives Matter movement and challenge those who support racial justice and equity. In recent days, this includes an anonymous letter-writing campaign designed to scare Grosse Pointe residents with signs and a Black family being intimidated through the placement of a KKK sign facing their home from a neighbor's window.

This isn't about race, detractors claim, and they label the BLM founders as Marxists, invoking the specter of socialism to instill fear and branding appeals for socioeconomic equality as un-American. Where would these detractors have stood in 1968 when they were hurling insults at the civil rights icon, or with those who embraced Dr. King's message?

"There comes a time when one must take a position that is neither safe nor politic nor popular," King said that night, "but we must do it because conscience tells him it is right." **That time is now.**

The Grosse Pointe & Harper Woods NAACP branch, in partnership with WE GP, the Grosse Pointe Unitarian Church Racial Equity Task Force and the St. Paul AME Church, is hosting a virtual read-aloud of The Rev. Martin Luther King's "The American" speech, performed by area youth and available for viewing on the anniversary of the speech Sunday, March 14th. To view the performance of the speech starting at 9am on Sunday March 14th, go to: facebook.com/GPHWNAACP

Join us! We welcome your thoughts, questions, requests for signs, solidarity and financial donations at: we-gp.org/Justice-is-the-Pointe



Paid for by:

*WE (Welcoming Everyone) GP, the Grosse Pointes & Harper Woods Branch NAACP,
and the Grosse Pointe Unitarian Church Racial Equity Task Force in collaboration with
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Justice is the Pointe

Celebrate Freedom by Completing It

Known to most as Juneteenth, June 19 marks the end of slavery in the United States. In Texas, this freedom did not fully arrive until 2½ years *after* President Abraham Lincoln's Emancipation Proclamation became official. It took so long for Union troops to overcome Confederate resistance, to the "absolute equality of rights and rights of property between former masters and slaves." Neither slave owners in Texas nor leaders in neighboring states accepted emancipation when it was ordered.

As African Americans prepare to recognize Juneteenth, it's hard to avoid seeing lethal parallels in modern-day life that we have seen over the last year, too often a blind eye is still turned to racial disparities. The death of George Floyd at the hands of police led to a sustained public protest not seen since the civil rights movement of the 1960's. And Chrisy Floyd's death. Derek Chauvin was convicted in Floyd's death.

And yet, after African Americans took part in the 2020 presidential election in sizeable numbers – helping to elect Joe Biden as the first African American and female vice president in our nation's history — Republican legislators introduced 361 bills in Congress and 47 states to restrict voting rights, clearly aimed at suppressing turnout of persons of color. Inequality in death rates from Covid 19 revealed built in bias in health care.

This is the paradox under which we live: We can have an African American vice president and still have food deserts, and we can have a rightful homicide conviction and still have a flawed criminal justice system.

We can use this time, Juneteenth, as a time for reflection and celebration to challenge institutions and individuals to do better when it comes to collaboration, empowerment, and equity. Here's how you can help:

Public officials can work for policies and provide funding to redress unfairness tied to health, food, transportation and other essential needs.

Companies can implement diversity and inclusion policies that improve equity in hiring, pay and promotion to support a better work environment for all walks of life.

Individuals can challenge themselves to act in ways that lead to greater understanding, healing and communication. For example, take part in a 21-day equity challenge, as recently distributed by WE GP.

Recommitting to social and racial justice honors those who had to spend an extra 2½ years in servitude and makes Juneteenth relevant as a celebration for the modern day.

Join us! We welcome your thoughts, questions, requests for signs, solidarity and financial donations at:
we-gp.org/Justice-is-the-Pointe



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WE (Welcoming Everyone) GP and the Grosse Pointes & Harper Woods Branch NAACP
In collaboration with

Justice is the Pointe: Pride and Solidarity

Five summers ago, families throughout the Pointes gathered to celebrate the LGBTQ+ community during the inaugural Grosse Pointe Pride March by WE GP.

We unified as a community to create a safe, welcoming and inclusive environment for all. Businesses sponsored the event and people of all ages and backgrounds stood together in solidarity for GP Pride. This event has proven to be a beloved celebration and rally of voices and colorful signs promoting inclusion, respect and equality.

A lot has happened in the intervening years, particularly over the past year. We have all faced an indiscriminating virus that impacts each of us in disparate and inequitable ways. As a nation, we also began anew to confront racial injustice.

Millions of Americans – Black, Brown and white, young and old, gay and straight – came together to protest police brutality and racial injustice when former officer Derek Chauvin knelt on George Floyd's neck for nine and a half minutes while he struggled for his last breath. In response to this murder, people came together in solidarity to recognize the importance of fighting for anti-racism, justice, and respect for all in the same spirit of Pride March.

This year, as we adorn houses and trees with rainbow flags and ribbons, let's not forget that Black Lives Matter signs took longer to gain traction. While we embrace individual identities, both visible and invisible, let's view every person's struggle as our own. And while we bring the community together to celebrate our shared humanity and stand in solidarity, let's take time to pay homage to the civil rights heroes whose shoulders we stand on to see the way forward.

Join us for Pride March by WE GP Saturday, June 26, at 10 a.m. More details are at: we-gp.org



We welcome your thoughts, questions, request signs, solidarity and financial donations at:
we-gp.org/Justice-is-the-Pointe



Paid for by:
WE (Welcoming Everyone) GP
In collaboration with
the Grosse Pointes & Harper Woods Branch NAACP at
Bianca Garcia, Graig Donnelly & Frank Joyce of Grosse Poi



We are at a Crossroads...

**HOME. EDUCATION. RESPECT. PEACE.
INCLUSION. EQUITY. DIVERSITY.**

**Please join us in promoting these values that
entirely compatible with our safety, prosperity
and a good quality of life.**

**We welcome your thoughts, questions, requests for signs,
financial donations and membership requests.**

You can learn more at: we-gp.org/Justice-is-the-Pointe

Paid for by:

**WE (Welcoming Everyone) GP and the Grosse Pointes & Harper Woods Branch NAACP in collaboration with
Bianca Garcia, Craig Donnelly & Frank Joyce of Grosse Pointe Park**

Justice is the Pointe

“A willing search for the truth”

Last month our Justice is the Pointe message celebrated Juneteenth. When we submitted it, we did not know that Juneteenth was about to become a National Holiday. We are delighted that it did.

But now we are concerned that, holiday status notwithstanding, some might try to prohibit Grosse Pointe students from learning about the origin and meaning of that momentous day in 1865. Why?

It's best to start at the beginning. Long ago some whites created the ideas and structures of a hierarchical system of categorizing people by their racial characteristics in order to justify colonial conquest. A system of racialized enslavement of nonwhite humans on a massive scale subsequently took root.

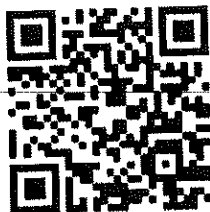
There has long been opposition to this living organism of racial hierarchy. Today, as in the past, we continue to struggle against racial stereotyping and discrimination. We are well aware that adherents and defenders of white supremacy are zealous and implacable opponents of any change they perceive as disruptive to the status quo.

Which brings us to the current struggle over what to teach or not teach about race in Grosse Pointe schools. Disputes over teaching about settler colonialism, slavery, Jim Crow segregation, lynchings, the forced removal of Indian children to boarding schools where many died, racially motivated massacres of Black, Red, Brown and Yellow people and the role of federal policy in creating racially segregated suburbs are not new. The fact that until recently very few white people even heard of Juneteenth is itself an example of how school curriculum has always been a battleground.

We stand for a simple idea. It is the truth that will set us free. Without it, the racial progress we have made would not have been possible. As we have said before in this space, we applaud those who courageously stood up in the face of opposition to bring Rev. Martin Luther King, Jr. to speak at GP South on March 14, 1968. His words from that time inspire us now. “I do not see how we will ever solve the turbulent problem of race confronting our nation, until there is an honest confrontation with it and a willing search for the truth and a willingness to admit the truth when we discover it.”

Join us! We welcome your thoughts, questions, requests for signs, solidarity and financial donations.

You can learn more at:
we-gp.org/Justice-is-the-Pointe



We can all be truth seekers. For further study, use the code below to purchase books for Children, Young Adults and Adults from Source Booksellers. Or visit the store, in person at 4240 Cass Avenue in Detroit.



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WE (Welcoming Everyone) GP and the Grosse Pointes & Harper Woods Branch NAACP
In collaboration with

Voting: It's Our Right.

Let's Keep It. Let's Use It.

In 1920 women won the right to vote after a long and arduous struggle. However, it wasn't until 1965 after nearly a century of overcoming intimidation, systemic barriers, and murders that the path to voting was cleared for Black people by the federal Voting Rights Act.

Frankly, any expansion of the right to vote beyond white property-owning men has always been difficult to win and to keep. Currently, according to the Michigan Secretary of State's office, "legislators have introduced 39 bills that restrict citizens' voting rights, harm election administration and demonstrate a lack of knowledge of existing election procedure and law."

We favor voting rules and voting districts that are broad, inclusive and not disempowering to Black people and other marginalized groups. To learn more about voting laws and proposed legislation, attend the League of Women Voters Grosse Pointe virtual town hall on Secure and Fair Elections on October 14th. Details and registration are available here: lwvgrossepointe.org

Grosse Pointe elections are upon us. Now is the time to break through all the noise, learn the facts, and get out to vote. Hear directly from candidates via virtual forums hosted by the Grosse Pointes & Harper Woods Branch NAACP (on its Facebook page) and the League of Women Voters GP (on its website). One way to protect our right to vote is by exercising it.

**We welcome your thoughts, questions, requests for signs, financial donations and membership requests.
You can learn more at: we-gp.org/Justice-is-the-Pointe**

Paid for by:

**WE (Welcoming Everyone) GP and the Grosse Pointes & Harper Woods Branch NAACP in collaboration with
Bianca Garcia, Graig Donnelly & Frank Joyce of Grosse Pointe Park**

Dispelling the Myths used to attack Critical Race Theory

What is Critical Race Theory?

Critical Race Theory was conceived in the 1970s by legal scholars trying to understand why the civil rights legislation past 20 years had not eliminated racial inequality in America. While this theory focused on the law, it reflected the underlying reality that our economic, educational, housing, health care and justice systems have developed with racial biases.

Why has education become a battleground?

The concept of systemic racism is an existential threat to white supremacy. The idea that students may learn an accurate history of the founding and building of our country refutes the long-cherished notion that white people acquire their status in society through hard work and opportunity available to all, not because systems are rigged in their favor.

To counter this concept, opponents falsely say it is indoctrinating children to see themselves as oppressors or victims on their skin color. They call it divisive. They claim it teaches hate.

This dishonest narrative is intended to prevent any equity work in public schools, whether this is professional development, curriculum reviews, restorative justice, discipline policies, hiring practices, or collecting data around race to address learning gaps and impact educational outcomes.

How does this impact our local public school system?

Three outside extremist groups have taken root in Grosse Pointe. These groups are FEC United Michigan, a brand rightwing extremist group with a militaristic arm; Know Your Classroom, a local organization demanding control of classrooms and parental control of the curriculum; and a Wayne County chapter of Moms for Liberty, an organization proposed putting a bounty on teachers' heads for teaching accurate history that conflicts with their extremist views.

Get the facts. Speak up. Let your voices be heard!

By arming ourselves with knowledge and truth we protect the progress of past antiracist activists and lay the path for equity in the future. Write the Board of Education at schoolboard@gpschools.org or attend an upcoming meeting.

We welcome your thoughts, questions, requests for signs, financial donations and membership requests.

You can learn more at: we-gp.org/Justice-is-the-Pointe

Paid for by: WE (Welcoming Everyone) GP and the Grosse Pointes & Harper Woods Branch NAACP in collaboration with Bianca Garcia, Graig Donnelly & Frank Joyce of Grosse Pointe Park

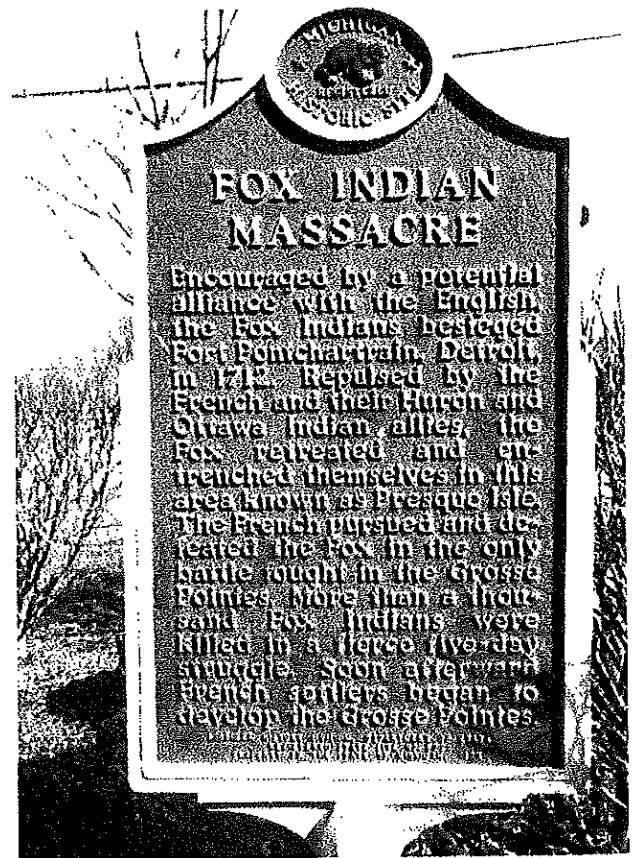
We All Have Things to Learn

Over many generations, much has been deliberately left out about history in the United States. We don't know what it we don't know. This is not an accident. Current disputes over what to teach about our history are nothing new.

Learning about massacres in Tulsa, Oklahoma; Rosewood, Florida; and Wilmington, North Carolina is recent for most. Many still aren't aware of the schools that Indian children were forced to attend in which many died. Or about the content of a recently published Science Magazine study: Effects of land dispossession and forced migration on Indigenous peoples in North America

“Statistical analysis shows that aggregate land reduction was near total, with a 98.9% reduction in cumulative coextensive lands and a 93.9% reduction in noncoextensive lands. Further, 42.1% of tribes from the historical period have no federally- or state-recognized present-day tribal land base. Of the tribes that still have a land base, their present-day lands are an average of 2.6% the size of their estimated historical area.”

**As we give thanks in our homes on Anishinabewaki
ᐱᓂᑦᑐᑦ ᐅᕈᖃᔭᒃᗪᑎᑏᑦᐸᑦᐳᑦ (Potawatomi),
Mississauga, and Myaamia land this weekend, we can
consider the hard truths about our past as well as our
democratic ideals. We might also take the time to visit the
intersection of Lakepointe and Windmill Pointe in Grosse
Pointe Park. There's an obscure plaque there worth
contemplating.**



We welcome your thoughts, questions, requests for signs, financial donations and membership requests.

You can learn more at: we-gp.org/Justice-is-the-Point

Paid for and photography provided by:

WE (Welcoming Everyone) GP and the Grosse Pointes & Harper Woods Branch NAACP in collaboration with Bianca Garcia, Graig Donnelly & Frank Joyce of Grosse Pointe Park



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

April 6, 2022

Terence Collins
1222 Harvard Rd.
Grosse Point Park, MI 48230

Re: *Collins v. Donnelly*
Campaign Finance Complaint No. 2021-11-58-224

Collins v. Joyce
Campaign Finance Complaint No. 2021-11-58-224

Collins v. Garcia
Campaign Finance Complaint No. 2021-11-58-224

Dear Mr. Collins:

The Department of State received a response from Mr. Donnelly, Mr. Joyce, and Ms. Garcia to the complaint you filed against them alleging a violation of the Michigan Campaign Finance Act, 1976 P.A. 388, MCL 169.201 *et seq.* A copy of the response is provided as an enclosure with this letter.

You may file a rebuttal statement after reviewing the enclosed response. If you elect to file a rebuttal statement, you are required to do so within 10 business days of the date of this letter. The rebuttal statement may be emailed to BOERegulatory@michigan.gov or mailed to the Department of State, Bureau of Elections, Richard H. Austin Building, 1st Floor, 430 West Allegan Street, Lansing, Michigan 48918.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jenny McInerney".

Jenny McInerney
Election Law Specialist
Bureau of Elections

Jenny McInerney
Department of State, Bureau of Elections
Richard H. Austin Building
430 W. Allegan Street
Lansing, MI 48918

Re: Collins vs Donnelly/Joyce/Garcia Campaign Finance Complaint 2021-11-58-224

Dear Mrs. McInerney,

On Thursday April 14, 2022 I received your letter dated April 11, 2021 re; complaint 2021-11-58-224. In the response the defendants counsel Goodman Hurwitz and James P.C. references the timeliness of the states action on the complaint I originally filed on November 9th, 2021. I have no control over the speed at which the State of Michigan reviews cases. These comments should have no bearing on the case. The facts are not affected by any lapse in time.

Counsel also attempts to assert that the ad their clients ran on October 28th 2021 “did not advise voters to vote against any candidate”. This is clearly false. The ad (attached) speaks for itself. It clearly references two political candidates, Grosse Pointe Park Mayoral Candidate Michelle Hodges and Council Candidate Max Wiener. The ad includes a photo which contains the campaign signs of the entire slate of moderate/conservative candidates including Mrs. Hodges and Mr. Wiener in an attempt to paint these candidates in a negative light.

Counsel makes no claim that the advertisement expense was less than the \$500 limit covered in the law and therefore asserts no defense to their client’s failure to register as a Political Action Committee prior to running the advertisement. Their actions in placing the ad clearly meets the expenditure rule in MCL 169.206(1). Their failure to register as a Political action committee before placing the ad over \$500 violates MCL 169.224(1); MCL 169.203(4), and their failure to file an independent expenditure report violates MCL 169.251(1).

As all of the above violations are true, the defendants also are in violation of MCL 169.247(1) R169.36(2) for failing to properly include a “Paid For by (Name and Address of the person who paid for the item)” to the advertisement.

These defendants should therefore be subject to punishment prescribed under MCL 169.224(1); MCL 169.203(4) and MCL 169.247(6).

Sincerely,

Terence Collins
1222 Harvard Rd,
Grosse Pointe Park, Mi 48230

586-675-2769
Terence_collins@att.net



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

July 15, 2022

William H. Goodman
1394 E. Jefferson Ave.
Detroit, MI 48207

Re: *Collins v. Donnelly*
Campaign Finance Complaint No. 2021-11-56-224

Collins v. Joyce
Campaign Finance Complaint No. 2021-11-57-224

Collins v. Garcia
Campaign Finance Complaint No. 2021-11-58-224

Dear Mr. Goodman:

The Department of State (Department) has finished investigating the campaign finance complaint filed against your clients by Terence Collins on November 4, 2021. This letter concerns the disposition of that complaint.

The complaint alleged your clients violated the Michigan Campaign Finance Act (MCFA or Act) by purchasing an advertisement in the *Grosse Pointe Times* without reporting that expenditure to the Wayne County Clerk. In support of these claims, Mr. Collins provided a copy of the two-page color advertisement, along with an email from Mike Low showing the rates for running advertisements in the *Grosse Pointe Times*.

The Department notified your clients of the complaint on February 9, 2022. You responded to the complaint on behalf of your clients. In your response, you claimed that your clients are local citizens who are concerned about growing evidence of racism and intolerance in the Grosse Pointes. You provide a series of advertisements and articles your clients have written and paid to have published both before and after the advertisement at issue in the complaint. You argue that the ad was no different than the others provided because it did not advise voters to oppose the candidacy or election of the candidates named in the ad.

Mr. Collins provided a rebuttal statement. In his rebuttal, Mr. Collins argues that the advertisement was an attempt to paint two political candidates in a negative light through clear references and photos of the candidates' campaign signs. Mr. Collins also indicates that in your

client's response, there was no evidence provided to suggest the advertisement expense was less than the \$500 threshold in MCL 169.224.

In Michigan, an expenditure is "a payment, donation, loan, or promise of payment of money or anything of ascertainable monetary value for goods, materials, services, or facilities in assistance of, or in opposition to, the nomination or election of a candidate." MCL 169.206(1). The purchase of a communication which advocates for "the election or defeat of a clearly identified candidate" in "express terms" is an expenditure for the purposes of the MCFA. MCL 169.206(2)(j). Express advocacy, in turn, can take two forms: explicitly statements advocating for a candidate's election or defeat, *Buckley v. Valeo*, 424 US 1, 44 n. 52 (1976), or non-explicit statements which nevertheless are "susceptible of no reasonable interpretation other than as an appeal to vote for or against a specific candidate." *FEC v. Wisconsin Right to Life, Inc.*, 551 US 449, 470 (2007). Persons making expenditures in excess of \$500 are required to either (1) register as a committee, MCL 169.224(1); MCL 169.203(4), or file independent expenditure reports, MCL 169.251(1). A failure to either file as a committee or to report an independent expenditure is "a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$1,000.00, or both." MCL 169.224(1); MCL 169.251(2).

In addition to reporting requirements, the MCFA and corresponding administrative rules also require a person who produces printed material that relates to an election to 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).

The Department has reviewed the evidence submitted in the matter and finds that there is sufficient evidence to conclude that there may be reason to believe that your clients violated the MCFA. From the outset, the Department must consider whether the advertisement is an expenditure covered by the MCFA. This advertisement explicitly identifies two candidates by name. The advertisement accuses one candidate of behavior that is "patronizing and deeply offensive." The advertisement then states that the other candidate "believes . . . that voters won't take the time to learn that [the candidate] is a leader of the 14th District Republican Party, a Trump stronghold." While a factual statement about a candidate's political affiliations would not, standing alone, qualify as express advocacy, the advertisement implies that the political affiliation makes the candidate less suitable for office by stating that "the Trumpian amount of gaslighting and flagrant dishonesty coming especially from [the two named candidates] deserves scrutiny." Taken as a whole, the statements the advertisement makes about both candidates cannot be reasonably understood as anything except "an appeal to vote . . . against" the two candidates named in the advertisement.¹ Because the materials explicitly advocate for the

¹ Even absent these explicit negative statements implying that readers should not vote for the two named candidates, the advertisement would still be express advocacy. The last section of the advertisement is titled "Let's Not Trumpify Grosse Pointe Park." The section asks the four candidates endorsed by the *Grosse Pointe Times*, including the two named candidates, "share Trump's values," alleges that "the Trump strategy is to capture local offices" prior to the 2024 election, and then appeals to voters to "stop[] them in their tracks." Taken in context, "stop[] them in their tracks" can only be an appeal not to vote for the candidates in question.

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).

Although your clients engaged in express advocacy, they are only required to register as a committee or file an independent expenditure report if they made expenditures totaling \$500.00 in a calendar year in opposition of the election of one or more candidates. In his complaint, Mr. Collins included evidence that a two-page full-color advertisement in the *Grosse Pointe Times* costs \$3,190.00. In your response to the complaint, you provided no evidence to rebut this fact. Therefore, the Department concludes that your clients have met the \$500.00 threshold triggering the requirement to either form a committee under the Act or file independent expenditure reports. MCL 169.224(1); MCL 169.251(2). Because there is no evidence to establish that your clients have formed a committee or filed independent expenditure reports, there may be reason to believe a violation of the MCFA has occurred.

Additionally, because the ad falls within the purview of MCFA, it must include the “paid for by” statement outlined under section 47. MCL 169.247(1). Materials explicitly advocating for the election or defeat of a candidate must contain a “paid for by” statement listing the name and address of the committee or individual purchasing the materials. However, because your clients have not formed a committee, they could not have included an accurate “paid for by” statement. That absence supports the conclusion that there may be reason to believe a violation of the MCFA has occurred.

This letter serves to notify you that the Department has determined there may be reason to believe that your clients have violated the Act and to notify you that the Department is beginning the informal resolution process.

When the Department finds that there may be reason to believe a violation has occurred, the Act requires the Department to use “informal methods such as a conference [or] conciliation” to correct the potential violation or to prevent further violation. MCL 169.215(10). Statute provides 90 business days for the Department to engage this resolution process. *Id.* If this matter is not resolved within 90 business days, or by November 28, 2022, the Department will have no choice but to proceed with either referral to the Attorney General’s office for enforcement of any criminal penalties or commence an administrative hearing against your clients. *Id.*

For these reasons, please contact the undersigned at BOERegulatory@michigan.gov as soon as possible to discuss a resolution to matter. If you fail to make contact to discuss a possible resolution, or if a resolution cannot be reached by November 28, 2022, the Department will have no choice but to seek the aforementioned remedies.

Sincerely,

Regulatory Division
Bureau of Elections
Michigan Department of State

c: Terence Collins

GOODMAN HURWITZ & JAMES, P.C.

ATTORNEYS AND COUNSELORS

1394 E. JEFFERSON AVENUE

DETROIT, MI 48207

(313) 567-6170 / (313) 251-6068 FAX

WILLIAM H. GOODMAN

bgoodman@goodmanhurwitz.com

JULIE H. HURWITZ

jhurwitz@goodmanhurwitz.com

KATHRYN BRUNER JAMES

kjames@goodmanhurwitz.com

HOLLAND LOCKLEAR

hlocklear@goodmanhurwitz.com

GENERAL INQUIRIES:

mail@goodmanhurwitz.com

WWW.GOODMANHURWITZ.COM

August 25, 2022

Hon. Jocelyn Benson
Michigan Secretary of State
Richard H. Austin Bldg.
403 W. Allegan St.
Lansing, MI 48918

Re: *Collins v. Donnelly*
Campaign Finance Complaint No. 2021-11-58-224

Collins v. Joyce
Campaign Finance Complaint No. 2021-11-58-224

Collins v. Garcia
Campaign Finance Complaint No. 2021-11-58-224

Dear Secretary Benson,

I write to you regarding the above captioned matters. It should be noted that my earlier communications in this matter have been with Mr. Adam Fracassi, the Regulatory Manager of your Bureau of Elections. However, the most recent communication from your office, dated July 22, 2022 (attached/enclosed herein), was unsigned, and the only name on the letter was yours. Consequently, this letter is addressed to you.

Your letter of July 15, 2022, denying my clients' objections to charges that they had violated Michigan campaign financing law, emphasized the statement in the ad opposing the "Trumpian amount of gaslighting and flagrant dishonesty" associated with these candidates. This, most certainly, was not a statement intended to influence the outcome of the election. Rather, it was an existential statement on American democracy. As such, we ask that you reject the complaint.

This is not a situation in which my clients have sought to conceal their identity. Nor have they attempted to hide their political views. Rather, they have attempted to raise issues of urgent concern to their community and to our nation.

Honorable Jocelyn Benson
August 25, 2022
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Your unsigned July 15th letter demands a good faith attempt to resolve these matters before November 26, 2022. I hope that this letter represents a step in that direction.

Sincerely,

Goodman Hurwitz & James, P.C.

A handwritten signature in black ink, appearing to read "Will H. Goodman", with a long horizontal flourish extending to the right.

William H. Goodman

WHG:
Enclosure

From: William Goodman <bgoodman@goodmanhurwitz.com>
Sent: Tuesday, November 15, 2022 10:21 AM
To: Fracassi, Adam (MDOS)
Subject: RE: Collins v. Garcia, et al

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

Mr. Fracassi,
I will confer with my clients and get back to you. Thanks,
Bill Goodman

From: Fracassi, Adam (MDOS) <FracassiA@michigan.gov>
Sent: Tuesday, November 15, 2022 10:10 AM
To: William Goodman <bgoodman@goodmanhurwitz.com>
Subject: RE: Collins v. Garcia, et al
Importance: High

Mr. Goodman,

I never heard back from you regarding this complaint. Please note that under the statute, the Department must attempt to informally resolve the complaint within 90 business days of making its determination. The 90th business day is November 23, 2022. If the complaint is not resolved by then, the Department will have no choice but to refer the matter to the Department of Attorney General. MCL 169.215(11).

Thank you,

Adam Fracassi, *Regulatory Manager*
Michigan Bureau of Elections
P.O. Box 20126
Lansing, Michigan 48901

From: Fracassi, Adam (MDOS)
Sent: Friday, September 16, 2022 5:12 PM
To: bgoodman@goodmanhurwitz.com
Subject: Collins v. Garcia, et al

Hi William,

I'm emailing you regarding the abovementioned campaign finance complaint to discuss a potential resolution to the matter. As the Department indicated in its determination, there is reason to believe that a violation has occurred. I did receive your August 25, 2022 letter requesting that we reject the complaint. As explained in the determination, the Department will not reverse its initial conclusion. The Department's finding is not based only on the phrase "Let's not Trumpify Grosse Pointe Park" but is also based on the last paragraph which states "For the good of our community and beyond, we think stopping them in their tracks in Grosse Pointe Park this November is the right thing to do." There is no other reading to this other than urging voters to vote against these candidates. For those reasons, the Department will not reverse its initial conclusion.

With that being said, I am looking to reach a potential resolution to the complaint. Because this advertisement expressly advocates against candidates, it should have properly been reported, and because it is over the \$500 threshold and was coordinated with more than one person, a committee should have been registered and reports filed. In order to resolve the complaint, I would propose that your clients form and register a committee and disclose any contributions and expenditures that would be required to be reported. Once you have registered the committee and disclosed the expenditure, I will review the reports and determine whether further action is necessary or whether a warning would suffice. Please note that the county clerk may issue late filing fees which are out of our control.

Please advise on whether this is acceptable to you.

Thank you,

Adam Fracassi, *Regulatory Manager*
Michigan Bureau of Elections
P.O. Box 20126
Lansing, Michigan 48901



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

November 29, 2022

The Honorable Dana Nessel
Department of Attorney General
G. Mennen Williams Building
525 West Ottawa Street
Lansing, MI 48933

Re: Collins v. Donnelly
Collins v. Garcia
Collins v. Joyce
Michigan Campaign Finance Complaints

Dear Attorney General Nessel:

Please allow this letter to serve as a referral to the Attorney General of the above referenced campaign finance matter for the enforcement of any criminal penalties under the Michigan Campaign Finance Act. MCL 169.215(10)(a).

If you or your staff would like any additional information regarding this case, please contact this office.

Sincerely,

s/ Michael J. Brady

Michael J. Brady, Chief Legal Director
Michigan Secretary of State

cc: Heather Meingast, Division Chief, CLEE Division