



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

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

2019 OCT 21 AM 11:16

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 RICHARD SULAKA		Daytime Telephone Number (596) 801-3200	
Mailing Address 521 CASMERE AVE			
City WARREN	State MI	Zip 48092	
Email (optional) RSULAKAJR@GMAIL.COM			

Section 2. Alleged Violator			
Name JONATHAN LAFFERTY			
Mailing Address 28727 CUNNINGHAM DRIVE			
City WARREN	State MI	Zip 48092	
Email (optional) LAFFERTY4COUNCIL@OUTLOOK.COM			

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

Section(s) of the MCFA alleged to be violated: MCL 169.247(i)

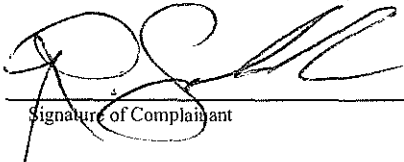
Explain how those sections were violated:

MAIL SENT BY FIRST CLASS POSTAGE WAS SENT WITHOUT DISCLOSURE OF THE SENDER THAT CONTAINED FALSE AND LIES ABOUT ME. IN A RECENT MALCOMB DAILY ARTICLE, LAFFERTY ADMITS TO USING THE METROPLEX FACILITY IN PORTLAND, THE SAME FACILITY THE ILLEGAL MAIL WAS SENT FROM, WITHIN THE SAME TIME PERIOD THAT THIS MAIL WAS SENT.
Evidence included with the submission of the complaint that supports the allegations:

I'VE ATTACHED A COPY OF THE MALCOMB DAILY ARTICLE AS WELL AS A COPY OF THE MAIL RECEIVED. MR. LAFFERTY, GRAPHICS EAST, AND HIS KNOWN ASSOCIATES AND VENDORS WOULD BE THE MOST LIKELY SUSPECTS, AS IT IS HIGHLY UNLIKELY FOR TWO INDIVIDUALS TO BE USING THE SAME MAIL HOUSE AT THE SAME TIME FOR A LOCAL ELECTION ALMOST 40 MINUTES AWAY.

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  10/14/19
Signature of Complainant Date

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:

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.

Section 6. Submission

Once completed, mail or hand deliver the complaint form with your evidence to the address below. The complaint is considered filed upon receipt by the Bureau of Elections.

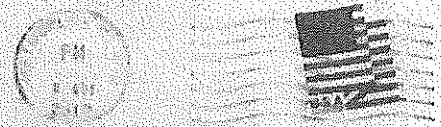
Michigan Department of State
Bureau of Elections
Richard H. Austin Building – 1st Floor
430 West Allegan Street
Lansing, Michigan 48918

Warren Election Bulletin

Week Tuesday November 5th

OCTOBER 2019

SPECIAL GENERAL ELECTION ISSUE



Tax Dollars Wasted? Special Investigation focuses on RICHARD SULAKA II

Details of a six-month investigation have been released by the Warren Election Bulletin into the history of tax dollars wasted by Richard Sulaka II - and the numbers are staggering.

Stemming from municipal court challenges, a highly-paid position in the Macomb County Public Works Department, to federal court, Sulaka II cannot seem to escape wasting tax payer dollars whenever he is involved.

Although Sulaka's campaign literature boasts of his capability to represent the residents, a financial disaster may instead loom in Warren's future.

Stating that he owns a family business, law practice, and a banquet hall during a TV Warren special, Sulaka's divided interests may offer a clue into his inability to keep tabs on important

Election Bulletin Investigation reveals years of waste: city, county and federal tax dollars

items such as money.

Now he is asking the residents of Warren to trust him with a third job to manage their \$200 million-dollar annual budget as a councilman.

Based on the details Warren Election Bulletin has uncovered, residents may want to carefully consider their pick for who will represent them on city council.

TO THE REGISTERED VOTERS AT



25 YEARS

Election Bulletin celebrates 25 years of sharing in-depth detail with Warren residents before making important decisions affecting their city government.

Thank you for making us your "trusted source" for information!

ON PAGE TWO

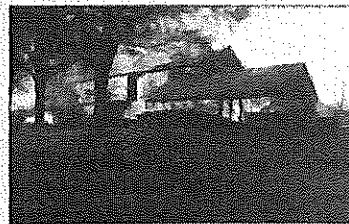
- Siding Warren residents - not once - but twice with costly court cases that disrupted the city's election.
- Deputy Public Works Director, Richard Sulaka ignores Fraser stakeholder requests on Christmas Eve.

FEATURE STORY: Election Bulletin Questions if Sulaka Lied on his Official Campaign Finance Reports; He May Know Warren, but Where Does Sulaka Really Live?

Sulaka's literature characterizes him as the "hometown" candidate, but information obtained by the Warren Election Bulletin leads to questions as to which hometown he is actually referring to.

A nearly 3,000 square foot estate in the wealthy suburb of West Bloomfield may be the preferred residence of Sulaka as he is rarely ever seen at his home on Casmere Drive.

The unkempt house in northwest Warren where Sulaka claims to live often has leaflets left on the front door for several days at a time, drapes drawn 24 hours a day, un-swept sidewalks and driveway, and also features tall grass and overgrown weeds.

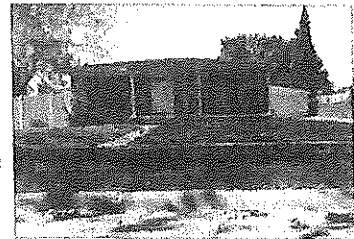


Comparing real estate: A stately mini-mansion valued at almost \$400,000 versus a 1,200 square-foot ranch in Warren.

Are Warren residents poised to repeat election history? Karen Spranger, the disgraced, former Macomb County Clerk was recently removed from office by a circuit court judge after utility bills and purchasing habits proved she lied about her residency.

The suit against Spranger cost taxpayers thousands in legal fees and court costs.

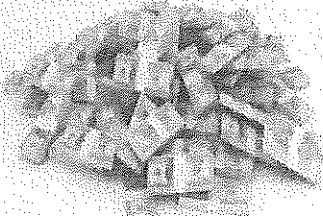
Going to court once again would be a costly embarrassment to Warren residents. The result could also endanger Sulaka's law license and ability to practice as an attorney.



Sulaka's residency claim: Homes like this are often the target of Warren's Dight Court where homeowners are forced to clean up or face jail time and hefty fines.



Follow YOUR Money Down the Sulaka Drain



Richard Sulaka II has a terrible track record managing jobs & tax dollars...

especially when the money belongs to someone else!

Read how many millions of tax dollars he wasted...

TOO MANY JOBS?? A Pattern of Irresponsibility:



Warren Election Bulletin links Sulaka's multiple jobs to hundreds of thousands lost in court cases; lack of attention to crumbling sewers in Fraser leads to a \$75 MILLION Christmas Eve Sinkhole Disaster

Warren Weekly - May 6, 2015

Judge rules against Warren ballot challenge

A circuit court judge shot down a legal challenge filed on behalf of a city council candidate against the Warren Election Commission.

"The defendant was represented by attorney Richard Sulaka Jr., who also filed to run for City Council in District 2."

— Warren Weekly - May 6, 2015

Macomb Daily - May 4, 2015

Judge denies request to keep candidates out of Warren city council race

A Macomb County Circuit Court judge has denied a Warren City Council challenger's request to keep four people -- including two current councilmen -- out of this year's council race.

"He [Sulaka] also works as a Macomb County deputy public works commissioner but said he was not on county taxpayers' time while in court Monday morning."

— Macomb Daily - May 4, 2015

Because of Sulaka's ineffectiveness in court, Warren taxpayers would foot the bill again four years later in County, State, and Federal Court when the same case was successfully defended by a different attorney.

Detroit Free Press - Dec 24, 2016

Fraser couple watches home crumble from sinkhole on Christmas Eve

Homeowners on Eberlein quickly evacuated, taking their Christmas celebrations elsewhere, while calls to public works authorities went unanswered. "A lot of people are convinced that it's just a matter of time -- and it's not if the house is going to come crumbling down, it's when."

"As for Sulaka's plan to appeal, Huth said: 'It's more waste of taxpayer money.'"

— Macomb Daily - May 4, 2015

On Christmas Eve, when Fraser residents were desperate for assistance, Richard Sulaka was no where to be found.

"In the last eight days of the sinkhole crisis, he was not here, but on vacation in Florida. This is his legacy, this is on him."

— WXYZ - Dec 31, 2016

Now Richard Sulaka II wants you to trust him to also manage the City of Warren's **\$200 MILLION DOLLAR** annual budget!!!



HOT TOPICS: Macomb County Bicentennial M-59 reconstruction project High school sports

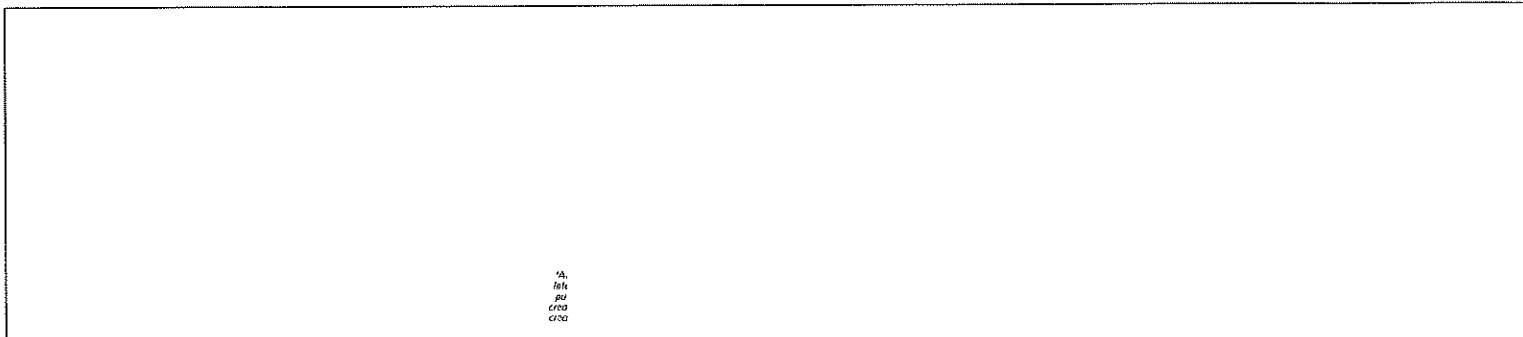


PHOTO COURTESY OF THE POSTAL SERVICE

https://www.macombdaily.com/news/local/postal-service-investigating-warren-candidate-s-mailers/article_0516e868-ec70-11e9-b021-ff9dc732a5e0.html

FEATURED

Postal Service investigating Warren candidate's mailers

By Norb Franz nfranz@medianewsgroup.com; @NorbFranz on Twitter Oct 12, 2019



Jonathan Lafferty

MORE INFORMATION



Federal postal officials are investigating the handling of thousands of election fliers belonging to a Warren candidate who suspects his campaign material was stolen or destroyed.

Jonathan Lafferty became suspicious when only a few of the 2,800 pieces of literature paid for by his election committee did not show up in mailboxes in the Warren Council District 2 area, he said. A

Macomb Township hires deputy supervisor

Warren Mayor Jim Fouts vetoes medical marijuana licenses

Macomb Daily week in review, Oct. 7-13

second batch of fliers of the same amount -- but slightly different in content than the first -- should have arrived to homes a day or so later but didn't.

Lafferty said the 8-by-11 inch postcards were taken in bulk by Graphics East to the Postal Service's metroplex facility in Pontiac to be delivered to the post office in Warren, on Mound Road, on Friday, Oct. 4 and Monday, Oct. 7.

He became suspicious when he received neither at his home on Cunningham Drive, noting that veteran office-seekers make sure they're on their own mailing list to ensure campaign fliers arrive in the mail. Relatives on Aubrey Avenue didn't get either flier, and some of his neighbors got one or didn't receive either flier, he said.

Lafferty spoke to a supervisor at the Warren post office and filed a complaint with the U.S. Postal Service, Office of Inspector General.

"We actually toured the entire sorting area where the mail carriers come in and sort mail for their route. Some of the carriers commented, 'We've been seeing your mail, we saw it last week,'" he said.

Lafferty, who served on the Macomb County Board of Commissioners from 2001-02, acknowledged peculiar things happen in election years, sometimes without explanation or clear proof. He suspects individuals opposing his candidacy to the City Council are behind the mailing mystery but offered no evidence or proof.

"I've never had any issues with the post office, other than people getting mail a day apart," Lafferty said. "To not have mail delivered at all, and a piece goes missing, that's entirely suspicious."

He said he received a call from Warren post office supervisor Charmaine Austin on Wednesday, Oct. 10, and that she reported his flier was tracked down and would be in mailboxes later that day. Some, if not most of the missing fliers, still weren't delivered in parts of District 2, bordered generally by 10 Mile and 14 Mile roads, between Hoover and Ryan roads.

"An FBI agent called me (Wednesday) evening and said the nature of the event had escalated and they give those priority and that they were going to interview all of the letter carriers and the postal service supervisor," Lafferty said.

Mara Schneider, spokesman for the FBI's Detroit office, told The Macomb Daily she could not confirm whether it is probing the Lafferty campaign fliers.

"Most elections are administered by the state and, as a result, the FBI would not have jurisdiction to investigate unless one or more of the following things is true: the ballot includes one or more federal candidates; the crime involves officials misconduct by a polling or election official; the alleged activity pertains to fraudulent voter registration; voting by non-U.S. citizens; (and) use of interstate facilities to violate state election law in non-federal elections," Schneider said in an e-mail.

Austin declined to comment and referred a reporter to Elizabeth Najduch, spokeswoman for the U.S. Postal Service – Detroit District. Najduch then deferred comment on the investigation to the Postal Service, Office of Inspector General, in Missouri where Assistant Special Agent in Charge Kevin Cloninger confirmed the investigation is ongoing.

"These allegations are very serious," said Cloninger, spokesman for the Great Lakes Field Office.

In an e-mailed follow-up, he said: "The USPS OIG received an allegation regarding mail delivery in the Warren, Michigan area and is currently investigating the matter. The USPS OIG takes allegations of delayed, lost, or stolen mail seriously and investigates those allegations vigorously."

Lafferty said he paid \$2,000 in bulk mail postage for the nearly 5,000 fliers.

The intended timing of the campaign literature is significant. Absentee ballots were to be mailed by the Warren Clerk's Office on Oct. 8 to registered voters in the city who requested them. In local, state and federal elections, many candidates, political action

committees and ballot proposal committees time this round of printed election matter to reach absentee voters, some of whom complete their ballots with little delay.

Lafferty is on the Warren ballot for the District 2 council race against Richard Sulaka II. They finished first and second, respectively, in the five-candidate field during the August primary election to advance to the Nov. 5 election. Lafferty received 38.2% of the vote while Sulaka garnered 36.6%.

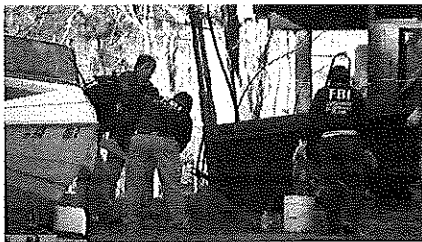
For the remaining few weeks of the current term, the District 2 seat will be held by Keith Sadowski, who is running for city clerk this year against acting Clerk Sonja Buffa.

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SIGN UP



SPONSORED CONTENT

FBI Rushed To Scene After Couple's Haunting Discovery...

By Upbeat News

upbeat

Couple that was remodeling their home made a chilling discovery that had them call the police immediately.

Norb Franz

@NorbFranz on Twitter

Norb Franz is a multimedia journalist at The Macomb Daily.



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

November 4, 2019

Jonathan Lafferty
28727 Cunningham Drive
Warren, Michigan 48092

Re: *Sulaka v. Lafferty*
Campaign Finance Complaint
No. 2019-10-42-47

Dear Mr. Lafferty:

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 21, 2019 and alleges that you have distributed campaign materials that did not include a proper paid for by statement. A picture of the campaign material 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 as the campaign materials have completely omitted the 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 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

Jonathan Lafferty
November 4, 2019
Page 2

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 stylized and cursive.

Adam Fracassi
Bureau of Elections
Michigan Department of State

Enclosure
c: Richard Sulaka