



FEDERAL ELECTION COMMISSION  
Washington, DC

**VIA ELECTRONIC AND CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

[aguenter@wisgop.info](mailto:aguenter@wisgop.info)

[akelly@wisgop.org](mailto:akelly@wisgop.org)

Alec Zimmerman

Republican Party of Wisconsin

148 East Johnson Street

Madison, WI 53703

August 10, 2021

RE: MUR 7785

Dear Mr. Zimmerman:

The Federal Election Commission reviewed the allegations in your complaint received on October 30, 2020. On August 2, 2021, based upon the information provided in the complaint and information provided by respondents, the Commission decided to exercise its prosecutorial discretion to dismiss the allegations as to Jessica King for Wisconsin and Jessica King, in her official capacity as treasurer, and close its file in this matter. Accordingly, the Commission closed its file in this matter on August 2, 2021. A copy of the General Counsel's Report, which more fully explains the basis for the Commission's decision, is enclosed.

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 Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. *See* 52 U.S.C. § 30109(a)(8).

Sincerely,

Lisa J. Stevenson  
Acting General Counsel

*Roy Q. Lockett*

BY: Roy Q. Lockett  
Acting Assistant General Counsel

Enclosure  
General Counsel's Report

**BEFORE THE FEDERAL ELECTION COMMISSION**  
**ENFORCEMENT PRIORITY SYSTEM**  
**DISMISSAL REPORT**

**MUR:** 7851

**Respondents:** Jessica King for Wisconsin  
and Jessica King, as Treasurer  
(the “Committee”)

**Complaint Receipt Date:** October 30, 2020

**Response Date:** November 17, 2020

**Alleged Statutory  
Regulatory Violations:**

**52 U.S.C. § 30104(b)  
11 C.F.R. § 104.3**

The Complaint alleges that the Committee failed to correctly report contributions, expenditures, and cash on hand in its 2020 reports.<sup>1</sup> In particular, the Complaint alleges that: (1) there was a \$62,607.50 cash on hand discrepancy between the Committee’s 2020 Pre-Primary Report and 2020 October Quarterly Report; (2) there was a \$491.06 cash on hand discrepancy between the Committee’s 2020 October Quarterly Report and 2020 Pre-General Report; and (3) there were discrepancies in the closing cash on hand balance in the Committee’s 2020 April, July, and October Quarterly Reports given the reported starting cash on hand, expenditures, and contributions.<sup>2</sup> The Response asserts that the Committee has filed amended reports to resolve the discrepancies, which they assert resulted from good faith errors.<sup>3</sup>

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

---

<sup>1</sup> Compl. at 1-4 (Oct. 30, 2020).

<sup>2</sup> *Id.* at 3-4. The discrepancy was \$50.00 in the 2020 April Quarterly Report, \$103.50 in the July Quarterly Report, and \$315.87 in the 2020 October Quarterly Report. *Id.*

<sup>3</sup> Resp. at 1 (Nov. 18, 2020).

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 relatively modest amounts at issue, and the amended reports filed by the Committee, 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.

Lisa J. Stevenson  
Acting General Counsel

Charles Kitcher  
Acting Associate General Counsel

06.17.21

Date

BY: Stephen Gura  
Stephen Gura  
Deputy Associate General Counsel

Kristina M. Portner  
Kristina M. Portner  
Attorney