

Campaign Finance Complaint Form
Michigan Department of State

RECEIVED/FILED
MICHIGAN DEPT OF STATE
2022 NOV 16 PM 2:39
NOTARIAL SEAL

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 Amber Swift		
Mailing Address 2369 BYRON SHORES DR SW		
City Byron Center	State MI	Zip 49315

Section 3. Alleged Violations (Use additional sheet if more space is needed.)

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:

Amber Swift, Byron Center school board candidate, spent significantly more than \$1,000 on her campaign and did not submit required financial reports disclosing 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

Christine Koster

Signature of Complainant

11/10/2022

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:

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



MAILER 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.



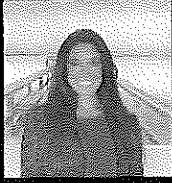
OR CURRENT RESIDENT

BYRON CENTER, MI 49315-9765

BYRON BULLDOGS

FOR SCHOOL BOARD

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



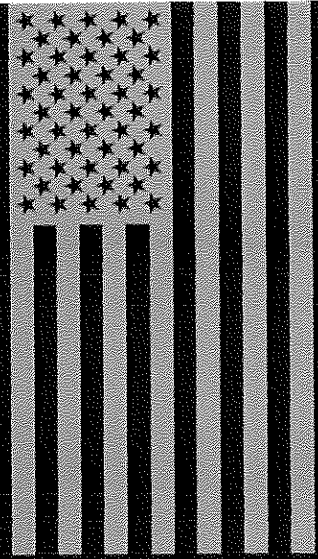
Elect
Amber Swift



Elect
Daniel Sherwood



Elect
Thalia Tilma



VOTE
FOR FAMILY VALUES
NOV 8



- FULL COLOR POSTCARDS PRINTED
AND INCLUDED IN DOOR-TO-DOOR
CAMPAINING BY GOP CANDIDATES
- 10005 ESTIMATED PRINTED



BYRON BULLDOGS

FOR BYRON CENTER SCHOOL BOARD



Defend Parental Rights

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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.

Paid for by the Committee to Elect Andrew Bell
2283 Byron Bridges Dr SE, Byron Center MI 48308

Paid for by the Committee to Elect Marie Sherwood
8039 Greenleaf Dr SE, Byron Center MI 48308

Paid for by the Committee to Elect Frank Thoma
7234 Nantuxon Dr, SE, Byron Center MI 48308



BYRON BULLDOGS FOR SCHOOL BOARD

Your school board candidates committed to Byron Center and family values



Elect
Amber Swift

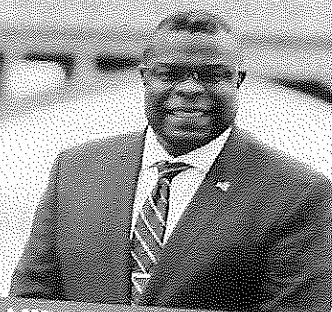


Elect
Daniel Sherwood



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



BRIAN ZAHRA
PAUL HUDSON
FOR SUPERINTENDENT

VOTE NO ON PROPOSAL 2
Don't let them make election fraud permanent
Proposal 2 will permanently change the Michigan Constitution and let them make election fraud permanent
Proposal 2 will permanently change the Michigan Constitution and let them make election fraud permanent

VOTE NO ON PROPOSAL 3
THIS PROPOSAL IS DANGEROUS FOR:
BABIES: Abortion for any reason, before—and even after—birth
WOMEN: Subjects w/ lower health and safety standards
CHILDREN: Sterilize without parental consent
PARENTS: Strip your rights
MICHIGAN: Abolish local decisions

BYRON BULLDOZ
FOR SCHOOL BOARD
Your school board candidates committed to Byron Center and

Michigan already has Term Limits.
Proposal 1 would NOT them
Don't believe the special interests. Proposal 1 would:
• Allow politicians to serve up to 10 years in office
• Allow term limited politicians to run for office
The "transparency" was a joke. It was intended to be a political trap.

KRISTINA KARAMO
FOR SECRETARY OF STATE
MICHIGAN
Government Should Work
THE KARAO
SECURITY
OPENING

Elect Amber
Elect Dan
Elect T

ANGELA RIGAN
79TH DISTRICT
FOR STATE REPRESENTATIVE

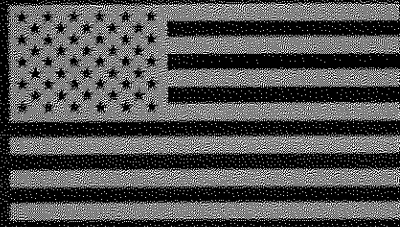
JOHN GIBBS
FOR CONGRESS

DIXON HERNANDEZ

Tamara D. G...
CPA for School Board of Ed...

Matt is Ready to Fight for Us.
Matthew DEPERNO
FOR ATTORNEY GENERAL

TRUMP
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 lived the American dream as the
grandson of the first African American
senator and the first African American
to attend Stanford University.
Served as a Christian leader in the
San Francisco Bay Area for years.
Served as a Christian leader in the
San Francisco Bay Area for years.
Served as a Christian leader in the
San Francisco Bay Area for years.



SWIFT

FOR SCHOOL BOARD

Paid for by Committee to Elect Amber Swift

- CANDIDATE'S SIGNAGE,
ESTIMATE 200+ PLACED AROUND TOWN



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



Text Message



MDOS-BOERegulatory

From: ambercswift@gmail.com
Sent: Monday, December 26, 2022 3:09 PM
To: MDOS-BOERegulatory; ambercswift@gmail.com
Subject: Response to Complaint No. 2022-11-209-233
Attachments: Response - Pre-Election 12-20-2022.PDF; Response - Pre-Election Late Fee.pdf;
Response - Post-Election 12-20-2022.PDF; Response - Post-Election Late Fee.pdf;
Response - Post-Election Compliance.pdf; Response - Pre-Election Paid Fee Receipt.pdf;
Response - Post-Election Paid Fee Receipt.pdf; Response - Letter Complaint
2022-11-209-233.pdf

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

Happy belated CHRISTmas!

Please find attached, all documents containing my response to the complaint filed against me, Amber Swift.

Thank you kindly,
Amber C. Swift
C: 231-499-7719

Department of State
Bureau of Elections
Richard H. Austing Building
1st Floor
430 West Allegan Street
Lansing, MI 48918

With Electronic Copy to BOERegulatory@michigan.gov on 12/26/2022

RE: Koester vs. Swift, Campaign Finance Complaint No. 2022-11-209-233

To Whom It May Concern:

This letter is in response to Complaint No. 2022-11-209-233, filed against me in a letter dated December 14, 2022. I am responding within my 15 business day requirement.

Until I received this complaint in the mail, I had no idea that I was out of compliance with the BOE and I offer my most sincere apology. Ignorance is not an excuse, and once I was made aware of this, I took immediate actions to get ahold of the Kent County Elections Division and was helped by a wonderful gentleman, named Jared, who took numerous phone calls from me to help me navigate the website and help me to come into compliance. On December 20, 2022, I filed my Pre-Election Statement, Post-Election Statement, as well as paid my fines, in full. On December 22, 2022, I filed my Compliance Affidavit. On December 24, 2022, I filed my Annual Statement. All of these documents are being mailed along with this letter, and original signatures are on those documents. The Annual Statement is the only document that will not be included in the email, but is included in the regular mail.

All expenses for my campaign were paid by me, personally; I took no donations. All of my expenditures are included within all of the reports attached.

I am sending my response electronically, today, December 26, 2022 as well as mailing out a hard copy to the addressed noted at the top of this letter.

Thank you kindly for allowing me to respond.

Sincerely and with best regards,

(signature on hard copy)

Amber C. Swift

KENT COUNTY CLERK

Elections Department

KENT COUNTY ADMINISTRATION BUILDING
300 MONROE AVENUE, N.W.
GRAND RAPIDS, MICHIGAN 49503
TELEPHONE (616) 632-7640
FAX (616) 632-7645
accesskent.com/elections



LISA POSTHUMUS LYONS
County Clerk/Register

ROBERT J. MACOMBER
Chief Deputy County Clerk

GERRID UZARSKI
Elections Director

December 20, 2022

AMBER SWIFT FOR BYRON CENTER SCHOOLS (2022109)
ATTN: AMBER C. SWIFT, TREASURER
2369 BYRON SHORES DR SW
BYRON CENTER, MI 49315

Please be advised that this office is assessing the above named committee a late filing fee for the late filing of the following Statement:

<u>Pre-General - 11/08/22 Election</u>	<u>10/28/2022</u>	<u>12/20/2022</u>
Statement	Due Date	Date Received

The late fee is assessed in accordance with MCL 169.233(7), in the amount of **\$500.00**.

Make your check payable to **KENT COUNTY CLERK** and forward it to this office.

If you have questions, contact us immediately at (616) 632-7651.

Sincerely,

A handwritten signature in black ink, reading "Gerrid Uzarski".

Gerrid Uzarski
Elections Director



MICHIGAN DEPARTMENT OF STATE
BUREAU OF ELECTIONS

FILED
20 DEC 2022 PM 03:12

KENT COUNTY CLERK
GRAND RAPIDS, MICHIGAN

FOR OFFICIAL USE ONLY

**CANDIDATE COMMITTEE
COVER PAGE**

Report must be legible, typed or printed in ink and signed by the treasurer (or designated record keeper) and candidate.

3. This Statement covers From: 07/14/2022 to 11/28/2022

1. Committee I.D. Number 2022109	4. Candidate Last Name SWIFT	First Name AMBER	M.I. C
2. Committee Name AMBER SWIFT FOR BYRON CENTER SCHOOLS	4a. Office Sought Including District # or Community Served (If applicable) SCHOOL BOARD MEMBER, BYRON CENTER PUBLIC SCHOOLS SD		
	4b. County of Residence KENT COUNTY		

5. Committee's Mailing Address 2369 BYRON SHORES DR SW BYRON CENTER, MI 49315 Area Code and Phone <u>(231) 499-7719</u> If the address in this box is different from the committee mailing address on the Statement of Organization, mail may be sent to this address by the filing official.	6. Treasurer's Name & Residential Address AMBER C SWIFT 2369 BYRON SHORES DR SW BYRON CENTER, MI 49315 Area Code & Phone <u>(231) 499-7719</u>
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7. Treasurer's Business Address 2369 BYRON SHORES DR SW BYRON CENTER, MI 49315 Area Code and Phone <u>(231) 499-7719</u>	8. Designated Record keeper's Name and Mailing Address (If the committee has a Designated Record keeper) Area Code and Phone <u>() -</u>
---	---

9. TYPE OF STATEMENT 9a. <input type="checkbox"/> Pre-Election OR 9b. <input checked="" type="checkbox"/> Post-Election Pre-Election or Post-Election Statement relates to: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Convention <input type="checkbox"/> Special <input type="checkbox"/> School <input type="checkbox"/> Caucus Date of Election, Convention or Caucus <u>11/08/2022</u>	Required ONLY if candidate is not on the ballot for the current year: <input type="checkbox"/> July Quarterly <input type="checkbox"/> October Quarterly 9c. <input type="checkbox"/> Annual Statement () Coverage Year 9d. <input type="checkbox"/> Amendment to Campaign Statement (Complete Item 9a, 9b, 9c or 9e to indicate which Statement is being amended.)	9e. Dissolution of Candidate Committee <input type="checkbox"/> By checking this item I/We certify any outstanding debt by the committee to the candidate or his or her spouse is here by discharged and forgiven, and no longer collectible from the committee. The committee has no outstanding assets, owes no lates fees or has any outstanding debt. Further, if the dissolution cannot be granted, that this be considered a request for the Reporting Waiver. Effective date of dissolution _____ Note: The disposition of residual funds must be reported on Schedule 1B and the Summary Page.
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10. Verification: I/We certify that all reasonable diligence was used in the preparation of this statement and attached schedules (if any) and to the best of my/our knowledge and belief the contents are true, accurate and complete.

Current Treasurer or Designated Record keeper _____ Type or Print Name	Signature _____	Submitted electronically, signature on file _____ Date <u>12/20/2022</u>
Candidate _____ Type or Print Name	Signature _____	Submitted electronically, signature on file _____ Date <u>12/20/2022</u>



MICHIGAN DEPARTMENT OF STATE
BUREAU OF ELECTIONS

1. Committee I.D. Number 2022109

**SUMMARY PAGE
CANDIDATE COMMITTEE**

2. Committee Name AMBER SWIFT FOR BYRON CENTER SCHOOLS

RECEIPTS	Column I This Period	Column II Cumulative this election cycle
3. Contributions		
a. Itemized (Schedule 1A - Column 6)	(3a.) \$ <u>0.00</u>	
b. Unitemized (less than \$20.01 each - no Schedule)	(3b.) \$ <u>NOT APPLICABLE</u>	
c. Subtotal of "Contributions"	(3c.) \$ <u>0.00</u>	(18.) \$ <u>0.00</u>
4. Other Receipts (Schedule 1A -1, Column 6)	(4.) \$ <u>0.00</u>	(19.) \$ <u>0.00</u>
5. TOTAL CONTRIBUTIONS AND OTHER RECEIPTS (Add Line 3c + Line 4)	(5.) \$ <u>0.00</u>	(20.) \$ <u>0.00</u>
IN-KIND CONTRIBUTIONS & EXPENDITURES		
6. In-Kind Contributions (Schedule 1-IK, Column 7)	(6.) \$ <u>0.00</u>	(21.) \$ <u>0.00</u>
7. In-Kind Expenditures (Schedule 1B-IK, Column 6)	(7.) \$ <u>0.00</u>	(22.) \$ <u>0.00</u>
EXPENDITURES		
8. Expenditures		
a. Itemized (Schedule 1B, Column 6)	(8a.) \$ <u>0.00</u>	
b. Itemized Get-Out-the-Vote (Schedule 1B-G)	(8b.) \$ <u>0.00</u>	
c. Unitemized (less than \$50.01 each - no Schedule)	(8c.) \$ <u>0.00</u>	
9. TOTAL EXPENDITURES (Add Line 8a + Line 8b + Line 8c)	(9.) \$ <u>0.00</u>	(23.) \$ <u>0.00</u>
INCIDENTAL EXPENSE DISBURSEMENTS (Officeholders Only)		
10. Disbursements		
a. Itemized (Schedule 1C, Column 6)	(10a.) \$ <u>0.00</u>	
b. Unitemized (less than \$50.01 each - no Schedule)	(10b.) \$ <u>0.00</u>	
11. TOTAL INCIDENTAL EXPENSE DISBURSEMENTS (Add Line 10a + Line 10b)	(11.) \$ <u>0.00</u>	(24.) \$ <u>0.00</u>
DEBTS AND OBLIGATIONS		
12. Debts and Obligations		
a. Owed by the Committee (Schedule 1E)	(12a.) \$ <u>0.00</u>	
b. Owed to the Committee (Schedule 1E)	(12b.) \$ <u>0.00</u>	
BALANCE STATEMENT		
13. Ending Balance of last report filed (Enter zero if no previous reports have been filed.)	(13.) \$ <u>-1,150.63</u>	
14. Amount received during reporting period (Line 5, Total Contributions & Other Receipts)	(14.) + \$ <u>0.00</u>	
15. SUBTOTAL Add lines 13 and 14	(15.) = \$ <u>-1,150.63</u>	
16. Amount expended during reporting period (Add lines 9 and 11)	(16.) - \$ <u>0.00</u>	
17. ENDING BALANCE (Subtract line 16 from line 15)	(17.) \$ <u>-1,150.63</u> *	

KENT COUNTY CLERK

Elections Department

KENT COUNTY ADMINISTRATION BUILDING
300 MONROE AVENUE, N.W.
GRAND RAPIDS, MICHIGAN 49503
TELEPHONE (616) 632-7640
FAX (616) 632-7645
accesskent.com/elections



LISA POSTHUMUS LYONS
County Clerk/Register

ROBERT J. MACOMBER
Chief Deputy County Clerk

GERRID UZARSKI
Elections Director

December 20, 2022

AMBER SWIFT FOR BYRON CENTER SCHOOLS (2022109)

ATTN: AMBER C. SWIFT, TREASURER

2369 BYRON SHORES DR SW

BYRON CENTER, MI 49315

Please be advised that this office is assessing the above named committee a late filing fee for the late filing of the following Statement:

Post-General - 11/08/22 Election

12/08/2022

12/20/2022

Statement

Due Date

Date Received

The late fee is assessed in accordance with MCL 169.233(7), in the amount of **\$200.00**.

Make your check payable to **KENT COUNTY CLERK** and forward it to this office.

If you have questions, contact us immediately at (616) 632-7651.

Sincerely,

A handwritten signature in black ink, reading "Gerrid Uzarski".

Gerrid Uzarski
Elections Director

DEC 22 2022 CAMPAIGN FINANCE COMPLIANCE AFFIDAVIT – POST ELECTION --

- This form must be filed by any candidate subject to Michigan's Campaign Finance Act who is elected to a state, county, city, township, village or school office. The form must be filed *before* the candidate assumes office. Exceptions: an elected candidate whose Candidate Committee did not receive or expend more than \$1,000.00 during the election cycle is *not* required to submit this form. In addition, this form does not have to be filed by an individual elected to a U.S. Senate, U.S. House or precinct delegate position.
- An elected candidate who is required to file this Campaign Finance Compliance Affidavit must submit this form to the filing official designated to receive the elected candidate's campaign finance disclosure filings. (The attestation stipulated below may not be altered in any way).
- An elected candidate subject to the Campaign Finance Compliance Affidavit filing requirement who fails to submit this form prior to assuming office is guilty of a misdemeanor.
- If you need information on your current compliance status under the Michigan Campaign Finance Act, contact the Michigan Department of State's Bureau of Elections and/or the appropriate county clerks as necessary.

By signing this affidavit, I swear (or affirm) that the facts contained in the statement set forth below are true.

At this date, all statements, reports, late filing fees, and fines due from me or any Candidate Committee organized to support my election to office under the Michigan Campaign Finance Act, PA 388 of 1976, have been filed or paid.

I further acknowledge that making a false statement in this affidavit is perjury – a felony punishable by a fine up to \$1,000.00 or imprisonment for up to 5 years, or both. (MCL 168.848, 933 and 936)

Printed Name of Candidate: Amber Swift

Committee ID Number(s): 2022109

Telephone Number or Email: 231-499-7719

Office You Will Assume: School Board District/Circuit #: Byron Center

Signature of Candidate: 
(signature must be witnessed by Notary Public)

Michigan Notary Public, County of: Kent & Ottawa Acting in the County of: Kent

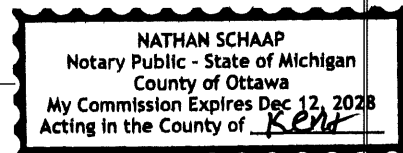
My commission expires: 12/12/2028

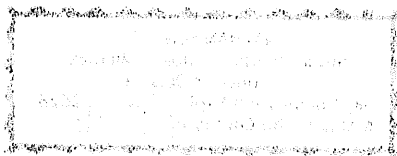
Subscribed and sworn to (or affirmed) before me on this date: 12/20/22

by: Amber Swift (Name of Elected Official).

Nathan Schaap
(Name of Notary Public)

Nathan Schaap
(Signature of Notary Public)





KENT COUNTY CLERK

Elections Department

KENT COUNTY ADMINISTRATION BUILDING
300 MONROE AVENUE, N.W.
GRAND RAPIDS, MICHIGAN 49503
TELEPHONE (616) 632-7640
FAX (616) 632-7645
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LISA POSTHUMUS LYONS
County Clerk/Register

ROBERT J. MACOMBER
Chief Deputy County Clerk

GERRID UZARSKI
Elections Director

Kent County Clerk
Elections Division

DEC 22 2022

December 20, 2022

AMBER SWIFT FOR BYRON CENTER SCHOOLS (2022109)
ATTN: AMBER C. SWIFT, TREASURER
2369 BYRON SHORES DR SW
BYRON CENTER, MI 49315

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10/28/2022

12/20/2022

Statement

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Date Received

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Make your check payable to **KENT COUNTY CLERK** and forward it to this office.

If you have questions, contact us immediately at (616) 632-7651.

Sincerely,

Gerrid Uzarski
Elections Director

12/22/22 12:22 PM

Thank you!

Pender (Check)
Check Number 2244
Paid By AMBER C. SWIFT

Total

\$700.00
\$700.00

Elections - Late Filing Fee

\$200.00

Day(s) Late

6

ELECTIONS - LATE FILING

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KENT COUNTY CLERK

Elections Department

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GRAND RAPIDS, MICHIGAN 49503
TELEPHONE (616) 632-7640
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accesskent.com/elections



LISA POSTHUMUS LYONS
County Clerk/Register

ROBERT J. MACOMBER
Chief Deputy County Clerk

GERRID UZARSKI
Elections Director

Kent County Clerk
Elections Division

DEC 22 2022

December 20, 2022

AMBER SWIFT FOR BYRON CENTER SCHOOLS (2022109)
ATTN: AMBER C. SWIFT, TREASURER
2369 BYRON SHORES DR SW
BYRON CENTER, MI 49315

Please be advised that this office is assessing the above named committee a late filing fee for the late filing of the following Statement:

Post-General - 11/08/22 Election

12/08/2022

12/20/2022

Statement

Due Date

Date Received

The late fee is assessed in accordance with MCL 169.233(7), in the amount of **\$200.00**.

Make your check payable to **KENT COUNTY CLERK** and forward it to this office.

If you have questions, contact us immediately at (616) 632-7651.

Sincerely,

Gerrid Uzarski
Elections Director

12/22/22 12:22 PM

*** RECEIPT ***
Please you!

Check Number 2244
Paid by AMBER C. SWIFT

Product Name

Total

ELECTIONS - LATE FILING FEE \$200.00

ELECTIONS - LATE FILING FEE \$200.00

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Receipt: C-22-50001

Grand Rapids, MI 49503-1288
(616) 632-7640

Kent County
Lisa Posthumus Lyons, County
Clerk/Register
300 Monroe Avenue NE

MDOS-BOERegulatory

From: Christie Koester <christiewahlert@gmail.com>
Sent: Monday, January 9, 2023 8:28 AM
To: MDOS-BOERegulatory
Subject: Koester v. Swift, Campaign Finance Complaint No. 2022-11-209-233

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

Good morning.

I received the candidate's response and reviewed the submitted expense forms. I am questioning the expense for the full color, large postcards mailed to every household in Byron Center, postage for those many thousands of postcards, additional postcards printed and included in GOP literature, and texts sent to every area number (listed as \$1,472.27). The candidate also indicated that she and the two candidates creating these postcards together used an external graphic designer to design their postcards, and I am not seeing that expense or in-kind donation listed, either, unless that was part of that \$1,472.27 (again, that seems very low for graphic design, the volume of postcards sent, postage, and text service).

As a voter, I expected to be able to see how much our candidates spent by election day on their campaigns, as is required by campaign finance law, and who contributed to each campaign. Unfortunately, this candidate did not make this possible, and I hope the Department of State considers this carefully when reviewing and considering appropriate fines.

Sincerely,
Christie Koester

--

Christie Wahlert Koester
christiewahlert@gmail.com
812-219-9860



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

February 24, 2023

Amber Swift
2369 Byron Shores Dr. SW
Byron Center, MI 49315

Re: *Koester v. Swift*
Campaign Finance Complaint No. 2022-11-209-233

Dear Ms. Swift:

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 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 in support of your candidacy.

You responded to the complaint by email on December 26, 2022. In your response, you stated that, until you received the complaint, you had no idea that you were out of compliance with the MCFA and that you offered your sincere apology. Once you were made aware, you indicated that you took immediate actions to contact the Kent County Elections Division, and that they assisted you in filing your required reports. You stated that you filed your pre-election statement and post-election statement and paid your fines in full on December 20, 2022. You further stated that you filed your compliance affidavit on December 22, 2022 and your annual statement on December 24, 2022. You included all of those filings in your response.

Finally, you indicated that you paid all expenses for your campaign personally—that you had no contributions and that the reports you submitted following notice of the complaint fully disclosed all expenditures.

Ms. Koester provided a rebuttal to your response in an email dated January 9, 2023. In that statement, she questioned the expenses you disclosed in your reports. She argued that the \$1,472 you reported for the “full color, large postcards mailed to every household in Byron Center, postage for those many thousands of postcards, additional postcards printed and included in GOP literature, and texts sent to every area number” was too low.

Further, she stated that she expects to be able to assess how much candidates spend on their elections and she feels that you deprived her of that ability.

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).

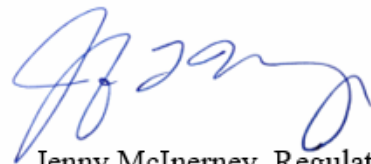
The Department has independently reviewed the Kent County Campaign Finance [website](#). You filed your outstanding reports on the dates you indicated and you paid your late filing fees of \$700 on December 22, 2022. You were also issued an error and omission notice on January 3, 2023 and filed amended pre-election, post-election, and annual reports on January 13, 2023.

Upon review of the evidence submitted, the Department and finds that sufficient evidence has been presented to support a finding of a potential violation of the MCFA. 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.*

You acknowledged in your response that you did not realize that you were out of compliance with the MCFA. Once you were made aware, you filed the required reports and then amended them when the county notified you of errors or omissions in your initial reports. Additionally, you paid your outstanding fees for late reports.

Given the steps you took to address the violation, the Department has determined that a formal warning is a sufficient resolution to the complaint and will consider this matter concluded.

Sincerely,



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

c: Christie Koester
Ruth Wilke
Gavin Wilke