



Formal Notice and Demand for Board Action

To the Members of the Hillsdale County Board of Commissioners,

This letter constitutes **formal notice** to the Hillsdale County Board of Commissioners and a **lawful demand for action** within the Board's statutory, constitutional, and fiduciary duties.

This demand is submitted on behalf of **Hillsdale Conservatives**, by its duly identified leadership, for the purpose of placing the Board on record and requiring compliance with Michigan and federal law. The matters addressed herein arise directly from **sworn testimony given under oath by the Hillsdale County Clerk** during proceedings in the **Hillsdale County 2B District Court case, *People v. Scott***, and from the judicial dismissal of the search warrant at issue in that case.

I. Matters Established in the Judicial Record

Sworn testimony in *People v. Scott* establishes, among other things, that: (a) election records existed and were created in connection with an Adams Township election; (b) such records constitute election records subject to mandatory retention under **MCL 168.811** and **52 U.S.C. § 20701**; (c) county-level custody, handling, or post-election control of certain election materials occurred; and (d) no Attorney General opinion, Department of Justice opinion, or court order authorized destruction, alteration, or deviation from statutory retention requirements.

The search warrant that initiated the seizure of election materials was subsequently dismissed, eliminating the judicial finding of probable cause that formed the basis for the seizure.

Actions taken pursuant to a dismissed warrant raise substantial legal questions concerning lawful authority, chain of custody, record preservation, due process, and the potential exposure of Hillsdale County to civil, statutory, and constitutional claims.

These matters arise from sworn testimony and judicial action, not conjecture or political disagreement.

II. Statutory Duties of the Board of Commissioners

The Board of Commissioners does not possess prosecutorial authority and does not have unilateral removal power over independently elected officers. However, once credible evidence of potential unlawful conduct affecting county records and county offices is known, the Board has **affirmative, non-discretionary duties**, including the following:

A. Duty to Preserve Records. Under Michigan and federal law, including **MCL 168.811**, **MCL 399.5**, and **52 U.S.C. § 20701**, election records must be preserved for the periods required by statute. Once notice exists of potential statutory violations or litigation, the County has a mandatory duty to preserve evidence and prevent spoliation. Failure to do so after notice may subject the County to sanctions and independent liability.

B. Duty to Refer Credible Matters for Independent Review. Where sworn testimony and judicial action establish credible evidence of potential statutory or constitutional violations involving a county office, the Board has a duty to formally refer the matter to appropriate independent authorities, including the Michigan Attorney General, for review and determination. The Board does not adjudicate guilt; it ensures lawful process and protects the County from ratification of unlawful acts.

C. Fiduciary Duty to Protect the County. As the County's governing body, the Board has a fiduciary obligation to protect Hillsdale County from avoidable legal exposure, act transparently once credible evidence exists, and avoid deliberate indifference or ratification through inaction. Silence after notice is not neutrality.

III. Formal Demands and Deadline

Accordingly, **within fourteen (14) days of receipt** of this notice, Hillsdale Conservatives formally demands that the Hillsdale County Board of Commissioners:

- Place a resolution on the public agenda addressing the sworn testimony, dismissed search warrant, and statutory election record retention requirements;
- Conduct a recorded roll-call vote on that resolution;
- Formally refer the matter to appropriate independent authorities, including the Michigan Attorney General;
- Direct immediate preservation of all records, including but not limited to physical election materials, digital election data and databases, EMS systems, servers and backups, V-drives, USB devices, storage media, and all related emails, text messages, and communications;
- Ensure that all actions and votes are entered into the official minutes of the Board.

Failure to act within fourteen (14) days of receipt of this notice may be construed as deliberate indifference and may expose Hillsdale County and individual officials to further statutory and constitutional liability.

This notice is submitted in good faith to ensure lawful governance, transparency, and protection of the public interest.

Respectfully,

Hillsdale Conservatives

Josh Gritzmaker, Chair

Lance Lashaway, Vice Chair

Hillsdale County, Michigan