

BEFORE THE FEDERAL ELECTION COMMISSION

ENFORCEMENT PRIORITY SYSTEM

DISMISSAL REPORT

MUR: MUR 7725

Respondents: Caesar Gonzales for Congress and Jessika Walker, as treasurer (the “Committee”) Caesar Gonzales

Complaint Receipt Date: April 8, 2020

Response Date: April 21, 2020

Alleged Statutory/ Regulatory Violations:

**52 U.S.C. §§ 30101(2), 30120
11 C.F.R. §§ 100.3, 110.11**

The Complaint alleges that the Committee failed to include a disclaimer on the campaign's signs.¹ The Complaint also asserts that Gonzales failed to file a Statement of Candidacy after he became a candidate.² Respondents state Gonzales filed a Statement of Candidacy and the Committee filed a Statement of Organization on or about March 9, 2020.³ Respondents acknowledge that the original lawn signs did not contain a disclaimer, but assert that Respondents immediately corrected the signs once Gonzales realized the error.⁴

24 Based on its experience and expertise, the Commission has established an Enforcement
25 Priority System using formal, pre-determined scoring criteria to allocate agency resources and
26 assess whether particular matters warrant further administrative enforcement proceedings. These

¹ Compl. at 1 (Apr. 8, 2020). Gonzales was a Republican primary candidate for U.S. Representative in Georgia's 13th Congressional District. He lost in the Republican primary on June 9, 2020 with 31.4% of the vote.

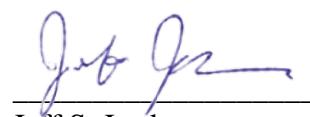
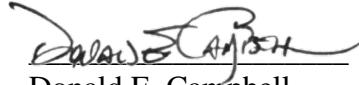
² *Id.* at 5. The Complaint asserts Gonzales met the \$5,000 candidacy threshold by paying a \$5,250 filing fee on March 4, 2020. *Id.*

³ Resp. at 1 (Apr. 21, 2020). See Caesar Gonzales Form 2 Statement of Candidacy (March 9, 2020) available at <https://docquery.fec.gov/pdf/317/202003099203797317/202003099203797317.pdf>, and Caesar Gonzales for Congress Form 1 Statement of Organization (March 9, 2020) available at <https://docquery.fec.gov/pdf/318/202003099203797318/202003099203797318.pdf>.

⁴ Resp. at 1-2. Respondents state that they applied disclaimer labels on the lawn signs beginning March 23, 2020, and that they did not distribute or publicly post the original signs, except for placing one sign at Gonzales's place of residence and posting a picture of bundled signs on social media. *Id.*

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1 criteria include (1) the gravity of the alleged violation, taking into account both the type of activity
 2 and the amount in violation; (2) the apparent impact the alleged violation may have had on the
 3 electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in
 4 potential violations and other developments in the law. This matter is rated as low priority for
 5 Commission action after application of these pre-established criteria. Given that low rating, both the
 6 speculative and technical nature of the potential violations, and Respondents' prompt remedial
 7 actions, we recommend that the Commission dismiss the Complaint consistent with the
 8 Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of
 9 agency resources.⁵ We also recommend that the Commission close the file as to all respondents and
 10 send the appropriate letters.

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⁵ *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).