



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3000 • Sacramento, CA 95811

August 27, 2020

Richard Barrera

[REDACTED]

[REDACTED]

Via Email: [REDACTED]

Warning Letter Re: FPPC No. 2020-00177; Richard Barrera

Dear Mr. Barrera:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).¹ In response to the Enforcement Division’s pre-election outreach efforts, we were made aware by the San Diego County Registrar of Voters that you failed to timely file a pre-election campaign statement in connection with the March 3, 2020 Primary Election.

The Enforcement Division has completed its review of the facts in this case. Specifically, we found that you failed to timely file a candidate campaign statement – short form (‘Form 470’) with the San Diego County Registrar of Voters.

The Act requires candidates who do not have an open committee and do not plan to raise or spend \$2,000 or more in connection with the applicable election to file the Form 470 covering the entire calendar year by the deadline for the first preelection campaign statement.²

Your actions violated the Act because you failed to timely file the Form 470 with the San Diego County Registrar of Voters. However, the Enforcement Division has decided to close this case with this warning letter rather than a fine because you filed the required Form 470 soon after being contacted by the Enforcement Division and well before the election. Additionally, you do not have a history of violating the Act.

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Sections 84200.5 and 84206.

Please note that while the Enforcement Division is closing this matter without a fine, your filing officer, the San Diego County Registrar of Voters, may assess late filing penalties. 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.

A warning letter is an Enforcement Division case resolution without administrative prosecution or fine. The Commission has adopted Regulation 18360.1 to authorize the Enforcement Division to issue warning letters to conclude cases in specified circumstances. 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 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 Enforcement Division 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 Commission's website ten (10) days from the date of this letter.

Please feel free to contact Dominika Wojenska at dwojenska@fppc.ca.gov or (916) 322-2043 with any questions you may have regarding this letter.

Sincerely,



Galena West, Chief
Enforcement Division

GW:dw