



**MICHIGAN CIVIL
RIGHTS INITIATIVE**

NEWS

IMMEDIATE RELEASE
June 9, 2005

Contact: Chetly Zarko
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SECRETARY OF STATE DISMISSES FRIVOLOUS CAMPAIGN FINANCE COMPLAINT FILED BY "BY ANY MEANS NECESSARY"

The Secretary of State dismissed frivolous campaign finance charges levied against the Michigan Civil Rights Initiative (MCRI) Committee by the group known as "By any means necessary" (BAMN). On Monday, the Secretary's Bureau of Regulatory Services issued its analysis (Attached) of a complaint BAMN leaked to the media two weeks ago, noting that MCRI Committee, and its donors have complied with state law and that the BAMN complaint must therefore be dismissed.

Today, MCRI Committee is filing a separate request for sanctions against BAMN and its attorneys for intentionally failing to note what the Secretary independently determined was obvious - that one of MCRI Committee's donors, the American Civil Rights Coalition, had properly registered as a separate committee and filed its own separate report, and that BAMN attorneys intentionally omitted in its complaint only the portions of state law which define the responsibilities of separate committees. Intentionally omitting key sections of the law, especially by lifting sentences out of the context of a paragraph of legal quotation, is both a violation of the Michigan Bar's attorney code of conduct and proves the intentionally frivolous, harassing, and media-driven purpose of BAMN's original complaint. Current procedure required that the Secretary dismiss the complaint before MCRI could request sanctions.

MCRI Committee is also filing a separate complaint against BAMN and its agents for a garden variety of failures to report campaign activities, and for intentionally donating one penny

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less than the legal trigger that would require BAMN to open up its own donor and expenditure records. There is considerable evidence that BAMN failed to report and under-reported its activities, in an effort to avoid this trigger. The most obvious and easily proven is the lengthy litigation BAMN filed last year against the Board of Canvassers in an attempt to overturn the form of MCRI's petition, which it pursued all the way to the Michigan Supreme Court. Shockingly, no filing expenses, legal fees, or most of the costs of this involved litigation were ever reported. The complaint against BAMN alleges that it has massively under-reported other activities for the last year and a half for the purpose of evading the same types of regulations that BAMN falsely alleged the MCRI and ACRC Committees breached. A quick look at all the campaign finance reports (at <http://www.mich.gov/sos/>) reveals the meticulous details reported by both MCRI Committee and ACRC Committee, and the surprising sparseness of detail in BAMN's reports.

Ward Connerly, the MCRI supporter who was one of the personal targets of the frivolous complaint, commented, "For months, the people of Michigan have endured the counter-productive and annoying tactics of this fringe, radical group that has no respect for the rule of law or for the rights of others. It is time that BAMN be held accountable and forced to understand that 'by any means necessary' is not the American way."

Copies of the complaints and responses will eventually be available upon request or at MCRI's website.

The Michigan Civil Rights Initiative Committee (MCRI), a Michigan-based Ballot Question Committee, is dedicated to giving the people of Michigan the opportunity to end preferential treatment based on race, gender, ethnicity, or national origin by State or local governments. MCRI will make Michigan a place of equal opportunity for all, not a State that uses discrimination as a tool to create "diversity." Achieving "diversity" and "affirmative action" should never be an excuse to discriminate!

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Paid for with regulated funds by the Michigan Civil Rights Initiative Committee
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STATE OF MICHIGAN
TERRI LYNN LAND, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

June 6, 2005

George B. Washington
Shanta Driver
Scheff & Washington, P.C.
65 Cadillac Square, Suite 2900
Detroit, MI 48226

Dear Mr. Washington and Ms. Driver

The Department has received your complaint against the Michigan Civil Rights Initiative (MCRI), (the respondent), filed pursuant to the Michigan Campaign Finance Act (MCFA), 1976 P.A. 388, as amended. After a review of the evidence, we are dismissing your complaint.

You allege that the respondent "deliberately violated the (MCFA) by laundering three fourths of the campaign contributions it received through a California organization - the American Civil Rights Coalition (ACRC) in order to conceal . . . the names of persons who are behind its effort to secure a place on the November 2006 ballot."

Please be advised that records filed with the Bureau of Elections confirm that the ACRC is, in fact, registered with the State of Michigan as a ballot question committee (ID #512328) and has been registered as such since July 24, 2003. As such, ACRC is required to, and does, itemize its contributions. Other committees, such as MCRI, receiving contributions from ACRC would therefore not be required to provide further itemization.

Accordingly this matter has been dismissed.

Very truly yours,

John D. Boyd, Administrative Law Examiner
Bureau of Regulatory Services
(517) 241-8322

JDB/jb

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