

STATE OF MICHIGAN 46th JUDICIAL DISTRICT 6TH JUDICIAL CIRCUIT	COMPLAINT FELONY	DISTRICT: <i>19 M 894 FY</i> CIRCUIT: CTN: 96-19901328-01 MSP #:
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District Court ORI: MI630045J Circuit Court ORI: MI630015J AG ORI: MI820025A

THE PEOPLE OF THE STATE OF MICHIGAN v SHERIKIA LAVETTE HAWKINS 18615 AUTUMN LANE SOUTHFIELD, MI 48076 Co-defendant(s)		Victim or complainant: STATE OF MICHIGAN
		Complainng Witness D/SGT. LARISSA LAMAY
		Date: On or about 11/15/2018
City/Twp./Village City of Southfield	County in Michigan Oakland	Defendant SID 7/24/1981
Charge(s) See Below		Maximum Penalty See Below

STATE OF MICHIGAN, COUNTY OF OAKLAND

The complaining witness says that on or about 11/15/18 and in the City Southfield, MI, the defendant, contrary to law,

COUNT 1: ELECTION LAW - FALSIFYING RETURNS/RECORDS

being a clerk, did fraudulently make an entry, erasure, or alteration to, in whole or in part, a record, to-wit: qualified voter file, or an election list of voters, or certificates, or a poll book, which are required to be made, filed, or preserved by the Michigan eleciton law; contrary to MCL 168.932(c). [168.932C]

FELONY: 5 Years and/or \$1,000.00 (see MCL 168.935)

COUNT 2: FORGERY OF A PUBLIC RECORD

Being a clerk of a court or other public officer, to wit: The Clerk of the City of Southfield, did falsely make, alter, forge or counterfeit a public record, or a certificate, return or attestation, to wit: the Qualified Voter File, in relation to a matter in which the certificate, return or attestation may be received as legal proof, with the intent to injure or defraud another person; contrary to MCL 750.248. [750.248]

FELONY: 14 Years

COUNT 3: COMMON LAW OFFENSE – MISCONDUCT IN OFFICE

being a public officer, to wit: Clerk of the City of Southfield, committed an act of malfeasance with a corrupt intent, resulting from the performance of her official duties; contrary to MCL 750.505 [750.505]

FELONY: 5 Years and/or \$10,000.00 (see MCL 750.505)

COUNT 4: COMPUTERS - USING TO COMMIT A CRIME - MAXIMUM IMPRISONMENT OF 4 YEARS OR MORE BUT LESS THAN 10 YEARS

did use a computer program, computer, computer system, or computer network to commit, attempt to commit, conspire to commit, or solicit another to commit ELECTION LAW - FALSIFYING RETURNS/RECORDS MCL 168.932(c); contrary to MCL 752.796, and MCL 752.797(3)(d). [752.7973D]

FELONY: 7 Years and/or \$5,000.00; reimburse government for expenses incurred in relation to violation in manner indicated by MCL 769.1f (see MCL 752.797(7)). A consecutive sentence may be imposed for the underlying conviction.

COUNT 5: COMPUTERS - USING TO COMMIT A CRIME - MAXIMUM IMPRISONMENT OF 10 YEARS OR MORE BUT LESS THAN 20 YEARS

did use a computer program, computer, computer system, or computer network to commit, attempt to commit, conspire to commit, or solicit another to commit FORGERY OF A PUBLIC RECORD MCL 750.248; contrary to MCL 752.796, and MCL 752.797(3)(e). [752.7973E]

FELONY: 10 Years and/or \$10,000.00; reimburse government for expenses incurred in relation to violation in manner indicated by MCL 769.1f (see MCL 752.797(7)). A consecutive sentence may be imposed for the underlying conviction.

COUNT 6: COMPUTERS - USING TO COMMIT A CRIME - MAXIMUM IMPRISONMENT OF 4 YEARS OR MORE BUT LESS THAN 10 YEARS

did use a computer program, computer, computer system, or computer network to commit, attempt to commit, conspire to commit, or solicit another to commit COMMON LAW OFFENSE - MISCONDUCT IN OFFICE MCL 750.505; contrary to MCL 752.796, and MCL 752.797(3)(d). [752.7973D]

FELONY: 7 Years and/or \$5,000.00; reimburse government for expenses incurred in relation to violation in manner indicated by MCL 769.1f (see MCL 752.797(7)). A consecutive sentence may be imposed for the underlying conviction.

Court shall order law enforcement to collect a DNA identification profiling sample before sentencing or disposition, if not taken at arrest.

The complaining witness asks that defendant be apprehended and dealt with according to law.

Warrant authorized on <u>7-23-19</u> by: <u>[Signature]</u>	<u>[Signature]</u> Complaining witness signature
<u>[Signature]</u> Richard Cunningham (P29735) Assistant Attorney General Criminal Division MI Dept of Attorney General 3030 W. Grand Blvd. Ste. 10-200 Detroit, MI 48202	Subscribed and sworn to before me on <u>9.23.19</u> Date
<input type="checkbox"/> Security for costs posted	<u>[Signature]</u> Judge/Magistrate/Clerk Bar no.

STATE OF MICHIGAN 46th JUDICIAL DISTRICT 6TH JUDICIAL CIRCUIT	WARRANT FELONY	DISTRICT: CIRCUIT: CTN: 96-19901328-01 MSP #:
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District Court ORI: MI630045J Circuit Court ORI: MI630015J AG ORI: MI820025A

THE PEOPLE OF THE STATE OF MICHIGAN						Victim or complainant: STATE OF MICHIGAN	
v							
SHERIKIA LAVETTE HAWKINS 18615 AUTUMN LANE SOUTHFIELD, MI 48076						Complaining Witness D/SGT. LARISSA LAMAY	
Height: UKN	Weight: UKN	Hair Color: UKN	Eye Color: UKN	Race: UKN	Sex: F	Date: On or about 11/15/2018	
City/Twp./Village City of Southfield		County in Michigan OAKLAND	Defendant SID			Defendant DOB 7/24/1981	
Charge(s) See Below						Maximum Penalty See Below	

STATE OF MICHIGAN, COUNTY OF OAKLAND

To any peace officer or court officer authorized to make arrest: The complaining witness has filed a sworn complaint in this court stating:

COUNT 1: ELECTION LAW - FALSIFYING RETURNS/RECORDS

being a clerk, did fraudulently make an entry, erasure, or alteration to, in whole or in part, a record, to-wit: qualified voter file, or an election list of voters, or certificates, or a poll book, which are required to be made, filed, or preserved by the Michigan election law; contrary to MCL 168.932(c). [168.932C]

FELONY: 5 Years and/or \$1,000.00 (see MCL 168.935)

COUNT 2: FORGERY OF A PUBLIC RECORD

Being a clerk of a court or other public officer, to wit: The Clerk of the City of Southfield, did falsely make, alter, forge or counterfeit a public record, or a certificate, return or attestation, to wit: the Qualified Voter File, in relation to a matter in which the certificate, return or attestation may be received as legal proof, with the intent to injure or defraud another person; contrary to MCL 750.248. [750.248]

FELONY: 14 Years

COUNT 3: COMMON LAW OFFENSE – MISCONDUCT IN OFFICE

being a public officer, to wit: Clerk of the City of Southfield, committed an act of malfeasance with a corrupt intent, resulting from the performance of her official duties; contrary to MCL 750.505 [750.505]

FELONY: 5 Years and/or \$10,000.00 (see MCL 750.505)

COUNT 4: COMPUTERS - USING TO COMMIT A CRIME - MAXIMUM IMPRISONMENT OF 4 YEARS OR MORE BUT LESS THAN 10 YEARS

did use a computer program, computer, computer system, or computer network to commit, attempt to commit, conspire to commit, or solicit another to commit ELECTION LAW - FALSIFYING RETURNS/RECORDS MCL 168.932(c); contrary to MCL 752.796, and MCL 752.797(3)(d). [752.7973D]

FELONY: 7 Years and/or \$5,000.00; reimburse government for expenses incurred in relation to violation in manner indicated by MCL 769.1f (see MCL 752.797(7)). A consecutive sentence may be imposed for the underlying conviction.

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did use a computer program, computer, computer system, or computer network to commit, attempt to commit, conspire to commit, or solicit another to commit FORGERY OF A PUBLIC RECORD MCL 750.248; contrary to MCL 752.796, and MCL 752.797(3)(e). [752.7973E]

FELONY: 10 Years and/or \$10,000.00; reimburse government for expenses incurred in relation to violation in manner indicated by MCL 769.1f (see MCL 752.797(7)). A consecutive sentence may be imposed for the underlying conviction.

COUNT 6: COMPUTERS - USING TO COMMIT A CRIME - MAXIMUM IMPRISONMENT OF 4 YEARS OR MORE BUT LESS THAN 10 YEARS

did use a computer program, computer, computer system, or computer network to commit, attempt to commit, conspire to commit, or solicit another to commit COMMON LAW OFFENSE - MISCONDUCT IN OFFICE MCL 750.505; contrary to MCL 752.796, and MCL 752.797(3)(d). [752.7973D]

FELONY: 7 Years and/or \$5,000.00; reimburse government for expenses incurred in relation to violation in manner indicated by MCL 769.1f (see MCL 752.797(7)). A consecutive sentence may be imposed for the underlying conviction.

Court shall order law enforcement to collect a DNA identification profiling sample before sentencing or disposition, if not taken at arrest.

Upon examination of the complaining witness, I find that the offense(s) charged has/have been committed and that there is probable cause to believe that defendant committed the offense(s). THEREFORE, IN THE NAME OF THE PEOPLE OF THE STATE OF MICHIGAN, I order you to arrest and bring defendant before the 46th District Court immediately.

The defendant may be released before arraignment if \$_____ is posted as interim bail

by _____
Date

9.23.19

Date

(SEAL)

Judge/Magistrate

Bar no.

State of Michigan
46th Judicial District

**AFFIDAVIT OF
PROBABLE CAUSE IN
SUPPORT OF COMPLAINT**

46th District Case No:

THE COMPLAINING WITNESS, ON PERSONAL KNOWLEDGE, INFORMATION AND BELIEF, OR BOTH, STATES:

1. The Affiant, D/Sgt. Larissa LaMay, is a sworn 20-year veteran law enforcement officer of the Michigan State Police currently assigned as a detective to the Michigan State Police 2nd District, Metro North Post.
2. The Affiant has conducted major case investigations including homicides, misconduct of public officials, use of force by law enforcement and racketeering.
3. The Affiant became the lead investigator of a complaint of Election Fraud in March 2019 involving Southfield City Clerk Sherikia Hawkins. The initial investigator was F/LT. Robert Weimer of the Michigan State Police who began the investigation on March 14, 2019. Affiant met with F/Lt. Weimer and was briefed by him.
4. MCL 168.935, MCL 168.932 are Michigan statutes which provides that it is a 5-year felony to commit Election Fraud by a clerk falsifying, fraudulently removing, erasing, or altering election records or an election list of voters.
5. MCL 750.248 is a Michigan statute which provides that it is a 14-year felony forge as true a public record, deed, instrument or other writing in section with the intent to defraud or injure is guilty of a felony...."
6. MCL 750.505 codifies the common law Misconduct in Office which is 5-year felony for an office holder to use her office to commit an act which is itself wrongful, malfeasance, or to commit a lawful act in a wrongful manner, misfeasance, with corrupt intent.
7. MCL 752.797 codifies the crime of using a computer to commit a crime and makes it a 7-year felony to commit a 5-year felony with a computer (Election Fraud/Misconduct in Office). It further makes it a 10-year felony to use a computer to commit a 14- year felony (Forgery).
8. Sherika Hawkins is a current city clerk for the City of Southfield. Clerk Hawkins was elected on November 7, 2017.
9. Clerk Hawkins was responsible for conducting elections for the City of Southfield.
10. On November 6, 2018, an election occurred in the State of Michigan for which Clerk Hawkins was responsible to conduct same in the City of Southfield.

11. Affiant obtained Clerk Hawkins' signed agreement with the Michigan Secretary of State to have access to the Qualified Voter File (QVF) which was executed on February 7, 2018.
12. When an absentee ballot arrives into a clerk's office it is logged into the Qualified Voter File (essentially on online poll book). The clerk checks to make sure it is valid (i.e. signed, signature matches, etc.).
13. The ballots are then counted on election day by running them through the tabulator. The number of ballots counted (run through the tabulator) needs to be equal to the number of ballots logged into the Qualified Voter File (poll book).
14. If they do not match, a clerk may need to re-run all the ballots for the entire precinct, through the machine. If those numbers still do not match, the city clerk would submit the paperwork to the county clerk. The county clerk's office along with the board of canvassers will conduct a canvass of that precinct to determine why it is out of balance.
15. Affiant was advised that on November 9, 2019, Oakland County Election Director , Joseph Rozell, contacted Clerk Hawkins attempted to start certifying Southfield's absentee precincts, and contacted Hawkins when he noticed that ballot summary sheets were blank.
16. Rozell stated to Affiant that Hawkins told him her copy was completed. Rozell did not understand how that could be since the form is completed in triplicate. He told her to bring her copy to him (in Pontiac) so it could be copied and included in the poll book.
17. Affiant was advised by Rozell that Hawkins called him back later in the day and stated she reviewed her reports from election night and eight of her absentee precincts were showing as zeros.
18. Rozell advised Hawkins to bring everything including the ballot containers containing those precincts to the canvass along with the completed ballot summary forms so that they could be re-tabulated and include in the certified totals.
19. Hawkins brought the ballot containers for the eight precincts that required re-tabulation. The precincts were re-tabulated on November 13th and 14th 2018.
20. Hawkins delivered the ballot summary sheets on November 15, 2019 along with a new list of voters for each absentee precinct from the QVF. Those revised reports had not been requested by Oakland County Election Director.
21. Affiant was further advised by Rozell that it appeared from the report that the ballot return dates for voters were added or removed from the report in order to force the reports to balance to the number of ballots tabulated for each precinct on election night.
22. It appears that Hawkins had switched out her original reports with the altered reports.

23. Affiant was advised that Rozell requested his staff look for the original reports provided by Hawkins. The reports were discovered in a trash can at the election division office in Pontiac.
24. Rozell shared this information with the Board of County Canvassers. The Vice-Chair, Wilma Cotton, contacted Hawkins and requested all her absentee ballot containers and envelopes.
25. On November 17, 2018, Hawkins delivered all but two of the requested ballot containers and envelopes for the voters who returned absentee ballots.
26. On November 18, 2018, Nicole Galloway, Southfield Deputy Clerk, delivered the remaining two ballot containers.
27. On November 17 and 18th, 2018 Oakland County Board of Canvassers and County Election staff opened and counted all the ballots in the containers and counted all the ballot return envelopes from the absentee voters. In most instances that ballots requiring duplication were not counted on election night and the number of ballots matched the original QVF report supplied on election night.
28. Affiant has learned that Ms. Hawkins revised the reports to show "Ballot Envelope Not Signed," for signed envelopes, and later just deleted return dates to prevent the Board of Canvasser from properly counting the ballots requiring duplication.
29. Affiant was advised by Rozell that on November 21, 2018 Bureau of Elections staff and himself reviewed three randomly selected envelopes marks as not signed. All three envelopes contained a valid signature.
30. Affiant performed a desk review with the help of Rozell and of all the ballots in question. 193 absentee voters QVF were altered in the computer system to no signature or no return date when a valid signature and a valid return date in fact existed.
31. Affiant was advised by Secretary of State's Election Director that the QVF Computer records show that Clerk Hawkin's computer and unique name made the alterations in the computer system to the QVF for these voters.
32. Affiant was advised by Rozell that Oakland County was able to count all the ballots in their canvass for the City of Southfield for the November 2018 election.
33. For the reasons stated herein there is probable cause to believe that Sherikia Hawkins committed Election Fraud during the November 2018 election, forged false election records, used her computer to commit these crimes, and used her office as clerk to enable her to fraudulently alter these records.

D/Sgt Larissa LaMay
MSP D/Sgt. Larissa LaMay (Affiant)

Subscribed and Sworn before me on: _____
Date

Honorable _____
Judge, Magistrate - ___ District Court

<p>State of Michigan 46th Judicial District</p>	<p>AFFIDAVIT OF PROBABLE CAUSE IN SUPPORT OF COMPLAINT</p>	<p>46th District Case No:</p>
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D/Sgt Larissa LaMay
MSP D/Sgt. Larissa LaMay (Affiant)

Subscribed and Sworn before me on: _____
Date

Honorable _____
Judge, Magistrate – ___ District Court