



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

NOV 19 2010

Patricia Moore, Treasurer
Vernon Jones for Georgia (Terminated)
PO Box 190496
Atlanta, GA 31119

RE: MUR 6298

Dear Ms. Moore:

On June 2, 2010, the Federal Election Commission notified Vernon Jones for Georgia and you, as treasurer, of a complaint alleging violations of the Federal Election Campaign Act of 1971, as amended. On November 17, 2010, the Commission, on the basis of information in the complaint and information provided by you, exercised its prosecutorial discretion and dismissed the complaint. Accordingly, the Commission closed its file in this matter.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66132 (Dec. 14, 2009). The Factual and Legal Analysis, which explains the Commission's determination, is enclosed for your information.

If you have any questions, please contact April Sands, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mark Allen".

Mark Allen
Assistant General Counsel

Enclosure
Factual and Legal Analysis

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1 **FEDERAL ELECTION COMMISSION**

2 **FACTUAL AND LEGAL ANALYSIS**

3 **MUR 6298**

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5 **RESPONDENTS:** Vernon Jones for Georgia and Patricia Moore, in her official capacity as
6 treasurer (terminated)
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8 **I. GENERATION OF MATTER**

9 This matter was generated by a complaint filed with the Federal Election Commission by
10 Angela L. Graham. See 2 U.S.C. § 437g(a)(1).

11 **II. INTRODUCTION**

12 The complaint in this matter alleges that Vernon Jones for Georgia and Patricia Moore, in
13 her official capacity as treasurer (terminated) (the "Committee"), forged complainant's signature
14 as treasurer on various Committee filings starting December 13, 2006 and continuing through
15 April 14, 2008.¹ The complainant states that she did not give the Committee authority to sign
16 her name. Patricia Moore, the treasurer when the Committee terminated in 2009, states that the
17 complainant agreed to be the Committee's treasurer and gave the Committee permission to sign
18 her name. Based on the available information, the Commission exercises its prosecutorial
19 discretion, dismisses the complaint, and closes the file. See *Heckler v. Chaney*, 470 U.S. 821
20 (1985).

¹ Vernon Jones for Georgia was Mr. Jones' principal campaign committee for his U.S. Senate run. Mr. Jones lost the Democratic primary run-off election on August 5, 2008 and the Committee terminated in October 2009. Vernon Jones for Congress and Lisa Cunningham, in her official capacity as treasurer, is the 2010 principal campaign committee for Mr. Jones' unsuccessful bid for the U.S. House of Representatives from Georgia's Fourth Congressional District. Mr. Jones lost the primary election on July 20, 2010. There are no allegations with respect to Vernon Jones for Congress.

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III. FACTUAL AND LEGAL ANALYSIS

A. Factual Background

The complainant alleges that the Committee forged her signature as treasurer of the Committee on its Statement of Organization (FEC Form 1), disclosure reports (FEC Forms 3), and on letters to the Secretary of the Senate, from December 13, 2006 through April 14, 2008. According to the complainant, "I have not given anyone authority to sign my name for any reason whatsoever." Complaint at 1. She also states that she never saw letters sent to her attention from the Commission as they were sent to a post office box with which she was not associated. She requests that her name be removed or the documents be amended to remove her name as the Committee's treasurer.

Patricia Moore, the treasurer of the Committee before it terminated, states that complainant's allegation that her name and signature were used on documents without her knowledge and permission is "false," and asks the Commission to dismiss the complaint. Moore Response at 1, 2. Ms. Moore states that complainant worked for Mr. Jones on previous campaigns. According to Ms. Moore, complainant agreed in December 2006 to serve as treasurer of the Committee "if she didn't have to be bothered with the paperwork" because "she had previous problems with paperwork on another campaign." Moore Response at 1. Ms. Moore states that she told complainant she would handle the paperwork and make sure the reports were filed for her, and the complainant agreed. Moore Response at 1. Thereafter, Ms. Moore states, "[w]hen I would contact [the complainant] about meeting with her to get her signature for the documents, she just told me to sign her name." Moore Response at 1. Ms. Moore points out that the Committee included the complainant's personal cell phone number

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1 states that the signing was done with the complainant's knowledge and permission.

2 The complainant's signature on her complaint and the signatures on the Form 1 and the Forms 3
3 are clearly different, so there was no apparent attempt to replicate or imitate the complainant's
4 actual signature.³

5 Complainant does not assert that she never agreed to be the Committee's treasurer, that
6 she never reviewed the Committee's reports, or that she had no contact with the candidate or the
7 Committee during the relevant time period. Her complaint is confined to the allegation that the
8 Committee "forged" her name on several documents, and that she never gave anyone the right to
9 sign her name. The responses also do not state whether complainant reviewed the documents,
10 but only that she agreed to be treasurer, did not want to be bothered with "paperwork," and
11 authorized Committee representatives to sign her name. Although there is a dispute as to
12 whether complainant authorized anyone at the Committee to "sign her name," and treasurers are
13 expected to review committees' reports and certify them with their own signatures or authorize
14 their signing by others, investigating the circumstances surrounding the signing of the
15 complainant's name is not a worthwhile use of the Commission's limited resources for two
16 reasons.

17 First, there are no substantive or timely reporting violations alleged with respect to the
18 Committee's reports that reflect the complainant's name as treasurer. FEC records show no
19 MURs, or ADR or Administrative Fine matters involving the Committee's disclosure reports

³ A comparison of the handwriting in Ms. Moore's response with the complainant's signed name on some Committee documents, coupled with the statement in Ms. Moore's response that complainant "told me to just sign her name," indicate that Ms. Moore may have signed complainant's name on some of the documents. However, there are at least two different signatures reflected in the documents attached to the complaint, neither of which appears to be complainant's. See Form 3 date-stamped July 18, 2007 and a letter dated March 28, 2008, attached to FEC Form 3Z-1.

1 during the period when the complainant's name appeared on the Committee's reports. Second,
2 the only relief complainant seeks is that her name be removed from the Committee's filings or
3 that the Committee's documents be amended, but because the Commission terminated the
4 Committee in October 2009, there is no existing reporting entity that could agree to take such
5 actions, either in a conciliation agreement or as the recipient of a cautionary letter. However,
6 while not the precise relief complainant seeks, her complaint in this matter, when placed on the
7 public record, will stand as her assertion, albeit denied by the responses, that she never
8 authorized anyone at the Committee to sign her name on its filings.

9 Based on the above, the Commission exercises its prosecutorial discretion, dismisses the
10 complaint in this matter, and closes the file. *See Heckler v. Chaney*, 470 U.S. 821 (1985).

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