

Campaign Finance Complaint Form Michigan Department of State

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 RONALD CARTER JR		Daytime Telephone Number 586-222-4203	
Mailing Address 12080 AVONDALE AVE			
City WARREN	State MI	Zip 48089	

Section 2. Alleged Violator		
Name CTE ERIC CASTIGLIA		
Mailing Address 38602 ROUGEWOOD		
City STERLING HTS.	State MI	Zip 48312

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

Section(s) of the MCFA violated:

MCFA 1976 PA 388, MCL 169.247 (1)

Explain how those sections were violated:

SEE ATTACHED

RECEIVED/FILED
MICHIGAN DEPT OF STATE
2017 AUG -2 AM 9:24
ELECTIONS/GREAT SEAL

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

SEE ATTACHED

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

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

July 17, 2017

Re: Eric Castiglia Campaign Finance Complaint

To Whom It May Concern:

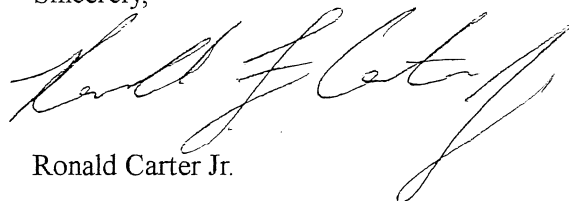
It is my belief that Eric Castiglia, candidate for Sterling Heights City Council, knowingly, willfully, and repeatedly violated MCFA 1976 PA 388, MCL 169.247(1) by failing to include a complete and correct identification statement on multiple campaign materials.

These items include, but are not limited to his website (www.votecastiglia.com); his campaign signs that were visible both at the Italian Festival as well as his fundraiser; and campaign handout materials given to voters. Please see attached pictures for further evidence.

Additionally, Mr. Castiglia currently has a reporting waiver on the Macomb County Campaign Finance website, whereby he promises to not raise or spend more than \$1,000 on his campaign. It is my belief that Castiglia has violated this waiver without updating his paperwork, especially after having his scheduled fundraiser.

It is my hope that this situation is remedied, so that voters are not misinformed. Mr. Castiglia should also be instructed to conform with Michigan campaign finance law in the future. It is sad that Mr. Castiglia asks voters to support him while knowingly violating the law.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald J. Carter Jr.", written in a cursive style.

Ronald Carter Jr.

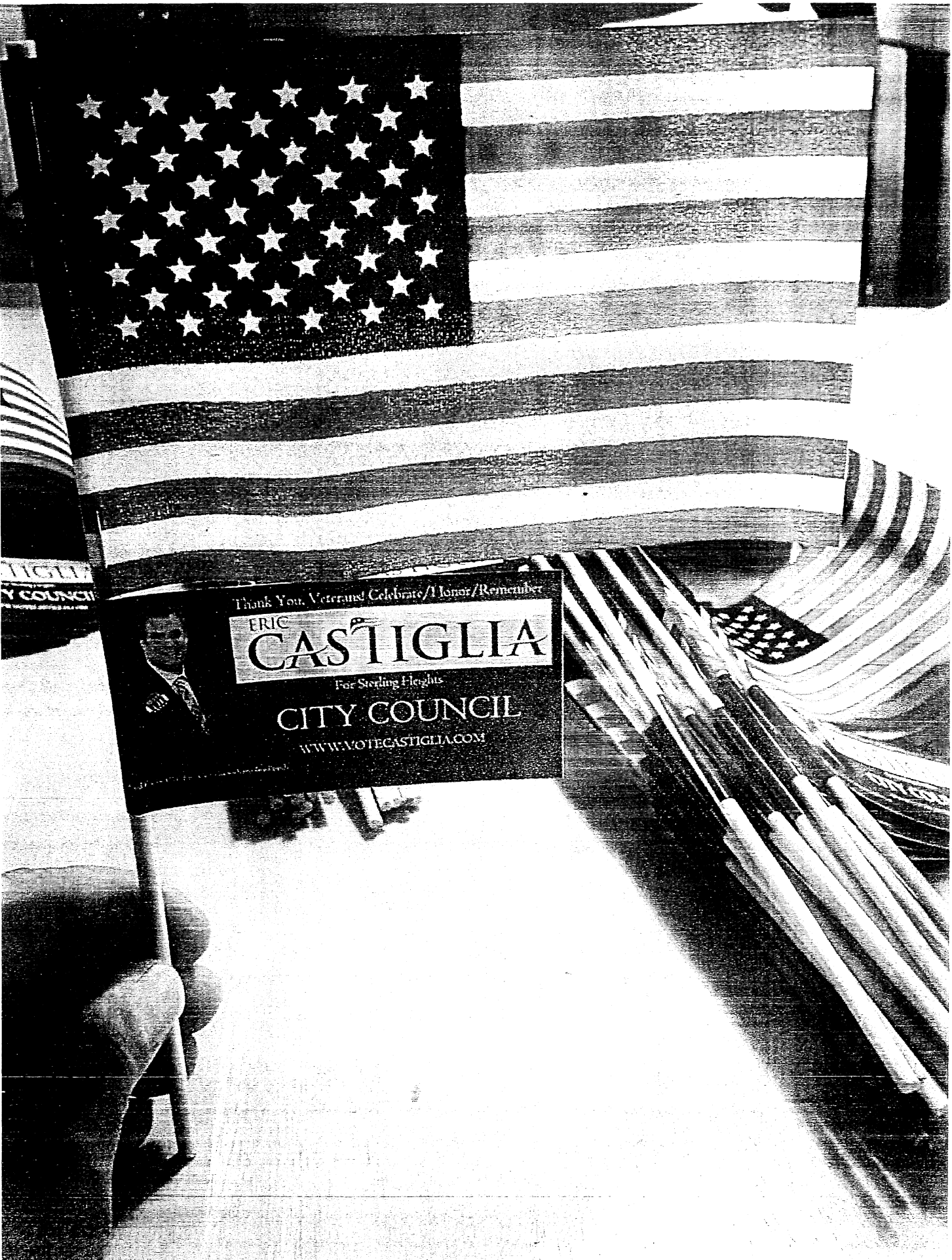
CASTIGLIA

FOR
CITY COUNCIL

Sterling Heights, MI

Paid for by CTE ERIC CASTIGLIA with regulated funds





CASTIGLIA
CITY COUNCIL



Thank You, Veterans! Celebrate/Monor/Remember
ERIC
CASTIGLIA
For Sterling Heights
CITY COUNCIL
WWW.VOTECASTIGLIA.COM

This event has ended.



FUNDRAISER EVENT. SAVE THE DATE JUNE 21ST 2017

ERIC
CASTIGLIA
STERLING HEIGHTS
CITY COUNCIL

JUN
21

Spaghetti Dinner
Fundraiser; Eric
Castiglia for City
Council

by Paid for CTE Eric Castiglia with
regulated Funds

Free

Sales Ended

DETAILS

ERIC CASTIGLIA ONLINE EVENT INVITATION



Eric Castiglia shared Antoine Maudie Davenport's post
March 26, 2017



ERIC CASTIGLIA TSHIRT VIOLATION



Copyright © Eric Castiglia 2016. All Rights Reserved.

Paid for by CTE Eric Castiglia with Regulated funds

[Home](#) | [About](#) | [Contact Us](#) | [Donate](#) | [Get Involved](#) | [Sterling Heights Map](#)

CASTIGLIA WEBSITE DISCLAIMER

ERIC
CASTIGLIA
FOR
CITY COUNCIL
Seaside, Maryland, 21151



ERIC
CASTIGLIA
FOR
CITY COUNCIL

STANDING AT THE 1000





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

August 15, 2017

CTE Eric Castiglia
38602 Rougewood
Sterling Heights, MI 48312

Dear Mr. Castiglia:

The Department of State has received a formal complaint filed against you by Ronald Carter, Jr., 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. Copies of the complaint and supporting documentation are enclosed with this letter.

The MCFA requires a committee that receives or expends more than \$1,000.00 during any election to file periodic campaign finance reports in compliance with the Act. MCL 169.233(6). The failure to file a single campaign statement may trigger the assessment of late filing fees, while the failure to file two or more campaign statements is a misdemeanor offense. MCL 169.233(7)-(8).

Mr. Carter alleges that although you filed a statement with the Macomb County Clerk indicating that your candidate committee is eligible for a reporting waiver, the committee received or spent an amount in excess of \$1,000.00 in relation to the 2017 Sterling Heights City Council election, and you failed to file required campaign statements.

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).

In addition, Mr. Carter alleges that you violated section 47(1) of the Act, by failing to include a complete and correct paid-for-by statement on certain campaign materials.

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 corrective measures you have taken to bring your campaign material into compliance with the MCFA. Your response may include any written statement or additional documentary evidence you wish to submit. All materials must be sent 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 reply will be provided to Mr. Carter, who will have an opportunity to submit a rebuttal statement to the Department. After reviewing all of 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 of the criminal penalty provided in section 33(8) of the Act.

If you have any questions concerning this matter, you may contact me at (517) 241-0395.

Sincerely,

A handwritten signature in black ink, appearing to read "Lori A. Bourbonais".

Lori A. Bourbonais

Bureau of Elections

Michigan Secretary of State

c: Ronald Carter, Jr.

Attention: Lori A. Bourbonais
Dept. of State
Bureau of Elections
Richard H. Austin Building, 1st Floor
430 West Allegan Street
Lansing, MI 48918

RECEIVED/FILED
MICHIGAN DEPT OF STATE
2017 AUG 23 PM 1:52
ELECTIONS/GREAT SEAL

Date: August 18, 2017
Re: Complaint response

Dear Bureau of Elections,

The complainant indicates a required campaign finance report was not filed but does not indicate which required report that is. As a new campaign and first-time candidate, a reporting waiver was attained. If the reporting waiver is lost during the campaign the first campaign finance report would be the Pre-General report due October 27, 2017 (name is on the November General ballot only). If a reporting waiver had not been attained, October 27th would still have been the first report due date. Therefore, the complainant seems to be unaware of what the required dates are and there is no violation.

Next, all the campaign items the complainant refers to have an identifier on them to the campaign, but upon further review and inquiries, the address portion needs to be added to make it complete. That is an error and a misunderstanding of the requirement on my part. The complete campaign address will be added to all campaign items from this date forward and I appreciate the complainant pointing that out.

The T-Shirts and Stickers on the little flag are considered exempted to our knowledge based on Appendix J. Our Eventbrite online invitation did have paid for by CTE Eric Castiglia and address on it, please see picture.



Sincerely,

Eric Castiglia
38602 Rougewood Dr.
Sterling Heights, MI 48312

FUNDRAISER EVENT, SAVE THE DATE JUNE 21ST 2017



ERIC CASTIGLIA

STERLING HEIGHTS

CITY COUNCIL

JUN
21

Spaghetti Dinner Fundraiser; Eric Castiglia for City Council

by Paid for CTE Eric Castiglia with
regulated funds

Free

Sales Ended

DETAILS

DESCRIPTION

It is my honor and privilege to welcome my fellow citizens of Sterling Heights and my supporters to our spaghetti dinner fundraiser.

I look forward to visiting with many old friends and meeting new friends, as I continue my campaign to earn election as a Sterling Heights Councilman.

See you on the 21st. Bring your appetite!

Eric

Your dinner will include:

Pasta with choice of marinara or alfredo sauce; salad; garlic bread; Soft Drinks and The famous Castiglia family meatballs.

Contribution will be \$25.00 per person.

Kids 10 and under \$12.50 per child

Table of 8 - \$160

Host - \$1,000

Gold Sponsor - \$500

Silver Sponsor - \$250

(No Corporate Checks or Corporate Credit Cards)

Please make checks out to **CTE Eric Castiglia**

Mail Checks to **18602 Ridgewood Dr. Sterling Heights, MI 48312**

Pay by credit card at www.voteCastiglia.com Donation page. In the notes please specify Spaghetti Dinner.

Donations by check or credit card can be made at the event.

For Questions, Please contact Bob Little 313 605 9849 or email contactus@voteCastiglia.com

www.voteCastiglia.com

DATE AND TIME

Wed, June 21, 2017
6:30 PM - 8:30 PM EDT
[Add to Calendar](#)

LOCATION

Sterling Lanes
31200 Schoonover Rd
Sterling Heights, MI 48312
[View Map](#)

FRIENDS ATTENDING

FRIENDS ATTENDING

None yet

TAGS

Things To Do in Sterling Heights, MI Other Government

Contribution will be \$25.00 per person

Kids 10 and under \$12.50 per child

Table of 8 \$160

Host \$1,000

Gold Sponsor \$500

Silver Sponsor \$250

(No Corporate Checks or Corporate Credit Cards)

Please make checks out to **CTE Eric Castiglia**

Mail Checks To: **18602 Rougewood Dr, Sterling Heights, MI 48312**

Pay by credit card at www.votecastiglia.com Donation page. In the notes please specify Spaghetti Dinner.

Donations by check or credit card can be made at the event.

For Questions Please contact Bob Little 313 608 9849 or email contactus@votecastiglia.com

www.votecastiglia.com

EVENTS BY CATEGORY

FRIENDS ATTENDING

None yet



TAGS



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

August 25, 2017

Ronald Carter Jr.
12080 Avondale Ave
Warren, MI 48089

Dear Mr. Carter:

The Department of State received a response to the complaint you filed against CTE Eric Castiglia, 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, 1st Floor, 430 West Allegan Street, Lansing, Michigan 48918.

Sincerely,

A handwritten signature in cursive script that reads "Lori A. Bourbonais".

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: CTE Eric Castiglia



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

July 25, 2018

Eric Castiglia
38602 Rougewood Drive
Sterling Heights, Michigan 48312

Re: *Carter v. Castiglia*
Campaign Finance Complaint

Dear Mr. Castiglia:

The Department of State (Department) has concluded its investigation into the complaint filed against you by Ronald Carter Jr. which alleges that you have violated Section 47 of the Michigan Campaign Finance Act (MCFA) by failing to include a complete and correct identification statement on certain campaign-related materials. This letter concerns the resolution of the complaint.

The complaint was filed July 17, 2017 and alleged that you failed to include a complete and correct identification statement on multiple pieces of campaign materials. The materials included your campaign website, campaign signs, and handouts at an event. The complaint also alleges you have violated your reporting waiver and have not updated the documentation.

You filed a response on August 18, 2017 indicating that you obtained a reporting waiver and the first report due was the Pre-General election report. You next indicated that your campaign materials had a paid for by statement on them but admit that it was not complete. Finally, you stated that t-shirts and stickers are considered exempt per Appendix J.

The response was sent for rebuttal, and Mr. Carter elected not to file a rebuttal. The Department now reviews the evidence submitted and takes each allegation in turn.

I. 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 Department concludes that based upon the picture evidence submitted and your admission to having incomplete paid for by statements on campaign related materials, there is reason to believe a violation of Section 47 has occurred.

Once 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 determines that this warning letter is a sufficient resolution to this allegation in 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 that refer to an election or your candidacy produced in the future must include this identification statement. For all materials currently in circulation that refer to your candidacy, the paid for by statement must be corrected/included. Items exempted from this requirement are included in Appendix J on the Department’s website.

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).

II. Campaign Finance Reports

The MCFA requires a committee that receives or expends more than \$1,000 during any election to file campaign finance reports in compliance with the Act. MCL 169.233(6). The failure to file a single campaign statement may trigger the assessment of late filing fees, while the failure to file two or more campaign statements is a misdemeanor offense. MCL 169.233(7)-(8).

Upon review, the Department concludes that the evidence does not support the conclusion that a violation of the MCFA has occurred. After reviewing the campaign finance reports which are publicly available at macomb.mi.campaignfinance.us, it appears that you received an initial reporting waiver in December 2017. While the Reporting Waiver is in effect, the committee is not required to file detailed pre-election, post-election, annual, July and October campaign statements. This reporting waiver was lost upon the filing of your pre-election report which indicated that more than \$1,000 was expended.

Because there is no evidence demonstrating that reports have been knowingly filed incorrectly, the Department concludes there is no evidence to support a conclusion that a violation of the Act has occurred and dismisses this portion of the complaint.

III. Conclusion

The Department determines that there is sufficient evidence to support a conclusion that a violation of Section 47 has occurred since campaign related materials do not contain a complete paid for by statement, resolution by way of this warning letter is sufficient to resolve this potential violation.

The Department also concludes that there is insufficient evidence to support a finding of a potential violation of Section 33 of the MCFA. Therefore, this allegation is dismissed.

Please be advised that this notice has served to remind you of your obligations under the Act and may be used in future proceedings as evidence that tends to establish a knowing violation of the Act. The Department now considers this complaint resolved, and the file on the matter is now closed.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Fracassi", with a stylized flourish at the end.

Adam Fracassi
Bureau of Elections
Michigan Department of State

c: Ronald Carter, Jr.