

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

RECEIVED/FILED  
MICHIGAN DEPT OF STATE

2022 NOV 16 PM 2:39

This complaint form may be used to file a complaint alleging that someone violated the Michigan Campaign Finance Act (the MCFA, 1976 PA 388, as amended; MCL 169.201 *et seq.*). All information on the form must be provided along with an original signature and evidence.

**Please print or type all information.**

I allege that the MCFA was violated as follows:

Section 1. Complainant		
Your Name Christie Koester		Daytime Telephone Number 812-219-9860
Mailing Address 617 Oldfield Dr. SE		
City Byron Center	State MI	Zip 49315

Section 2. Alleged Violator		
Name Dan Sherwood		
Mailing Address 8031 GREENDALE DR SE		
City Byron Center	State MI	Zip 49315

Section 3. Alleged Violations (Use additional sheet if more space is needed.)
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Section(s) of the MCFA violated:

169.233 - Not filing financial statements/reporting after passing \$1,000 in spending and again by 10/28/22

Explain how those sections were violated:

Daniel Sherwood, Byron Center school board candidate, spent significantly more than \$1,000 on his campaign and did not submit required financial reports disclosing his expenditures and income sources. According to Kent County Clerk's Office, reports should have been filed once the \$1,000 limit was surpassed and again by 10/28/22 to fully disclose to voters where these campaign funds were coming from.

In addition to yard signs, which would have pushed the campaign past the \$1,000 reporting threshold by early October, this candidate's campaign materials included a two-sided full color flyer that was included in a bag of GOP flyers given out door to door in Byron Center and a two sided full color postcard that was mailed to every household in Byron Center, arriving in mailboxes 11/4/22. Additionally, many households in BC received campaign texts from this campaign on 11/7 and 11/8. I'm unsure of how much those cost or how they acquired that list.

- yard signs - 200x\$5-\$6/sign = \$1,000-\$1,200 per candidate
- postcards mailed to 20,000+ households = conservative guess of \$10,000 (cost shared among 3 candidates), cost of printing, preparing for bulk mail, postage
- ~~postcards included in GOP bag for door to door = conservative guess of \$2,000-\$3,000, depending on quantity~~
- texts to majority of BC voters = no idea how much this costs

Evidence that supports those allegations (attach copies of pertinent documents and other information):

Attached are screen captures of quantity of yard signs produced, images of full color flyer included in canvassing bag with other political party affiliates, the mass mailed flyer to all households in Byron Center, and a screen capture of the texts sent to a majority of Byron Center voters.

**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

*Christa Kester*

11/10/2022

Signature of Complainant

Date

**Section 5. Certification without Evidence (Supplemental to Section 4)**

**Section 15(6) of the MCFA (MCL 169.215) requires that the signed certification found in section 4 of this form be included in every complaint.** However, if, after a reasonable inquiry under the circumstances, you are unable to certify that certain factual contentions are supported by evidence, you may also 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:*

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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.**

Mail or deliver the completed complaint form with an **original signature and evidence** to the following address:

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

# BYRON BULLDOGS

## FOR SCHOOL BOARD

Your school board candidates committed to Byron Center and family values:



Elect  
**Amber Swift**



Elect  
**Danial Sherwood**

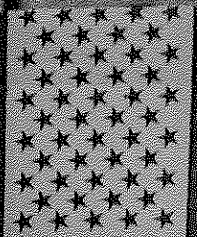


Elect  
**Thalia Tilma**

Paid for by Committee to Elect Amber Swift  
2555 Byron Shores Dr SW, Byron Center, MI 49315

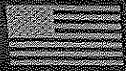
Paid for by Committee to Elect Danial Sherwood  
6030 Granddale Dr SE, Byron Center, MI 49315

Paid for by Committee to Elect Thalia Tilma  
7234 Hawthicket Dr NW, Byron Center, MI 49315



**VOTE**  
FOR FAMILY VALUES  
**NOV 8**

ANSWER SENT TO EVERY  
BYRON CENTER RESIDENT



# BYRON BULLDOGS

FOR BYRON CENTER SCHOOL BOARD



## Defend Parental Rights

Parental rights are essential and their input should be respected, not disregarded. Parents can and should have the right to opt their children out for health, safety, or religious reasons. A school system should never come between parents and their children.



## Empower Teachers & Staff

We have the area's best and brightest teachers. We must ensure they have the proper resources to guide our children successfully. Let's attract more educators so the ones we have can best utilize their most valuable asset — time.



## Endorsed by Educational & Community Leaders

*Mom's For Liberty, Nonprofit Organization*

*Tom McMillin & Nikki Snyder, MI State Board of Education*

*Bernadette Smith, MIGOP Ethnic Vice Chair*

*Tom Hooker, Former State Representative District 77*

*Angela Rigas, Candidate For State Representative District 79*



## Ensure A Safe Learning Environment

Protect our children from internal and external threats. Ensure an unbiased curriculum, free from indoctrination or destruction of family values. Ensure our campus has the best and most up-to-date security practices.



## Promote Skilled Trades

Higher education is a great option, but not the only option. We must prepare students for college while offering tools for a thriving career in the skilled trades, the arts, STEM fields, military service, and public service.



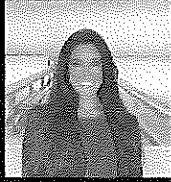
OR CURRENT RESIDENT

BYRON CENTER, MI 49315-9765

# BYRON BULLDOGS

## FOR SCHOOL BOARD

Your school board candidates committed to Byron Center and family values:



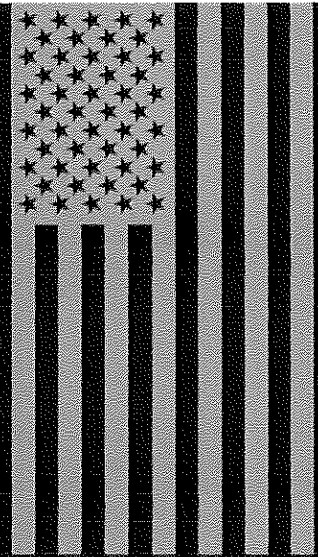
Elect  
**Amber Swift**



Elect  
**Daniel Sherwood**



Elect  
**Thalia Tilma**



**VOTE**  
FOR FAMILY VALUES  
**NOV 8**



- FULL COLOR POSTERS PRINTED  
AND INCLUDED IN DOOR-TO-DOOR  
CAMPAIGNING BY GOP CANDIDATES
- LOGOS ESTIMATED PRINTED



# BYRON BULLDOGS

FOR BYRON CENTER SCHOOL BOARD



## Defend Parental Rights

Parental rights are essential and their input should be respected, not disregarded. Parents can and should have the right to opt their children out for health, safety, or religious reasons. A school system should never come between parents and their children.



## Empower Teachers & Staff

We have the area's best and brightest teachers. We must ensure they have the proper resources to guide our children successfully. Let's attract more educators so the ones we have can best utilize their most valuable asset – time.



## Ensure A Safe Learning Environment

Protect our children from internal and external threats. Ensure an unbiased curriculum, free from indoctrination or destruction of family values. Ensure our campus has the best and most up-to-date security practices.



## Promote Skilled Trades

Higher education is a great option, but not the only option. We must prepare students for college while offering tools for a thriving career in the skilled trades, the arts, STEM fields, military service, and public service.

Printed for by the Committee to Elect Amber Smith  
5329 Byron Boulevard SE, Byron Center, MI 48315

Printed for by the Committee to Elect Derek Sherwood  
8151 Grandville Dr SE, Byron Center MI 48315

Printed for by the Committee to Elect Chad Kline  
7234 Newmarket DR, SW, Byron Center MI 48315





## BYRON BULLDOGS FOR SCHOOL BOARD

Your school board candidates committed to Byron Center and family values



Elect  
**Amber Swift**

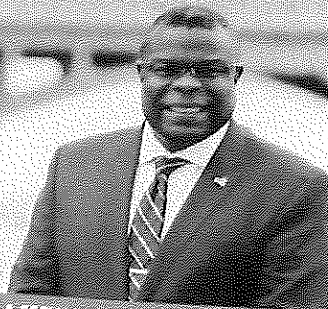


Elect  
**Daniel Sherwood**



Elect  
**Thalia Tilma**

## ★ JOHN GIBBS FOR CONGRESS



### A SERVANT'S HEART FOR WEST MICHIGAN

#### About John

- ▶ Born and raised in Michigan to Democrat parents who instilled in him the power of education and hard work
- ▶ Truly living the American Dream as the grandson of Black sharecroppers from the deep south and the first in his family to go to college
- ▶ Attended Stanford University and went on to get a master's degree in Public Administration from Harvard University
- ▶ Served as a Christian Missionary in Japan, spreading the Gospel for 7 years
- ▶ Served as Assistant Secretary under Dr. Ben Carson at the Department of Housing and Urban Development

Vote John Gibbs for Michigan's  
Third Congressional District



@JohnGibbsForMI 
 @VoteJohnGibbs





7:54




< Dan Sherwood for Byron...  

Posts About Photos ▾ Mentions



Dan Sherwood for Byron  
Center Board of Education

...

Oct 18 · 

### ATTENTION SUPPORTERS

I've placed over 120 signs around our community. For those that have supported me and put a sign out, I really, deeply appreciate it. I'm so thankful and humbled by the support I've received. It gives me the strength I need to run though the tape on November 8th. Of those that have not received a sign and would like one, Please comment below or send me a message. I'll bring one to your house over the next two days. My goal is to have 200 signs placed by Sunday. I'll need all of your help to make that happen. Feel free to share this post and help spread the word!

- 200+ YARD SIGNS,  
PER CANDIDATE'S POST



Home



Watch



News



Marketplace



Notifications



Menu





Byron Center residents,  
Tomorrow is Election Day. Elect  
your Common Sense  
Conservative School Board  
candidates: Amber SWIFT, Daniel  
SHERWOOD, and Thalia TILMA!  
They will be strong advocates for  
families.

Endorsed by Educational &  
Community Leaders:

Mom's for Liberty: Nonprofit  
Organization  
Tom McMillin & Nikki Snyder: MI  
State Board of Education  
Angela Rigas: Republican  
Nominee for the 79th State  
House District  
Tom Hooker: Former State  
Representative  
Bernadette Smith: MIGOP Ethnic  
Vice Chair  
Reply STOP to End

TEXT MESSAGE SENT TO  
MOST BYRON CENTER  
VOTERS ON 11/7-11/8/22





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

December 14, 2022

Dan Sherwood  
8031 Greendale Dr. SE  
Byron Center, MI 49315

Re: *Koester v. Sherwood*  
Campaign Finance Complaint No. 2022 – 11 – 211 – 233

Dear Mr. Sherwood:

The Department of State (Department) has received a formal complaint filed against you by Christie Koester alleging that you violated the Michigan Campaign Finance Act (MCFA or Act). Specifically, the complaint alleges that you have not filed the appropriate financial statements after spending more than \$1,000 in expenditures on yard signs, two-sided full color postcards, and two-sided full color fliers. A copy of the complaint is included with this notice.

The MCFA requires committees file contributions and expenditures with the appropriate filing official by specific dates. MCL 169.233(1) – (3). The Act requires a committee that receives or expends more than \$1,000 during any election to file campaign finance reports in compliance with the act. MCL 16.233(6). A person who knowingly omits or underreports expenditures required to be disclosed by the Act is subject to a civil fine of not more than \$1,000 or the amount of the expenditures omitted or underreported, whichever is greater. MCL 169.233(11).

The Department has independently verified that, as of December 1, 2022, no campaign finance statements have been filed or posted on the Kent County campaign finance website.

The purpose of this letter is to inform you of the Department's examination of these matters and 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 is governed by section 15 of the Act and the corresponding administrative rules, R 169.51 *et seq.* An explanation of the process is included in the enclosed guidebook.

**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. Materials may be emailed to [BOERegulatory@michigan.gov](mailto:BOERegulatory@michigan.gov) or mailed to the Department of State, Bureau of Elections, Richard H. Austin Building, 1<sup>st</sup> Floor, 430 West Allegan Street, Lansing, Michigan 48918. If you

Dan Sherwood

Page 2

fail to submit a response, the Department will render a decision based on the evidence furnished by the complainant.

A copy of your answer will be provided to Ms. Koester, who will have an opportunity to submit a rebuttal statement to the Department. After reviewing 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). Note that the Department’s enforcement powers include the possibility of entering a conciliation agreement, conducting an administrative hearing, or referring this matter to the Attorney General for enforcement of the penalty provided in section 33(11) of the Act.

If you have any questions concerning this matter, you may contact the Regulatory Section of the Bureau of Elections at [BOERegulatory@michigan.gov](mailto:BOERegulatory@michigan.gov).

Sincerely,

Regulatory Section  
Bureau of Elections  
Michigan Department of State

Enclosure  
c: Christie Koester





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

January 19, 2023

**SECOND NOTICE**

Dan Sherwood  
8031 Greendale Dr. SE  
Byron Center, MI 49315

Re: *Koester v. Sherwood*  
Campaign Finance Complaint No. 2022-11-211-233

Dear Mr. Sherwood:

The Department of State (Department) has received a formal complaint filed against you by Christie Koester alleging that you violated the Michigan Campaign Finance Act (MCFA or Act). Specifically, the complaint alleges that you have not filed the appropriate financial statements after spending more than \$1,000 in expenditures on yard signs, two-sided full color postcards, and two-sided full color fliers. A copy of the complaint is included with this notice.

The Department sent you notice of this complaint on December 14, 2022. That letter informed you that you had 15 business days from that date to provide a response to the complaint. **As a courtesy, the Department is extending you an opportunity to submit a response within 15 business days of the date of this second notice.** If you do not submit a response within 15 business days of the date of this notice, the Department will have no choice but to adjudicate the complaint based on the facts and allegations included in the complaint alone.

The MCFA requires committees file contributions and expenditures with the appropriate filing official by specific dates. MCL 169.233(1) – (3). The Act requires a committee that receives or expends more than \$1,000 during any election to file campaign finance reports in compliance with the act. MCL 16.233(6). A person who knowingly omits or underreports expenditures required to be disclosed by the Act is subject to a civil fine of not more than \$1,000 or the amount of the expenditures omitted or underreported, whichever is greater. MCL 169.233(11).

The purpose of this letter is to inform you of the Department's examination of these matters and 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 is governed by section 15 of the Act and

the corresponding administrative rules, R 169.51 *et seq.* An explanation of the process 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. Materials may be emailed to [BOERegulatory@michigan.gov](mailto:BOERegulatory@michigan.gov) or mailed to the Department of State, Bureau of Elections, Richard H. Austin Building, 1<sup>st</sup> Floor, 430 West Allegan Street, Lansing, Michigan 48918. 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 answer will be provided to Ms. Koester, who will have an opportunity to submit a rebuttal statement to the Department. After reviewing 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). Note that the Department’s enforcement powers include the possibility of entering a conciliation agreement, conducting an administrative hearing, or referring this matter to the Attorney General for enforcement.

If you have any questions concerning this matter, you may contact the Regulatory Section of the Bureau of Elections at [BOERegulatory@Michigan.gov](mailto:BOERegulatory@Michigan.gov).

Sincerely,

Regulatory Section  
Bureau of Elections  
Michigan Department of State



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

February 24, 2023

Dan Sherwood  
8031 Greendale Dr. SE  
Byron Center, MI 49315

Re: *Koester v. Sherwood*  
Campaign Finance Complaint No. 2022-11-211-233

Dear Mr. Sherwood:

The Department of State (Department) has finished investigating the campaign finance complaint filed against you by Christie Koester alleging that you violated the Michigan Campaign Finance Act (MCFA or Act). This letter concerns the disposition of that complaint.

The complaint alleged that you did not file the appropriate financial statements after spending more than \$1,000 in expenditures on yard signs, two-sided full color postcards, and two-sided full color fliers in support of your candidacy.

You were sent a notice of the complaint on December 14, 2022. A second notice was sent to you via certified mail on January 25, 2023. To date, no response has been received. In the absence of a response to the allegations, the Department proceeds to the determination stage with only the evidence provided by the complainant.

The MCFA requires committees to file reports of contributions and expenditures with the appropriate filing official by specific dates. MCL 169.233(1) – (3). The Act requires a committee that receives or expends more than \$1,000 during any election to file campaign finance reports in compliance with the act. MCL 16.233(6). A person who knowingly omits or underreports expenditures required to be disclosed by the Act is subject to a civil fine of not more than \$1,000 or the amount of the expenditures omitted or underreported, whichever is greater. MCL 169.233(11).

The Department has independently reviewed the Kent County Campaign Finance website. When you filed your statement of organization on July 26, 2022, you indicated that you were applying for the reporting waiver, which means that you are not subject to reporting requirements as long as you do not spend or receive more than \$1,000 in the election. You have not subsequently submitted any campaign finance statements.

In her complaint, Ms. Koester indicated that you and two other candidates collaborated on a two-sided full-color flyer that was given out door-to-door in Byron Center, a two-sided full-color postcard that was mailed to every household in Byron Center, and yard signs. She included pictures of these items in her complaint. Ms. Koester alleged that these expenditures would have amounted to more than the \$1,000 amount that you indicated that you would not exceed. Indeed, the other two candidates, Amber Swift and Thalia Tilma, each indicated that they spent \$1472.27 on these items.

The Department has reviewed the evidence submitted in this matter and finds that sufficient evidence has been presented to support a finding of a potential violation of the MCFA. Because your expenditures likely exceeded the \$1,000 waiver threshold, you were required to submit campaign finance statements from the time you exceeded the threshold. You have not done so. You are instructed to submit required statements to your filing official, the Kent County Clerk, and to pay any attendant late filing fees.

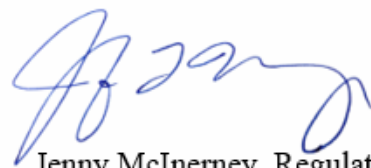
This letter serves to notify you that the Department has determined there may be reason to believe that you have violated the Act and to notify you that the Department is beginning the informal resolution process. "If, after 90 business days, the secretary of state is unable to correct or prevent further violation by these informal methods, the secretary of state shall do either of the following:

- (a) Refer the matter to the attorney general for the enforcement of any criminal penalty provided by this act.
- (b) Commence a hearing as provided in subsection (11) for enforcement of any civil violation."

MCL 169.215(11).

Upon submission of evidence that you have submitted your reports and paid any late fees, the Department will consider this matter concluded. If you have not done so before July 6, 2023, the Department will have no choice but to refer the matter to the Department of Attorney General for enforcement.

Sincerely,



Jenny McInerney, Regulatory Attorney  
Bureau of Elections  
Michigan Department of State

c: Christie Koester  
Ruth Wilke  
Gavin Wilke



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

July 7, 2023

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

Re: *Koester v. Sherwood*  
Michigan Campaign Finance Complaint

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





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

July 13, 2023

Christie Koester  
617 Oldfield Dr. SE  
Byron Center, MI 49315

Re: *Koester v. Sherwood*  
Campaign Finance Complaint No. 2022-11-211-233

Dear Ms. Koester,

The Department of State (Department) has concluded its investigation into the complaint you submitted, and it was unable to reach a resolution in the matter. Pursuant to section 15 of the Michigan Campaign Finance Act (Act), the Department has referred the matter to the Department of Attorney General with a request that her office investigate further.

At this time, the Department will take no further action and has posted the entire file on the Department's website. If you have any questions, please do not hesitate to contact the Bureau of Elections.

Sincerely,

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

Jenny McInerney, Regulatory Attorney  
Regulatory Section  
Bureau of Elections  
Michigan Department of State

c: Dan Sherwood  
Ruth Wilke  
Gavin Wilke