

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the matter of: Letter of Inquiry,)	File No.: 0000115702
Marion Education Exchange & WWGH-LP)	LOI: 1800B3-HOD
)	

RESPONSE OF SPENCER PHELPS

Pursuant to the letter of interest (LOI) sent by the FCC to Marion Education Exchange (MEE) on March 30, 2021, I submit this official response to the reply sent by MEE to the FCC on April 13, 2021 (herein referred to as the 4/13 Reply).

FOUR POSSIBLE INSTANCES OF PERJURY COMMITTED BY MEE

In both of the last two replies, Shawn Craft signed his name to the following statement: *“I Shawn Craft am writing this declaration made under penalty of perjury. This declaration to the best of my ability and knowledge verifies the truth and accuracy of the information provided to the FCC, [sic] All responsive information within MEE’s possession, custody, control or knowledge has been provided to the FCC.”*

It appears that Shawn Craft has committed perjury by signing his name to that statement in at least two instances. In light of new information provided in MEE’s 4/13 Reply, it appears that Scott Spears, one of the general managers of WWGH-LP and party to these proceedings, has also committed perjury by knowingly using the name of a dead person on a federal application.

PERJURY #1 – NEW DOCUMENTS APPEAR

On February 26, 2021, the FCC sent a LOI to MEE with a request for the following documents: *“Copies of all corporate materials (including those filed with the State of Ohio) that are related to or include information regarding MEE’s Board composition, or the appointment, resignation, or termination of MEE officers or directors.”* That includes meeting minutes, bylaws, etc.

In MEE's reply to that LOI, they provided no meeting minutes, no documents regarding the setup or changing of their board, and no mention of any other documents existing. Shawn Craft signed his name to the fact that *"all responsive information within MEE's possession, custody, control or knowledge has been provided to the FCC."*

On April 13, 2021, MEE sent another reply, but this time it came with board meeting minutes and some bylaws. These minutes have no signatures from any board members that would validate their authenticity. In the 3/10 Reply, Shawn Craft said under penalty of perjury that these documents did not exist. Now they do. In that same reply, Shawn Craft displayed openness to creating documents out of thin air to meet whatever requirement the FCC wanted. It appears that MEE has done just that.

In the 4/13 Reply, Shawn Craft makes this inane comment: *"They were not provided in the past, because we were not aware that the FCC wanted to see them."* Assuming that these documents were not just hastily constructed out of thin air at the last minute, this statement conveys that yes, the documents did exist. However, MEE actively decided not to give them to the FCC on March 10, 2021, because in their estimation, the Commission erred by not asking for information the right way. Clearly, the requested documents were in MEE's possession, custody, and control. MEE avoided compliance with the FCC's request for those exact documents in the February 26, 2021 LOI.

If these documents did exist in 2019, why weren't they sent to the State of Ohio with the other documents? Did MEE seriously think the State of Ohio didn't want to see them, too? The State of Ohio requires that all non-profits send notifications of board changes. It also requires all corporate bylaws, minutes, etc. be submitted. None of these documents have ever been given to the State of Ohio, which lends credibility to the theory that these documents were recently forged.

PERJURY #2 – NEW INFO REGARDING BETTY COMPTON

Whatever happened to Betty Compton? According to MEE's 3/10 Reply, nothing happened to her; she was just fine. According to FCC application BALL-20190509AAH sent in by Scott Spears, Betty Compton was alive and well in 2019. However, according to this new 4/13 Reply, the narrative has changed yet again. Betty Compton died.

MEE now wants the FCC to think that she passed away very recently. In fact, a hand-written note is baked into meeting minutes supposedly made in 2020 referencing a tribute to Betty Compton going well. Incidentally, there is no public record of a radio tribute ever being held for Betty Compton. A search of WWGH-LP's website returns no search results despite the fact that they have an extensive collection of tributes and interviews on their website. [Exhibit 1] This is a smokescreen.

Shawn Craft omitted material details in his 3/10 Reply and the 4/13 Reply. First, there was absolutely no mention of Betty Compton passing away in the 3/10 Reply. Now that we know that Betty Compton did die as explained in this newest reply, other important facts were omitted. These facts are:

- Betty Compton died on November 7, 2016 (twenty sixteen). [Exhibit 2]
- Betty Compton is the grandmother of Scott Spears, general manager of WWGH-LP radio and respondent to these proceedings. [Exhibit 2]

PERJURY #3 – DEAD PERSON KNOWINGLY USED ON FCC APPLICATION

Scott Spears lied in application BALL-20190509AAH to the FCC from 2019 when he stated that Betty Compton was alive and a member of the board with voting rights, complete with a mailing address. When Scott Spears submitted this application to the FCC, Betty Compton had been dead for almost three years. Scott Spears knew Betty Compton died in 2016. [Exhibit 3] He provided no additional information to the FCC as to why a dead person was actively being included on official documents. Using a dead person's

name on a federal application when it was common knowledge that she was dead long ago is not giving the deceased their “due respect,” as MEE claims. It’s fraud. He knowingly added her name to FCC application BALL-20190509AAH anyway.

PERJURY #4 – BETTY COMPTON “STILL ALIVE” ON APPLICATION BTCL-20190528AAN

Shawn Craft signed that there were no other changes to the MEE board except him becoming president when application BTCL-20190528AAN was sent to the FCC on May 28, 2019. Given the previous application that was sent, this statement confirmed that Betty Compton was still on the board even though she had died in 2016. No new information was provided to the FCC about the status of Betty Compton. All they had to do was say, “Betty Compton has passed away,” or, “Betty Compton is no longer with MEE.” But they never did that. The comments about “*we had hoped people would stay on*” are yet another smokescreen because this person had been dead at this point for years, and they knew it.

SHAWN CRAFT DID NOT WRITE PORTIONS OF THIS 4/13 REPLY

The included letter attacking me and Marion Makes Music (MMM) was actually written by Scott Spears. Proof has been included. [Exhibit 4] He tried to launch a fake attack against me and MMM by sending the Better Business Bureau (BBB) a list of lies on December 10, 2019. You can see in the enclosed exhibit that the complaint supposedly came from Patsy Worcester, but the reply e-mail went directly to Scott Spears. The e-mail contains his trademark incoherent ellipses throughout, which I have sent samples to the FCC for comparison. When I called the BBB, I was told they spoke with a man over the phone, not a woman. Scott Spears’ complaint in 2019 is copied verbatim to this letter sent on 4/13/21. It is signed by Shawn Craft as if he wrote it.

Shawn Craft also signed, under penalty of perjury, that all of the claims made in this attack are true. They are not. I won’t waste the FCC’s time going through them all since this is supposed to be about WWGH’s

inability to tell the truth and not about me. Here is just one major falsehood that I can easily correct, complete with exhibits:

The US Junior Drum and Bugle Corps Championship Commission, Inc. (which was later renamed Marion Makes Music (MMM) because the previous name was so cumbersome) is the license holder of WDIF-LP. To my knowledge, MMM has never owned real estate in its entire existence from its founding in 1968. MMM has never owed back real estate taxes, nor has MMM ever lost a property to owing taxes. The property the letter refers to is actually owned and operated by a private citizen. Spears is probably referring to neighboring properties that were owned by other entities with similar names. These other organizations have nothing to do with MMM or WDIF-LP. There are actually two “drum and bugle” related non-profits in Marion that own real estate:

- Marion Cadet Drum & Bugle Corps, Inc. – owns a dilapidated property at 416 W. Church St.
- Marion Cadets, Inc. – owns a dilapidated property at 446 W. Church St.

He tied MMM in with these defunct organizations because all were related to drum and bugle corps and “cadet” activities in some way a long time ago. In 2019, Scott Spears was hoping that the BBB would confuse them and make our charity look bad. Luckily, the lady I spoke with at the BBB was familiar with drum and bugle corps and was actually from Marion, so she understood the deception and removed the baseless attack from their website. Now here in 2021, he’s hoping the FCC will fall for it. A simple property search on the Marion County website shows as much and is included. [Exhibit 5]

So this attack is false, and with minimal due diligence, the truth can be ascertained. Despite that, representatives of MEE actively decided to send the FCC a document that was fraudulent both in origin and in content.

CONCLUSION

Throughout this entire ordeal, MEE has flagrantly used deception, plead ignorance, and spent more time attacking than explaining. MEE's use of deception is a direct violation of FCC rule § 1.17 regarding truthful and accurate statements to the Commission. Only after I laid out a possible timeline (a mistake on my part) were they able to miraculously produce documents that matched that timeline perfectly. Here is a partial list of the dishonest tactics MEE has employed in their response to a simple inquiry about who was on their board:

1. They have lied to and insulted the intelligence of the people working for the FCC.
Quote: *"...we were not aware that the FCC wanted to see them."*
2. They have broken the rules multiple times by trying to hide personal attacks in e-mails to individual FCC employees.
3. They have lied about Marion, Ohio (comments made about Marion having no other local news/weather coverage and Marion having little resources).
4. They have lied about the petitioner and have not stopped their personal attacks.
5. They submitted knowingly-false documents to a federal agency just to attack the petitioner.
6. They have stated in clear terms that they are willing to fabricate documents.
7. They have broken agreements with the State of Ohio. (Spears agreement to relinquish the license to the FCC)
8. They have broken State of Ohio laws (not filing state taxes [Exhibit 6], not providing corporate documents, not providing info about board changes, etc.)
9. They have included dead people in their FCC applications on purpose. (Betty Compton)
10. They employed deception in earlier replies by not including specific dates, only months/years.
11. They employed deception by purposefully omitting certain individuals and by obfuscating what actually happened to the health of each board member.

12. They have employed passive-aggressive emotional platitudes to hopefully sway the FCC to rule in their favor. *“I know the FCC isn’t in the business of shutting down radio stations... We’ll do anything you want us to do... Thanks for letting me rant... etc.”*

13. They ascribe nefarious intentions to legal activities to try to make me look sinister.

(FCC’s rules on LPFM radio stations don’t apply to Facebook posts on the Internet.)

14. They use hypocrisy as a tactic to attack the petitioner. (Spears’ dead grandmother was a member of the board, but he tried to cast aspersions about me having my father on my board.)

They also continued to broadcast despite cancellation of their license, and pointedly disputed – over the air – the Commission’s instructions. By doing so, they carelessly exposed an entire retirement community to massive pirate radio fines. Their antenna is on top of a Fairfield Homes building (aka Marion Towers). The correct and lawful course of action for any station is to discontinue operation upon license cancellation and to cooperate with the Commission – not to defy and disregard official orders. This episode exposes MEE’s contempt for the authority of the United States over the radio spectrum and is yet another demonstration of the organization’s lack of basic character expected of licensees.

MEE had no intention of contacting the FCC to provide any of this context. As of the date this reply was sent to all parties, MEE still has not communicated any of this with the State of Ohio. The only reason we are finding out about MEE’s deception now is because of this complaint and their continued subterfuge.

MEE and its representatives have absolutely no character and do not deserve a license with the FCC.

They have no qualms about deploying deception and dishonesty, as evidenced in every one of their replies and correspondence during these proceedings. Craft and Spears seem to be under the impression that if they haphazardly arrive at the correct answer eventually, all of their previous impropriety will be overlooked. I hope the FCC can see through their charade, and I implore the FCC to levy the heaviest penalties available so these people can’t inflict themselves onto our public airwaves ever again.

Respectfully submitted,



Spencer Phelps
671 Meadow St.
Marion, OH 43302
(740) 244-9836
spencer.phelps@ yahoo.com

April 20, 2021

I certify that copies of this reply were sent electronically to the following parties:

Shawn Craft
MEE Representative
shawndog29@gmail.com & shawncraft@yahoo.com

Scott Spears
MEE Representative
osukid2006@aol.com

Heather Dixon
FCC
heather.dixon@fcc.gov

Tom Hutton
FCC
tom.hutton@fcc.gov

Nazifa Sawez
FCC
nazifa.sawez@fcc.gov

EXHIBITS – TABLE OF CONTENTS

Exhibit 1	Search results of WWGH's website for tribute
Exhibit 2	Betty Compton death announcement
Exhibit 3	Scott Spears Facebook post from 11/9/2016
Exhibit 4	Fake BBB Complaint from Spears, 2019
Exhibit 5	Property searches on Marion County website
Exhibit 6	State of Ohio registration showing no taxes reported



Marion, OH's LP Radio Station: 107.1 FM

- Welcome! Program Schedule Show Archives Local Sports
- Classic Championship Wrestling Facebook CLICK HERE if Player is Not Working
- Newsforce 24/7 Charlie Evers Show
- Adam The Computer Guy & Mid-Morning Coffee Break
- The Early Show & Friday Night Live with Scott Spears

compton [Search] [Facebook] [Twitter]

Nothing Found For: "compton"

Apologies, but no results were found for the requested keyword. Please try another keywords..

compton [Search]

Follow Us!



Betty Jane Compton

1937 - 2016



Send Flowers

Share

Betty Jane Compton

MARION: Betty Jane Compton, age 79 of Marion, passed away on Monday November 7, 2016 while vacationing in Cheboygan, Michigan.

Betty entered this world on January 23, 1937 to the late Russell and Irene (DeVore) Johnson in Patterson, Ohio.

She graduated from Forest High School in 1955. Betty attended to the Church of Christ in Marion, Ohio. She will truly be missed by family and friends.

She is preceded in death by her parents: Russell and Irene Johnson; one daughter: Sharon Compton and one sister: Dolly Ruby.

Betty is survived by her daughter: Joan (Tod) Markley of Marion, OH; three sons: Jeffrey (Teri) Compton of Stockport, OH, David Compton of Russells Pointe, OH and Kevin (Lori) Compton of Canton, OH; her ex-husband: James Compton; nine grandchildren: Scott Spears, Carrie (Ryan) Beardsley, Alan (Jackie) Compton, Jeff (Joanna) Compton, Ally (Gary) Turner, Brandon (Alexendra) Spears, Trace Compton, Alex Compton and Andrew Compton and thirteen great grandchildren.



Scott Spears

November 9, 2016 · Marion · 🌐



My Grandma was the best Grandma there ever was.....She is such a big part of my life, and everything I do. There was nobody like her.....she is irreplaceable.....I am so glad that she was my Grandma and we have had a great time together throughout our lives.....she was perfect....may you have half the Grandma I did and do



LEGACY.COM

Betty Jane Compton's Obituary on The Marion Star

Read the Obituary and view the Guest Book, leave condolences or send flowers. | Betty Jane Compton MARION: Betty Jane Compton, age 79 of Marion, passed away on Monday November 7, 2016 while vacationing in Cheboygan, Michigan. Betty entered this world on January 23, 1937 to

138

101 Comments 8 Shares

Like

Comment

Share

[View previous comments](#)

Complaint ID #13975618

WHAT IS THE NEXT STEP?

There is no action for you to take at this time. We will contact you when we next require your input.



Name: Patsy Worcester
Address: 846 UNDERWOOD AVE S
 MARION, OH 43302
Daytime Phone: 740-751-4038
Evening Phone: None Provided
Fax: None Provided
Email: osukid2006@aol.com

Business Name: Marion Makes Music, Inc.
Address: Marion, OH 43302
Phone: None Provided

E-mail belongs to Scott Spears ←

Complaint Details

Hello, I am writing this letter with great concern about the 501c3 non profit in Marion, Ohio "Marion Makes Music" My concern is that this non profit was started and has been advertised in Marion as a group that provides music lessons, and/or instruments for the children in Marion, Ohio. I have never heard of anyone using this group...and have never seen a list of children who have been helped. Yet this group holds a Blues Fest in late summer every year, and has accepted grants from the Marion Convention & Visitors Bureau, as well as courts sponsors through its radio station WDIF 97.5FM for this purpose.

I believe the majority of the funds raised to help children in Marion are going to run this radio station. I do not see any other way the station could operate. Also The President of Marion Makes Music is Spencer Phelps...who is also the Station Manager of WDIF 97.5FM which i would think is a conflict of interest. Something else that is troubling is that this radio station licence was granted to the non profit "The US OPEN DRUM AND BUGLE CORPS" which has not been in operation in Marion since the early 2000's. The Cadet Hall located at 434 West Church Street in Marion has not housed this group since the early 2000's...as a matter of fact i think this group lost this building to back taxes not being paid. Yet they continued to be the front group to operate this radio station from 2005 until 2018.

I dont see any evidence that any money from 2005 until 2018 was ever used for "The US DRUM AND BUGLE CORPS" as they did not exist...all money raised under this non profit went to operate radio station WDCM which changed names in 2012 to WDIF. The FCC "Federal Communications Commission" during this time has several different boards of directors listed operating this station...although I cant see where any of these groups were ever having meetings or overseeing the radio station or money. Spencer Phelps obtained the station in April of 2016. Im not sure how this happened because at that time there was no active board to approve this transfer, and no legitimate operational non profit overseeing it.

From April of 2016 until late 2018 The station under the management on Spencer Phelps operated under the phony non profit "The US OPEN DRUM AND BUGLE CORPS" and had no active board. In a transfer of control of the station in 2018 from "THE US OPEN DRUM AND BUGLE COPRS" to "MARION MAKES MUSIC" Phelps stated to the FCC that he could not contact the old board to obtain their permission for the change non profits because they were either dead or moved out of state. If this is true who transferred the station to him in 2016...and who oversaw the finances of the station under non profit laws in Ohio from 2016 until 2018? Also when Phelps created "Marion Makes Music" in 2018 he put himself on the board (even though he was already manager of the radio station) and lists people who work at the radio station like Ray Macklin and family member's with the last name of Phelps as other board members of "Marion Makes Music."

He recently got into a physical fight with the Marion County Fair director Keith Seiter at the 2019 Marion County Fair. He uses social media and the station air waves to slander other people, and uses "calls to action" to get money for this station which are strictly prohibited by the FCC and not the purpose of an LPFM educational station. I believe several laws and rules have been broken both on the state and federal level and he has been doing it for years...I hope someone looks into this...he is very dangerous and the kids in marion are suffering because of it.

- Complaint Overview
- Your Messages
- Communication History
- Export to MS Word
- Print this Complaint

	From	To	Subject	Date Sent
click to view			Respond to Complaint	12/4/2019
click to view			The Better Business Bureau has received a customer concern about your business	12/4/2019
click to view			BBB Customer Comment: SECOND NOTICE: The BBB has received a complaint about your business	11/26/2019
click to view			The Better Business Bureau has received a customer concern about your business	11/19/2019



Search Results 1 Results | [Back](#)

Results per page: 20

Click on a parcel number to view property data.

Parcel	Owner	Property Address	Land Use	Acres
123130004500	MARION CADET DRUM & BUGLE CORPS INC	416 W CHURCH ST MARION OH 43302-3620	510	0

Search Results

- [Print These Results](#)
- [Email These Results](#)
- [Export These Results](#)

Help

- [Get help viewing search results.](#)

Save This Search As:

Save Search

<https://propertysearch.co.marion.oh.us/Results.aspx?SearchType=Owner&Criteria1=&Criteria2=bugle>



Search Results 2 Results | [Back](#)

Results per page: 20

Click on a parcel number to view property data.

Parcel	Owner	Property Address	Land Use	Acres
123130004500	MARION CADET DRUM & BUGLE CORPS INC	416 W CHURCH ST MARION OH 43302-3620	510	0
123140006600	MARION CADETS INC	446 W CHURCH ST MARION OH 43302	400	0.2873

Search Results

- [Print These Results](#)
- [Email These Results](#)
- [Export These Results](#)

Help

- [Get help viewing search results.](#)

Save This Search As:

Save Search

<https://propertysearch.co.marion.oh.us/Results.aspx?SearchType=Owner&Criteria1=&Criteria2=cadet>



Data For Parcel 123130004300

Print Email Property Card Comparables

Navigate Parcels

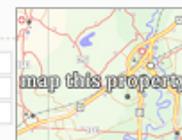
1 of 1
[Back to Search Results](#)

Help

- Get help viewing property data.

Save This Property As:

Save Property



[Base](#) [Land](#) [Valuation](#) [Sales](#) [Sketch](#) [Tax](#) [Residential](#) [Improvements](#)

Sales Data

Parcel: 123130004300
Owner: DODSON EDWARD P
Address: 434 W CHURCH ST MARION OH 43302-3620

Sales

Sale Number	Sale Date	Sale Price	Sale Type	Buyer	Valid Sale	Number of Properties
612	7/2/2020	\$70,000.00	GWD	DODSON EDWARD P	NO	1
679	8/4/2016	\$46,667.00	SHE	LOFTY LIVING LLC	NO	2

<https://propertysearch.co.marion.oh.us/Data.aspx?ParcelID=123130004300>



DAVE YOST

OHIO ATTORNEY GENERAL

Charitable Law Section
Office 614-466-3181
Fax 614-466-9788

150 East Gay St
Columbus, OH 43215
www.OhioAttorneyGeneral.gov

Verification of Registration with the Ohio Attorney General's Office

Organization Details:

Organization Name: The Marion Education Exchange

DBAs (doing business as), organizations fiscally sponsored, and/or named programs controlled by the organization:

Employer identification number (EIN): 84-1811297

Address line 1: 1366 Montego Dr

Address line 2:

City: Marion

State: Ohio

Zip: 43302

County: Marion

Country: United States

Telephone: (740)262-3203

Web address:

Date of formation: 05/02/2019

Organization type: Other

Description of Organization's Purpose: The purpose of The Marion Education Exchange is to provide the community of Marion, Ohio with educational information of all kinds. From news, to weather, to obituaries, to entertainment, to local events that are available for the public and to the public of Marion Ohio and other areas. This will be done through programs of all kinds

Is the organization's registration status current? No

Organization Details:

If the answer is no, a representative of the organization should immediately log into the system to take care of the filing deficiency or contact the Ohio Attorney General's Office right away with questions.

If the answer is yes, this report serves as verification that the named organization is in compliance with its registration requirements.

The financial information below is from the organization's most recent filing within the on-line system. If the items below are blank, the organization has not yet filed information on-line or they may be exempt from filing an annual report.

Reporting Year:

Reporting Start Date:

Reporting End Date:

Total Revenue:

Total Expenses:

Total Program Expenses:

Percent of Total Expenses:

Total Assets:

This Organization has the following Chapters (0):