



Michigan Department of State Campaign Finance Complaint Form

BUREAU OF ELECTIONS • RICHARD H. AUSTIN BUILDING - 1st Floor
430 W. ALLEGAN STREET • LANSING, MICHIGAN 48918

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CLERK OF THE GREAT SEAL

This complaint form may be used to file a complaint alleging that someone violated the Michigan Campaign Finance Act (MCFA). For instructions on how to complete this form, see the Campaign Finance Complaint Guidebook & Procedures document. All spaces are required unless otherwise indicated.

Section 1. Complainant			
Your Name <i>Michael V. Radtke Jr.</i>		Daytime Telephone Number <i>(586) 873-8427</i>	
Mailing Address <i>34205 Barrett Dr.</i>			
City <i>Sterling Heights</i>	State <i>MI</i>	Zip <i>48312</i>	
Email (optional) <i>Citizens For Radtke@gmail.com</i>			

Section 2. Alleged Violator			
Name <i>Jazmine Early</i>			
Mailing Address <i>33294 Shelley Lynne Dr.</i>			
City <i>Sterling Heights</i>	State <i>MI</i>	Zip <i>48312</i>	
Email (optional) <i>jazmagear@hotmail.com</i>			

Section 3. Allegations (Use additional sheets if more space is needed.)

Section(s) of the MCFA alleged to be violated: MCFA 1976 PA 388, MCL 169.247(1)

Explain how those sections were violated:

SEE ATTACHED

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

SEE ATTACHED

October 9, 2019

Re: Jazmine Early Campaign Finance Complaint

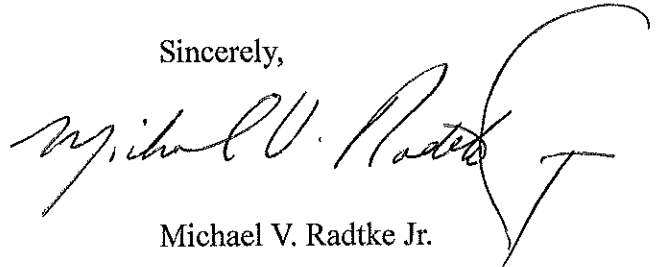
To Whom It May Concern:

It is my belief that Jazmine Early, Candidate for Sterling Heights City Council, knowingly, willfully, and repeatedly violated MCFA 1976 PA 388, MCL 169.247(1) by failing to include a complete and correct identification statement on her campaign signs.

Ms. Early did not include a proper paid for line on her numerous yard signs. On the sign there is no written disclaimer, and these signs were previously used by Ms. Early in her campaign for State House. Please see the enclosed picture for further evidence.

It is my hope that this situation is remedied, so that voters are not misinformed. Ms. Early has run for office at least 4 times now, and should know the rules regarding disclaimers on printed materials. It is sad that Ms. Early asks voters to support her while knowingly violating the law.

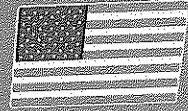
Sincerely,

A handwritten signature in black ink, appearing to read "Michael V. Radtke Jr.", with a large, stylized flourish extending from the end of the signature.

Michael V. Radtke Jr.

ELECT

★★Jazmine★★



EARLY

for

CITY COUNCIL



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

October 17, 2019

Jazmine Early
33294 Shelley Lynne Drive
Sterling Heights, Michigan 48312

Re: *Radtke v. Early*
Campaign Finance Complaint
No. 2019-10-37-47

Dear Ms. Early:

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 by Michael Radtke to the Department on October 14, 2019 and alleges that you have distributed yard signs that did not include a proper paid for by statement. A picture of the yard signs is included with the complaint.

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 "Elect Jazmine Early for City Council" 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 signs are covered by the gambit of the Act and must include the paid for by statement outlined under section 47. MCL 169.206(2)(j). However, the signs have completely omitted the required paid for by statement. Since this phrase is absent, the evidence supports the conclusion that a potential violation 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

Jazmine Early
October 17, 2019
Page 2

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", written in a cursive style.

Adam Fracassi
Bureau of Elections
Michigan Department of State

Enclosure
c: Michael Radtke

October 30, 2019

Adam Fracassi
Bureau of Elections
Michigan Department of State

Re: Radtke v. Early
Campaign Finance Complain
No. 2019-10-37-47

Dear Mr. Fracassi,

Last week, I received a letter from your office notifying me that "there be may be reason to believe that a violation... has occurred (.)" MCL 169(10)."

I would like to inform you that at the moment the signs were placed at the property of homes and businesses, they all contained the disclaimer. I have known this rule since I started my first campaign in 2014. These signs were used in the past, and we wrote it down. We didn't have any problem last year, and suddenly, the disclaimer is disappearing from the signs.

I have personally taken the time to drive around and check if the disclaimer is still there on all my signs. In a few cases, I am finding out that it isn't showing up now. I am writing the disclaimer again, and taking pictures to keep it as proof that they all contain the disclaimer.

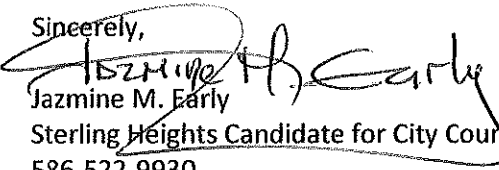
I appreciate you taking the time to inform me, I strive my best to comply with the law, and I wonder how those disclaimers are disappearing.

I am also attaching here a sign for a ballot proposal in our city. This sign doesn't have the disclaimer on both sides of the sign, as is the same case as mine. I believe that their signs and my signs comply with the law by having the disclaimer, even if it is only in one side of the sign. I wonder if it may be the case why Mr. Radtke implies that "many signs" are missing the disclaimer.

Either he is only observing one side of my campaign signs or some of these signs have been tampered with. Many of my signs have been stolen or destroyed, but I can say with absolutely certainty that every single sign originally has a disclaimer printed on them.

Thanks again for bringing it to my attention. If you have any further questions, please do not hesitate to contact me. Attached is a copy of one of the signs with the disclaimer that has been there since I started placing signs, and the sign that was reported which has the disclaimer on it again.

Sincerely,


Jazmine M. Early

Sterling Heights Candidate for City Council

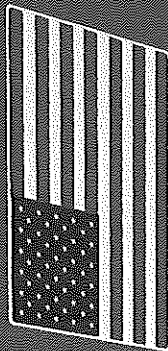
586-522-9930

Jazmagear@hotmail.com

Six Attachments.

ELECT

★ ★ Jazmine ★ ★



EARLY
for
CITY COUNCIL

Paid for by Friends of Jazmine Early - 33294 Shallowford Dr. Sterling Heights MI 48312

Other Sign Location

other sign

ELECT

Jazmine

EARLY

for

CITY COUNCIL

Paid For by Jazmine Early

Other sign location



Canterbury DR

MOYES
POLICE
& FIRE
1000 E. 1ST ST.
MILWAUKEE, WI

Front of sign

vote YES

**POLICE
& FIREF**

KEEP OUR CITY SAFE

Paid for by Sterling
Heights Police
Officers Association
PO Box 546 Sterling Heights, MI 48311

RENEWAL

Front of sign

vote YES
POLICE
& FIRE
KEEP OUR CITY SAFE
RENEWAL

same
back of sign

Canterbury DR