



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

August 29, 2024

VIA EMAIL

Brian L. Stefanich

[REDACTED]
Grand Rapids, MI 49508
[REDACTED]

RE: MUR 8137
Brian Stefanich

Dear Mr. Stefanich:

On May 10, 2023, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. On July 23, 2024, the Commission, on the basis of the information in the complaint, and information provided by you, voted to dismiss the allegation that you violated 52 U.S.C. § 30124(b) and 11 C.F.R. § 110.16(b). Accordingly, the Commission voted to close its file in this matter effective August 29, 2024.

Documents related to the case will be placed on the public record today. *See* Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016). Any applicable Factual and Legal Analysis or Statements of Reasons available at the time of this letter's transmittal are enclosed.

If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in dark ink, appearing to read "Aaron Rabinowitz".

Aaron Rabinowitz
Assistant General Counsel

FEDERAL ELECTION COMMISSION**FACTUAL AND LEGAL ANALYSIS**

RESPONDENTS: Brian Stefanich
Allison Stefanich

MUR 8137

I. INTRODUCTION

This matter arises from a Complaint alleging that Brian Stefanich and Allison Stefanich fraudulently purported to act on behalf of a 2022 Maryland Senate candidate named Ryan Dark White but who publicly held himself out as Dr. Jon McGreevey (the “Candidate”), when soliciting contributions via a website, johnheretohelp.info, podcasts, social media, and YouTube, thereby raising allegations under the fraudulent misrepresentation provision of the Federal Election Campaign Act of 1971, as amended (the “Act”). The Complainant states that she made seven contributions totaling \$500 through johnheretohelp.info but that the funds never made it to the Candidate’s campaign and that she later spoke with the Candidate who apparently confirmed this. The Complaint asserts that the Stefanichs owned and ran the website — which is currently inaccessible — but provides no specific information regarding their connection to the website. Archived copies of the website are available, and a user on the website was named “Allie4Truth” and category of blog posts was titled “Brian.” The Responses from the Stefanichs categorically deny the allegations.

As explained below, it appears that johnheretohelp.info contained an embedded donation page purportedly from the Candidate’s campaign that does not match the donation page on the official campaign website, raising questions as to the page’s authenticity. However, the official campaign website prominently directs visitors to johnheretohelp.info, which it describes as the Candidate’s “#1 Fan Site” and thereby suggests that the Candidate or campaign staff were aware of the solicitation on johnheretohelp.info and did not object. Although the Complaint suggests

1 that the Candidate himself confirmed to the Complainant that funds raised on
2 johnheretohelp.info did not reach the campaign, we note that the Candidate is apparently
3 deceased. Further, it appears that the amounts potentially raised through the website would have
4 likely been minimal given that the majority of the website consists of material which does not
5 solicit contributions and the popularity of the candidate, who garnered only a small portion of the
6 primary election vote and whose campaign did not file disclosure reports, suggesting that the
7 Candidate's campaign did not raise or spend more than \$5,000 during the election cycle. An
8 investigation to conclusively determine who created and maintained johnheretohelp.info and
9 whether the Candidate did not receive the Complainant's contributions would require substantial
10 use of the Commission's limited resources.

11 Accordingly, we dismiss the allegations that Respondents violated 52 U.S.C. § 30124(b)
12 and 11 C.F.R. § 110.16(b).

13 II. FACTUAL BACKGROUND

14 An individual holding himself out as Dr. Jonathan A. McGreevey filed his Statement of
15 Candidacy for United States Senator from Maryland on April 12, 2021.¹ The Candidate's true
16 name, however, appears to be Ryan Dark White.² Committee to [E]lect Jon McGreevey (the
17 "Committee") is the Candidate's principal campaign committee; its treasurer is Janyce Overbay.³

¹ Dr. Jonathan A. McGreevey, Statement of Candidacy (Apr. 12, 2021), <https://docquery.fec.gov/pdf/683/202104129443247683/202104129443247683.pdf>.

² See Press Release, *Senate Candidate Arrested, Charged with False Report*, HARFORD COUNTY SHERIFF'S OFFICE, <https://harfordsheriff.org/news/releases/senate-candidate-arrested-charged-with-false-report/> (last visited June 24, 2024); see also Julia Shapero, *Maryland Senate Candidate Arrested Over False Child Trafficking Report*, AXIOS (July 17, 2022), <https://www.axios.com/2022/07/17/maryland-senate-candidate-arrested-child-trafficking> (explaining that Maryland law permits candidates to run under a name by which they are generally known in press accounts or everyday life).

³ Committee to elect Jon McGreevey, Amended Statement of Organization at 1 (July 4, 2022), <https://docquery.fec.gov/pdf/301/202207049517786301/202207049517786301.pdf>.

The Committee’s official website is mcgeeveyforsenate.org.⁴ The Committee never filed a disclosure report and was administratively terminated on July 17, 2023.⁵ It appears that he died 13 days after the Complaint was received.⁶

The Complainant alleges that she made seven contributions totaling \$500 via johnheretohelp.info through “donation links purporting to go to Dr McGreevey’s Official Senate Campaign.”⁷ The Complainant represents that she spoke to the Candidate, and that the Candidate will also file “grievances,”⁸ presumably because the donations apparently made by the Complainant were not received by the Committee.

The Complaint alleges that Brian Stefanich and Allison Stefanich were responsible for creating and operating johnheeretohelp.info and received the funds that the Complainant sent via the site.⁹ But the Complaint does not provide a basis for concluding that the Respondents owned or ran johnheretohelp.info.

The website is no longer available, but archived copies show a WordPress blog with posts by users “Allie4Truth”¹⁰ and “johnsarmy,” with the user “johnsarmy” appearing in the

⁴ *Id.* Neither mcgeeveyforsenate.org (the Committee’s website as listed on its Statement of Organization, which appears to be missing the “r” in the Candidate’s last name) nor mcgreeveyforsenate.org appears to exist as of the date of this report.

⁵ See Committee to elect Jon McGreevey, Request for Additional Info. (June 15, 2023), <https://docquery.fec.gov/pdf/680/202306150300186680/202306150300186680.pdf>.

⁶ Ryan D. White (Jon McGreevy), MCCOMAS FAMILY FUNERAL HOMES, <https://www.mccomasfuneralhome.com/obituaries/ryan-white-jon-mcgreevy> (last visited June 24, 2024).

⁷ Compl. at 1 (May 9, 2023). The Complaint further alleges that the Respondents violated various criminal provisions relating to wire fraud and identity theft that are not within the jurisdiction of the Commission. *Id.* at 1-2. Accordingly, we do not make findings as to those allegations.

⁸ *Id.* at 2.

⁹ *Id.*

¹⁰ See Allie4Truth, Author at @Johnheretohelp, @JOHNHERETOHELP, <https://web.archive.org/web/20221126234836/https://johnheretohelp.info/author/allie4truth/> (last visited June 24, 2024).

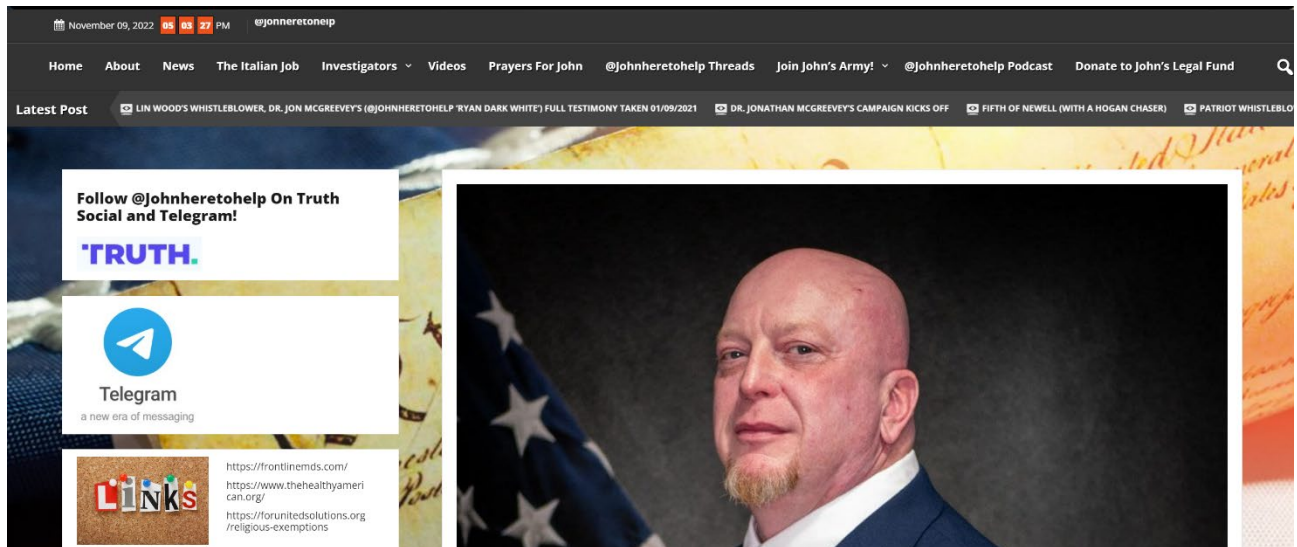
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category “Brian.”¹¹ The archived copy of johnheretohelp.info contains a page soliciting donations to “John’s Legal Fund” and states that “100% of the proceeds go directly to Jon,”¹² however, the embedded iframe, hosted by raisethemoney.com, instead represents itself as soliciting contributions to the Committee.¹³ The website contains a footer which states “All rights reserved © @Johnheretohelp,” which appears to be the Candidate’s chosen username on social media platforms.¹⁴

Below is a screenshot of the top of the donation page (entitled “Donate to John’s Legal Fund”) on the website as of November 9, 2022:¹⁵



¹¹ See Brian Archives, @JOHNHERETOHELP, <https://web.archive.org/web/20221214165753/https://johnheretohelp.info/category/brian/> (last visited June 24, 2024).

¹² Donate to John’s Legal Fund, @JOHNHERETOHELP, <https://web.archive.org/web/20221109215622/https://johnheretohelp.info/donate-to-jons-legal-fund/> (last visited June 24, 2024).

¹³ Jon McGreevey, RAISE THE MONEY, INC., <https://politics.raisethemoney.com/en/jmcgreevey> (last visited June 24, 2024).

¹⁴ Donate to John’s Legal Fund, @JOHNHERETOHELP, <https://web.archive.org/web/20221109215622/https://johnheretohelp.info/donate-to-jons-legal-fund/> (last visited June 24, 2024).

¹⁵ Id.

The donation page directs visitors to “Follow @Johnheretohelp On Truth Social and Telegram!” Further down the left side of the page, the page links to a “@johnheretohelp Thread Library.” It appears that the Candidate maintained social media accounts using “johnheretohelp” as part or all of the username.

An iframe embedding a donation link to <https://politics.raisethemoney.com/en/jmcgreevey> solicits contributions to “Committee to Elect Jon McGreevey” in amounts ranging from \$25 to \$2,600 and offers contributors the option to contribute other amounts:¹⁶

The Committee’s website is no longer active, but an archived copy displays a portrait of the Candidate, a logo, and a statement that the site is paid for by “Friends of McGreevey.”¹⁷ The

¹⁶ *Id.*

¹⁷ *Welcome to McGreevey for Senate*, MCGREEVEY FOR SENATE, <https://web.archive.org/web/20220718203159/https://mcgreeveyforsenate.org/> (last visited June 24, 2024).

Committee’s website contains a solicitation of contributions containing an iframe embedding a website hosted by donorbox.org.¹⁸ This iframe is visually distinct from the one featured on johnheretohelp.info and hosted by a different political donation platform.¹⁹ Notably, however, the Committee’s website prominently directed readers to johnheretohelp.info, as seen in the screenshot below:²⁰



The Complaint states that “Brian & Allie have since spoliated/deleted the website, their [Y]ou[T]ube [c]hannel ‘Allie4Truth’, and all social media accounts.”²¹ As of the date of this

¹⁸ *Donate*, MCGREEVEY FOR SENATE, <https://web.archive.org/web/20220601072843/https://mcgreeveyforsenate.org/donate/> (last visited June 24, 2024).

¹⁹ *Donate to John’s Legal Fund*, @JOHNERETOHELP, <https://web.archive.org/web/20221109215622/https://johnheretohelp.info/donate-to-jons-legal-fund/> (last visited June 24, 2024); *Jon McGreevey*, RAISE THE MONEY, INC., <https://politics.raisethemoney.com/en/jmcgreevey> (last visited June 24, 2024).

²⁰ *Welcome to McGreevey for Senate*, MCGREEVEY FOR SENATE, <https://web.archive.org/web/20220718203159/https://mcgreeveyforsenate.org/> (last visited June 24, 2024).

²¹ Compl. at 1.

1 report, the YouTube channel “Allie4Truth” as well as accounts with that username on X and
2 Truth Social either appear to be inactive or do not appear to exist. A Supplemental Complaint
3 represents that an unnamed person sent the Complainant a statement that the unnamed person
4 recognized “Allie’s voice,” without explanation the relevance of that statement, and includes
5 what appears to be a screenshot of a Twitter account named @AllieofTruth.²² There is no
6 information tying this account specifically to Allison Stefanich or explaining how it relates to the
7 allegations.

8 The Responses from the Stefanichs categorically deny the allegations in the Complaint
9 and Supplemental Complaint and argue that the allegations against them are pure speculation.²³
10 Allison Stefanich goes on to state that she was banned from Twitter “years ago,” that the
11 Supplemental Complaint is “another false one,” and that the account referenced in the
12 Supplemental Complaint has never been hers.²⁴

13 **III. LEGAL ANALYSIS**

14 The Act and Commission regulations prohibit persons from fraudulently misrepresenting
15 themselves as speaking, writing, or otherwise acting for or on behalf of any candidate or political
16 party, or as an agent of a candidate or political party, for the purpose of soliciting contributions
17 or donations.²⁵ Further, the Act provides that no person shall willfully and knowingly participate
18 in or conspire to participate in any plan or scheme to engage in such behavior.²⁶ The Act

²² Supp. Compl. at 1-2 (Sept. 5, 2023).

²³ Brian Stefanich Resp. at 1 (May 22, 2023); Allison Stefanich Resp. at 1 (May 22, 2023).

²⁴ Allison Stefanich Supp. Resp. (Sept. 27, 2023).

²⁵ 52 U.S.C. § 30124(b).

²⁶ *Id.* § 30124(b)(2); *see also* 11 C.F.R. § 110.16(b)(2).

requires that the violator have the intent to deceive, but does not require proof of the justifiable reliance or damages elements of common law fraud.²⁷

To determine whether a person has engaged in fraudulent misrepresentation, the Commission has previously considered such factors as: (1) whether the respondent political committee was registered and reporting to the Commission, if required;²⁸ (2) the presence of adequate disclaimers;²⁹ (3) inclusion of statements implying that the respondents acted with the authority of the represented candidate;³⁰ (4) mimicry of the candidate's website³¹ or use of the

²⁷ See *FEC v. Novacek*, 739 F. Supp. 2d 957, 961 (N.D. Tex. 2010) (finding that defendants knowingly and willfully violated 2 U.S.C. § 441h(b) (now 52 U.S.C. § 30124(b)); Disclaimers, Fraudulent Solicitation, Civil Penalties, and Personal Use of Campaign Funds, 67 Fed. Reg. 76,962, 76,969 (Dec. 13, 2002) (citing *Neder v. United States*, 527 U.S. 1, 24-25 (1999)) (distinguishing fraud in federal campaign finance abuses from common law tort action on the basis of Congress intending to penalize schemes as well as actions taken to defraud and the damaging effect of misrepresentation); Factual & Legal Analysis ("F&LA") at 4 & Certification ("Cert.") ¶¶ 2, 8 (Feb. 3, 2005), MUR 5472 (Republican Victory Committee, Inc., *et al.*).

²⁸ F&LA at 10 & Cert. ¶¶ 1, 6 (Feb. 27, 2014), MUR 6633 (Republican Majority Campaign) ("Weighing against a finding of reason to believe that the Respondent violated [52 U.S.C. § 30124(b)] is the fact that [the Respondent] is registered with the Commission and complies with its reporting requirements, including disclosure of its expenditures and disbursements.").

²⁹ F&LA at 10 & Cert. ¶¶ 2, 6 (Feb. 27, 2014), MUR 6641 (CAPE PAC) ("The Commission has previously held that the presence of an adequate disclaimer identifying the person or entity that paid for and authorized a communication can defeat an inference that a respondent maintained the requisite intent to deceive for purposes of a section [30124] violation.").

³⁰ F&LA at 9-11 & Cert. ¶¶ 2.b, e (Dec. 4, 2008), MUR 5951 (Californians for Change) (finding reason to believe Californians for Obama violated [52 U.S.C. § 30124(b)] by using a candidate's name without authorization, failing to include an adequate disclaimer stating that it was not an authorized committee, implying that contributors would be giving to the candidate's campaign, describing the scale of its operations to imply that it was an official statewide candidate campaign, and selling merchandise bearing the name of the candidate).

³¹ F&LA at 4-5 & Cert. ¶¶ A.1, 3 (May 24, 2006), MUR 5443 (johnfkerry-2004.com, *et al.*) (finding reason to believe respondents violated the Act by copying several pages from the candidate's legitimate website).

candidate's official logo;³² (6) whether any individuals were actually misled by the website;³³
 and (7) whether the respondent used a misleading name.³⁴

Here, it appears that the person or persons who ran johnheretohelp.info held out the site and the embedded donation page as soliciting contributions on behalf of the Candidate. The donation form available at <https://politics.raisethemoney.com/en/jmcgreevey> and embedded directly on the donation page at johnheretohelp.info displays "Committee to Elect Jon McGreevey" as the recipient of the funds. This implies that the person operating johnheretohelp.info was purporting to act on behalf of McGreevey. Further, there are other aspects of the website that suggest the operator was purporting to act on McGreevey's behalf or was speaking on his behalf. The website did not contain an adequate disclaimer. However, the website included the Candidate's social media username.³⁵ The website's title contains the Candidate's username on Twitter, Telegram, and Truth Social, which taken together with the footer of the page could imply authorization by the Candidate.

However, it is unclear whether the website was fraudulent. The Complaint suggests that the Candidate apparently confirmed to the Complainant that he did not receive the \$500 she attempted to contribute via the website and that the Candidate told her that he intended to file "grievances."³⁶ Although he apparently died shortly after the Complaint was filed, during the

³² F&LA at 4-5 & Cert. ¶¶ 1, 3 (July 2, 2012), MUR 6531 (Obama-Biden 2012, *et al.*) (finding reason to believe respondent violated the Act in part by placing the Obama for America logo on its website).

³³ F&LA at 6-8 & Cert. ¶¶ 1, 6 (Apr. 25, 2018), MUR 7011 (HC4President, *et al.*) (finding reason to believe respondent violated [section 30124], in part because at least one member of the public was in fact misled).

³⁴ F&LA at 7-8 & Cert. ¶¶ 1, 6 (Apr. 25, 2018), MUR 7011 (HC4President, *et al.*) (finding reason to believe respondent violated [section 30124] by repeatedly using a misleading name containing a candidate's name).

³⁵ John (@Johnheretohelp), TWITTER, <https://web.archive.org/web/20210107062655/https://twitter.com/Johnheretohelp/> (last visited June 24, 2024).

³⁶ Compl. at 2.

1 several weeks that he was alive after he allegedly spoke with the Complainant, he does not
2 appear to have filed any complaint and did not file any complaint with the Commission
3 specifically. And, given his death shortly after the Complaint was received, he is no longer
4 available to confirm his statement. In contrast to the Complainant's claim, the Committee's
5 official website prominently directed readers to johnheretohelp.info, calling it McGreevey's "#1
6 Fan Site."³⁷ This indicates that johnheretohelp.info and the embedded donations page were
7 made with the Candidate's permission or, at a minimum, that the Candidate was likely aware of
8 the solicitation and did not object.

9 Additionally, prudential consideration counsels against proceeding in this matter. A
10 potential extensive investigation would be required in this matter given that the available
11 information before the Commission does not establish that either Brian Stefanich or Allison
12 Stefanich were responsible for creating or maintaining johnheretohelp.info or
13 <https://politics.raisethemoney.com/en/jmcgreevey> and does not establish the route of the funds
14 received from that website. Any such investigation would be involved, likely require records
15 from the domain name registrar for johnheretohelp.info, the account-holder of the creator and
16 maintainer of <https://politics.raisethemoney.com/en/jmcgreevey>, bank records for the account
17 which received funds from raisethemoney.com and the Committee, and any company which
18 would have written communications from the Committee or the Candidate, who has died, to
19 attempt to establish whether the Candidate authorized the site.

³⁷ *Welcome to McGreevey for Senate*, MCGREEVEY FOR SENATE, <https://web.archive.org/web/20220718203159/https://mcgreeveyforsenate.org/> (last visited June 24, 2024).

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1 For those reasons, the Commission dismisses the allegations that Brian Stefanich and
2 Allison Stefanich violated 52 U.S.C. § 30124(b) and 11 C.F.R. § 110.16(b) consistent with the
3 Commission's prosecutorial discretion.³⁸

³⁸ *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).