

STATE OF INDIANA)
) SS:
COUNTY OF ELKHART)

STATE OF INDIANA)
)
 -vs-)
)
ALLAN JOHN KAUFFMAN)
DOB: 1/1/1949)

IN THE ELKHART SUPERIOR COURT 3

CAUSE NO. 20D03-2402-F6-_____

AFFIDAVIT TO SHOW
PROBABLE CAUSE

Comes now the undersigned Affiant, Carol Smith, Elkhart County Chief Deputy Clerk, and after being duly sworn upon her oath states as follows:

1. THAT on or about April, 2023, Elkhart County Chief Deputy Clerk Carol Smith submitted documentation of an investigation into various election violations and campaign finance violations to the Office of the Prosecuting Attorney of Elkhart County pursuant to I.C. § 3-14-5, *et seq.*. Said documentation contained extensive information relating to a scheme facilitated by ALLAN JOHN KAUFFMAN to accept donations from a variety of unnamed individuals for the purpose of paying for a mass mailing that advocated for the election of, and the defeat of, certain specific candidates for Goshen Community School Board in the November 2022 general election. The unnamed individuals were allegedly persons that wanted to remain anonymous; however, KAUFFMAN was aware at the time the funds were provided to him of these facts. KAUFFMAN then made contributions to the campaign committees of the following candidates: Jose Elizalde, Roger Nafziger, Andrea Johnson, and Mario Garber by placing said funds into his personal account then wrote checks to the individual candidates' campaigns.
2. THAT Chief Deputy Clerk Carol Smith also submitted this documentation to the Elkhart County Election Board who conducted an independent inquiry, making certain findings and levying fines against the above-named individuals, as well as several others that participated in the scheme.
3. THAT Chief Deputy Clerk provided documentation that ALLAN JOHN KAUFFMAN signed as the "Treasurer" of the Campaign Committee of Jose Elizalde, a candidate for Goshen Community Schools School Board in the 2022 General Election, on or about November 2, 2022, on Elizalde's CFA-11 (the Indiana Secretary of State's official form for reporting "Large Contribution" donations to a campaign which is mandated to be filed pursuant to Indiana Election laws) report filed with the Elkhart County Clerk on or about November 3, 2022. The subject CFA-11 identified the said ALLAN JOHN KAUFFMAN as the person making the large sum contribution in the amount of \$1,177.00 on October 31, 2022.
4. THAT the funds for the subject contribution were not actually the funds of ALLAN JOHN KAUFFMAN as he had collected monies from numerous "interested" persons that wished to remain anonymous. Chief Deputy Clerk examined numerous social media postings purporting to have been made by KAUFFMAN as well as an email that was purportedly sent from KAUFFMAN to Chief Deputy Smith, amongst others, wherein he makes a statement to the "Members of the Election Board" that a "retired teacher" approached him out of concern of what may happen in the upcoming election if candidates endorsed by a certain group were to be elected. That teacher was Sue Neeb. KAUFFMAN expressed that the intent was to collect money from Neeb's "friends" and Neeb then wrote a check to KAUFFMAN, who then wrote checks to each of the endorsed candidates' campaigns, claiming that he was the sole contributor rather than the number of individuals that actually made the contributions for the mailer. Furthermore, KAUFFMAN's social media statements advised that all the candidates were aware of the multiple contributors financial donations to support the mailer, but that KAUFFMAN was the one that collected the money, then attributed the full amount of the donations to each of the candidates in various "large sum" amounts.
5. THAT each of those candidates, namely Jose Elizalde, Mario Garber, Roger Nafziger, and Andrea Johnson, also filed CFA-11 reports indicating that KAUFFMAN was the sole contributor of a "large sum" donation while being aware that others had actually contributed funds toward the large sum that was required for the mailer. Accordingly, each of the CFA-11 forms were fraudulent as they contained false information as to the identity of a financial contributor to a campaign committee in a State election. The fact that a filing of a fraudulent report is a Level 6 felony is printed directly on the CFA-11 form. Furthermore, each candidate, when filing their required forms to make them eligible to be a candidate in an election, has access to all of the laws and required documents governing Campaign Rules and Campaign Finance Rules, and each candidate must proclaim, under penalty of Perjury, that they have reviewed the aware of the provisions of I.C. § 3-9, which describe the requirements of reporting contributions on the proper forms, and that they agree to comply with said provisions.

6. THAT all of the aforesaid facts occurred in Elkhart County, Indiana, and are within my personal knowledge or the personal knowledge of the aforementioned persons. And, that the aforesaid information has been corroborated by independent observations and investigation by said officers and the Elkhart County-Chief Deputy Clerk, and, accordingly, I believe the aforesaid information is reliable and credible.

I AFFIRM UNDER THE PENALTY OF PERJURY AS SPECIFIED IN I.C. § 35-44.1-2-1, THAT THE FOREGOING REPRESENTATIONS ARE TRUE AND CORRECT.


Affiant