



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 11, 1999

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Joseph Carmichael, Chairman
Missouri State Democratic Committee
419 East High Street, PO Box 719
Jefferson City, MO 65102

RE: MUR 4819

Dear Mr. Carmichael:

On October 13, 1998, the Federal Election Commission received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act").

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the respondents. See attached narrative. Accordingly, the Commission closed its file in this matter on June 10, 1999. This matter will become part of the public record within 30 days.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Sincerely,

A handwritten signature in black ink, appearing to read "F. Andrew Turley".

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

MUR 4819

MISSOURIANS FOR KIT BOND

Joseph Carmichael, chair of the Missouri State Democratic Committee, alleges that Missourians for Kit Bond (the "Committee") accepted but failed to report in-kind contributions from Sheriff Dick Anderson and the Platte County Sheriff's Department ("PCSD"). These contributions allegedly consisted of the use of 30 to 40 on- and off-duty PCSD employees in a television advertisement supporting Senator Bond's re-election. The complaint contains several other allegations that are outside the jurisdiction of the FECA. Senator Bond won the 1998 General election for Missouri Senate with 53% of the vote to Jay Nixon's 44%.

Senator Bond and the Committee assert, in response to the only allegation in the complaint they believe is within the FEC's jurisdiction, that the circumstances alleged did not give rise to an in-kind contribution and were not required to be reported. Respondents state that Senator Bond visited PCSD as part of his Senate duties to meet and talk with his constituents. Though part of the visit was filmed by the campaign and later used in campaign ads, they maintain that none of the people in attendance at the meeting or captured on film rendered any personal services to Senator Bond, or endorsed him in any way.

PCSD denies in its response that it violated the FECA, maintaining instead that the PCSD staff participated in an informational and educational meeting with Senator Bond regarding Platte County law enforcement issues. It further maintains that the meeting served a departmental purpose, function and mission. It also affirms that the PCSD did not pay for any services provided to Senator Bond's campaign, and argued that the appearance on film of its employees conducting their normal work activities does not constitute a contribution to the campaign.

This matter is less significant relative to other matters pending before the Commission.