FAIR POLITICAL PRACTICES COMMISSION
428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

August 1, 2014

Mr. Ken Barnes
Committee to Elect Ken Barnes
Modoc County Sheriff
[redacted]

Mr. Mark Romans
Committee to Elect Ken Barnes
Modoc County Sheriff
[redacted]

**Warning Letter Re: FPPC No. 14/3~~09~~; Committee to Elect Ken Barnes Modoc County Sheriff; Ken Barnes and Mark Romans, Treasurer, Respondents**

Dear Messrs. Barnes and Romans:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),[1] found in Government Code section 81000, et seq. This letter is in response to a sworn complaint filed against you that you and your committee failed to file a pre-election campaign statement in connection with the June 3, 3014 election.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you and your committee failed to file a pre-election campaign statement for the period January 1, 2014 through March 17, 2014 by the March 24, 2014 deadline in violation of Section 84200.5. Upon notification by the Enforcement Division, you did file that statement on May 7, 2014.

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[1] The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

The Act provides that candidates and committees shall file pre-election campaign statements in connection with an election cycle and semi-annual campaign statements by January 31 and July 31 of each year covering activity in the previous six-month period. (Sections 84200/84200.5.) The Act also requires candidates and committees to file campaign statements until the committee has terminated its filing obligations. (Section 84214.)

Your actions violated the Act because you and your committee failed to file a pre-election campaign statement due March 24, 2014 until May 7, 2014. However, since you filed that statement immediately upon notification by the Enforcement Division and your campaign fundraising was minimal, we are closing our file on this matter.

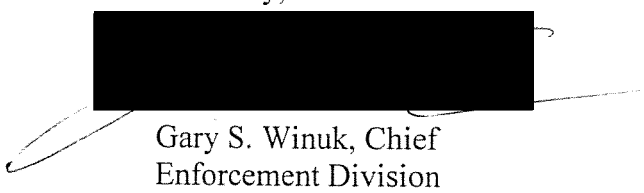
This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to $5,000 for each violation.

If you do not want to incur any future filing obligation, you may want to terminate your committee at this time as well.

A warning letter is an FPPC case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the FPPC's website ten (10) days from the date of this letter.

Please feel free to contact Jeanette Turvill at (916) 322-8194 for any questions you may have regarding this letter.

Sincerely,



Gary S. Winuk, Chief
Enforcement Division

GSW/jt
cc: Mr. Roy Bell