

## Altimore, Patricia (MDOS)

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**From:** Williams, Sally (MDOS)  
**Sent:** Tuesday, October 17, 2017 12:03 PM  
**To:** Bourbonais, Lori (MDOS); Malerman, Melissa (MDOS)  
**Cc:** Altimore, Patricia (MDOS)  
**Subject:** FW: Official Elections Complaint filed by Councilwoman Kate Fields

I just got this – I had to try a few times as it seemed to keep locking up my computer, but I was able to get to the pdf eventually.

**From:** Kate Fields [<mailto:kf48506@gmail.com>]  
**Sent:** Tuesday, October 17, 2017 11:53 AM  
**To:** Williams, Sally (MDOS)  
**Subject:** Official Elections Complaint filed by Councilwoman Kate Fields

Please see the attached complaint. I am also filing this with Genesee County Clerk John Gleason and Flint City Clerk Inez Brown.

I hope you deal with this appropriately and promptly.  
Thank You,

Kate Fields  
4th Ward City Councilperson  
2501 Maryland Avenue  
Flint, MI 48506  
(810) 908-0366 cell  
[kf48506@gmail.com](mailto:kf48506@gmail.com)

 10-17-17 SOS weaver complaint.pdf



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

RECEIVED/FILED  
MICHIGAN DEPT OF STATE  
2017 OCT 17 PM 1:18  
ELECTIONS/CREAT 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 Kate Fields		Daytime Telephone Number 810-908-0366
Mailing Address 2501 Maryland Avenue		
City Flint	State MI	Zip 48506

Section 2. Alleged Violator		
Name City of Flint Mayor, Karen Weaver		
Mailing Address c/o Mayor's Office, Flint City Hall, 1101 S. Saginaw Street		
City Flint	State MI	Zip 48506

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

Section(s) of the MCFA violated:

MCFA 1976 PA 388, MDL 169.247(1) Mich Admin Rule 169.36(2)

Explain how those sections were violated:

By failing to include a complete and correct identification statement on campaign

materials. The MCFA and corresponding administrative rules require a person

who produces printed material that relates to an election to include the phrase

"Paid for by [name and address of the person who paid for the item]."

MCL 169.247(1), Mich. Admin. R 169.36(2) Under the MCFA a knowing violation

constitutes a misdemeanor offense punishable by a fine of up to \$1000.00, imprisonment

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

Attached please find a copy of a piece of printed material that has been circulated by the

campaign. The material is clearly being used in the promotion of Karen Weaver in her  
efforts in the November 7, 2017 election. The phrase "Paid for by . . ." does not appear

anywhere on the literature. In addition, attached are screen captures of the website

KarenaboutFlint.com. On the website there is a link/mechnacism to accept monetary contribution

Clicking on that link takes you to "Thank you for your interest in donating to our campaign."

**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

*Kate Fillos*

Signature of Complainant

October 15, 2017

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

**KATHLEEN FIELDS**  
2501 Maryland Avenue  
Flint, MI 48506  
(810) 908-0366 Cell  
[kf48506@gmail.com](mailto:kf48506@gmail.com)

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Michigan Department of State  
Bureau of Elections  
c/o Ms. Sally Williams  
PO Box 20126  
Lansing, MI 48901-0726  
[WilliamsS1@michigan.gov](mailto:WilliamsS1@michigan.gov)

October 17, 2017

Dear Ms. Williams:

This letter serves as my formal complaint against Karen Weaver, 1311 Woodlawn Park Dr, Flint, MI 48503 for violations of the Michigan Campaign Finance Act (MCFA), 1976 PA 388, MCL 169.247(1) by failing to include a complete and correct identification statement on campaign materials. The MCFA and corresponding administrative rules require a person who produces printed material that relates to an election to include the phrase "Paid for by [name and address of the person who paid for the item]." MCL 169.247(1), Mich. Admin. R 169.36(2). Under the MCFA a knowing violation constitutes a misdemeanor offense punishable by a fine of up to \$1000.00, imprisonment for up to 93 days, or both.

Attached please find a copy of a piece of printed material that has been circulated by the Weaver campaign. On Oct 3, 2017 I was handed this literature by Flint Police Chief Tim Johnson as he and Officer Kevin Smith went door to door on the Eastside of Flint distributing this literature. Chief Johnson was wearing a T-Shirt, holster, etc. that clearly identified him in his official position. The material is clearly being used in the promotion of Karen Weaver in her efforts in the November 7, 2017 election. The phrase "Paid for by . . ." does not appear anywhere on the literature.

In addition, below are screen captures of the website KarenaboutFlint.com. On the website there is a link/mechanism to accept monetary contributions. Individuals clicking on that link are brought to a page which includes the language "Thank you for your interest in **donating to our campaign**. Your contribution will benefit Karen Weaver." (Emphasis added.) Furthermore, if one chooses to make a monetary pledge. The following appears:

☒

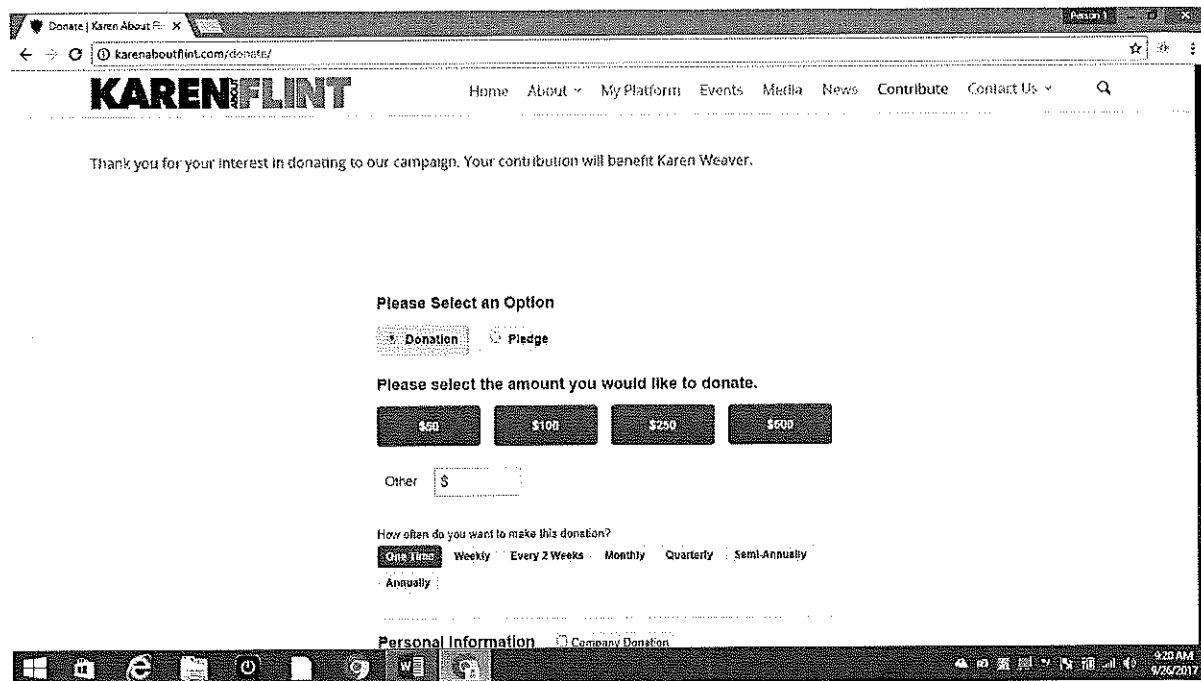
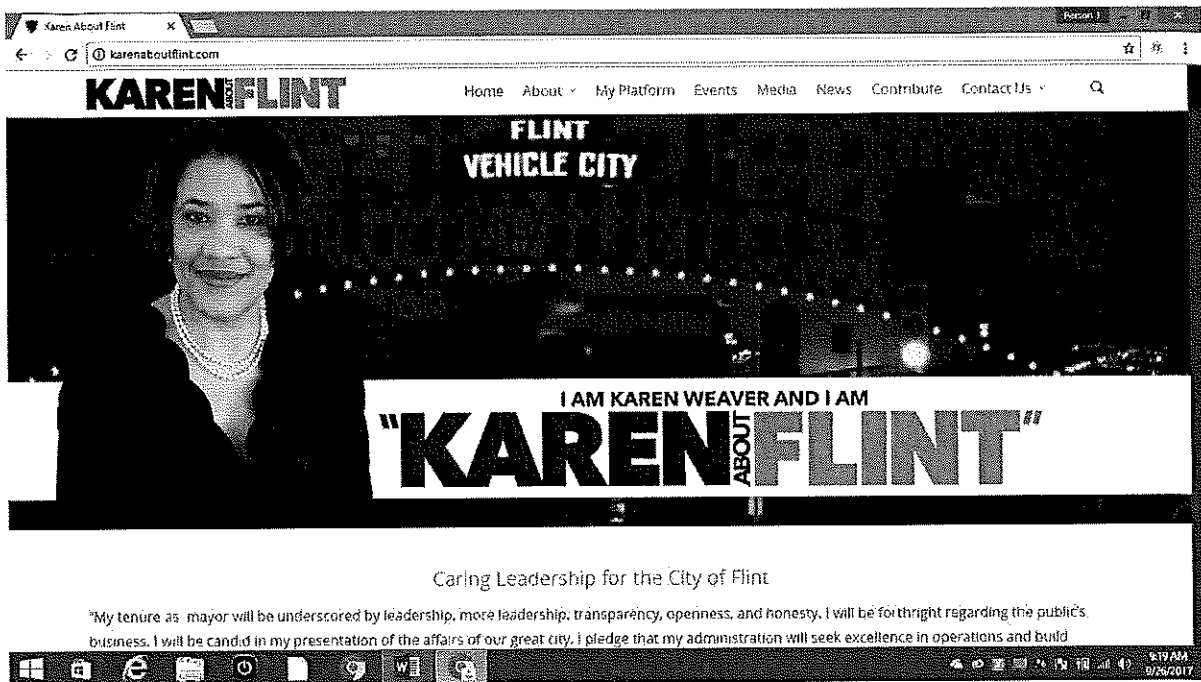
Yes! Friends of Karen Weaver may contact me at the email address above.

Please note Friends of Karen Weaver is campaign account filed by Karen Weaver. The website also goes over contribution rules as it relates to campaign finance standards. Again, at no point is there any disclosure on the website regarding who is paying for the website and there no formal acknowledgement that contributions via this website are going towards the political campaign efforts of Karen Weaver.

Please also note the use of the City of Flint Logo on the backside. This is also a violation.  
I look forward to your prompt attention in to this matter.

Sincerely,

*Kate Fields*



Donate | Karen About | X

karenaboutflint.com/donate/

# KAREN FLINT

Home About My Platform Events Media News Contribute Contact Us

Select

First Name  Last Name

Address

City  State  Zip

Country





United States

Email



☒ Yes! Friends of Karen Weaver may contact me at the email address above.

## Payment Information

Billing Information ☒ Same as my personal information

Card Number

powered by  

### Contribution rules

1. I am a U.S. citizen or lawfully admitted permanent resident (i.e., green card holder).
2. This contribution is made from my own funds, and funds are not being provided to me by another person or entity for the purpose of making this contribution.
3. I am making this contribution with my own personal credit card and not with a corporate or business credit card or a card issued to another person.
4. I am at least eighteen years old.
5. I am not a federal contractor.



**MAYOR WEAVER**

**YOU CAN COUNT ON ME  
TO FIGHT FOR YOU!**

**PLEASE VISIT MY WEBSITE  
[www.KarenAboutFlint.com](http://www.KarenAboutFlint.com)**

10/3/17

Delaware Branch

Handed to Kate Fields  
by chief Johnson

**I AM KAREN WEAVER**



**“KAREN ABOUT FLINT”**



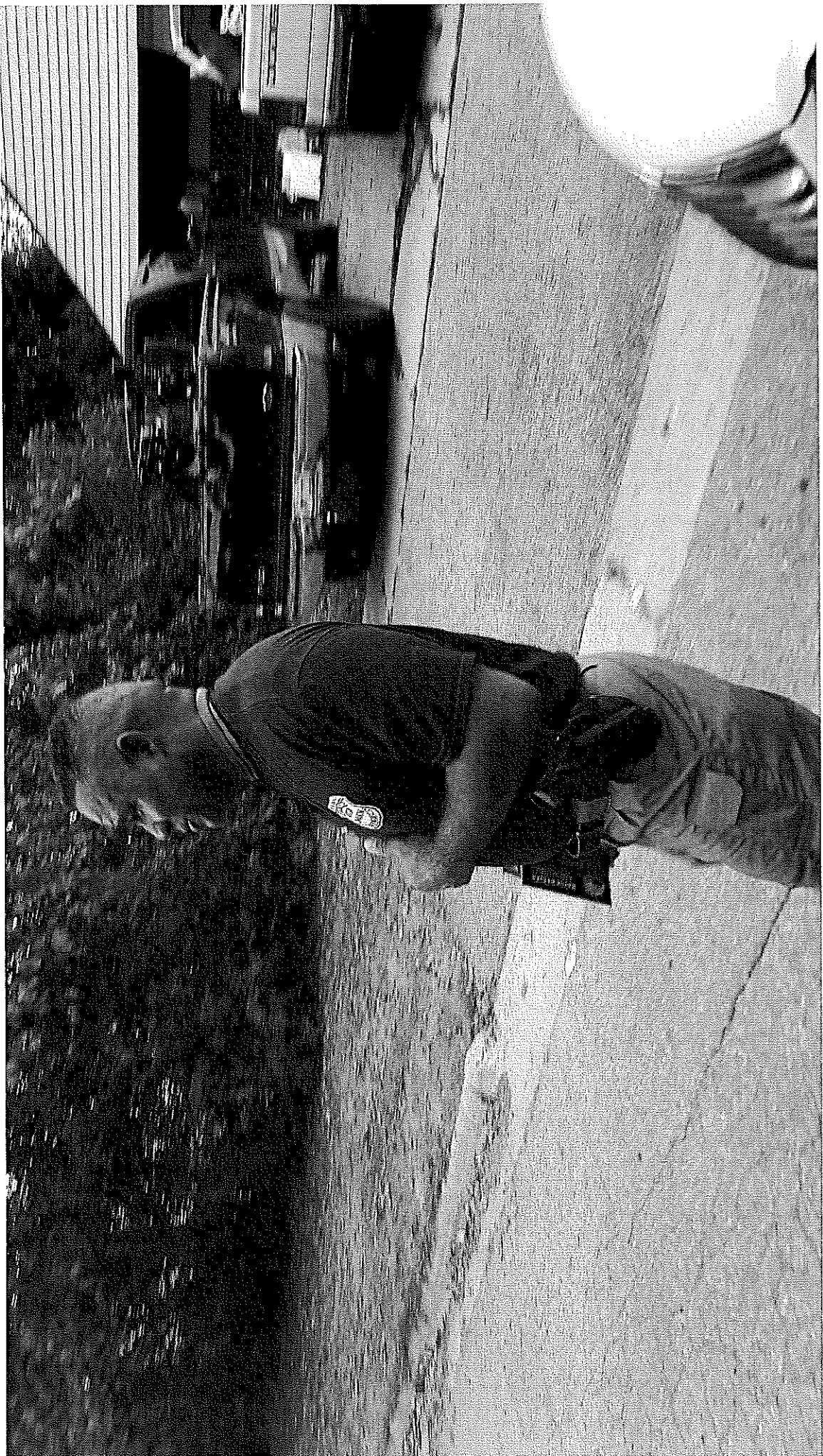
# MAYOR WEAVER

**A PROVEN LEADER**  
SINCE TAKING OFFICE IN 2016

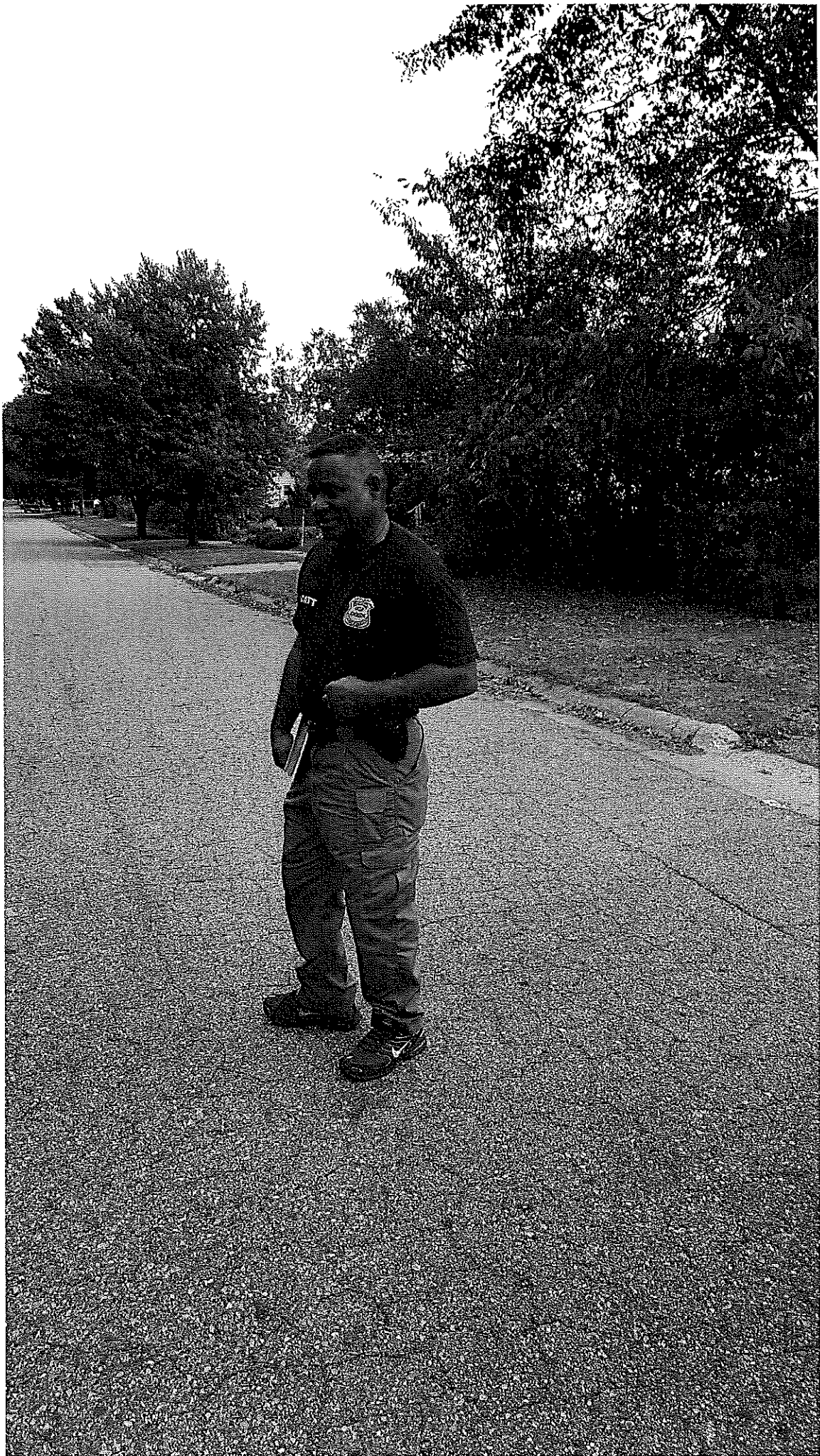
- Day 1 on the job she fought "Politics as Usual" and Declared a State of Emergency due to the Flint Water Crisis
- She carried the voice of Flint residents to the national spotlight:
  - Represented Flint at Congressional Hearings on Water Crisis
  - Met with President Barack Obama in the White House
  - Hosted President Obama in Flint
  - Hosted community forum with Congressional delegation in Flint
  - Helped to bring 2016 Democratic Presidential Debate to Flint
  - Addressed the Democratic National Convention in 2016 regarding the Flint Water Crisis
  - Opened dialogue with President Trump to discuss needs of Flint residents
- She continues to work tirelessly to keep national and international attention and awareness on the needs of Flint residents, paving the way for state and federal aid:
  - FAST START program
  - \$100 Million federal funding for infrastructure improvements, Lead Exposure Registry, and funding to address health needs of pregnant women and children
  - Expansion of Medicaid to youth up to 21 and pregnant women
  - Behavior Health services
  - Head Start expansion and restoration of learning environments
  - \$41.7M in water credits: 65% for residents and 20% for businesses
- Established relationships with philanthropic community, including:
  - Community Foundation of Greater Flint and Ford Foundation resulting in First ever Chief Public Health Advisor position
  - Charles Stewart Mott Foundation providing funding for: 1) FAST START Coordinator, 2) Capacity Building in Mayor's Office, and 3) police coverage at downtown festivals
  - Skillman Foundation resulting in hiring of Chief Recovery Officer
- She is putting the safety, health, and well-being of residents first:
  - Appointed bold new leaders for Flint Police and Fire Departments
  - Crime is down: Flint, once number 1 on the nation's top 10 list for per capita crime rate, now OFF the top 10 list
  - Reestablished crime fighting Crime Area Target Team (C.A.T.T.) Squad
  - Worked with Fire Chief to secure SAFER Grant funding, adding on 33 firefighters and reopening the Atherton Road fire station
  - Created the Flint Police Reserve Unit with 25 Reserve officers and another recruitment scheduled
  - 3 approved mileages: 2 for public safety and 1 for parks/recreation
  - Teamed with Michigan State University and University of Michigan-Flint to secure \$1M per year for 5 years for ReCast Program to address mental health challenges associated with water crisis
  - Held a Water Infrastructure and Environmental Justice Summit
  - Helped to bring Reviving Baseball in Inner Cities (RBI) to Flint
- Economic Development and Stability
  - Contracted with local contractors to replace lead/galvanized service lines: 3722 lines have been replaced as of 08/07/2017
  - Flint workers hired to go door-to-door to educate residents on proper filter usage and maintenance (CORE Team)
  - Flint workers hired to distribute water at Point of Distribution sites (PODS)
  - \$4 Million in savings to taxpayers through a competitive bidding process for garbage contract
  - 650 jobs brought to the City of Flint through Lear Corporation
  - 200 jobs brought to the City through C3 Ventures
- She continues to fight to restore democracy in the City of Flint!

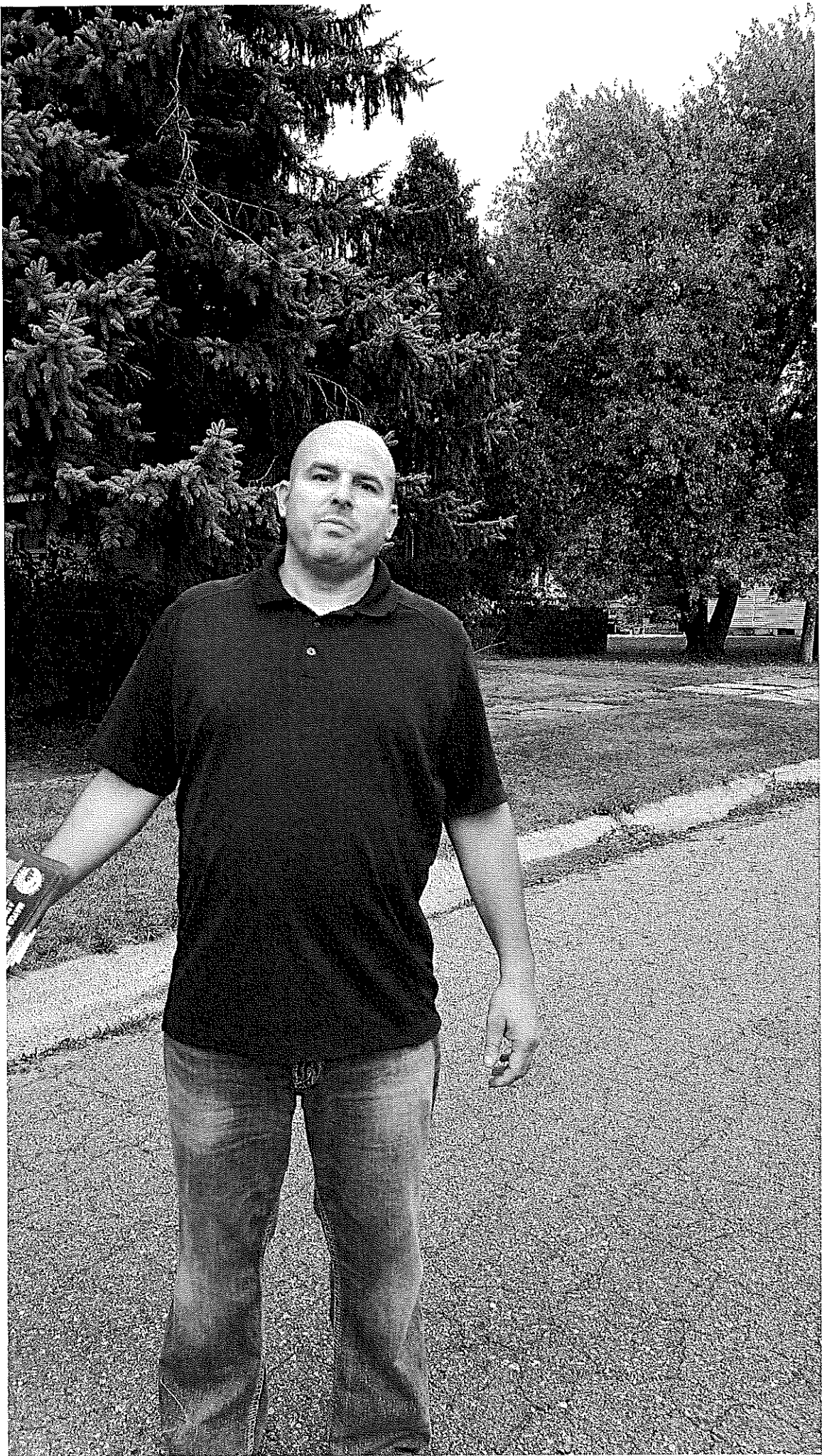














STATE OF MICHIGAN  
RUTH JOHNSON, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

October 27, 2017

The Honorable Karen Weaver  
City of Flint Mayor  
Flint City Hall  
1101 South Saginaw Street  
Flint, Michigan 48506

Dear Mayor Weaver:

The Department of State (Department) received a formal complaint filed by Kate Fields against you, alleging that you violated the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.* 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.* A copy of the complaint and supporting documentation is enclosed with this letter.

The MCFA and corresponding administrative rules require a person who produces printed material that relates to an election to include the phrase "Paid for by [name and address of the person who paid for the item]." MCL 169.247(1), Mich. Admin. 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).

Ms. Fields alleges that you failed to include a complete and correct identification statement on certain campaign materials.

Additionally, 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 definition of expenditure includes "a payment, donation, loan, or promise of payment of money or anything of ascertainable monetary value for goods, materials, services, or facilities in assistance of, or in opposition to, the nomination or election of a candidate [.]". MCL 169.206(1). A knowing violation of this provision is a misdemeanor offense. MCL 169.257(4).

Ms. Fields also alleges that you unlawfully used Flint City resources to further your election.

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.

**If you wish to file a written response to this complaint, you are required to do so within 15 business days of your receipt of this letter. Please include any evidence that reflects any**

## Bourbonais, Lori (MDOS)

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**From:** Bourbonais, Lori (MDOS)  
**Sent:** Wednesday, November 15, 2017 1:34 PM  
**To:** 'Kendall Williams'  
**Subject:** RE: Mayor Karen Weaver - Complaint by Kate Fields

Mr. Williams,

The Department acknowledges your request for an extension of time to file an answer to the campaign finance complaint filed by Kate Fields against Mayor Karen Weaver. The Department understands that you were just recently retained by Mayor Weaver for this matter, and it finds that there is good cause to grant a 15-business day extension pursuant to MCL 169.215(5). The answer is now due December 13, 2017.

Sincerely,

Lori A. Bourbonais  
Bureau of Elections  
Michigan Department of State

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**From:** Kendall Williams [<mailto:kwilliams@thewilliamsfirm.com>]  
**Sent:** Wednesday, November 15, 2017 12:51 PM  
**To:** Bourbonais, Lori (MDOS)  
**Subject:** Mayor Karen Weaver - Complaint by Kate Fields

Ms. Bourbonais:

Again, thank you for returning my call this afternoon regarding the above-referenced matter. This will confirm that our law firm represents Mayor Karen Weaver in this matter, and that, on behalf of Mayor Weaver, we will be providing a response to the allegations contained in the complaint filed by Kate Fields with the Michigan Department of State.

As our law firm was just retained to represent Mayor Weaver, and received a copy of your correspondence dated October 27, 2017, on Monday, I respectfully request an extension of time to provide a written response to the complaint allegations on behalf of Mayor Weaver. I believe an extension of 15 business days would be reasonable in this instance. My estimate, if the requested extension is granted, is that Mayor Weaver's response would be due on or about December 14, 2017.

Please notify me, at your convenience, whether the request for extension of time to respond to the complaint allegations is granted, and the date you have determined that the response will be due. Your attention to this matter and cooperation is greatly appreciated.

Best regards.

**Kendall B. Williams**

Attorney at Law



8263 South Saginaw Street #6 | Grand Blanc, Michigan 48439

Phone: 810.695.7777 | Fax: 810.695.9549

[www.thewilliamsfirm.com](http://www.thewilliamsfirm.com)

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KENDALL B. WILLIAMS  
TIMOTHY R. WINSHIP†  
CHELSEA S. DOWN†  
MARC D. MORSE

LAW OFFICES  
**THE WILLIAMS FIRM**  
*A Professional Corporation*

SEAN M. SIEBIGTEROTH  
*Of Counsel*

8263 South Saginaw Street, Suite 6  
Grand Blanc, Michigan 48439  
Telephone: (810) 695-7777  
FAX: (810) 695-9549

†Also admitted in State of Washington  
‡Also admitted in State of North Carolina

www.TheWilliamsFirm.com  
Email: Info@TheWilliamsFirm.com  
Direct Email: KWilliams@TheWilliamsFirm.com

December 13, 2017

**\*\*VIA ELECTRONIC MAIL\*\***

State of Michigan  
Department of State, Bureau of Elections  
Attn: Lori A. Bourbonais  
Richard H. Austin Building – 1<sup>st</sup> Floor  
430 West Allegan Street  
Lansing, Michigan 48918  
(Email: Bourbonaisl@michigan.gov)

Re: Mayor Karen Weaver – Complaint by Kate Fields  
Our File: Weaver-17005

Dear Ms. Bourbonais:

Please be advised, as I indicated in my e-mail correspondence to you on November 15, 2017, that our law firm represents the Honorable Karen Weaver, Mayor of the City of Flint, Michigan, relative to the Complaint filed by Ms. Kate Fields, with the Michigan Department of State, on October 17, 2017. In her Complaint, Ms. Fields alleges that Mayor Weaver violated certain provisions of the Michigan Campaign Finance Act (MCL 169.201 *et seq.*); specifically, MCL 169.247(1) and MCL 169.257(1). This correspondence is provided on behalf of our client, Mayor Weaver, in response to the allegations contained in Ms. Fields' Complaint.

With regard to the allegation that Mayor Weaver did not include a complete and correct identification statement on certain campaign materials, as required by MCL 169.247, the Respondent, Mayor Weaver states as follows:

1. The Mayoral Recall Election for the City of Flint, Michigan, took place on November 7, 2017. Mayor Karen Weaver was re-elected as Mayor of the City of Flint following the recall election.
2. The majority, if not all, of the campaign material referenced in Ms. Fields' Complaint was informational only, and did not contain words of express advocacy such as "vote for," "elect," "support," etc. Therefore, the Michigan Campaign Finance Act does not require such material to include the phrase "paid for by" along with the name and address of the person paying for such materials.



3. As to the website KarenaboutFlint.com, there was a link available for campaign donations. However, the link was not operational until on or about November 3, 2017, for donors to donate to the recall election campaign of Mayor Weaver.
4. Since January 2015, The Comp Guys, a firm offering web based services which is located at 1362 W. Bristol Road, Flint, Michigan, has served as the designer and maintainer of KarenaboutFlint.com. From January 2015 through July 2017, The Comp Guys charged a monthly fee for hosting and maintaining KarenaboutFlint.com and for managing related social media accounts.
5. On and after August 3, 2017, when the Genesee County Clerk declared that there would be a recall election for the Mayor of the City of Flint, The Comp Guys did not charge Mayor Weaver or her campaign committee, Friends of Karen Weaver, any fees for the hosting or maintenance of KarenaboutFlint.com, or for maintaining related social media accounts.
6. Due to the fact that no fees were paid for the hosting or maintenance of KarenaboutFlint.com, it was Mayor Weaver's understanding that a notice that such site was paid for by Mayor Weaver's campaign was not required by MCL 167.247.
7. Since November 15, 2017, KarenaboutFlint.com has included a statement indicating that it is paid for by the Friends of Karen Weaver. A screenshot taken from the first page of KarenaboutFlint.com, showing such statement, is attached as **Exhibit 1**.

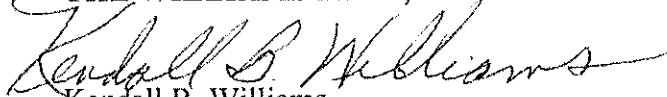
In response to the claim that Mayor Weaver unlawfully used the resources of the City of Flint to further her campaign efforts during the Flint Mayoral Recall Election, in violation of MCL 169.257(1), the Respondent, Mayor Weaver, states as follows:

1. All employees of the City of Flint were specifically directed to not engage in any Flint Mayoral Recall election campaign activities, either in support of or in opposition to Mayor Weaver's campaign for reelection, during those hours in which they were being compensated as an employee of the City of Flint.
2. It is the understanding of Mayor Weaver that each of the individuals appearing in the photographs attached to the Complaint were engaged in campaign activities only during their non-working hours, consistent with their rights and obligations under MCL 15.401 *et seq.* (commonly referred to as the Michigan Political Freedom Act). Mayor Weaver's understanding in this regard is based upon the representations made by these individuals. Therefore, there was no unlawful use of the resources of the City of Flint by Mayor Weaver to further her campaign efforts in violation of MCL 169.257(1).

Accordingly, the Respondent, Mayor Weaver, denies the allegations contained in the Complaint filed by Ms. Kate Fields; specifically, Mayor Weaver denies that either MCL 169.247(1) or MCL 169.257(1) were violated during the course of her Campaign to be reelected as Mayor of the City of Flint, on and after August 3, 2017.

Very truly yours,

**THE WILLIAMS FIRM, P.C.**



Kendall B. Williams

KBW/lj  
Enclosure

c: Honorable Karen Weaver, Mayor of the City of Flint (w/enc.)

# **EXHIBIT 1**

# KAREN:FLINT

sneak a home visit by a LOUC member.

The Food Bank of Eastern Michigan will also continue to operate the three existing Help Centers in Flint located at Asbury United Methodist Church, Bethel United Methodist United Church, and Greater Holy Temple Church of God in Christ. Residents can visit the centers to obtain food, bottled water, and other health outreach services.

More information, maps and updates on the new water distribution plan is available on the City of Flint website at <https://www.cityofflint.com/water-sites/>.

September 12, 2017

Support Karen Weaver - Online Donations Are Accepted!

DONATE NOW

© 2017 Karen About Flint. Paid for by the Friends of Karen Weaver. Designed by MAMPA



STATE OF MICHIGAN  
RUTH JOHNSON, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

January 12, 2018

Kate Fields  
2501 Maryland Ave  
Flint, MI 48506

Dear Ms. Fields:

The Department of State received a response to the complaint you filed against Mayor Karen Weaver, which concerns an alleged violation of the Michigan Campaign Finance Act (MCFA), 1976 P.A. 388, MCL 169.201 *et seq.* A copy of the response is provided as an enclosure with this letter.

If you elect to file a rebuttal statement, you are required to send it within 10 business days of the date of this letter to the Bureau of Elections, Richard H. Austin Building, 1<sup>st</sup> Floor, 430 West Allegan Street, Lansing, Michigan 48918.

Sincerely,

A handwritten signature in black ink, appearing to read "David Foster".

David Foster  
Bureau of Elections  
Michigan Department of State

c: Kendall B. Williams



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

February 5, 2019

Kendall B. Williams  
Attorney for Karen Weaver  
8623 South Saginaw Street, Suite 6  
Grand Blanc, Michigan 48439

Dear Mr. Williams:

The Department of State (Department) has concluded its investigation of the formal complaint filed by Kate Fields against your client, Mayor Karen Weaver which alleged violations of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.* This letter concerns the disposition of the complaint.

Ms. Fields filed her complaint on October 17, 2017 and alleged that Ms. Weaver failed to place a paid for by statement upon certain campaign materials in violation of section 47 of the Act. Additionally, Ms. Fields alleged that city resources were improperly used to make a contribution to Mayor Weaver's recall election. Specifically, Flint Police Chief Tim Johnson and Officer Kevin Smith went door to door distributing literature that advocated for Mayor Weaver's reelection.

By letter dated December 13, 2017, you filed a response on behalf of Mayor Weaver and indicated that the majority of the campaign material referenced in the complaint failed to contain words of express advocacy, there were no fees associated with the website, and that Mayor Weaver directed city employees not to engage in campaign activities while on city time. You further indicated that it was Mayor Weaver's understanding that Mr. Johnson and Mr. Smith campaigned on their own time. Ms. Fields elected not to file a rebuttal.

The MCFA and corresponding administrative rules require a person who produces printed material that relates to an election to include the phrase "Paid for by [name and address of the person who paid for the item]." MCL 169.247(1), Mich. Admin. 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).

Additionally, 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 definition of expenditure includes "a payment, donation, loan, or promise of payment of money or anything of ascertainable monetary value for goods, materials, services, or facilities in assistance of, or in opposition to, the nomination or election of a candidate [.]". MCL 169.206(1). A knowing violation of this provision is a misdemeanor offense. MCL 169.257(4).

Upon review, and in the absence of evidence to the contrary, the Department takes you at your word that Mayor Weaver did not direct Mr. Johnson or Mr. Smith to campaign on her behalf on city time. Therefore, in the absence of evidence to the contrary, it does not appear that *Mayor Weaver* used City of Flint resources to directly advocate for her reelection. Accordingly, the allegations brought under section 57 are dismissed.

In terms of the failure to contain a proper paid for by statement, it appears that a potential violation of MCL 169.247 has occurred. Although you indicate that the materials did not contain words of express advocacy, they appear to be produced by Mayor Weaver and/or her campaign. The Department has long held that any materials produced by the candidate are automatically considered to be express advocacy and must contain a proper paid for by statement. The materials referenced in the complaint failed to contain such a statement.

Upon the finding of a violation, 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 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 that refer to an election or your candidacy produced in the future must include this identification statement.

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).

The Department considers the instant action closed and resolved.

Sincerely,



Adam Fracassi  
Bureau of Elections  
Michigan Secretary of State

c: Kate Fields