



**BOARD OF ETHICS AND GOVERNMENT ACCOUNTABILITY
GOVERNMENT OF THE DISTRICT OF COLUMBIA**



February 27, 2025

VIA ELECTRONIC MAIL



RE: # OOG-2025-0051 Dismissal of Complaint (Out-of-State Board)

Dear 

This correspondence concerns the complaint you submitted to the Board of Ethics and Government Accountability, Office of Open Government (OOG) on February 27, 2025. Your complaint alleges that you want the Montcalm County Board of Commissioners in Montcalm County, MI, “investigated” because you “believe they hide concerns that directly can impact the constituents” and you “want to publicly discuss my concerns so area officials and community members can understand what is going on.”

Presumably you have reached out to OOG because you wonder whether the Montcalm County Board violated the Open Meetings Act (OMA) (D.C. Official Code § 2-571 *et seq.*). The Director of Open Government has no statutory authority to resolve the allegations you raise in your complaint because public bodies not subject to the OMA, which includes any public body not constituted in the District of Columbia, are excluded from the OMA. Therefore, your complaint is dismissed for the reasons stated below.

OOG’s legal staff reviewed your complaint, assigned file number OOG-2025-0051, pursuant to 3 DCMR § 10400 *et seq.*, and recommended dismissal due to the threshold question of whether the Director of Open Government has jurisdiction over the public body referenced in the complaint. The enforcement authority of the OOG extends only to violations committed by District of Columbia public bodies under the Open Meetings Act (OMA) (D.C. Official Code § 2-571 *et seq.*) I do not have authority over any public body not defined by D.C. Official Code § 2-574(3), including any public body in the State of Michigan. I only have statutory jurisdiction over a public body’s meetings when that entity is subject to the OMA. 3 DCMR § 10403.1(a) provides that I may dismiss a complaint that “does not raise issues within the Director’s authority under the Open Meetings Act.” I must dismiss this OMA complaint because it does not raise issues under my authority. I did not consider the merits of your complaint because the threshold question of jurisdiction was not met.

OOG recommends that you contact the Michigan Board of Ethics, as that governmental entity likely has jurisdiction over the matters you raise in your complaint.

The contact information for the Michigan Board of Ethics is below:

Kurt Weiss
Executive Secretary
State Board of Ethics
400 South Pine Street
P.O. Box 30002
Lansing, MI 48909
517-284-0125
Email: ethicsboard@mi.gov
Website: <https://www.michigan.gov/mdcs/quick-links/boardethics>

Additionally, you may wish to contact the [Michigan Office of the Attorney General](#) regarding the relevant Michigan statute, The [Michigan] Open Meetings Act is 1976 PA 267, MCL 15.261 through 15.275.

If you have any questions or concerns about this dismissal, please contact OOG Attorney Anthony Scerbo at anthony.scerbo1@dc.gov.

Sincerely,



Niquelle M. Allen, Esq.
Director of Open Government
Board of Ethics and Government Accountability