

Michigan Campaign Finance Complaint

Section 1. Complainant

Name: Matthew Ross Schonert

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

Mailing Address: 22050 Boulder Avenue, Eastpointe, Michigan 48021

Email: mrschonert@gmail.com

Section 2. Alleged Violator

Name: Amy M. Thomas-August

Mailing Address: 30254 Taylor Street, St. Clair Shores, Michigan 48082

Email: amtaugust@gmail.com

Section 3. Allegations

Sections of MCFA alleged to be violated:

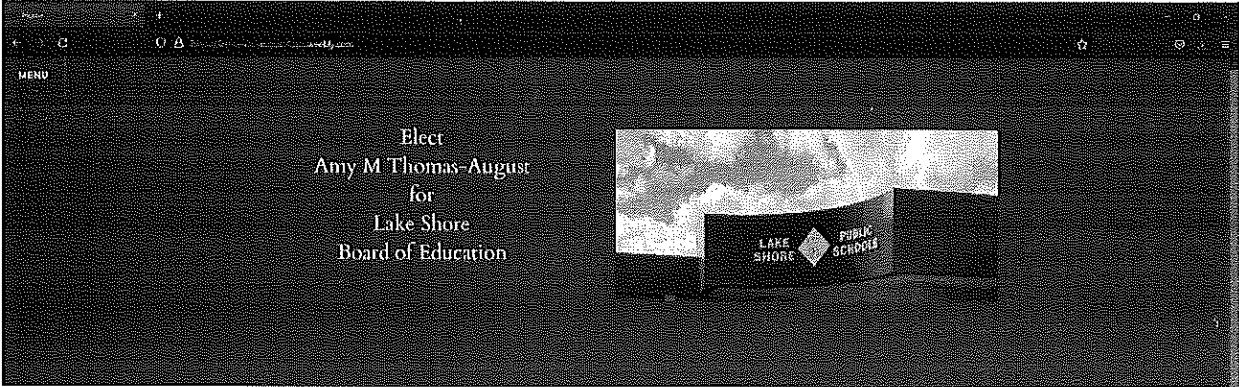
MCL 169.247(1)

Explain how those sections were violated:

1. Amy M. Thomas-August is a candidate for Lake Shore Public Schools Board of Education, according to the Macomb County Clerk's November 8, 2022 Candidate List.
2. A website expressly advocating this candidate's election contains no identifier whatsoever. (i.e. There is no "paid for by" statement.) URL:
<https://athomas-august4lsps.weebly.com>
3. MCL 169.247(1) requires that such materials bear an identifier including the name and address of the person who paid for it.
4. The omission of the identifier constitutes a violation of MCL 169.247(1).

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

URL: <https://athomas-august4lsps.weebly.com>



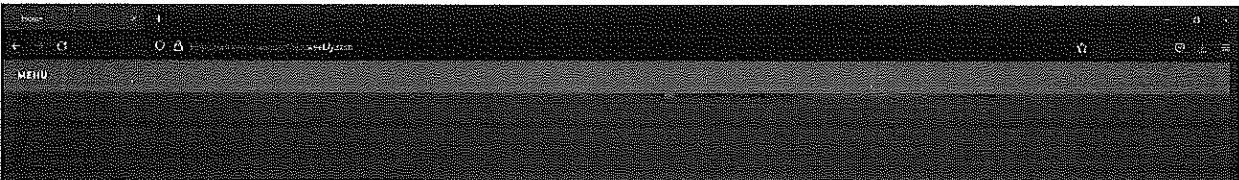
Hello fellow Shorians!

I would like to introduce myself, if you don't know me already. First, I am not a politician, but I am seeking a position on the Lake Shore Board of Education. I am a mother of 2 Shorians and a public school teacher. I have supported various children's extracurricular activities as a Girl Scout leader, Little League coach, and Parent-Teacher Committee volunteer. I am also a trustee of the Lake Shore Foundation.

I am a life-long Shorian. I attended kindergarten and 1st grade at North Shore Elementary, continued grades 2nd through 6th at Kennedy, and graduated from Lake Shore High School in 1990. I continue to live within the Lake Shore community, where my 2 daughters attend(ed). As the saying goes, "Once a Shorian, always a Shorian."

If elected, I will be committed to support policies that effectively support the educational development of all the children enrolled in Lake Shore Public Schools.

POWERED BY weebly



Hello fellow Shorians!

I would like to introduce myself, if you don't know me already. First, I am not a politician, but I am seeking a position on the Lake Shore Board of Education. I am a mother of 2 Shorians and a public school teacher. I have supported various children's extracurricular activities as a Girl Scout leader, Little League coach, and Parent-Teacher Committee volunteer. I am also a trustee of the Lake Shore Foundation.

I am a life-long Shorian. I attended kindergarten and 1st grade at North Shore Elementary, continued grades 2nd through 8th at Kennedy, and graduated from Lake Shore High School in 1990. I continue to live within the Lake Shore community, where my 2 daughters attend(ed). As the saying goes, "Once a Shorian, always a Shorian."

If elected, I will be committed to support policies that effectively support the educational development of all the children enrolled in Lake Shore Public Schools.

I hope I have your support in November by electing me to the Lake Shore Board of Education.

RESUME

CONTACT

POWERED BY weebly

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.



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

November 9, 2022

Amy Thomas-August
30254 Taylor St.
St. Clair Shores, MI 48082

Re: *Schonert v. Thomas-August*
Campaign Finance Complaint No. 2022 - 11 -191 - 47

Dear Ms. Thomas-August

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 an identification statement on a campaign website. Photos were included with the complaint; a copy of the complaint is enclosed.

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 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

Amy Thomas-August

Page 2

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,

Regulatory Section
Bureau of Elections
Michigan Department of State

Enclosure

c: Matthew Schonert