



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MAY 04 2009

VIA FIRST CLASS MAIL

Brian T. Hildreth
Bell, McAndrews & Hiltachk, LLP
455 Capitol Mall, Suite 801
Sacramento, CA 95814

RE: MUR 6160
Scott Pace

Dear Mr. Hildreth:

On January 27, 2009, the Federal Election Commission notified your client, Scott Pace, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("Act"). On April 17, 2009, based upon the information contained in the complaint, and information provided by your clients, the Commission decided to dismiss the complaint and closed its file in this matter.

Based on the information before the Commission, it appears that the reimbursement of the federal campaign contribution at issue in this matter was a potential violation of 2 U.S.C. § 441f. The Commission cautions your client to take steps to ensure that its conduct is in compliance with the Act and Commission regulations.

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). A copy of the dispositive General Counsel's Report is enclosed for your information.

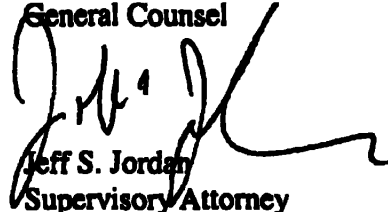
For further information on policies and procedures involving the regulation of the Federal Election Campaign Act please refer to the Commission's website at www.fec.gov or contact the Commission's Public Information Division at (202) 694-1100.

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If you have any questions, please contact Frankie D. Hampton, the paralegal assigned to this matter, at (202) 694-1650.

Sincerely,

Thomasenia P. Duncan
General Counsel



BY: Jeff S. Jordan
Supervisory Attorney
Complaints Examination and
Legal Administration

Enclosure
General Counsel's Report

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BEFORE THE FEDERAL ELECTION COMMISSION

1
2
3 In the Matter of)
4)
5 MUR 6160) CASE CLOSURE UNDER THE
6 SCOTT PACE AND) ENFORCEMENT PRIORITY
7 THE STATE PARK PEACE OFFICERS) SYSTEM
8 ASSOCIATION OF CALIFORNIA)
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GENERAL COUNSEL'S REPORT

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12 Under the Enforcement Priority System, matters that are low-rated

13 _____) are

14 forwarded to the Commission with a recommendation for dismissal. The Commission has
15 determined that pursuing low-rated matters compared to other higher-rated matters on the
16 Enforcement docket warrants the exercise of its prosecutorial discretion to dismiss these cases.
17 The Office of General Counsel scored MUR 6118 as a low-rated matter.

18 In this matter, the complainant, Paul Satkowski of the California Statewide Law
19 Enforcement Association ("CSLEA") alleges that respondent State Park Peace Officers
20 Association of California ("SPPOAC") reimbursed one of its members, respondent Scott Pace,
21 for a \$200 contribution he made to the Steve Filson for Congress Committee. Specifically, in
22 the course of conducting a routine audit of its affiliates, CSLEA discovered that one of its
23 affiliate organizations, SPPOAC, reimbursed Scott Pace for one federal and six non-federal
24 campaign contributions.¹

25 In his response, Scott Pace acknowledged receiving a \$200 reimbursement for his
26 contribution to the Steve Filson for Congress Committee, which he made on April 6, 2006.
27 Mr. Pace noted that he received a lump sum check from SPPOAC for the reimbursement of

¹ The seven reimbursed contributions consisted of: \$200 to the Steve Filson for Congress Committee; a total of \$1,000 to the Phil Angelides for Governor Committee; \$200 to the Westly for Governor Committee; and \$100 to the Garamendi for Lt. Governor Committee.

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1 various expenses, including portfolios, mugs, and the federal campaign contribution at issue.
2 Furthermore, Mr. Pace states that immediately upon learning of the reimbursement he remitted
3 \$200 to SPPOAC on February 9, 2009.

4 In light of the remedial taken by respondent Scott Pace and the de minimis amount at
5 issue in this matter, and in furtherance of the Commission's priorities and resources, relative to
6 other matters pending on the Enforcement docket, the Office of General Counsel believes that
7 the Commission should exercise its prosecutorial discretion and dismiss this matter. *See*
8 *Heckler v. Chaney*, 470 U.S. 821 (1985). Additionally, this Office recommends that
9 respondents Scott Pace and the State Park Peace Officers Association of California be
10 cautioned that the reimbursement of the federal campaign contribution at issue in this matter
11 was a potential violation of 2 U.S.C. § 441f.


12 **RECOMMENDATION**

13 The Office of General Counsel recommends that the Commission dismiss
14 MUR 6160, send a cautionary notification to Scott Pace and the State Park Peace Officers
15 Association of California, close the file, and approve the appropriate letters.


17 Thomasenia P. Duncan
18 General Counsel

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22 4/1/09
23 Date

BY:



24 Gregory R. Baker
25 Special Counsel
26 Complaints Examination
27 & Legal Administration
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Jeff S. Jordan
Supervisory Attorney
Complaints Examination
& Legal Administration

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