

BEFORE THE FEDERAL ELECTION COMMISSION

ENFORCEMENT PRIORITY SYSTEM

DISMISSAL REPORT

MUR: 7656

Respondents: Laverne Gore for Congress
and Peter J. Corrigan,
as Treasurer
("the Committee")
Laverne Gore¹

Complaint Receipt Date: October 28, 2019

Response Date: November 13, 2019

EPS Rating:

**Alleged Statutory &
Regulatory Violations:**

52 U.S.C. §§ 30101(2); 30103(a); 30120(a)(1)
11 C.F.R. §§ 102.1(a); 110.11(a)(1)

The Complaint alleges that the Committee's October 18, 2019, video announcing Gore's candidacy did not contain the required disclaimer,² and the Committee had not filed disclosure forms with the Commission.³ The Response states that the Committee was not required to file disclosure reports because it had not raised any money before October 18, 2019, and as of the date of the response, it had collected less than \$5,000 in contributions.⁴ The Response further notes that the Committee has added a disclaimer to its announcement video.⁵

¹ Gore is currently a candidate for Ohio's eleventh district in the U.S. House of Representatives.

² Compl. at 1 (Oct. 28, 2019). The link to the video announcement provided in the Complaint leads to a page stating: "This video has been removed by the user." See https://youtu.be/wp0TmXC_W08, provided in Compl. at 1.

³ Compl. at 1. The Complaint also refers to a company logo at the end of the original announcement video "possibly of the production company." *Id.* As previously noted, the video to which the Complaint refers is not available. The announcement video currently accessible from Committee's website and available on the "Laverne Gore" channel on YouTube (which also bears a "Laverne Gore for Congress" logo) does not contain a company logo. See <https://youtu.be/JzLTwzfazPc>.

⁴ Resp. at 1-2 (Nov. 13, 2019). The Committee filed a Form 2 (Statement of Candidacy) on October 18, 2019 (see <https://docquery.fec.gov/pdf/109/201910189165049109/201910189165049109.pdf>) and Gore filed a Form 1 (Statement of Organization) on October 25, 2019 (see <https://docquery.fec.gov/pdf/593/201910259165300593/201910259165300593.pdf>).

⁵ Resp. at 1-2 (Nov. 13, 2019). The Committee states it added a disclaimer on October 25, 2019. *Id.* The current version of the video has a written disclaimer that reads, "Paid for by Laverne Gore 4 Congress," and in the video, Gore twice tells the viewer that she is running for Congress. See Laverne Gore, *Laverne's Big Announcement*, YOUTUBE, <https://youtu.be/JzLTwzfazPc> (last accessed on Dec. 10, 2019).

Based on its experience and expertise, the Commission has established an Enforcement Priority System using formal, pre-determined scoring criteria to allocate agency resources and assess whether particular matters warrant further administrative enforcement proceedings. These criteria include (1) the gravity of the alleged violation, taking into account both the type of activity and the amount in violation; (2) the apparent impact the alleged violation may have had on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in potential violations and other developments in the law. This matter is rated as low priority for Commission action after application of these pre-established criteria. Given that low rating, the Committee's remedial actions, and unlikelihood that the general public would have been misled as to the party responsible for the video, we recommend that the Commission dismiss the Complaint consistent with the Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of agency resources. *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985). We also recommend that the Commission close the file as to all Respondents and send the appropriate letters.

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12.16.19
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