

BEFORE THE FEDERAL ELECTION COMMISSION

Victor Whitehead

Muncie, IN 47304-1444

v.

MUR No. **7778**

Jeannine Lake
 5300 N. County Road 500-W
 Muncie, IN 47304

Lake for Congress
 5300 N. County Road 500-W
 Muncie, IN 47304

Kizmin Jones
 Attn: Hoosier STEM Academy
 2000 W. University Ave
 Muncie, IN 47306-0610

Complaint

This Complaint involves Jeannine Lee Lake, Lake for Congress, Kizmin Jones and Jesse Nahshon Prater in their official capacity as Treasurers (hereinafter “the Respondents”). Since Jeannine Lee Lake announced her candidacy for Indiana’s Sixth District in 2018, the Respondents have violated, and continue to violate, the Federal Election Campaign Act of 1974, as amended (“FECA”) and Commission regulations by: (1) misrepresenting Ms. Lake’s status as a federal candidate; (2) failing to file required reports with the Federal Election Commission (“the Commission”); (3) failing to provide adequate purposes for disbursements on the reports that have been filed. All of these violations should be promptly investigated by the Commission and the Respondents should be penalized accordingly.

First, Ms. Lake is deliberately misrepresenting her status as a federal candidate to the American people. While Ms. Lake has consistently self-declared herself as federal candidate for Indiana’s Sixth District, she has failed to take the required steps to solidify her candidacy, even though she has triggered candidacy for campaign finance reporting purposes under FECA.¹ In fact, she has received two separate notices from the Commission of her failure to declare candidacy, specifically requesting that she either disavow these activities or file the required

¹ 52 U.S.C. § 30101(2), 11 C.F.R. § 1003(a). Based on its FEC filings, Respondent has raised \$20,945.12 and spent \$20,273.39. Lake for Congress Committee Profiles, Campaign Finance Data, Federal Election Commission, (last accessed Aug. 12, 2020), *available at* https://www.fec.gov/data/candidate/H8IN06152/?cycle=2020&election_full=false&tab=filings; *see also* Jeannine Lake, Candidate Profiles, Campaign Finance Data, Federal Election Commission, (last accessed Aug. 12, 2020), *available at* https://www.fec.gov/data/candidate/H8IN06152/?cycle=2020&election_full=false&tab=filings. There has been no FEC Form 2 filed by Jeannine Lake as of the date of this complaint.

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Statement of Candidacy (FEC Form 2).² In clear defiance of these orders from the Commission, she still publically identifies herself as a candidate on her various social media platforms³ and has even conducted television interviews with cable news organizations representing herself as a candidate for office.⁴ Even worse, despite her lack of status as a candidate for office, she is still soliciting contributions from not only members of Indiana's Sixth District, but from Americans all over the country for her "political campaign".⁵

Second, Lake for Congress, Ms. Lake's official campaign committee, has knowingly refused to file quarterly financial reports for the 2020 calendar year, despite multiple notices from the Commission.⁶ In fact, the last report it filed with the Commission was its 2019 Year End Report. This failure to file its quarterly reports follows a long-established pattern of either filing late reports or not filing its reports altogether.⁷ Ms. Lake and her campaign have received multiple letters from the Commission about their failure to file required reports, as well as notices on numerous occasions from Commission regarding upcoming reporting deadlines. Accidental failure to file financial reports with the Commission subjects Ms. Lake and Respondents to automatic civil fines. Knowing and willful failure to comply with the law can subject Respondents to criminal penalties. Because she and her campaign are on notice and still won't file, Ms. Lake's lawless refusal to comply with the filing requirements can at this point only be considered knowing and willful.

Third, on the rare occasion in the past when Respondents did file required quarterly reports, its disbursements only show vague transactions, but also do not follow the requirements for properly filing a report with the Commission. Specifically, the Respondents' disbursements do not provide an adequate purpose as established by the Commission. Upon review of the

² FEC Disavowal Notice 2020 (Aug. 6, 2020), available at <https://docquery.fec.gov/pdf/826/202008060300081826/202008060300081826.pdf>; Disavowal Notice 2018 (July 26, 2018), available at <https://docquery.fec.gov/pdf/550/201807260300014550/201807260300014550.pdf>.

³ See Jeannine Lake for Indiana, Facebook, available at <https://www.facebook.com/jeannineelake/>; Jeannine Lake (@JeannineLeeLake), Twitter, available at https://twitter.com/JeannineLeeLake?ref_src=twsr%5Egoogle%7Ctwcamp%5Eserp%7Ctwgr%5Eauthor.

⁴ Black Women Run for Congress in Record Numbers—Meet 5 Candidates, AM Joy, MSNBC (Aug. 2, 2020), available at <https://www.msnbc.com/am-joy/watch/black-women-run-for-congress-in-record-numbers-meet-5-candidates-89449030000>.

⁵ See Jeannine Lake (@JeannineLeeLake), Twitter (Aug. 2, 2020), available at <https://twitter.com/JeannineLeeLake/status/1289943911738220554> (providing a link to ActBlue and telling followers that if they would like to donate, to click on the link).

⁶ The Commission has sent the Respondents two notices about its failure to file its quarterly reports, one for failing to file its April Quarterly Report and one for failing to file its July Quarterly. See Request for Additional Information: April Quarterly 2020, available at <https://docquery.fec.gov/pdf/684/20200430030066684/20200430030066684.pdf>; Request for Additional Information: July Quarterly 2020, available at <https://docquery.fec.gov/pdf/428/202007310300079428/202007310300079428.pdf>.

⁷ See generally Committee filings, Lake for Congress Committee Profile (last accessed Aug. 12, 2012). Every report in the 2019 cycle was either filed late or not filed.

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Respondents' 2019 Year-End Report, not one disbursement satisfied the "adequate purpose" requirements,⁸ and in fact, every disbursement followed the *exact* examples that the Commission provided that are not adequate disbursement purposes.⁹ Additionally, most of the disbursements reported appear to be for impermissible personal use, which could explain the vague descriptions. Disbursements were for the Muncie Meijer Grocery store just miles from Ms. Lake's residence for purposes such as "event", "admin" and even "travel." . For example, Ms. Lake spent \$353.99 at the Village Pantry (store 5524) for "travel-gas" despite the store being less than three miles from her residence. If Ms. Lake has been using campaign funds to purchase personal food or gas for her personal vehicle travel, that is plainly illegal and the logical conclusion to be drawn from her obfuscatory disbursement descriptions.

Disclosure is critical in providing the electorate with information about the candidate's election-related spending, which allows voters to make informed choices about their representation in Congress.¹⁰ Remarkably, Ms. Lake has stated that she will do "everything [she] possibly can to win," and that she was "going to do everything [she] possibly [could] legally, ethically, morally, spiritually to unseat" her opponent.¹¹ However, given her multiple violations of campaign finance law, she clearly is not following her own standards, which ultimately harms the voters in Indiana's Sixth District. Based on the above analysis, I request that the Commission immediately investigate the Respondents' illegal activity and promptly penalize Ms. Lake and her team accordingly.

Dated: August 13, 2020

respectfully submitted,



Victor Whitehead

Muncie, IN 47304-1444

⁸ See Purposes of Disbursement, Federal Election Commission (last updated August 21, 2018), available at <https://www.fec.gov/help-candidates-and-committees/purposes-disbursements/>.

⁹ See Schedule B, 2019 Year End Report (FEC Form 3), Lake for Congress, available at <https://docquery.fec.gov/cgi-bin/forms/C00678557/1427607/sb/ALL>.

¹⁰ *Citizens United v. FEC*, 558 U.S. 310, 367 (2010) (quoting *McConnell v. FEC*, 540 U.S. 93, 197 (2003)).

¹¹ Jordan Morey, *Pence, Lake Have Commanding Victories in Bartholomew County*, THE REPUBLIC (June 2, 2020).

STATE OF INDIANA)
) SS:
COUNTY OF DELAWARE)

134 Signed and sworn to before me, a Notary Public in and for said County and State, this
day of August, 2020, came Victor Whitehead, and acknowledged the execution of the
foregoing instrument under the pains and penalties of perjury.

WITNESS my hand and official seal.



Notary Public
Resident of Delaware County,
Indiana

My Commission Expires: Sept. 25, 2025.