

### CITIZEN COMPLAINT FORM

The undersigned person files this complaint and requests that the Arkansas Ethics Commission conduct an investigation concerning the facts and actions detailed below for the purpose of determining whether or not there has been a violation of laws under the Commission's jurisdiction.

1. Identify the person you are complaining about:

Name: Michael John Gray Position or Title: State Rep. Candidate  
Address: P.O. Box 360 Phone: (Home) 870-347-6000  
Augusta AR 72006 (Work) 501-374-2361

2. State in your own words the *detailed* facts and the actions of the person named in section 1 which prompted you to make this complaint. The brief space provided below is not intended to limit your statement of facts. Please use the back of this form or additional sheets if necessary. Include relevant dates, times, and the names, and addresses of other persons whom you believe have knowledge of the facts.

Please see the enclosed facts for violations of  
A.C.A. § 7-6-207 for failure to file CC&E reports;  
A.C.A. § 7-6-203 for impermissible income and/or loans to a candidate;  
and § 218 of Rules on Campaign Finance & Disclosure for failure to  
itemize consultant payments as their actual expenditure which were not consulting.

3. Attach or make reference to any documents, materials, minutes, resolutions or other evidence which support your allegations.

State of Arkansas  
County of \_\_\_\_\_

I swear or affirm, under penalty of perjury, that the facts set forth in this complaint are true and correct to the best of my knowledge, information, and belief.

Subscribed and sworn before me this  
\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signature: \_\_\_\_\_

Print your name: \_\_\_\_\_

Notary Signature: \_\_\_\_\_

Mailing address: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

Phone:(Home) \_\_\_\_\_ (Work) \_\_\_\_\_

Namely, that Michael John Gray did not file his 10-day pre-election or final Campaign Contribution & Expenditure report for the 2018 general election.

# Gray, Michael DEMOCRAT

Candidate for State Representative 47

Status: Active  
 Address: P.O. Box 360, Augusta, AR 72006  
 Phone Number: (870) 347-6000

Election(s): 2018  
 Date Registered: 10/13/2017  
 Ca: 22

SUMMARY      CONTRIBUTIONS      EXPENDITURES      FILINGS      DOCUMENTS

Report Name	Report Type	Start of Period	End of Period	Due Date ↓	Filed D
September Monthly	Candidate (CC&E) Report	09/01/2018	09/30/2018	10/15/2018	10/02/
August Monthly	Candidate (CC&E) Report	08/01/2018	08/31/2018	09/17/2018	08/31/
▼ July Monthly	Candidate (CC&E) Report	07/01/2018	07/31/2018	08/15/2018	08/29/
▼ June Monthly	Candidate (CC&E) Report	05/23/2018	06/30/2018	07/16/2018	08/29/
▼ Final Report - Primary	Candidate Final Finance Report	05/13/2018	05/22/2018	07/02/2018	07/02/
▼ 10-Day Preelection - Primary	Candidate (CC&E) Report	04/01/2018	05/12/2018	05/15/2018	06/20/
▼ March Monthly	Candidate (CC&E) Report	03/01/2018	03/31/2018	04/16/2018	08/31/
▼ February Monthly	Candidate (CC&E) Report	02/01/2018	02/28/2018	03/15/2018	03/14/
▼ January Monthly	Candidate (CC&E) Report	01/01/2018	01/31/2018	02/15/2018	02/14/
▼ Fourth Quarter (due January 15)	Candidate (CC&E) Report	10/01/2017	12/31/2017	01/15/2018	01/11/

By failing to file those reports, Gray has made it impossible to review the last month-plus of fundraising and expenditures from his campaign. He has also, of course, violated Ark. Code Ann. 7-6-207, which requires those reports to be filed "no later than seven days prior to any...general election" and "within thirty (30) days after the end of the month...in which the general election is held," respectively.

The 2018 campaign was not Gray's first rodeo. He previously ran in 2016 as well. And he clearly knew that reports were required, as he filed all of his reports (some with several amendments) for the 2018 campaign except for the last two. I mention that only to note that knowingly violating that statute is a class A misdemeanor, so one hopes that these failures to file were simply an oversight that has gone uncorrected for nearly 10 months.

Yet...if we look at some of the reports Gray did file, we see this in the August 2018 report:

FJW Consulting 11 S Church Street, Jonesboro, AR 72401	July Consulting	08
FJW Consulting 11 S Church Street, Jonesboro, AR 72401	Consulting Fees	08
FJW Consulting 11 S Church Street, Jonesboro, AR 72401	Consulting Fees	08
FJW Consulting 11 S Church Street, Jonesboro, AR 72401	Refund	08
Newport Booster Club P.O. Box 1684, Newport, AR 72112	Donation	08
Vantiv 8500 Governors Hill Drive, Symmes Township, OH 45249	Bank Fees	08
Michael J Gray P.O. Box 255, Augusta, AR 72006	Return Money for Consulting Fee FJW Consulting	08
Michael J Gray P.O. Box 255, Augusta, AR 72006	Payment for Credit Card Charge to MPC Color Inc	08
Michael J Gray P.O. Box 255, Augusta, AR 72006	Repayment for Credit Card Charge to Office Max & USPS	08

That is three payments of \$5000 each of campaign funds to FJW Consulting on August 14, 2018, followed by a refund of \$5000 from FJW to the campaign on August 17. At that point, the campaign was out \$10,000 for \$10,000 that was due to FJW, and the extra \$5,000 in campaign funds that had been sent to FJW had been returned to the campaign's coffers.

Inexplicably, on August 29, Gray paid *himself* that \$5,000 that had been returned to the campaign by FJW Consulting. There is no record in that report of Gray first loaning that \$5,000 to the campaign to pay to FJW. There is no record of a \$5,000 loan from Gray to the campaign anywhere, in fact, except for an amended June report, which he also filed on August 29, where there is suddenly a loan amount on the first page that has increased by \$5,000, even though that report and none of the prior reports actually show such a loan.

What's more, the following month, when he filed his September report, the loan balance on that report didn't reflect that the \$5,000 he paid to himself from FJW had been deducted. So it is not even accurate to call that self-payment a loan repayment anyway. On the face of the available CC&Es, at least, that \$5,000 is just a payment from Michael John Gray's campaign, to Michael John Gray, of campaign money that had been returned by FJW.

And just so there is no further confusion, yes, this is an additional allegation of misappropriation of funds under Gray's control.