Andy Dillon Speaker of the House Michigan House of Representatives P. O. Box 30014 Lansing, MI 48909-7514

Dear Speaker Dillon:

Re: Request For Investigation Of Paul Scott For Utilizing Public Resources To Assist His Political Campaign To Become The Republican Nominee For Secretary Of State At The August 28, 2010 Republican State Convention

According to Rule 7 of the Standing Rules of the Michigan House of Representatives, the Speaker is the Chief Administrator of the House, and is responsible for, among other things, contracts for all employees of the House. Consequently, the purpose of this letter is to ask you to fulfill your fiduciary duty to the people of the State of Michigan to safeguard public funds.

In particular, I call to your attention a recent inquiry conducted by the Mackinac Center for Public Policy, which revealed that an individual called Glenn Clark is paid a salary of \$13,000 from the Office of Representative Paul Scott. See Attachment 1. This is the same Glenn Clark:

- 1. Who is a paid political consultant and operative. See Attachment 2.
- 2. Who is the long-time Chair of the 9th Congressional District Republican Party. See Attachment 3.
- 3. Who is working to nominate Paul Scott as the Republican nominee for Secretary of State at the August 28, 2010 Republican State Convention. See Attachment 4.
- 4. Who, unlike state employees, does not have an email address with the Michigan House of Representatives.

So the question I ask you to investigate becomes: Is Glenn Clark performing services on behalf of the Michigan House of Representatives or to nominate Paul Scott for Secretary of State at the upcoming August 28, 2010 Republican State Convention?

The answer to this investigation may have serious consequences. In Michigan, public funds may not be used to support a private purpose. Const. 1963, art 9, § 18; Kestenbaum v.

Michigan State University, 97 Mich App 5, aff'd 414 Mich 510 (1980). From this principle comes at least the following three criminal statutes:

- 1. MCL 750.490 (Safe keeping of public moneys). See Attachment 6.
- 2. MCL 750.175 (Embezzlement by public officer, agent or servant). See Attachment 7.
- 3. MCL 750.482 (Neglecting or refusing to pay over moneys collected). See Attachment 8.

Unfortunately, the Michigan State Legislature does have somewhat of a history of legislators utilizing legislative employees for improper purposes. For example, in 1996, then State Senator Henry Stallings was charged with various felonies for allegedly using one of his employees to frame pictures at his downtown art gallery and paying rent for his riverfront apartment with campaign donations. See Attachment 9. As then Attorney General Frank Kelley stated:

"Public officials have as much, if not more, responsibility to comply with all laws. Those individuals that abuse the public trust must know they will be brought to justice." See Attachment 9.

Similarly, legislators in Wisconsin were convicted of using state staff to run political campaigns in 2006. For use of state employees to run political campaigns, former Speaker Scott Jensen received 15 months in prison, and was also sentenced to 45 months of community supervision and banished from the State Capitol for five years. See Attachment 10.

From his first campaign, there have been ethical concerns rose over his own organization (see Flint Journal, regarding yard signs). When he entered the race for Secretary of State, he failed to follow the simple statutory requirements required by a candidate. The same requirements he would, if elected, be charged with administering. This flagrant violation resulted in the most severe penalty ever levied by a current Secretary of State.

Knowing the talented Mr. Glenn, I suspect there may have indeed been good reason for his services to freshman representative. However, having fought against political corruption for many years, this lingering cloud of concern, generated by the published records by the Mackinac Center require this matter be vetted further. No one, regardless of partisan affiliation, has a right to use public funds for private purposes; equally, everyone, including those entrusted with the care of the legislative body, has an obligation to provide a guarantee against such abuse.

Accordingly, I respectfully ask that you keep Michigan's House in order and investigate this matter to make sure that public tax dollars are being utilized for public purposes, and not for selfish political interests.

Sincerely,

21107:00001:944060-1

MICHIGAN HOUSE OF REPRESENTATIVES BUSINESS OFFICE

P.O. Box 30014 / Lansing, MI 48909-7514 / 517-373-6339

July 7, 2010

Ken Braun, Policy Analyst Mackinac Center for Public Policy PO Box 568 Midland, MI 48640

Dear Mr. Braun:

As the Director of the Business Office, I am responsible for responding to information requests under the provisions of the House Rules and the Access to Information Policy. The policy states financial records of the House shall be open to public inspection. Please be advised, however, that the Michigan House of Representatives is not subject to the Freedom of Information Act.

Enclosed please find the materials you requested. Contact me if you have any questions at 517-373-6339.

Sincerely,

Tim L. Bowlin, Director House Business Office

Mackinac Center for Public Policy Request for Information July 2010

Brown, Lisa R	Brown, Lisa (Rep)	\$	79,650.00
Brown, Melissa A.	Bledsoe, Timothy (Rep)	\$	44,000.00
Brown, Rich	Clerk's Office	\$	104,000.00
Brown, Terry Lee	Brown, Terry (Rep)	\$	79,650.00
Browne, Philip S.	Bolger, James (Rep)	\$	41,000.00
Browne, Phyllis Mary	Republican Communications	\$	50,000.00
Brubaker, Lindsay M.	Lund, Pete (Rep)	\$	3,250.00
Brunet, Craig	Lindberg, Steven (Rep)	\$	48,000.00
Bryant, Tonian L.	Information Systems	\$	42,000.00
Burke, Daniel	Smith, Alma (Rep)	\$	9,984.00
Burkhart, Jared V.	Kurtz, Kenneth (Rep)	\$	49,500.00
Burris, Tumai M.	House Fiscal Agency	\$	38,000.00
Buttery, Amy V	Durhal, Jr., Fred (Rep)	\$	25,000.00
Byrnes, Pam G.	Byrnes, Pam (Rep)	\$	85,163.00
Byrum, Barb Anne	Byrum, Barb (Rep)	\$	79,650.00
Calcaterra, Jonathan Francis	Facilities Office	\$	40,276.00
Calley, Brian N.	Calley, Brian (Rep)	\$	79,650.00
Campbell-Crawley, Jeffery	Information Systems	\$	49,772.00
Carlisle, Stephanie	Lund, Pete (Rep)	\$	26,000.00
Carpenter, Randy Michael	Sergeant's Office	\$	36,024.00
Caul, Bill C.	Caul, Bili (Rep)	\$ \$ \$	79,650.00
Cawthorne, Chase	Pearce, Tom (Rep)	\$	30,000.00
Chabot-Purchase, Karissa L.	Nerat, Judy (Rep)	\$	33,000.00
Chapin, Danielle M	Jackson, Shanelle (Rep)	\$	28,000.00
Charon, William	Nerat, Judy (Rep)	\$ \$	7,800.00
Christy, Elizabeth A.	Schmidt, Roy (Rep)		33,000.00
Church, Kathryn	Elsenheimer, Kevin (Rep)	\$	832.00
Clanagan, Tanlesha A.	Melton, Tim (Rep)	\$	14,976.00
Clark, Carl W.	Financial Operations	\$	50,202.00
Clark, Glenn	Scott, Paul (Rep)	\$	13,000.00
Clark, Kathleen Mary	Griffin, Martin (Rep)	\$	47,400.00
Clark, Mary R.	Bauer, Joan (Rep)	\$	53,000.00
Clay, Robin Case	Daley, Kevin (Rep)	\$ \$	47,149.00
Cleary, Mary Ann	House Fiscal Agency		91,000.00
Clement, Michael D.	Spade, Dudley (Rep)	\$	19,999.20
Clemente, Edward D.	Clemente, Ed (Rep)	\$	79,650.00
Clute, Beth M	Democratic Communications	\$	45,000.00
Constan, Bob J.	Constan, Bob (Rep)	\$	79,650.00
Cook, Benjamin J.	Committee Clerks	\$	31,152.00
Corriveau, Marc R.	Corriveau, Marc (Rep)	\$	79,650.00
Couch, Christopher J.	House Fiscal Agency	\$	65,581.00
Cousineau, Sara J.	D	\$	37,000.00
Cox-Wimberley, Candace C	Democratic Policy		
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Crawford, Hugh D	Nathan, David (Rep) Crawford, Hugh (Rep)	\$ \$	28,000.00 79,650.00
Crossley, David E.	Nathan, David (Rep) Crawford, Hugh (Rep) Jackson, Shanelle (Rep)	\$ \$ \$	28,000.00 79,650.00 20,000.00
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The Macomb Daily (macombdaily.com), Serving Macomb County

News > Politics

County's nastiest political contest sparks lawsuit

Friday, July 30, 2010

By Chad Selweski, Macomb Daily Staff Writer

Macomb County's nastiest campaign battle has moved from the political arena into the courtroom.

State Senate candidate Leon Drolet filed a libel lawsuit against primary election opponent Kim Meltzer, a state representative, after she claimed that Drolet co-sponsored a House bill in 2003 that would have legalized sex acts among homosexuals in public restrooms and parks.

The claim by Meltzer, made in a mailed campaign brochure, was just the latest salvo in a mudslinging campaign in north Macomb's 11th Senate District Republican primary.

In his suit, filed in Macomb County Circuit Court, Drolet, a former state representative, charges that Meltzer intentionally libeled and defamed him. In an interview, he said the legislation cited was part of a 1999-2003 effort by Lansing lawmakers to remove arcane laws from the books and to update archaic language in Michigan statutes.

The bill in question would have removed a criminal statute against "gross indecency" between males, females and heterosexual couples. Drolet said the intent was to replace 1927 language with something more specific.

"This campaign literature is totally and completely false. This is blatant," said Drolet, a Macomb Township Republican who leads the Michigan Taxpayer's Alliance. "Kim Meltzer knows this is false. (Meltzer campaign manager) Glenn Clark knows it's false."

The Meltzer camp stands by its claim. Clark said Drolet's suit is a last-minute political stunt, very similar to a libel suit he filed just days before the 2004 primary against his House election opponent that year, Maria Carl. That suit was dropped after Drolet won the election.

"It absolutely is the case that former representative Leon Drolet did everything he could to repeal our state's gross indecency laws," said Clark, a longtime political operative.

The same piece of literature is also being challenged by Meltzer's other GOP opponent, former state representative Jack Brandenburg of Harrison Township. The Meltzer filer said that Brandenburg missed 388 roll-call votes during his six years in the House.

In a letter to 11th District voters, Brandenburg said that Meltzer didn't mention that he missed 388 votes out of 6,127 cast in that six-year time frame. What's more, most of the absences took place while he spent seven weeks recovering from hip replacement surgery, plus a time period when his son was diagnosed with cancer.

"What is disturbing is that my opponent knows this," he wrote.

County's nastiest political contest sparks lawsuit - The Macomb Daily (macombdaily.com) Page 2 of 2

in response, Clark said that "life circumstances" come into play for all workers and Brandenburg should repay the state \$74,000 for those missed votes. Only some infamous Detroit lawmakers and Brandenburg have posted so many absences, Clark said.

"His House district touched Detroit," Clark added, "so perhaps there's a little infection there."

URL: http://www.macombdaily.com/articles/2010/07/30/news/politics/doc4c5362faa10c4395677196.prt

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Dems upset over GOP appointee

Friday, August 22, 2008

County commissioners from both parties remembered Democratic Commissioner George Suarez as a gentleman Thursday morning.

Then Republicans exercised their majority on the 25-member commission and appointed a conservative Republican to finish Suarez's two-year term in a Democrat-leaning district, an act county Democrats called "shameful."

In straight 13-11 vote along party lines, commissioners appointed conservative Republican Glenn Clark to fill Suarez's seat in the district representing Madison Heights plus parts of Troy and Royal Oak.

Suarez, died Aug. 12 of lung cancer. His term expires Dec. 31.

Republicans have held a slim 13-12 majority on the county commission since the 2006 election.

Clark's appointment gives the GOP an iron-clad 14-11 majority when it comes to making policy through the rest of the year.

Commissioner Bob Gosselin, R-Troy, who introduced the resolution to appoint Clark, said Suarez's district hasn't really been represented lately because Suarez was battling his illness.

Commissioner Eric Coleman, D-Southfield, said appointing Clark to fill the seat was blatant politics.

"Either appoint a Democrat or open it up to the public," Coleman said. "Let's say what it is, you want to appoint a Republican."

Commissioner Helaine Zack, D-Huntington Woods, said Clark's appointment was disrespectful to Suarez and the people of his district.

"If he were here today, he would be appalled at the choice of this appointment," she said.

Commissioner Dave Woodward, D-Royal Oak, who is also chairman of the Oakland County Democratic Party, was equally blunt.

"This is the most ungentlemanly thing you could do," Woodward said. "Glenn Clark could never get elected in that community because he doesn't define the values of the community."

Clark, 43, of Troy, is chairman of the 9th Congressional District Republicans and policy chairman for the Michigan Republican Party.

A consultant, he said he is the son and grandson of United Auto Workers retirees.

"I just want to work toward making sure government spending remains at a reasonable level to maintain services to residents and that our bond rating stays AAA," Clark said. "We are the second lowest taxed county in the state and we need to keep it that way.

"I'm not interested in party politics right now. There's a lot of budget issues facing local, county and state government," he said. "I'm not going to go in there and have an attitude that I have all the answers because I certainly don't."

Clark will take his seat at the next meeting in September.

Suarez chose not to seek re-election because of his illness.

Running to replace Suarez -- and now Clark -- in the Nov. 4 election are Republican Daniel Milz and Democrat Gary McGillivray, both of Madison Heights.

Contact staff writer Charles Crumm at (248) 745-4649 or charlle.crumm@oakpress.com.

URL: http://www.theoaklandpress.com/articles/2008/08/22/local/20080822-archive14.prt

Sunday, February 28, 2010

Tea Party Profiled n Oakland County: Peters Watch Out!

http://www.freep.com/article/20100228/NEWS15/2280542/1319/How-far-can-Tea-Party-rise-in-state? How Far Can Tea Party Rise?

By Dawson Bell

There's plenty of evidence to support the everyman theory of the Tea Party, expressed above by the chairman of the Metro Detroit Freedom Coalition, a self-styled Tea Party organization. His comment came at a packed meeting of the group Tuesday evening in St. Clair Shores.

On a snowy, midweek gathering with no special agenda, people still showed up -- about 150. Tea Party demonstrations in Michigan and around the country have routinely drawn hundreds, sometimes thousands of participants. National polls have suggested the general public views the Tea Party, which is not a formal political organization, more favorably than either the Democratic or Republican Party.

And its members have become the public face of voter dissatisfaction and have been given a large measure of credit for delivering a body blow to President Barack Obama and congressional Democrats for the role they played in the upset victory of Republican Scott Brown in the special U.S. Senate election in Massachusetts last month.

Since the Brown election (coming on the heels of Republican victories in Virginia and New Jersey last fall) politicians of every stripe have been less inclined to dismiss the Tea Party as a phony grassroots outfit of fringe bigots and haters, as some on the left did when the movement took off last spring and summer.

Republicans, meanwhile, have tried to enclose the Tea Party in a warm, albeit selfserving embrace. State Senate Majority Leader Mike Bishop, a Rochester Republican and 2010 candidate for attorney general, was on the agenda of speakers in St. Clair Shores. His speech was peppered with kindred-spirit language.

"It's our responsibility to take back our country."

"This is America right here."

"You all have to stand up and say, 'No.' "

'We have a common goal'

In Oakland County, 9th District GOP Chairman Glenn Clark has taken on an alter ego as a Tea Party activist, organizing protests mostly aimed at the district's Democratic U.S. Rep. Gary Peters. Clark said it's a natural fit. The Tea Party, he said, is "bringing together the former pieces of the Reagan coalition."

"We have a common goal -- to put a check on government," Clark said.

But it remains to be seen what impact the Tea Party movement will have on campaigns and elections in Michigan. Clark and his Tea Party cohorts helped defeat a millage increase in Troy last week. But voters approved some other tax issues around the metro area and the state that were opposed by Tea Party activists.

Last August, Tea Party activists served a crucial role in mustering opposition to a public subsidy for Hurley Hospital in Flint.

The election should have been stacked in favor of Hurley. It was the only issue on

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Tea Party Profiled n Oakland
County: Peters Watch...

Troy Pro-Tax Hike People
Warn: Gary Peters is in

Detroit News: Good Guys
Win Tax Vote in Troy

Tea Party Rally Saturday @ Somerset Collection!

Protecting America in the New Missle Age

Oakland Press: We won Berkley, Troy Tax Votes!

47 minutes left to vote NO!

Vote NO Today - Polls Qen till 8 PM - Send a Messa...

WDIV Ch. 4 Covers Our Vote NO Tea Party Rally Toda...

Vote NO tomorrow, Tuesday on massive tax hikes!

Bloomfield Twp. Vote NO Activities Profiled - Oakl... the ballot in most out-county communities, which should have depressed turnout. Backers of the measure heavily outspent opponents. Yet the activists cobbled together a campaign of voter contact, homemade signs and loud vocals to narrowly reject the hospital tax.

Whether that kind of energy can be harnessed by candidates in this year's election is another question.

Jeff Timmer, a former Republican Party official who works as a political consultant in Lansing, said it's hard to gauge the potential impact Tea Partiers will have in Michigan with a governor's election and every seat in the Legislature up for grabs.

"People aren't sure whether or not they will matter," Timmer said. "But they're being super cautious. Nobody wants to end up being the guinea pig" -- the focus of Tea Party anger.

Dissatisfied with Dems, GOP

Wendy Day, a Tea Party activist from Howell, masterminded an antitax protest at the state Capitol in which supporters rolled a large group of snowmen on the lawn outside the state Capitol.

They bore licorice stick frowns and held antitax placards. Day said it was "a fun and peaceful and pointed way" to get across the idea that: "There are so many people who feel that Lansing isn't listening."

Day, a mother of four who teaches community college classes part time and serves on the Howell School Board, said the Tea Partiers need to stay vigilant because "we're getting close to the time when (the Legislature) is going to be pressured into thinking they have to raise taxes."

Tea Party activists aggressively assert their independence from traditional Democratic and Republican politics, pointing out that both parties are to blame for the government overreach and over-spending that sparked the movement.

"All longtime officer holders are tainted," says MEDEFCO's Bill (Wild Bill) Hollister.

But Hollister, a self-employed machinist who said his political participation was limited to paying attention and voting before joining the Tea Party, doesn't rule out that at least some factions of the Tea Party movement could coalesce around a Michigan candidate, a la Scott Brown or New York's Doug Hoffman, who railled conservatives against a liberal Republican in a congressional race last fall (he forced her out, then lost to the Democrat).

Hollister said it's more likely to happen in the August primary, rather than the general election in November. But, he said, it's still early.

"All I know is they want our votes."

Contact DAWSON BELL: 517-372-8661

Posted by glenn at 2:12.AM

O comments:

Our Vote NO on Massive
Troy Tax Hike in Oakland
Pr...

Non Resident Spillers
Pushing Huge Tax Hike on
Tro...

Huge success at Troy town hall - big crowd!

Bloomfield Twp/Troy Vote NO Phone Bank Success

Free Press: Bloomfield Twp. & Troy Tax Hikes - NQ!...

Free Press: Berkley Schools
Bond Issue Hard Sell

Facebook Group

Detroit News: Finley Calls it Right - Vote NO!

Spread the Word Sprint: Vote NO on Tuesday!!

Virtual Town Hall a Big Success!

Vote NO Call Tonight 8 PM -Town Hall Sunday 3 PM

Join Tonight @ 8 PM
Conference Call/Sunday
PM

Bloomfield Twp. & Troy Vote
No Efforts United!

 Video about launching our website

Today's Successes, Tomorrow's Plans

Tea Party in U.S. Rep. Gary.
Peters' Precinct

Obama-Peters' Stimulus Has Utterly Failed!

Join us Thursday - 'Show & Tell @ Starbucks' - Tro...

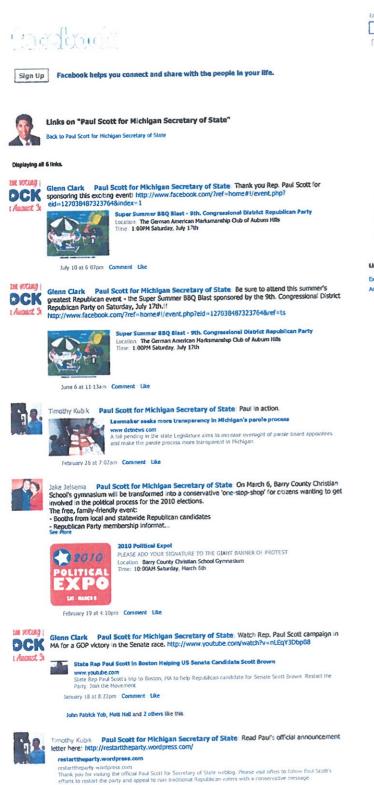
Detroit News Agrees: Vote NO Tuesday, Feb. 23rd!

CNN Shock Poll: No 2nd, Obama Term

Tea Party Thursday @ U.S. Rep. Peters' Troy Office...

The Executive Committee of the 9th Congressional D.

Bloomfield Two. Tax Hike - Vote NO Feb. 23rd.



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- HIV positive woman pleads no contest, gets 11 months in failure to disclose case
- Deadly cricket virus decimating North American captive bred cricket population, impacting pet industry, zoos
- Police arrest suspect in stabbing attack in Battle Creek, no longer think crime was a hate crime





Scott's anti-transgender people proposal continues to make headlines

By Todd A. Heywood 2/1/10 10:27 AM

DIGG STWEET

A proposal to prohibit transgendered persons from getting the gender marker on their driver's license changed made by state Rep. Paul Scott (R-Grand Blanc), a candidate for the GOP nomination for Secretary of State, is continuing to make headlines.

On Saturday, the Grand Rapids Press ran a story in which they interviewed Scott and other political faces about the proposal. Of interest, Scott appears to be backing off the original stridency of his announcement.

Scott, a state representative from Grand Blanc, said he did not intend to provoke controversy. His pledge to deny gender change requests "may have been inartful," he said.

"I just wanted people to know what my position on the issue is," he said. "If I am elected, I will follow Michigan and federal law."

Scott's anti-transgender people proposal continues to make headlines « Michigan Messen... Page 3 of 6

What's interesting about this statement is that when I spoke with Scott about his proposal two weeks ago, he said making this kind of policy statement was meant to prove he would be willing to take difficult stands.

"[I am] Some one who is really independent thinking, who is not afraid to buck the system," Scott said.

But it is important to remember that Scott was recruited to run for the post by Michigan's social conservatives, including Glenn Clark, chair of the GOP's 9th Congressional District, and members of the Voorheis family.

Gary Glenn, president of the American Family Association of Michigan, who has been actively involved in repeal campaigns of local nondiscrimination ordinances in Kalamazoo and Hamtrammck, weighs in on the Scott controversy as well in the Press article.

"I think there are all kinds of implications to the privacy rights of women and children if biological males are given access to health clubs, showers, locker rooms and changing areas," Glenn said.

But the "core issue," said Glenn, "is whether the citizens of the state of Michigan can trust their government to tell the truth and not engage in delusion or mental or emotional disorders but to tell the simple truth."

"We may sympathize with a tiny minority's emotional and mental struggles, but that does not absolve the government of its responsibility to tell the truth and not falsify government records."

Scott himself declined to comment about the fact that not a single case of a transgendered person sexually assaulting a person — woman or child, or man for that matter — in a bathroom has ever been documented. Ironically, one of the supporters of repealing the nondiscrimination ordinance in Gainsville Florida in 2008 was arrested in 2009 for video taping women in the women's rest room of the CVS store he managed. That supporter was not transgendered or gay, it should be noted.

Incidentally, Michigan's Secretary of State has, since 2005, changed the gender marker on driver's licenses based on court ordered change to birth certificates that transgendered people get when they complete sex reassignment surgery. Folks in pre-surgery are not allowed to change the gender marker, even after they have received a court ordered name change.

In Flint, columnist Andrew Heller also <u>set his sites on Scott</u>, noting this is not the first time the freshman representative has target the lesbian, gay, bisexual and transgender community.

Scott is new to politics, but he's employed this tactic before. In October 2008, the <u>Journal</u> reported, "At a previous debate in Fenton, Scott pointed out that (his opponent Michael J.) Thorp received funds from gay advocacy groups, which he called 'far left and radical homosexual groups,' and accused Thorp of trying to revisit the issue of same-sex unions."

In short, I suspect that while Scott is feigning shock that his proposal is garnering controversy, the reality is he expected it, wanted it, and has a history of gay baiting as a political act.

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Consumers Energy faces shareholder resolution over coal ash

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   Fri 2010-08-13 09:39:35: * From:
    Fri 2010-08-13 09:39:35: *
                                                                    To: qclark@house.mi.gov
                                                                    Subject: Contact
   Fri 2010-08-13 09:39:35: *
   Fri 2010-08-13 09:39:35: * Size (bytes): 1918
   Fri 2010-08-13 09:39:35: * Message-ID: < C-
   Fri 2010-08-13 09:39:35: Attempting SMTP connection to [house.mi.gov]
    Fri 2010-08-13 09:39:35: Resolving MX records for [house.mi.gov] (DNS Server: DNS Server: 
    Fri 2010-08-13 09:39:35: * P=010 S=000 D=house.mi.gov TTL=(240) MX=[smtp2.legislature.mi.gov]
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THE MICHIGAN PENAL CODE (EXCERPT) Act 328 of 1931

750.490 Safe keeping of public moneys.

Sec. 490. Safe keeping of public moneys—All moneys which shall come into the hands of any officer of the state, or of any officer of any county, or of any township, school district, highway district, city or village, or of any other municipal or public corporation within this state, pursuant to any provision of law authorizing such officer to receive the same, shall be denominated public moneys within the meaning of this section.

It shall be the duty of every officer charged with the receiving, keeping or disbursing of public moneys to keep the same separate and apart from his own money, and he shall not commingle the same with his own money, nor with the money of any other person, firm, or corporation.

No such officer shall, under any pretext, use, or allow to be used, any such moneys for any purpose other than in accordance with the provisions of law; nor shall he use the same for his own private use, nor loan the same to any person, firm or corporation without legal authority so to do.

In all cases where public moneys are authorized to be deposited in any bank, or to be loaned to any individual, firm or corporation, for interest, the interest accruing upon such public moneys shall belong to and constitute a general fund of the state, county or other public or municipal corporation, as the case may be.

In no case shall any such officer, directly or indirectly, receive any pecuniary or valuable consideration as an inducement for the deposit of any public moneys with any particular bank, person, firm or corporation.

The provisions of this section shall apply to all deputies of such officer or officers, and to all clerks, agents and servants of such officer or officers.

Any officer who shall wilfully or corruptly draw or issue any warrant, order or certificate for the payment of money in excess of the amount authorized by law, or for a purpose not authorized by law, shall be guilty of a misdemeanor, punishable as provided in this section.

Any person who shall violate any of the provisions of this section, shall be guilty of a misdemeanor, punishable by imprisonment in the state prison not more than 2 years or by a fine of not more than 1,000 dollars: Provided, That nothing in this section contained shall prevent a prosecution for embezzlement in cases where the facts warrant the same.

History: 1931, Act 328, Eff. Sept. 18, 1931;--CL 1948, 750.490.

Former law: See sections 1 to 8 of Act 131 of 1875, being How., §§ 423 to 430; CL 1897, §§ 1197 to 1204; CL 1915, §§ 298 to 305; and CL 1929, §§ 358 to 365.

THE MICHIGAN PENAL CODE (EXCERPT) Act 328 of 1931

750.175 Embezzlement by public officer, agent or servant; penalty.

Sec. 175. Embezzlement by public officer, his agent, etc.—Any person holding any public office in this state, or the agent or servant of any such person, who knowingly and unlawfully appropriates to his own use, or to the use of any other person, the money or property received by him in his official capacity or employment, of the value of 50 dollars or upwards, shall be guilty of a felony, punishable by imprisonment in the state prison not more than 10 years or by fine of not more than 5,000 dollars.

In any prosecution under this section the failure, neglect or refusal of any public officer to pay over and deliver to his successor all moneys and property which should be in his hands as such officer, shall be prima facie evidence of an offense against the provisions of this section.

History: 1931, Act 328, Eff. Sept. 18, 1931; -- CL 1948, 750.175.

Former law: See section 1 of Act 186 of 1929, being CL 1929, § 16985.

THE MICHIGAN PENAL CODE (EXCERPT) Act 328 of 1931

750.482 Neglecting or refusing to pay over moneys collected; penalty.

Sec. 482. Any officer who shall collect or receive any moneys on account of any fine, penalty, forfeiture, or recognizance, and shall neglect or refuse to pay over the same according to law, or shall appropriate or dispose of the same to his or her own use, or in any manner not authorized by law, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$1,000.00.

History: 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.482;—Am. 2002, Act 672, Eff. Mar. 31, 2003.

Former law: See section 41 of Chapter 35 of Act 314 of 1915, being CL 1915, § 13433; and CL 1929, § 15180.

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LOAD-DATE: August 17, 2001

LANGUAGE: ENGLISH

SLI-ACC-NO: 1196MILR 120 000089

ETHNIC-GROUP: African American/Caribbean/African

TYPE: Editorial

JOURNAL-CODE: MI

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5 of 11 DOCUMENTS

Detroit Free Press

Found on Freep com Detroit Free Press

August 14, 1996 Wednesday METRO FINAL EDITION

LEGISLATOR ACCUSED OF MISUSING FUNDS

BYLINE: DAVID MCHUGH Free Press Lansing Staff,, Staff writer SUZANNE SIEGEL contributed, to this report

SECTION: NWS; Pg. 1A

LENGTH: 1092 words

DATELINE: LANSING

LANSING -- State Sen. Henry Stallings was charged Tuesday with felonies for allegedly using a Senate aide to frame pictures at his downtown Detroit art gallery and paying rent for his riverfront apartment with campaign donations.

The first-term Detroit Democrat, whose legal problems have included bankruptcy, unpaid child support and a paternity suit, also was charged with failing to pay sales and withholding taxes for his business.

If Stallings is convicted, the most serious of the four counts could put him in prison for up to 10 years.

He could not be reached for comment. His attorney, Ralph Richardson, said he had just been retained and had not been able to confer with Stallings. But Richardson said the charges "do not appear to be substantial."

Stallings, 45, was released on \$1,000 personal bond after his arraignment before 36th District Judge Joseph Baltimore in Detroit.

Stallings finished last among seven candidates in the Aug. 6 Democratic primary for U.S. House in the 15th District.

The complaint filed by the Michigan Attorney General's Office said Stallings illegally used campaign money to make six rent payments, totaling \$7,990 from August 1995 to January, at the Riverfront Apartments in downtown Detroit.

That would be a violation of campaign finance law, carrying a penalty of up to three years in prison and a \$2,000 fine upon conviction.

The most serious charge, obtaining money under false pretenses, alleges that Stallings used his state-paid district liaison, Stewart Watts, as an employee at his Millender Center art gallery and picture-framing shop, Skywalk Gallery and One Stop Custom Framing.

According to the complaint, "during his tenure with the state, Watts can only recall attending a few meetings and composed a few letters for the State of Michigan. The rest of his time was spent working at Stallings' art gallery, framing pictures.

"In fact, Stallings would not allow Watts to attend meetings and Stallings directly stated to Watts that he was to frame pictures, make sales and run the art gallery."

After working for Stallings for four months and being paid \$9,000, Watts quit. Watts was not charged.

Employee statements and gallery records seized by Michigan State Police investigators also led to charges that Stallings failed to pay sales taxes of \$5,885. He also is charged with withholding \$564 in state income tax from employees that allegedly was never sent to the state. Those counts each carry a penalty of up to five years in prison and \$5,000 in fines.

Attorney General Frank Kelley said in a statement: "Public officials have as much, if not more, responsibility to comply with all laws. Those individuals that abuse the public trust must know they will be brought to justice."

Daryl Ludy, an artist who has worked at the gallery for two months, said he was surprised at the charges.

Told that Stallings allegedly failed to pay more than \$5,000 in sales tax, Ludy said, "Five thousand dollars? We haven't even made \$5,000 in all the time I've been here."

In a lawsuit filed in February, former Stallings' aide Anna Strong accused him of forcing staff members to work for his congressional campaign and his art gallery at government expense. She also complained to the Secretary of State's Office, which forwarded the complaint to the attorney general.

During the investigations, Stallings gave up supervision of his office to Democratic Leader John Cherry.

Both Cherry and Senate Majority Leader Dick Posthumus, R- Alto, said they were content for now to let the legal process move forward.

The Michigan Constitution has no provision that would automatically remove Stallings from office if he is convicted. He could be expelled by a two-thirds vote of the Senate.

Stallings, the son of former 14th Congressional District Democratic chairwoman Mildred Stallings, had been a political gadfly, running for public office five times without success.

In 1994, he was elected to the state Senate when the incumbent died after the filing deadline, leaving Stallings the sole candidate in the Democratic primary in the 3rd Senate District. His district stretches from downtown across part of the city's west site and includes the suburb of River Rouge. Since the district is overwhelmingly Democratic, the primary decides the election.

Stallings ran a check-cashing business that went bankrupt in 1994. In 1992, a federal judge ordered the check-cashing company to pay American Express \$507,014 for money orders.

The check-cashing company was placed in receivership, however, and was unable to pay, court records indicated in May, because it had no assets and more than \$700,000 in debts.

LEGISLATOR ACCUSED OF MISUSING FUNDS Detroit Free Press August 14, 1996 Wednesday METRO FINAL EDITION

In June, Stallings settled a paternity suit by acknowledging he is the father of a 13-year-old California girl whose mother collected more than \$17,000 in welfare there. Stallings denied knowing the woman but acknowledged paternity after a blood test indicated he is the father.

Court records also show Stallings, who is twice divorced, was arrested in April 1995, for not paying \$2,442 in overdue child support for two of his six children from those marriages.

There was no answer at the door of Stallings' apartment.

Neighbors said they were shocked at news that he had been charged with a crime.

"I always thought he was a moral upstanding guy," said one resident who asked not to be identified. "I voted for him."

HENRY STALLINGS

- * Age: 45
- * Education: Bachelor's degree in food distribution and business administration, Western Michigan University.
- * Occupation: State senator.
- * Background: Xerox Corp. marketing executive, 1974-82; owner of Detroit check-cashing agency, 1984 until its bankruptcy in 1994; owner of art gallery and framing shop in Detroit, 1990- present; elected to state Senate in 1994 after his lone opponent in a Democratic primary died.
- * Charged with: 1) Violation of the Campaign Finance Act for allegedly using campaign money to pay apartment rent (maximum penalty 3 years and \$2,000); 2) Obtaining money under false pretenses over \$100 for allegedly using a state Senate aide to work at his art gallery and framing shop (maximum penalty 10 years and \$5,000); 3) Evading sales tax, for allegedly not reporting and paying \$5,885 in sales taxes at the art gallery (5 years and \$5,000); and 4) Evading withholding tax for allegedly not paying the state \$546 in income taxes withheld from his gallery employees (5 years and \$5,000).

LOAD-DATE: October 18, 2002

LANGUAGE: ENGLISH

NOTES: SIDEBAR ATTACHED, CORRECTION RAN August 15, 1996

getting it straight

* A Wednesday front-page article about state Sen. Henry Stallings should have said he is the nephew of Mildred Stallings, former 14th Congressional District chair.

GRAPHIC: Photo:

Henry Stallings

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6 of 11 DOCUMENTS

Detroit Free Press

Found on Freep com Detroit Free Press

Wisconsin State Journal (Madison, Wisconsin)

May 17, 2006 Wednesday
ALL EDITION

SENTENCED TO 15 MONTHS; JENSEN IS BANNED FROM CAPITOL FOR FIVE YEARS

BYLINE: PHIL BRINKMAN pbrinkman@madison.com 608-252-6145

SECTION: FRONT; Pg. A1

LENGTH: 1035 words

Saying he had embarrassed the state and undermined democracy for "private and venal" purposes, a Dane County judge on Tuesday sentenced former Assembly Speaker Scott Jensen to 15 months in prison for using state staff to run political campaigns.

Jensen, who plans to appeal his conviction and will argue for a delay in the sentence until the Appeals Court has ruled, also was sentenced to 45 months of community supervision and was banished from the state Capitol for five years.

Two of Jensen's co-defendants received lesser sentences, although Judge Steven Ebert exceeded prosecutors' recommendation in one, sentencing former Assistant Assembly Majority Leader Bonnie Ladwig to 30 days in jail plus fines and restitution for a misdemeanor ethics conviction. But jail authorities will allow her to serve the time at home on electronic monitoring.

Ebert also sentenced former legislative aide Sherry Schultz to five years of probation, including four months in jail, which he asked be served at home. The confinement period is slightly less than the six to nine months in jail prosecutors sought.

Schultz, who was convicted of felony misconduct for acting as a full-time campaign fundraiser while on the public payroll, also was barred from the Capitol while she serves her probation.

Harsh words

The judge characterized both women as cogs in a machine run by an "elite cabal" headed by Jensen, who was sentenced last and for whom Ebert reserved most of his indignation. The five-term Republican lawmaker from Waukesha was convicted in March of three felony counts of misconduct in office and a misdemeanor ethics violation.

"What occurred was little more than common thievery that was elevated to a higher plane for one purpose, and that was pushing your agenda," Ebert said of Jensen's use of caucus employees to recruit and raise money for candidates and run their campaigns, all while on state time and using state resources.

"To ensure your political party prevailed, you have guaranteed that you're going to be known and remembered for these felony convictions and for the harm you've created rather than the good you did otherwise," said Ebert, who was appointed to the bench in 1997 by Republican former Gov. Tommy Thompson, for whom Jensen once served as chief of staff.

District Attorney Brian Blanchard asked for 15 to 20 months in prison, followed by 40 to 45 months of community supervision. Although not a danger to society, Blanchard said Jensen needed to be punished because he broke the law, took steps to hide the activity, then lied to authorities during an investigation.

Jensen's attorney, Stephen Meyer, disputed that his client lied to anyone. Meyer argued Jensen also didn't invent the misuse of legislative staff, which many have said was widespread among both parties and in both houses of the Legislature.

He asked the judge not to exceed the sentences handed down to former Senate Majority Leader Chuck Chvala and former Sen. Brian Burke, Democrats who were convicted of similar charges and sentenced to nine months and six months in jail, respectively.

Jensen, 45, has lost his job in the Legislature and his reputation — a "lifetime penalty" Meyer said, and would become a target in prison.

"Let's not kid ourselves: This will not be a normal or run-of-the-mill-type inmate," Meyer said, adding Jensen would likely have to serve much of his sentence in segregation for his own protection.

Ebert wasn't buying it, and in all three cases said the defendants needed to be punished to set an example to others.

"It should be the fear and certainty of incarceration that acts to deter other would-be offenders," Ebert said during the sentencing of Schultz. "Sometimes a point has to be made, and it has to be made strongly, and that (point) is: If you engage in certain behavior, you do so at your own peril, and if you are caught, there will be sanctions."

Prosecutors are also seeking payment of more than \$163,000 in state-paid attorneys fees from Jensen, Schultz and former Assembly Majority Leader Steven Foti and hundreds of thousands of dollars in restitution to recover the cost of misused staff time. A hearing on those requests has not been set.

Plans to appeal

Ladwig, Schultz and Jensen declined comment after Tuesday's hearings. Jensen also declined to address the judge, his attorney said, because he plans to appeal his sentence.

Meyer did not explain the grounds for an appeal. The lawmakers spent years appealing the charges before their convictions, arguing the law was unclear about what a legislator's duty is and thus didn't explicitly forbid campaign activity.

Jensen is to report to the Dane County Jail on July 15. But Ebert set a hearing for July 14 to hear arguments on whether he should remain free until his appeal is decided.

Ladwig and Schultz will both be required to report to jail -- Ladwig to Racine County and Schultz to Dane County -- where it will be up to their respective sheriff's offices to release them to home confinement where they will be monitored electronically.

Both will be allowed to leave home to work, visit the doctor and care for their ailing mothers. Ladwig was also fined \$1,000 and ordered to pay restitution of \$3,500.

Ebert expressed more disappointment than anger toward Ladwig and Schultz, who defense attorneys sought to portray as bit players in the larger scandal.

"I'm just amazed, given your history and your character, that you got caught up in this," Ebert told the 66-year-old Ladwig.

Ladwig called the ordeal that began with charges against her and the other defendants in 2002 the "worst four years of my life."

"I always hoped that helping people would be what I'd be remembered for, but I'm afraid not now," she said through tears. "That's because I did wrong."

And although Schultz acted principally at the direction of Jensen and Foti, she was essentially "the grease that helped that machine to function smoothly and efficiently," Ebert said.

Schultz, 54, did not address the court. Her attorney, Stephen Morgan, said his client acknowledged spending much of her time raising money for candidates but maintains she didn't know it was illegal.

"She would not have committed this crime if she had known it was going to be a crime," Morgan said.

LOAD-DATE: May 18, 2006

LANGUAGE: ENGLISH

GRAPHIC: STEVE APPS State Journal Former Assembly Speaker Scott Jensen leaves a Dane County courtroom Tuesday with his wife, Julie, after a judge ordered him to serve 15 months in prison for directing state staff to work on political campaigns. Jensen's attorney, Stephen Meyer, right background, said he will appeal and said Jensen's actions were commonplace among both parties and both houses of the Legislature. "A lot of the behavior involved was motivated by, for lack of a better term, competition," Meyer said. "It was an arms race." Scott Jensen listens Tuesday as Dane County Circuit Court Judge Steven

Ebert pronounces his sentence. In addition to prison time, Jensen was ordered to serve 45 months on community supervision and was banished from the Capitol for five years.

Flint Journal (Michigan)

August 3, 2008 Sunday THE GRAND BLANC NEWS EDITION

Prosecutor opts out of sign squabble

BYLINE: Julia Zaher, Community Staff Writer

SECTION: LOCAL NEWS; Pg. GB02

LENGTH: 146 words

DATELINE: GRAND BLANC

GRAND BLANC TWP. - No charges will be brought in a dispute between two state House candidates over the removal of a campaign <u>sign.</u>

Grand Blanc Township police were called Monday night to a property at the corner of Baldwin and Graytrax roads regarding the alleged vandalizing of a campaign <u>sign</u> belonging to <u>James Swenor</u>, a Republican running in the 51st district.

Swenor's campaign issued a news release Tuesday claiming that volunteers for one of his opponents, Republican candidate Paul Scott, were caught vandalizing the sign. Scott called the allegations false and demanded a retraction.

After an investigation, police presented the case to the Genesee County prosecutor's office, which declined to authorize charges.

"This is a political campaign and we always are hearing about battles over <u>signs.</u> I'm not going to get involved," said Genesee County Prosecutor David Leyton.

LOAD-DATE: August 5, 2008

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newspaper

JOURNAL-CODE: fil

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MICHIGAN HOUSE OF REPRESENTATIVES BUSINESS OFFICE

P.O. Box 30014 / Lansing, MI 48909-7514 / 517-373-6339

August 31, 2010

Joe DiSano Main Street Strategies, LLC 530 W. Ionia Street, Suite C Lansing, Michigan 48933

Dear Mr. DiSano:

We are in receipt of your letter addressed to Speaker Andy Dillon relative to the employment of Mr. Glenn Clark, particularly his employment in the office of Rep. Paul Scott. As Director of the House Business Office, it is my job to answer all requests of this nature. Please know that we take any complaints regarding the misuse of state resources in the House and any associated allegations very seriously. The House will look into the matter of whether any House Rule or Policy was violated and if it is determined that violations of rule or policy occurred, the House will take appropriate action.

As a point of correction, however, you have suggested that all "state employees" have a House email address. This is not so. The House issues email addresses to full-time employees but very rarely to part-time employees. Therefore, the fact that Mr. Clark does not have a House email address is not out of the ordinary.

Thank you for bringing this matter to our attention. If you have additional questions or comments, please contact the House Business Office.

Respectfully,

Tim L. Bowlin, Director House Business Office