

Michigan Campaign Finance Complaint

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MICHIGAN DEPT OF STATE
2022 OCT 14 PM 2:37
CLINTON TOWNSHIP/GREAT SEAL

Section 1. Complainant

Name: Matthew R. 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: Macomb County Veterans Services

Mailing Address: 21885 Dunham, Suite 3, Clinton Township, Michigan 48036

Email: veteran.tax@macombgov.org

Section 3. Allegations

Sections of MCFA alleged to be violated:

- MCL 169.247(1) - failure to include identifier on yard signs
- MCL 169.257(1) - public body using public resources for express advocacy

Explain how those sections were violated:

Background

A veteran's services millage appears on the November 8, 2022, general election ballot in Macomb County.

MCL 169.247(1) violation

Yard signs making reference to the millage and expressly advocating support for it ("VOTE YES") do not contain any identifier whatsoever to show who paid for them, in violation of MCL 169.247(1).

MCL 169.257(1) violation

According to its website, the Macomb County Veterans Services Department derives its authority from the Michigan Legislature Public Act 192 of 1953 (MCL 35.621, et seq.) and was created by the Macomb County Board of Commissioners.

The Macomb County Veterans Services Department is part of the government of Macomb County, based on its own statements as well as on the provisions of MCL 35.621(1).

Per 169.211(7), counties are public bodies under the Michigan Campaign Finance Act.

On October 5, 2022, I contacted Macomb County Veterans Services via Facebook Messenger to ask for the contact information of the committee distributing the signs. In response, I was told that the Macomb County Veterans Services office itself was distributing them.

As noted above, the message on the signs references a specific election and expressly advocates support of the millage by saying "VOTE YES".

It appears that the body is, at minimum, using county property, office space, and personnel to distribute the "VOTE YES" signs. (It is unclear based on the evidence available to me if county funds were used to pay for the printing of the signs or if other public resources were used to promote the millage.)

Consequently, Macomb County Veterans Services, a public body funded by tax dollars, is using public resources to engage in express advocacy in favor of a millage proposal, in violation of MCL 169.257(1).

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

MCL 169.247(1) violation

The following photo is from an August 26, 2022, *Macomb Daily* news story about the millage. URL:

<https://www.macombdaily.com/2022/08/26/service-circuit-veterans-are-hopeful-millage-passes-to-keep-services-going/>



The following photo is from a Facebook post. URL:
<https://www.facebook.com/photo/?fbid=10159994623067733>

VOTE

YES

Veterans Millage

RENEWAL

November 8th

The following photo is from a Facebook post. URL:
<https://www.facebook.com/photo/?fbid=500278538580811>



MCL 169.257(1) violation

Below is a screenshot of an Oct. 5, 2022, Facebook Messenger conversation between Macomb County Veterans Services and the complainant.



Macomb County Veteran Services



Macomb County Veteran Services

212 people like this
Government organization

Wed 7:56 PM

Hello, can you give me the contact information for the organization distributing the "vote yes" signs for the veterans millage? Thanks!



Hello Matt. That would be our office. I believe we have a few left. How many do you need? I can look tomorrow to see if we still have some.



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:

NOT APPLICABLE

X

Signature of Complainant

Date

Section 6. Submission

This complaint is hereby submitted to:

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



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

October 24, 2022

Macomb County Veterans Services
21885 Dunham, Suite 3
Clinton Township, MI 48036

Re: *Schonert v. Macomb County Veterans Services*
Campaign Finance Complaint No. 2022 – 10 – 155 – 247, 257

Dear Macomb County Veterans Services:

The Department of State (Department) has received a formal complaint filed against you by Matthew Schonert alleging that you violated the Michigan Campaign Finance Act (MCFA or Act). Specifically, the complaint alleges that you created and/or distributed signs that expressly advocate support of a county millage—stating “VOTE YES Veterans Millage RENEWAL.” Additionally, the complaint alleges that the signs omit the required statement which identifies who paid for the advertisement. A copy of the complaint is included with this notice.

Use of resources by a public body

In Michigan, it is unlawful for a public body or an individual acting on its behalf to use or authorize the use of equipment, supplies, personnel, funds, or other public resources to make a contribution or expenditure. MCL 169.257(1). The words “contribution” and “expenditure” are terms of art that are generally defined to include a payment or transfer of anything of ascertainable monetary value made for the purpose of influencing or made in assistance of [candidate, ballot question, etc.]. MCL 169.204(1), 169.206(1). A knowing violation of this provision is a misdemeanor offense. MCL 169.257(4).

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 or mailed to the Department of State, Bureau of Elections, Richard H. Austin Building, 1st 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 Mr. Schonert, 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.

“Paid for by” Omission

As for the identification statement, 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 regarding the identification statement and is hereby advising you that MCL 169.247(1) and R 169.36(2) require you to 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.

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.

If you have any questions concerning this matter, you may contact the Regulatory Section of the Bureau of Elections at BOERegulatory@michigan.gov.

Sincerely,

Regulatory Section
Bureau of Elections
Michigan Department of State



Mark A. Hackel
County Executive

VETERANS SERVICES DEPARTMENT

21885 Dunham Road, Suite 3 • Clinton Township, Michigan 48036

Phone: (586) 469-5315 • Fax: (586) 469-5316

Website: vets.macombgov.org • Email: veteran.tax@macombgov.org

Veterans Services Committee members

Therese Wrobel
Chairman

Michael Salyers
Vice Chairman

Don Martindale
Member at Large

Joel Rutherford
Member at Large

Manuel Gonzales
Member at Large

Wayne Fetty
Secretary

Gary Purcell
Member at Large

Laura Rios
Chief Veterans
Service Officer

To: Department of State Jocelyn Benson Secretary of State

1/02/2022

From: Macomb County Veteran Services

Re: Schonert v. Macomb County Veteran Services,

Campaign Finance Complaint No. 2022-10-155-247, 257

This is in response to the letter dated Oct 27, 2022.

1. Macomb County Veteran services did not purchase the Veteran's Millage signs.
2. The signs were delivered to this location and then dispersed within a few days to local veteran organizations. A few were left behind in our office. When our office received the request on Facebook, one of our staff members responded saying we had a few left. Our office does not currently have any located in our building. I have counseled all of the veteran services staff today if anyone inquires to direct them to the local veteran organizations in their area.
3. Neither I nor anyone on my staff delivered a sign to Mr. Schonert.

Laura Rios, MSgt, USAF, (ret)
Chief, Veteran Service Officer
Macomb County Veteran Services



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

November 2, 2022

Matthew Schonert
22050 Boulder Avenue
Eastpointe, MI 48021

Re: *Schonert v. Macomb County Veterans Services*
Campaign Finance Complaint No. 2022 – 10 – 155 – 247, 257

Dear Mr. Schonert:

The Department of State received a response from Macomb County Veterans Services 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,

Regulatory Section
Bureau of Elections
Michigan Department of State

MDOS-BOERegulatory

From: Matt Schonert <mrschonert@gmail.com>
Sent: Friday, November 18, 2022 12:15 PM
To: MDOS-BOERegulatory
Subject: Rebuttal in Schonert v. Macomb County Veterans Services (complaint no. 2022-10-155-247,257)
Attachments: Schonert-v-MCVS-rebuttal.pdf
Categories: Jenny

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

To Whom It May Concern:

My rebuttal in Schonert v. Macomb County Veterans Services (complaint no. 2022-10-155-247,257) is attached as a PDF.

I understand that due to state holidays occurring on November 8 and 11, 2022, today's date falls before the rebuttal deadline (i.e. within ten business days of Nov. 3).

Please contact me if anything further is needed.

Sincerely,
Matt Schonert

November 18, 2022

22050 Boulder Avenue
Eastpointe, Michigan 48021

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

Re: Schonert v. Macomb County Veterans Services
Campaign Finance Complaint No. 2022-10-155-247, 257

To Whom It May Concern:

This letter is in response to the Bureau's letter dated November 3, 2022, regarding the answer of Macomb County Veterans Services ("respondent") to complaint no. 2022-10-155-247, 257. I hereby respectfully submit my rebuttal in this matter.¹

The complaint alleged that the respondent, as a public body, violated MCL 169.257(1) by using public resources to make a contribution in support of a millage proposal.

The respondent stated in its answer that it did not purchase the veterans' millage signs but admitted that the signs were delivered to, stored at, and distributed from its offices. The respondent also stated that no campaign sign was delivered to me but admitted that signs were dispersed to other parties from the respondent's office.

The Michigan Campaign Finance Act (MCL 169.201 et seq., hereafter referred to as "MCFA") defines the term "contribution" broadly. Section 4 states that a contribution includes the donation or transfer of "anything of ascertainable monetary value" made for the purpose of influencing the passage or defeat of a ballot question.²

The respondent at least in effect donated part of its office space to be used for the purpose of distributing election-influencing campaign materials. The respondent also appears to have allowed personnel to distribute that material, as shown by the admission that a staff member offered me a campaign sign. A public body's office space and employee labor both have

¹ Due to State of Michigan holidays occurring on November 8 and 11, 2022, the rebuttal deadline falls on November 21, 2022.

² MCL 169.204(1)

ascertainable monetary value and may not be donated or transferred in support of a ballot question.

The MCFA expressly forbids public bodies from using “funds, personnel, and office space” to make a campaign contribution or expenditure and also includes a more general prohibition on the use of “public resources”.³

In addition, a 2005 interpretive statement issued by the Department of State to David E. Murley stated that a public body's dissemination of materials that expressly advocate for or against a ballot question would result in the use of public resources to make an expenditure.⁴ The interpretive statement specifically mentioned mass emails and mailings; however, campaign signs containing similar content would result in the same type of violation.

For the sake of compliance with the MCFA as well as commonly-accepted ethical principles, it is imperative that public bodies maintain strict neutrality regarding ballot questions. Neutrality is especially necessary when the public body is a direct beneficiary of a ballot question, as the respondent was in this matter.

In conclusion, I respectfully ask that the Bureau hold the respondent responsible for any violations that may have occurred and pursue appropriate measures to cure any violations and prevent their recurrence.

Sincerely,



Matthew R. Schonert

³ MCL 169.257(1)

⁴ Michigan Department of State interpretive statement to David E. Murley (2005), page 3. Retrieved from https://www.michigan.gov/sos/-/media/Project/Websites/sos/10delrio/Murley_2005.pdf



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

January 11, 2022

Macomb County Veteran Services
21885 Dunham Road, Suite 3
Clinton Township, MI 48036

Re: *Schonert v. Macomb County Veteran Services*
Campaign Finance Complaint No. 2022 – 10 – 155 – 247, 257

Dear Macomb County Veteran Services:

The Department of State (Department) has finished investigating the campaign finance complaint filed against you by Matthew Schonert 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 created and/or distributed signs that expressly advocate support of a county millage—stating “VOTE YES Veterans Millage RENEWAL.” Additionally, the complaint alleged that the signs omit the required statement which identifies who paid for the advertisement.

You responded to the complaint in an email received November 2, 2022. In your response, you claimed that Macomb County Veteran Services (MCVS) did not purchase the signs but you acknowledged that the signs were housed in and dispersed from your facilities. You went on to state that one of your staff members responded to Mr. Schonert’s inquiry about the signs’ availability and indicated at that time that there were a few left that your organization could distribute.

Mr. Schonert provided a rebuttal statement in a letter dated November 18, 2022. In that statement, he argued that the signs in question were “delivered to, stored at, and distributed from” your offices. He further argued that the MCFA defines “contribution” to include the donation or transfer of “‘anything of ascertainable monetary value’ made for the purpose of influencing the passage or defeat of a ballot question.” By allowing MCVS office space to be used for the purpose of distributing election-influencing campaign materials and allowing personnel to distribute that material, MCVS used public resources for the purpose of influencing the passage of a ballot question, he argued.

Further, Mr. Schonert cited a 2005 interpretive statement issued by the Department stating that a public body's dissemination of materials that expressly advocate for or against a ballot question would result in the use of public resources to make an expenditure.

In Michigan, it is unlawful for a public body or an individual acting on its behalf to use or authorize the use of equipment, supplies, personnel, funds, or other public resources to make a contribution or expenditure. MCL 169.257(1). The words "contribution" and "expenditure" are terms of art that are generally defined to include a payment or transfer of anything of ascertainable monetary value made for the purpose of influencing or made in assistance of [candidate, ballot question, etc.]. MCL 169.204(1), 169.206(1). A knowing violation of this provision is a misdemeanor offense. MCL 169.257(4).

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.

Use of MCVS as a storage facility for the signs and the work by MCVS' employees to distribute the signs constitutes the use of public resources by a public body. While the resources used may be minimal, they are quantifiable and require reimbursement to the public body.

This letter serves to notify you and your clients 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).

The 90 business days provided in statute will expire May 22, 2023. Please contact the undersigned at BOERegulatory@michigan.gov by March 31, 2023 to discuss a resolution to matter.

Sincerely,



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

c: Matthew Schonert

MDOS-BOERegulatory

From: Laura Rios <laura.rios@macombgov.org>
Sent: Thursday, January 19, 2023 2:50 PM
To: MDOS-BOERegulatory
Subject: Campaign Fiance Complaint No. 2022-10-155-247,257

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

I received a letter dated 1/11/2023 stating you are moving forward with an informal resolution.

We corrected our error of storing the signs at our office location. I educated my staff immediately that any phone calls coming in to refer the customer that is looking for one to their local veteran's organization such as VFW, American Legion, VVA Chapter 154 etc.

What is my departments next steps in this resolution matter?

Laura Rios, MSgt, USAF (Ret)
Chief Veteran Services Officer
Macomb County Veteran Services
21885 Dunham Rd, Ste 3
Clinton Township, MI 48036
PH: 586-469-6507
Fax: 586-469-5316

Need help with local resources and or services? Please fill out a needs assessment survey at: <https://hcs.macombgov.org/HCS-PortalOfServiceSurvey> The local agency will contact you. You may also visit micommonwealth.com for events in the area and the Right Connection connection.misd.net for additional services.

MDOS-BOERegulatory

From: MDOS-BOERegulatory
Sent: Thursday, January 26, 2023 3:41 PM
To: Laura Rios
Subject: RE: Campaign Fianace Complaint No. 2022-10-155-247,257

Ms. Rios,

Thank you for contacting us. Please provide a list of public resources used and the costs associated with those resources. The amount in question need not be a large amount, and it likely will not be, but it should reflect a good faith estimate of the resources used. You have indicated that the signs were dispensed from and stored in your facility and that staff time was used to answer questions about them. Please indicate the time expended and the cost of the staff time expended, as well as any additional costs.

Thank you,

Jenny McInerney
Regulatory Attorney
Regulatory Section
[Michigan Bureau of Elections](#)
Main: 517-335-3234
McInerneyJ1@Michigan.gov

From: Laura Rios <laura.rios@macombgov.org>
Sent: Thursday, January 19, 2023 2:50 PM
To: MDOS-BOERegulatory <MDOS-BOERegulatory@michigan.gov>
Subject: Campaign Fianace Complaint No. 2022-10-155-247,257

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Chief Veteran Services Officer
Macomb County Veteran Services
21885 Dunham Rd, Ste 3
Clinton Township, MI 48036

PH: 586-469-6507

Fax: 586-469-5316

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MDOS-BOERegulatory

From: Laura Rios <laura.rios@macombgov.org>
Sent: Thursday, January 26, 2023 4:17 PM
To: MDOS-BOERegulatory
Subject: Re: Campaign Fianace Complaint No. 2022-10-155-247,257

Categories: Jenny

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

Jenny

The signs were purchased by a 501c19 Vietnam Veterans Chapter 154, 18025 15 Mile Rd, Clinton Twp MI. They run our county veterans food bank. The total cost was just over \$5,000 for the signs. When the signs were to be delivered the person who was going to receive them had COVID and just told them to drop them off at our office. So our office received 3 boxes of signs and stakes and then within two days sent them to the local VFWs and VVA Chapter 154. 3 to 4 signs were left behind in our office. The rest went to veteran organizations (not government offices).

We did receive phone calls asking what does the taxpayer receive in return for voting yes and what does our office actually do with the funds received by the millage. Less than 10 people called our office and asked where to get signs. So I would say 4 minute conversation with our office clerk or secretary and most everyone was referred to their local veterans organization. I receive over 100 calls each day at our office with a staff of 15 answering phones. The complainant reached out on our facebook page asking where to get signs and he was told we had a few. He reached out on facebook, which my staff monitors during work hours and after hours.

So lets say 10 calls at 5 min each. My clerks make 42K a year which equals \$21.53 a hour. So a total of 50 minutes is about \$17.50 for the total of 10 calls. (If I did my math right)

I would have no idea how to figure out a cost for storage of the boxes for 2 days. I don't pay rent or utilities out of my office budget. It was not intentional, the plan was to deliver to a person's house that will distribute them but COVID struck that household.

Now for the problem with the signs not saying "Paid for by VVA Chapter 154"; an email went out by VVA as soon as the problem was identified for each person who had a sign to write that language on the sign.

I, as the director of the department, was not a part of the group that decided to get signs, pay for the signs and distribute the signs. But if the milage passed, our government office would receive the funds for operating expenses.

If you have any additional questions please let me know.

Laura Rios

Laura Rios, MSgt, USAF (Ret)
Chief Veteran Services Officer
Macomb County Veteran Services

21885 Dunham Rd, Ste 3
Clinton Township, MI 48036
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On Thu, Jan 26, 2023 at 3:40 PM MDOS-BOERegulatory <MDOS-BOERegulatory@michigan.gov> wrote:

Ms. Rios,

Thank you for contacting us. Please provide a list of public resources used and the costs associated with those resources. The amount in question need not be a large amount, and it likely will not be, but it should reflect a good faith estimate of the resources used. You have indicated that the signs were dispensed from and stored in your facility and that staff time was used to answer questions about them. Please indicate the time expended and the cost of the staff time expended, as well as any additional costs.

Thank you,

Jenny McInerney

Regulatory Attorney

Regulatory Section

[Michigan Bureau of Elections](#)

Main: 517-335-3234

McInerneyJ1@Michigan.gov

From: Laura Rios <laura.rios@macombgov.org>
Sent: Thursday, January 19, 2023 2:50 PM
To: MDOS-BOERegulatory <MDOS-BOERegulatory@michigan.gov>
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MDOS-BOERegulatory

From: MDOS-BOERegulatory
Sent: Monday, February 27, 2023 12:53 PM
To: Laura Rios
Subject: RE: Campaign Fianace Complaint No. 2022-10-155-247,257

Dear Ms. Rios,

Thank you for this detailed description and thank you for your patience. The Department agrees with your calculations of the public resources expended. Please reimburse the county \$17.50, as you have indicated below is a reasonable estimate of the resources expended, and send proof of that payment to the Department (for instance, you may email a scanned copy of a check). Upon receipt, the Department will consider this matter concluded.

Thank you very much,

Jenny McInerney
Regulatory Attorney
Regulatory Section
[Michigan Bureau of Elections](#)
Main: 517-335-3234
McInerneyJ1@Michigan.gov

From: Laura Rios <laura.rios@macombgov.org>
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Laura Rios

Laura Rios, MSgt, USAF (Ret)
Chief Veteran Services Officer
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Clinton Township, MI 48036
PH: 586-469-6507
Fax: 586-469-5316

Need help with local resources and or services? Please fill out a needs assessment survey at: <https://hcs.macombgov.org/HCS-PortalOfServiceSurvey> The local agency will contact you. You may also visit micommonwealth.com for events in the area and the Right Connection connection.misd.net for additional services.

On Thu, Jan 26, 2023 at 3:40 PM MDOS-BOERegulatory <MDOS-BOERegulatory@michigan.gov> wrote:

Ms. Rios,

Thank you for contacting us. Please provide a list of public resources used and the costs associated with those resources. The amount in question need not be a large amount, and it likely will not be, but it should reflect a good faith estimate of the resources used. You have indicated that the signs were dispensed from and stored in your facility and that staff time was used to answer questions about them. Please indicate the time expended and the cost of the staff time expended, as well as any additional costs.

Thank you,

Jenny McInerney

Regulatory Attorney

Regulatory Section

Main: 517-335-3234

McInerneyJ1@Michigan.gov

From: Laura Rios <laura.rios@macombgov.org>
Sent: Thursday, January 19, 2023 2:50 PM
To: MDOS-BOERegulatory <MDOS-BOERegulatory@michigan.gov>
Subject: Campaign Fiance Complaint No. 2022-10-155-247,257

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

I received a letter dated 1/11/2023 stating you are moving forward with an informal resolution.

We corrected our error of storing the signs at our office location. I educated my staff immediately that any phone calls coming in to refer the customer that is looking for one to their local veteran's organization such as VFW, American Legion, VVA Chapter 154 etc.

What is my departments next steps in this resolution matter?

Laura Rios, MSgt, USAF (Ret)
Chief Veteran Services Officer
Macomb County Veteran Services
21885 Dunham Rd, Ste 3
Clinton Township, MI 48036
PH: 586-469-6507
Fax: 586-469-5316

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MDOS-BOERegulatory

From: Laura Rios <laura.rios@macombgov.org>
Sent: Tuesday, February 28, 2023 10:12 AM
To: MDOS-BOERegulatory
Subject: Re: Campaign Finance Complaint No. 2022-10-155-247,257
Attachments: state.pdf

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

Here is a copy of the check and receipt from the county.

Laura Rios, MSgt, USAF (Ret)
Chief Veteran Services Officer
Macomb County Veteran Services
21885 Dunham Rd, Ste 3
Clinton Township, MI 48036
PH: 586-469-6507
Fax: 586-469-5316

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On Mon, Feb 27, 2023 at 12:52 PM MDOS-BOERegulatory <MDOS-BOERegulatory@michigan.gov> wrote:

Dear Ms. Rios,

Thank you for this detailed description and thank you for your patience. The Department agrees with your calculations of the public resources expended. Please reimburse the county \$17.50, as you have indicated below is a reasonable estimate of the resources expended, and send proof of that payment to the Department (for instance, you may email a scanned copy of a check). Upon receipt, the Department will consider this matter concluded.

Thank you very much,

Jenny McInerney

Regulatory Attorney

Regulatory Section

[Michigan Bureau of Elections](#)

Main: 517-335-3234

McInerneyJ1@Michigan.gov

From: Laura Rios <laura.rios@macombgov.org>
Sent: Thursday, January 26, 2023 4:17 PM
To: MDOS-BOERegulatory <MDOS-BOERegulatory@michigan.gov>
Subject: Re: Campaign Fiance Complaint No. 2022-10-155-247,257

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

Jenny

The signs were purchased by a 501c19 Vietnam Veterans Chapter 154, 18025 15 Mile Rd, Clinton Twp MI. They run our county veterans food bank. The total cost was just over \$5,000 for the signs. When the signs were to be delivered the person who was going to receive them had COVID and just told them to drop them off at our office. So our office received 3 boxes of signs and stakes and then within two days sent them to the local VFWs and VVA Chapter 154. 3 to 4 signs were left behind in our office. The rest went to veteran organizations (not government offices).

We did receive phone calls asking what does the taxpayer receive in return for voting yes and what does our office actually do with the funds received by the millage. Less than 10 people called our office and asked where to get signs. So I would say 4 minute conversation with our office clerk or secretary and most everyone was referred to their local veterans organization. I receive over 100 calls each day at our office with a staff of 15 answering phones. The complainant reached out on our facebook page asking where to get signs and he was told we had a few. He reached out on facebook, which my staff monitors during work hours and after hours.

So lets say 10 calls at 5 min each. My clerks make 42K a year which equals \$21.53 a hour. So a total of 50 minutes is about \$17.50 for the total of 10 calls. (If I did my math right)

I would have no idea how to figure out a cost for storage of the boxes for 2 days. I don't pay rent or utilities out of my office budget. It was not intentional, the plan was to deliver to a person's house that will distribute them but COVID struck that household.

Now for the problem with the signs not saying "Paid for by VVA Chapter 154"; an email went out by VVA as soon as the problem was identified for each person who had a sign to write that language on the sign.

I, as the director of the department, was not a part of the group that decided to get signs, pay for the signs and distribute the signs. But if the milage passed, our government office would receive the funds for operating expenses.

If you have any additional questions please let me know.

Laura Rios

Laura Rios, MSgt, USAF (Ret)
Chief Veteran Services Officer
Macomb County Veteran Services
21885 Dunham Rd, Ste 3
Clinton Township, MI 48036
PH: 586-469-6507
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Thank you,

Jenny McInerney

Regulatory Attorney

Regulatory Section

[Michigan Bureau of Elections](#)

Main: 517-335-3234

McInerneyJ1@Michigan.gov

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Sent: Thursday, January 19, 2023 2:50 PM
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Subject: Campaign Finance Complaint No. 2022-10-155-247,257

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What are my department's next steps in this resolution matter?

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MACOMB COUNTY TREASURER RECEIPT

DATE 11/25/23

No. 83008

RECEIVED OF Laura Rios

CLERK PLB

Seventeen dollars and 15/100

dollars

\$ 17.50

- ☐ COPIES
☐ TAX DISC
☐ DEED/PLAT CERT.
☐ STATEMENTS
☒ OTHER

REMARKS

MDPS Reg. Campaign Reimbursement

-VOID UNLESS VALIDATED-

CUSTOMER



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

February 28, 2023

Laura Rios
Chief Veteran Services Officer
Macomb County Veteran Services
21885 Dunham Rd, Suite 3
Clinton Township, MI 48036

Re: *Schonert v. Macomb County Veteran Services*
Campaign Finance Complaint No. 2022 – 10 – 155 – 247, 257

Dear Ms. Rios:

The Department of State (Department) has finished investigating the campaign finance complaint filed against you by Matthew Schonert 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 created and/or distributed signs that expressly advocated support of a county millage—stating “VOTE YES Veterans Millage RENEWAL.”

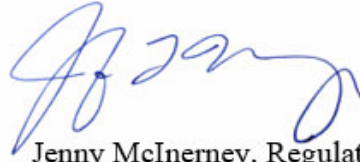
By letter dated January 11, 2023, the Department found that the evidence provided supported a reason to believe that a violation had occurred. As previously indicated, upon reaching this conclusion, the Department is required to “endeavor to correct the violation or prevent a further violation by using 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.*

As part of the informal resolution, the Department asked you to provide an estimate of the cost of the public resources expended. Upon receipt of your estimate, the Department asked you to reimburse Macomb County in the amount of \$17.50 and provide the Department evidence that this restitution was made.

On February 28, 2023, the Department received your notification that the reimbursement was made to the county. Therefore, the Department determines that this formal warning is a sufficient resolution to the complaint. The Department now considers this matter closed and will take no further action.

Thank you for your assistance in resolving this matter.

Sincerely

A handwritten signature in blue ink, appearing to read 'Jenny McInerney', with a stylized, cursive script.

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

c: Matthew Schonert