

Michigan Department of State, Bureau of Elections  
430 West Allegan Street  
Lansing, Michigan 48918

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MICHIGAN  
2019 OCT 25 PM 2:11  
CLERK OF CIRCUIT/GREAT SEAL

**Alleged Violator**

Josh Brugger, running for Mayor of Grand Haven

20 Prospect Street  
Grand Haven, MI 49417

**Section 47 (1) of the Michigan Campaign Finance Act is clear: it requires that paid political advertisements, like yard signs, have an identification statement.**

Candidate Committees must have the "Paid for by" declaration, along with "the committee's name and address."

In his campaign for Grand Haven Mayor, Josh Brugger does not include an address on his yard signs.

**Mr. Brugger must rectify this immediately. Transparency and accountability for the next Mayor of Grand Haven is a critical issue, and with the election just two weeks away, the citizens of Grand Haven deserve answers.**

Mr. Brugger himself filed a complaint with this office in 2015 over a similar issue against the Save The Grand Haven Cross And Nativity PAC. He has already clearly established a knowledge of applicable law.

**Despite this, he has completely disregarded campaign finance law in this case. Your office must strongly consider sanctioning him with at least a substantial fine to his campaign committee given his undeniable knowledge- yet complete disregard- of campaign finance law.**

Michiganders are sick of seeing connected politicians like Josh Brugger play by one set of rules, while average citizens play by another.

Attached are pictures of Brugger's yard signs taken on October 20, 2019 in the City of Grand Haven, which prove the allegations in this complaint.

*I certify that to the best of my knowledge, information, and belief, formed after reasonable inquiry under the circumstances, each factual contention of this complaint is supported by evidence.*



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Brandon Hall  
6685 Rives Junction Road  
Jackson, MI 49201  
(616-888-9997)

# Josh Brugger for Mayor

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Josh  
Bruger  
for  
Mayor

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Paid for by the Committee to Elect Josh Bruger



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

November 5, 2019

Josh Brugger  
20 Prospect Street  
Grand Haven, Michigan 49417

Re: *Hall v. Brugger*  
Campaign Finance Complaint  
No. 2019-10-49-47

Dear Mr. Brugger:

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 a complete and correct identification statement on certain campaign-related materials. A copy of the complaint is enclosed.

The complaint was submitted to the Department on October 25, 2019 and alleges that you have distributed campaign materials that did not include a proper paid for by statement. A picture of the campaign materials is included with the complaint and 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]." 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 it is an expenditure covered by the MCFA. The yard sign specifically states "Josh Brugger for Mayor" which uses words of express advocacy as defined by the Act. MCL 169.206(2)(j). Because it urges voters to vote for you using words of express advocacy and was published by your committee, the yard sign is covered by the gambit of the Act and must include the paid for by statement outlined under section 47. MCL 169.206(2)(j). While the paid for by statement is present, it fails to contain the full address of the committee as required by the Department's rules thereby leaving the Department with reason to believe that a potential violation of the Act 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

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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) 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.

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,

A handwritten signature in black ink, appearing to read "Adam Fracassi". The signature is fluid and cursive, with a large initial "A" and "F".

Adam Fracassi  
Bureau of Elections  
Michigan Department of State

Enclosure  
c: Brandon Hall