

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

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MICHIGAN DEPT OF STATE

2023 OCT 10 PM 2:21

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 DAVID READ		Daytime Telephone Number 734-657-2569
Mailing Address 713 MERLIN WAY		
City DEXTER	State MI	Zip 48130

Section 2. Alleged Violator		
Name IRWIN MARTIN		
Mailing Address 3851 W. LIBERTY RD		
City ANN ARBOR	State MI	Zip 48103

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

Section(s) of the MCFA violated:

MCL 169.247

Explain how those sections were violated:

1. Printed Materials - incomplete information on who paid for the communication
2. WEBSITE - WWW.SCIO TAX SANITY.ORG - lacks the same information

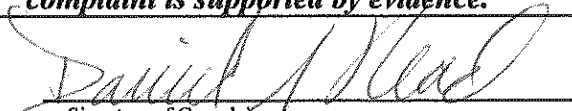
Evidence that supports those allegations (attach copies of pertinent documents and other information):

1. Flyer, Mailer, Street Sign
2. Website - printed page (printed 10/5/23)

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

10/5/23
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

SAY NO TO SCIO TAX INCREASE

VOTE NO
November 7th

WHAT
Scio Fire Millage

IMPACT
Your yearly tax increase, when
fully levied:

Home Value	Tax Increase
\$400,000	\$630
\$500,000	\$787
\$750,000	\$1,181
\$1,000,000	\$1,575

For additional information or to request a yard sign,
visit www.ScioTaxSanity.org

We fully support our Firefighters. But let's do so responsibly!

WHY A 233% TAX HIKE ISN'T THE ANSWER:

- ◆ In the last 10 years, the cost to run Scio's Fire Department has gone up by 250% (10x the increase in the cost of living) while Scio's population decreased by 10.5%.
- ◆ Structure fires account for less than 5% of all calls.* The Fire Services Committee did not demonstrate that a second fire station would reduce average fire response times or change outcomes for most of Scio township.
- ◆ Of the total 2021/2022 Fire and EMS calls over 90% were medical calls.* This second station will do little to improve medical emergency response times to most of Scio township.
- ◆ Our needs can best be met by expanding Scio's EMS Services, not by a new fully staffed and equipped fire station.
- ◆ This Township board does not have a good history of responsible fiscal management.
- ◆ If passed this new increase will affect tax bills for 20 years!

Many ask why not consider a regional fire department? The short answer is politics! We should push our elected leaders to be fiscally responsible.

**Fire Services Committee 2021/2022 Incident Type Summary Report*

VOTE NO!

Tuesday, November 7

**SCIO TAX
INCREASE**

ScioTaxSanity.org

Scio 7

PAID FOR BY SCIO TAX SANITY 2551 WEST LIBERTY ROAD ANN ARBOR MI 48107

VOTE NO

ON TUESDAY, NOVEMBER 7!

Further information and supporting information may be found in the supporting documents below.



KEY STATISTICS

Scio Key Statistics



LETTER TO SCIO BOARD

08/29/23 Letter



LETTER TO SCIO BOARD

08/08/23 Letter

For further information, to get involved, or to request a sign for your lawn, please [click here](#).

Paid for by Scio Tax Sanity, 3851 W. Liberty Rd., Ann Arbor, MI 48103

10/5/23



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

December 8, 2023

Irwin Martin
3851 W. Liberty Rd.
Ann Arbor, MI 48103

Re: *Read v. Martin*
Campaign Finance Complaint No. 23-114

Dear Mr. Martin:

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 with the phrase "with regulated funds" on campaign printed materials and website. Pictures of a flyer, street sign and website was 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]". Political party committees must also include the phrase "with regulated funds." MCL 169.247(4), 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 with regulated funds" 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)(4) and R 169.36(2) require you to

Irwin Martin

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print a complete and accurate identification statement on all campaign materials, consisting of the phrase “paid for by” followed by the full name and address of your committee and ‘with regulated funds’.

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: David Read