

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Advocates for Memory Against Baker Act

Case No.: FEC 15-269

TO: Advocates for Memory Against Baker Act
Maximiliano Barraza, Chair
1080 94th St., Apt. #105
Bay Harbor Islands, FL 33154-2396

Division of Elections
500 S Bronough Street, Room 316
Tallahassee, FL 32399

NOTICE OF HEARING (INFORMAL HEARING)

A hearing will be held in this case before the Florida Elections Commission on, **August 16, 2016 at 9:00 am, or as soon thereafter as the parties can be heard**, at the following location: **Senate Office Building, 404 South Monroe Street, Room 110-S, Tallahassee, Florida 32399**

Failure to appear in accordance with this notice will constitute a waiver of your right to participate in the hearing. Continuances will be granted only upon a showing of good cause.

This hearing will be conducted pursuant to Section 106.25, Florida Statutes, which governs your participation as follows:

If you are the Respondent, you may attend the hearing, and you or your attorney will have *5 minutes* to present your case to the Commission. However, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless you request to be heard or the Commission requests that your case be considered separately on the day of the hearing, your case will *not* be individually heard.

If you are the Complainant, you may attend the hearing, but you will *not* be permitted to address the Commission. In addition, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless the Respondent requests to be heard or the Commission requests that the case be considered separately on the day of the hearing, the case will *not* be individually heard.

If you are an Appellant, and you have requested a hearing, you may attend the hearing, and you or your attorney will have *5 minutes* to present your case to the Commission.

Please be advised that both confidential and public cases are scheduled to be heard by the Florida Elections Commission on this date. As an Appellant, Respondent or Complainant in one case, you will *not* be permitted to attend the hearings on other confidential cases.

The Commission will electronically record the meeting. Although the Commission's recording is considered the official record of the hearing, the Respondent may provide, at his own expense, a certified court reporter to also record the hearing.

If you require an accommodation due to a disability, contact Donna Ann Malphurs at (850) 922-4539 or by mail at 107 West Gaines Street, The Collins Building, Suite 224, Tallahassee, Florida 32399, at least 5 days before the hearing.

See further instructions on the reverse side.

Amy McKeever Toman
Executive Director
Florida Elections Commission
August 1, 2016

Please refer to the information below for further instructions related to your particular hearing:

If this is a hearing to consider **an appeal from an automatic fine**, the Filing Officer has imposed a fine on you for your failure to file a campaign treasurer's report on the designated due date and, by filing an appeal, you have asked the Commission to consider either (1) that the report was in fact timely filed; or (2) that there were unusual circumstances that excused the failure to file the report timely. You are required to prove your case. If the Commission finds that the report was filed timely or that there were unusual circumstances that excused the failure, it may waive the fine, in whole or in part. The Commission may reduce a fine after considering the factors in Section 106.265, Florida Statutes. If the Commission finds that the report was not timely filed and there were no unusual circumstances, the fine will be upheld.

If this is a hearing to consider a **consent order before a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed and become public. If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the case will remain confidential, unless confidentiality has been waived.

If this is a hearing to consider a **consent order after a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed. If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the Respondent will be entitled to another hearing to determine if the Respondent committed the violation(s) alleged.

If this is a **probable cause hearing**, the Commission will decide if there is probable cause to believe that the Respondent committed a violation of Florida's election laws. Respondent should be prepared to explain how the staff in its recommendation incorrectly applied the law to the facts of the case. *Respondent may not testify, call others to testify, or introduce any documentary or other evidence at the probable cause hearing.* The Commission will only decide whether Respondent should be *charged* with a violation and, before the Commission determines whether a violation has occurred or a fine should be imposed, Respondent will have an opportunity for another hearing at which evidence may be introduced.

If this is an **informal hearing**, it will be conducted pursuant Sections 120.569 and 120.57(2), Florida Statutes; Chapter 28 and Commission Rule 2B-1.004, Florida Administrative Code. At the hearing, the Commission will decide whether the Respondent committed the violation(s) charged in the Order of Probable Cause. The Respondent will be permitted to testify. However the Respondent may not call witnesses to testify.

Respondent may argue why the established facts in the Staff Recommendation do not support the violations charged in the Order of Probable Cause. At Respondent's request, the Commission may determine whether Respondent's actions in the case were willful. The Respondent may also address the appropriateness of the recommended fine. If Respondent claims that his limited resources make him unable to pay the statutory fine, *he must provide the Commission with written proof of his financial resources* at the hearing. A financial affidavit form is available from the Commission Clerk.

FILED

16 JUN -7 PM 2: 10

STATE OF FLORIDA
ELECTIONS COMMISSION

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

Case No.: FEC 15-269

v.

**Advocates for Memory Against Baker Act,
Respondent.**

ORDER OF PROBABLE CAUSE

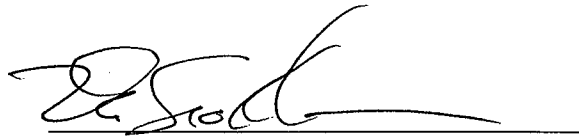
THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on May 18, 2016, in Tallahassee, Florida.

Based on the Complaint, Report of Investigation, Staff's Recommendation, and oral statements (if any) made at the probable cause hearing, the Commission finds that there is **probable cause** to charge Respondent with the following violation(s):

Count 1:

On or about December 10, 2014, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before December 10, 2014, that Respondent would not be filing its 2014 M11 Report on the prescribed due date.

DONE AND ORDERED by the Florida Elections Commission on May 18, 2016.



M. Scott Thomas, Chairman
Florida Elections Commission

Copies furnished to:
Eric M. Lipman, General Counsel
Advocates for Memory Against Baker Act, Respondent
Division of Elections, Complainant

NOTICE OF RIGHT TO A HEARING

As the Respondent, you may elect to resolve this case in several ways. First, you may elect to resolve this case by consent order where you and Commission staff agree to resolve the violation(s) and agree to the amount of the fine. The consent order is then presented to the Commission for its approval. To discuss a consent order, contact the FEC attorney identified in the Order of Probable Cause.

Second, you may request an informal hearing held before the Commission, if you do not dispute any material fact in the Staff Recommendation. You have 30 days from the date the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. At the hearing, you will have the right to make written or oral arguments to the Commission concerning the legal issues related to the violation(s) and the potential fine. At the request of Respondent, the Commission will consider and determine willfulness at an informal hearing. Otherwise, live witness testimony is unnecessary.

Third, you may request a formal hearing held before an administrative law judge in the Division of Administrative Hearings (DOAH), if you dispute any material fact in the Staff Recommendation. You have 30 days from the date the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. At the hearing, you will have the right to present evidence relevant to the violation(s) listed in this order, to cross-examine opposing witnesses, to impeach any witness, and to rebut the evidence presented against you.

If you do not elect to resolve the case by consent order or request a formal hearing at the DOAH or an informal hearing before the Commission within 30 days of the date this Order of Probable Cause is filed with the Commission, the case will be sent to the Commission for a formal or informal hearing, depending on whether the facts are in dispute. The date this order was filed appears in the upper right-hand corner of the first page of the order.

To request a hearing, please send a written request to the Commission Clerk, Donna Ann Malphurs. The address of the Commission Clerk is 107 W. Gaines Street, Collins Building, Suite 224, Tallahassee, Florida 32399-1050. The telephone number is (850) 922-4539. The Clerk will provide you with a copy of Chapter 28-106, *Florida Administrative Code*, and other applicable rules upon request. No mediation is available.

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Advocates for Memory Against Baker Act

Case No.: FEC 15-269

TO: Advocates for Memory Against Baker Act
Maximilliano Barraza, Chair
1080 94th Street, Apt. #105
Bay Harbor Islands, FL 33154-2396

Division of Elections
500 S Bronough Street, Room 316
Tallahassee, FL 32399

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on, **May 18, 2016 at 12:30 pm**, *or as soon thereafter as the parties can be heard*, at the following location: **Senate Office Building, 404 South Monroe Street, Room 110-S, Tallahassee, Florida 32399**

Failure to appear in accordance with this notice will constitute a waiver of your right to participate in the hearing. Continuances will be granted only upon a showing of good cause.

This hearing will be conducted pursuant to Section 106.25, Florida Statutes, which governs your participation as follows:

If you are the Respondent, you may attend the hearing, and you or your attorney will have *5 minutes* to present your case to the Commission. However, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless you request to be heard or the Commission requests that your case be considered separately on the day of the hearing, your case will *not* be individually heard.

If you are the Complainant, you may attend the hearing, but you will *not* be permitted to address the Commission. In addition, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless the Respondent requests to be heard or the Commission requests that the case be considered separately on the day of the hearing, the case will *not* be individually heard.

If you are an Appellant, and you have requested a hearing, you may attend the hearing, and you or your attorney will have *5 minutes* to present your case to the Commission.

Please be advised that both confidential and public cases are scheduled to be heard by the Florida Elections Commission on this date. As an Appellant, Respondent or Complainant in one case, you will *not* be permitted to attend the hearings on other confidential cases.

The Commission will electronically record the meeting. Although the Commission's recording is considered the official record of the hearing, the Respondent may provide, at his own expense, a certified court reporter to also record the hearing.

If you require an accommodation due to a disability, contact Donna Ann Malphurs at (850) 922-4539 or by mail at 107 West Gaines Street, The Collins Building, Suite 224, Tallahassee, Florida 32399, at least 5 days before the hearing.

See further instructions on the reverse side.

Amy McKeever Toman
Executive Director
Florida Elections Commission
May 3, 2016

Please refer to the information below for further instructions related to your particular hearing:

If this is a hearing to consider **an appeal from an automatic fine**, the Filing Officer has imposed a fine on you for your failure to file a campaign treasurer's report on the designated due date and, by filing an appeal, you have asked the Commission to consider either (1) that the report was in fact timely filed; or (2) that there were unusual circumstances that excused the failure to file the report timely. You are required to prove your case. If the Commission finds that the report was filed timely or that there were unusual circumstances that excused the failure, it may waive the fine, in whole or in part. The Commission may reduce a fine after considering the factors in Section 106.265, Florida Statutes. If the Commission finds that the report was not timely filed and there were no unusual circumstances, the fine will be upheld.

If this is a hearing to consider a **consent order before a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed and become public. If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the case will remain confidential, unless confidentiality has been waived.

If this is a hearing to consider a **consent order after a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed. If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the Respondent will be entitled to another hearing to determine if the Respondent committed the violation(s) alleged.

If this is a **probable cause hearing**, the Commission will decide if there is probable cause to believe that the Respondent committed a violation of Florida's election laws. Respondent should be prepared to explain how the staff in its recommendation incorrectly applied the law to the facts of the case. *Respondent may not testify, call others to testify, or introduce any documentary or other evidence at the probable cause hearing.* The Commission will only decide whether Respondent should be *charged* with a violation and, before the Commission determines whether a violation has occurred or a fine should be imposed, Respondent will have an opportunity for another hearing at which evidence may be introduced.

If this is an **informal hearing**, it will be conducted pursuant Sections 120.569 and 120.57(2), Florida Statutes; Chapter 28 and Commission Rule 2B-1.004, Florida Administrative Code. At the hearing, the Commission will decide whether the Respondent committed the violation(s) charged in the Order of Probable Cause. The Respondent will be permitted to testify. However the Respondent may not call witnesses to testify.

Respondent may argue why the established facts in the Staff Recommendation do not support the violations charged in the Order of Probable Cause. At Respondent's request, the Commission may determine whether Respondent's actions in the case were willful. The Respondent may also address the appropriateness of the recommended fine. If Respondent claims that his limited resources make him unable to pay the statutory fine, *he must provide the Commission with written proof of his financial resources* at the hearing. A financial affidavit form is available from the Commission Clerk.

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Advocates for Memory Against Baker Act

Case No.: FEC 15-269

STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the complaint in this case recommending that there is **probable cause** to charge Respondent with violating **106.07(7), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on March 9, 2016, the following facts and law support this staff recommendation.

1. On March 10, 2015, the Florida Elections Commission ("Commission") received a referral from Division of Elections ("Division") alleging that Advocates for Memory Against Baker Act ("Respondent") violated Chapter 106, Florida Statutes.

2. Respondent is a political committee registered with the Division. Respondent's Appointment of Campaign Treasurer and Designation of Campaign Depository for Political Committees form was filed with the Division on October 1, 2014. Maximiliano Barraza was identified as the Committee's chairman and treasurer. (Attachment A and ROI Exhibit 1)¹

3. On February 16, 2016, the Executive Director sent Respondent notification that Commission staff would investigate the following section of law:

Section 106.07(7), Florida Statutes: As alleged in the complaint, for the following reporting period, Respondent failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the reporting period:

- 2014 M11

¹ The Report of Investigation shall be referred to herein as "ROI"

4. By letter dated October 3, 2014, Kristi Bronson, Chief, Bureau of Election Records, sent a letter to Respondent's chairman notifying Respondent that the name of this organization had been placed on the Division's active committee list as a political committee. The letter advised Respondent that all political committees who file reports with the Division of Elections are required to use the electronic filing system ("EFS") and provided Respondent with a user identification number and initial password to access to the EFS. (ROI Exhibit 2, page 1)

5. Ms. Bronson's October 3, 2014 letter further advised Respondent that all of the Division's publications and reporting forms were on its website and directed Respondent to print a copy of the *2014 Political Committee Handbook* ("Handbook") and *2014 Calendar of Reporting Dates* as well as other documents. (ROI Exhibit 2, page 3)

6. Respondent did not provide a written response to the Division's referral. Additionally, Investigator Oliver tried to speak with Respondent's chairman by telephone on four occasions without success (Attachment B and ROI Paragraph 8)

7. Page 18 of the Handbook, states:

When there has been no reportable activity in the campaign account during a reporting period (no funds expended or received) the filing of the report may be waived by notifying the filing officer in writing that no activity has occurred. This notification must be made on the prescribed reporting date.

(Section 106 07, F S)

All waivers filed with the Division must be filed electronically using the Division's electronic filing system

(Section 106.0705, F S)

(ROI Exhibit 3, pages 1 and 4)

8. Pages 12, 13, 45, and 46 of the *Political Committee EFS User's Guide* ("Guide") explains the steps a political committee should take to notify the Division in writing on the prescribed reporting date that no report will be filed for the reporting period using the EFS. Specifically, at the top of page 13, the Guide instructs the user to click the box next to "Waiver" if there is no financial activity to report (ROI Exhibit 4)

9. Section 106.07(7), Florida Statutes, provides:

Notwithstanding any other provisions of this chapter, in any reporting period during which a candidate or political committee has not received funds, made any contributions, or expended any reportable funds, the filing of the required report for that period is waived. However, the next report filed must specify that the report

covers the entire period between the last submitted report and the report being filed, and any candidate or political committee not reporting by virtue of this subsection on dates prescribed elsewhere in this chapter shall notify the filing officer in writing on the prescribed reporting date that no report is being filed on that date. (Emphasis added)

10. The table below reflects Respondent's untimely written notification to the Division:

Report	Report Cover Period	Date Notification Due	Date Notification Filed	No. of Days Late
2014 M11	11/1/14 – 11/30/14	12/10/14	8/10/15	243

(ROI Exhibit 5 and ROI Paragraph 7)

11. "Probable Cause" is defined as reasonable grounds of suspicion supported by circumstances sufficiently strong to warrant a cautious person in the belief that the person has committed the offense charged *Schmitt v State*, 590 So 2d 404, 409 (Fla. 1991). Probable cause exists where the facts and circumstances, of which an [investigator] has reasonably trustworthy information, are sufficient in themselves for a reasonable man to reach the conclusion that an offense has been committed. *Department of Highway Safety and Motor Vehicles v. Favino*, 667 So 2d 305, 309 (Fla. 1st DCA 1995).

12. The above facts show that Respondent is a political committee registered with the Division of Elections. Respondent failed to notify the filing officer in writing on December 10, 2014, that it would not be filing a 2014 M11 Report because it had not received funds, made contributions, or expended any reportable funds during the 2014 M11 reporting period.

Based on the foregoing, I recommend that the Commission find probable cause to charge Respondent with violating the following provisions of law:

Count 1:

On or about December 10, 2014, Respondent violated Section 106.07(7), Florida Statutes, when Respondent failed to notify the Division of Elections in writing on or before December 10, 2014, that Respondent would not be filing its 2014 M11 Report on the prescribed due date.

Respectfully submitted on March 17, 2016,



Eric M. Lipman
General Counsel

I have reviewed this Staff Recommendation on the 17th day of March 2016.



Amy McKeever Toman
Executive Director

Committee Tracking System

Advocates for Memory Against Baker Act

Type:Political Committee

Status:Active

Address:1080 94th street #105

Bay Harbor Islands, FL 33154

Phone:(786)487-2182

Chairperson:Max Barraza

Treasurer:Maximilliano Barraza

Registered Agent:Maximilliano Barraza

2501 Vista Rise Apartment B

Tallahassee, FL 323040000

Purpose:

Affiliates:

Campaign Finance Activity

Campaign Documents

ATTACHMENT A

FLORIDA ELECTIONS COMMISSION
PHONE LOG

Case No.: FEC-15-269

Respondent: Advocates for Memory Against Baker Act

Complainant: Division of Elections

1. **Date and time:** February 18, 2016 @ 1:10 pm
Name: Maximiliano C. Barraza—Chair
Phone #: (786) 487-2182
Summary: I attempted telephone contact to make initial contact. I was unable to leave a voice message due to it being full.
Memo to File? No
Entered by: CKO
2. **Date and time:** February 18, 2016 @ 1:12 pm
Name: Maximiliano C. Barraza—Chair
Phone #: (850) 688-7602
Summary: I attempted telephone contact to make initial contact. The number remained busy each time I attempted.
Memo to File? No
3. **Date and time:** March 8, 2016 @ 12:55 pm
Name: Maximiliano C. Barraza—Chair
Phone #: (850) 688-7602
Summary: I attempted telephone contact to complete final interview. The number remained busy each time I attempted.
Memo to File? No
Entered by: CKO
4. **Date and time:** March 8, 2016 @ 12:57 pm
Name: Maximiliano C. Barraza—Chair
Phone #: (786) 487-2182
Summary: I attempted telephone contact to complete final interview. The number is no longer in service.
Memo to File? No
Entered by: CKO

ATTACHMENT B

FLORIDA ELECTIONS COMMISSION

Report of Investigation for Failure to Notify Filing Officer

Case Number FEC 15-269

Section 106.07(7), Florida Statutes, failure of a political committee that did not receive any contributions or make any expenditures during a reporting period to notify timely the filing officer, in writing, that no report is being filed

Respondent: Advocates for Memory Against Baker Act

Complainant: Division of Elections

Respondent Type:

- Candidate
 Political Committee

I. Preliminary Information:

1. An appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 6) was filed on October 1, 2014. (Ex. 1)

2. An acknowledgement letter was mailed to the address provided on Respondent's DS-DE 6 on October 3, 2014 advising Respondent that all of the Division's publications and reporting forms are available on their website, including Chapter 106, Florida Statutes, the *2014 Political Committee Handbook*, and the Calendar of Reporting Dates. (Ex. 2)

3. The acknowledgement letter also states, "An online instruction guide is available to you on the EFS to assist with navigation, data entry, and submission of reports" and provides the telephone number for the Division's EFS Help Desk.

4. The *2014 Political Committee Handbook*, discusses filing a waiver when there is no activity to disclose on page 18 (Ex. 3)

5. Pages 12, 13, 45, and 46 of the *Political Committee EFS User's Guide* discuss how to notify the Division on the prescribed reporting date that no report will be filed using the EFS. Specifically, page 13 instructs the user to click the box next to "waiver" if there is no activity to disclose (Ex. 4)

6. In a telephone interview on April 2, 2015, Kristi Reid-Bronson clarified that once the waiver box is chosen and a new report is opened as shown on Page 12, the only available option on the report summary screen will be "Go To File Report" as shown on Page 13. Choosing "Go To File Report" will take the user directly to the screens where the chairman/treasurer PINS are entered as shown on Pages 45 and 46.

II. Alleged Violation of Section 106.07(7), Florida Statutes:

7. Respondent's filing history reflects the untimely filed notifications summarized below (Ex. 5)

Report	Report Cover Period	Date Notification Due	Date Notification Filed	No. of Days Late
2014 M11	11/1/14 – 11/30/14	12/10/14	8/10/15	243

8. Respondent did not provide a written response to the referral

9. Respondent did not submit an affidavit nor were they interviewed by telephone at any time during this investigation.

10. During the course of the investigation, I reviewed Respondent's previous filing history. I determined that there were 11 reporting periods prior to the 2014 M11 reporting period; a waiver was timely filed once during these periods (Ex. 5)

III. FEC History:

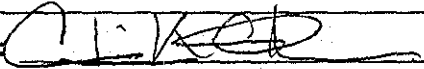
11 Respondent has not had any prior cases before the Commission; however, there will be four cases heard during the May 2016 Commission meeting involving an alleged violation of 106 07(7).

Conclusion:

12. I attempted to contact Respondent's chairman on several occasions to give him an opportunity to discuss the allegations in the referral. Additionally, a questionnaire-affidavit was mailed to Respondent on February 18, 2016. As of the date of this report, Respondent's chairman has not returned my calls, nor has he returned the questionnaire-affidavit.

13. Because Respondent has not contacted the Commission or returned an affidavit, I am unable to ascertain whether Respondent's chairman has read Chapter 106, Florida Statutes and/or the *Political Committee Handbook*.

SIGNATURE OF INVESTIGATOR:



Date:

3/9/16

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Advocates for Memory Against Baker Act -- FEC 15-269

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	Respondent's DS-DE 9 form
Exhibit 2	Acknowledgement Letter
Exhibit 3	Relevant pages from the 2014 Political Committee Handbook
Exhibit 4	Relevant pages from the Political Committee EFS User's Guide
Exhibit 5	Respondent's Filing History

**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR
POLITICAL COMMITTEES**
(Sections 106.011(1) and 106.021(1), F.S.)

RECEIVED
14 OCT -1 PM 2:49
DIVISION OF ELECTIONS
SECRETARY OF STATE

CHECK APPROPRIATE BOX:

OFFICE USE ONLY

Original Appointment of Treasurer Reappointment of Treasurer Deputy Treasurer

1. Committee or Organization <i>Advocates for Memory Against ^{Baker} Act</i>		2 Telephone <i>(786) 487-2182</i>	
3 Name of Treasurer or Deputy Treasurer <i>Maximiliano Barraza</i>		4 Email (optional)	
5 Telephone (optional) <i>(850) 688-7602</i>		6 Mailing Address <i>2501 Vista Rise Apt. B Tallahassee FL 32304</i>	
7. Street Address <i>Same as above</i>			
8 The following bank has been designated as the <input checked="" type="checkbox"/> Primary Depository <input type="checkbox"/> Secondary Depository			
9 Name of Bank <i>Bank of America</i>		10 Street Address <i>803 Lake Bradford Rd</i>	
11 City <i>Tallahassee</i>		12 State <i>FL</i>	13 Zip Code <i>32304</i>
14 Signature of Chairman <i>X [Signature]</i>		15 Name of Chairman (Print or Type) <i>Maximiliano Barraza</i>	

Campaign Treasurer's Acceptance of Appointment

I, Maximiliano Barraza do hereby accept the appointment as
(Please Print or Type)
treasurer or deputy treasurer for Advocates For Memory Against ^{Baker} Act
(Committee or Organization)

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING CAMPAIGN TREASURER'S ACCEPTANCE OF APPOINTMENT AND THAT THE FACTS STATED ARE TRUE

10/1/2014 Date *X [Signature]* Signature of Campaign Treasurer or Deputy Treasurer



FLORIDA DEPARTMENT OF STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

October 3, 2014

Max Barraza, Chairperson
Advocates for Memory Against Baker Act
2501 Vista Rise Apartment B
Tallahassee, Florida 32301

Dear Mr. Barraza:

This will acknowledge receipt of the Statement of Organization and Appointment of Campaign Treasurer and Designation of Campaign Depository for **Advocates for Memory Against Baker Act**, which were placed on file in our office on October 1, 2014. This information appears to comply with the requirements of Section 106 03, Florida Statutes, and the name of this organization has been placed on our active committee list as a political committee

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **October 10, 2014**. The report will cover the period of Sept. 27-October 3, 2014 (G5). All political committees that file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS).

Credentials and Sign-ons

Below is the web address to access the EFS and the committee's user identification number. The enclosed sealed envelope contains the committee's initial password. Once you have logged in using the initial password, you will be immediately prompted to change it to a confidential sign-on. The chairperson, campaign treasurer, and deputy treasurers are responsible for protecting this password from disclosure and are responsible for all filings using these credentials, unless the Division is notified that your credentials have been compromised.

EFS Website Address: <https://efs.dos.state.fl.us>
Identification Number: 64370

Division of Elections

R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399
850.245.6200 • 850.245.6217 (Fax) election.dos.state.fl.us
Promoting Florida's History and Culture VivaFlorida.org



Max Barraza, Chairperson
October 3, 2014
Page Two

Pin Numbers

Pin numbers are confidential secure credentials that allow you to submit reports and update information. The enclosed sealed envelopes contain your confidential pin numbers.

Each political committee chairperson is required to provide the Division of Elections with confidential personal information that may be used to allow access in the event that the password is forgotten or lost. When you enter the campaign account screen, there will be a drop down box where you pick a question (such as *What is your mother's maiden name?*) and supply an answer. All passwords and answers to questions are stored as encrypted data and cannot be viewed by Division staff and given out over the phone. Please notify the Division if your credentials have been compromised.

Timely Filing

All reports must be completed and filed through the EFS not later than midnight, Eastern Standard Time, of the due date. Reports not filed by midnight, Eastern Standard Time, of the due date are late filed and subject to the penalties in Section 106.07(8), Florida Statutes. In the event that the EFS is inoperable on the due date, the report will be accepted as timely filed if filed no later than midnight, Eastern Standard Time, of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

Any political committee failing to file a report on the designated due date is subject to a fine of \$50 per day for the first 3 days and, thereafter, \$500 per day for each day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each primary and general election, the fine shall be \$500 per day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

Electronic Receipts

The person submitting the report on the EFS will be issued an electronic receipt indicating and verifying the report was filed. Each campaign treasurer's report filed by means of the EFS is considered to be under oath by the chairperson and campaign treasurer and such persons are subject to the provisions of Section 106.07(5), Florida Statutes.

Max Barraza, Chairperson
October 3, 2014
Page Three

Instructions and Assistance

An online instruction guide is available to you on the EFS to assist with navigation, data entry, and submission of reports. The Division of Elections will also provide assistance to all users by contacting the EFS Help Desk at (850) 245-6280.

All of the Division's publications and reporting forms are available on the Division of Elections' website at <http://elections.myflorida.com>. It is your responsibility to read, understand, and follow the requirements of Florida's election laws. Therefore, please print a copy of the following documents: Chapter 106, Florida Statutes, *2014 Political Committee Handbook*, *2014 Calendar of Reporting Dates*, and Rule 1S-2.017, Florida Administrative Code.

Please let me know if you need additional information.

Sincerely,



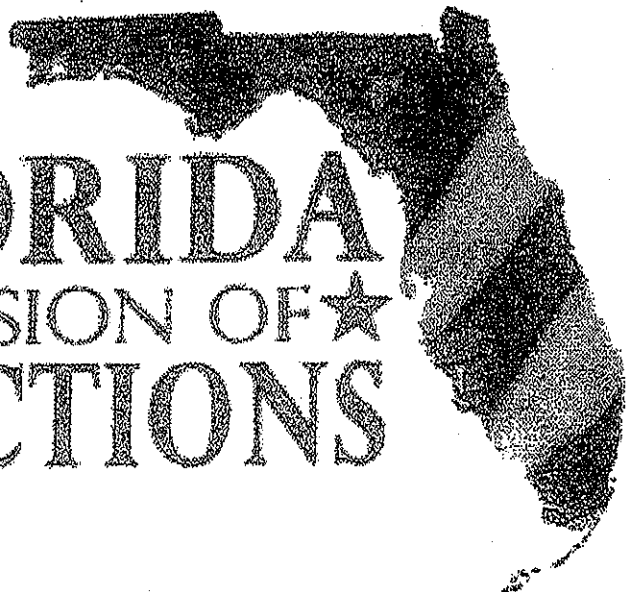
Kristi Reid Bronson, Chief
Bureau of Election Records

KRB/ljr

Enclosures

EXHIBIT 2(3 of 3)

Political Committee Handbook



FLORIDA
★DIVISION OF★
ELECTIONS

June 2014

Florida Department of State
Division of Elections
R. A. Gray Building,
Room 316
500 South Bronough Street
Tallahassee, FL 32399-0250
(850) 245-6240
<http://elections.myflorida.com>

EXHIBIT 3(1046)

Table of Contents

Chapter 1: Background	1
Chapter 2: The Campaign Financing Act	1
Chapter 3: Glossary of Terms	2
Chapter 4: Political Committee	4
What to File	4
Where to File (Area, Scope, Jurisdiction)	5
Disbandment	6
Revocation	6
Chapter 5: Campaign Treasurer	6
Duties and Responsibilities of Campaign Treasurers	6
Resignation or Removal of Campaign Treasurers	7
Chapter 6: Campaign Depository	7
Primary Campaign Depository	7
Secondary Campaign Depository	8
Separate Interest-Bearing Accounts and Certificates of Deposit	8
Campaign Checks	8
Debit Cards	8
Credit Cards	9
Chapter 7: Contributions	9
In-Kind Contributions	9
Loans	9
Cash Contributions	10
Money Order, Debit and Credit Card Contributions	10
Contributions via Online Payment Service Organizations	10
Contribution Limits	10
2014 Deadlines for Accepting Contributions	10
Violations	10
Chapter 8: Expenditures	11
General Requirements	11
Checks	11
Petty Cash Funds	11
Independent Expenditures	12
Credit Cards	13
Debit Cards	14
2014 Deadlines for Making Contributions to Candidates	14
Chapter 9: Recordkeeping	14
Bookkeeping	14
Preservation of Account Records	15
Contributions	15
Expenditures	15
Inspections	16
Chapter 10: Filing Campaign Reports	16
Where to File	17
When to File	17
Penalty for Late Filing	17

Waiver of Report	18
Special Election Reports	18
Incomplete Reports	18
Reporting Total Sums	18
Reporting Contributions	18
Returning Contributions	19
Reporting Expenditures	19
Reporting Other Distributions	20
Chapter 11: Electronic Filing of Campaign Reports	20
Accessing the EFS	21
Creating Reports	21
Submitting Reports	21
Electronic Receipts	21
Chapter 12: Electioneering Communications	21
Electioneering Communication Disclaimers	22
Chapter 13: Political Advertising	22
Disclaimers	23
Language Other Than English	24
Miscellaneous Provisions	24
Use of Closed Captioning and Descriptive Narrative in All Television Broadcasts	24
Disclaimers on Novelty Items	27
Items Designed to be Worn by a Person	27
Bumper Stickers (paid for by political committee independently of any candidate)	28
Chapter 14: Telephone Solicitation	29
Disclosure requirements:	29
Prohibitions:	29
Written authorization requirements:	29
Penalties:	29
The term "person:"	29
Chapter 15: Florida Elections Commission	29
Automatic Fine Appeal Process	30
Complaint Process	30
Appendix A: Frequently Asked Questions	32
Appendix B: Comparison – Political Committee vs. Electioneering Communications Organization	35
Appendix C: 2014 Deadlines for Making Contributions to Candidates	40

Waiver of Report

When there has been no reportable activity in the campaign account during a reporting period (no funds expended or received) the filing of the report may be waived by notifying the filing officer in writing that no activity has occurred. This notification must be made on the prescribed reporting date.

(Section 106.07, F.S.)

All waivers filed with the Division must be filed electronically using the Division's electronic filing system.

(Section 106.0705, F.S.)

Special Election Reports

When a special election is called to fill a vacancy in office, all political committees making contributions or expenditures to influence the results of the special election shall file campaign treasurers' reports with the filing officer on the dates set by the Department of State pursuant to Section 100.111, F.S.

When an election is called for an issue to appear on the ballot at a time when no candidates are scheduled to appear on the ballot, all political committees making contributions or expenditures in support of or in opposition to such issue shall file reports on the 18th and 4th days prior to such election.

Committees are to include on the special election campaign treasurer's reports only expenditures related to the special election made by the committee during the special election reporting periods. All contributions received and all expenditures made not related to the special election during the current quarter should be filed on the next quarterly report. Once a committee has participated in the special election and has filed a special election campaign report, all other special election reports remaining must also be filed by the committee, even if there is no further special election activity.

(Section 106.07(1), F.S.)

Incomplete Reports

Note: The Division's Electronic Filing System will allow a committee to file an incomplete report, however, filing a report that is incomplete means filing a report that is not in compliance with the Florida Statutes.

If a campaign treasurer files a report that is deemed incomplete, he or she will be notified by the filing officer by certified mail, or by another method using a common carrier that provides a proof of delivery as to why the report is incomplete. The campaign treasurer must file an addendum to the incomplete report within seven days of notification. The addendum must include all necessary information to complete the report. Failure to file a complete report after notice constitutes a violation of Chapter 106, F.S.

(Section 106.07(2), F.S.)

Reporting Total Sums

Each campaign treasurer's report required by Chapter 106, F.S., shall contain the total sums of all loans, in-kind contributions, and other receipts, and total sums of all expenditures made during the reporting period. The reporting forms shall be designed to elicit separate totals for in-kind contributions, loans, and other receipts.

(Section 106.07, F.S.)

Reporting Contributions

Each report must contain:

1. Full name, address, specific occupation, amount, and date of each person making a contribution. Reports must provide as clear a description as practicable of the principal type of business conducted for corporations contributing. Occupations or principal type of business are not required if the contribution is \$100 or less.
2. Name, address, amount, and date of each political committee or organization making any transfer of funds.

records of petty cash expenditures must be kept.

- 4 Amount and nature of debts and obligations owed by or to the committee, which relate to the conduct of any political campaign
- 5 The amount and nature of any separate interest-bearing accounts or certificates of deposit Identification of the financial institution in which such accounts or certificates of deposit are located must be identified
- 6 The primary purposes of an expenditure made indirectly through a campaign treasurer for goods and services such as communications media placement or procurement services, campaign signs, insurance and other expenditures that include multiple components as part of the expenditure. The primary purpose of an expenditure shall be that purpose, including integral and directly related components, that comprises 80 percent of such expenditure (See also Reporting Other Distributions)

(Section 106 07, F.S.)

Reporting Other Distributions

Every distribution should be reported during the coverage period when the distribution actually occurred, as is the case with the expenditures and contributions The related distribution(s) and expenditure can and often do occur in different reporting periods

Types of distributions:

- Prepaid
- Credit card purchases/payments
- Reimbursements
- In-kind

Reports must contain:

1. Full name and address of each person to whom payment for reimbursement was made by check drawn upon the campaign account together with the purpose of such payment
- 2 Expenditures made indirectly through a treasurer for goods or services, such as communications media placement or procurement services, campaign signs, insurance or other expenditures that include multiple integral components as part of the expenditure
3. Distribution of goods and services to a candidate, committee or party
(Section 106.07, F.S.)

Chapter 11: Electronic Filing of Campaign Reports

The Electronic Filing System (EFS) is an Internet system for recording and reporting campaign finance activity by reporting period Each political committee required to file reports with the Division pursuant to Section 106 07, F.S., must file such reports with the Division by means of the EFS.

Reports filed pursuant to this section:

- 1 Shall be completed and filed through the EFS not later than midnight of the day designated Reports not filed by midnight of the day designated are late filed and are subject to the penalties under Section 106.07(8), F S , as applicable.
- 2 Are considered to be under oath by the chairperson and treasurer, and such persons are subject to provisions of Section 106 07(5), F.S Persons given a secure sign-on to the EFS are responsible for protecting such from disclosure and are responsible for all filings using such credentials, unless they

have notified the Division that their credentials have been compromised
(Sections 106.0705 and 106.0706, F.S.)

EFS HELP LINE

(850) 245-6280

EFS HELP GUIDE

Accessing the EFS

From Internet Explorer, you can access the EFS at <https://efs.dos.state.fl.us>. Each person filing a report is provided an identification number and initial password to gain entry. Once you log in using the initial password, you will be prompted to change it to a confidential one. You are responsible for protecting the password from disclosure. Contact the Division immediately if your password has been compromised.

Creating Reports

Campaign reports must be entered, saved, reviewed, and filed via the EFS either by directly entering data into the web application or by uploading data using an approved vendor's software. The Division maintains a list of approved software vendors whose programs meet the file specifications for filing campaign reports. Instructions for uploading reports are provided in the EFS Help Guide located at:

http://election.dos.state.fl.us/EFS/pdf/dsde110B_UderGuidePAC.pdf

Submitting Reports

Reports will be held in pending status until the report is ready to be filed. Each person eligible to file a report will receive a PIN (personal identification number) that allows the person to file reports via the EFS. A person's PIN is considered the same as that person's signature on a filed report.

Electronic Receipts

The person filing a report on the EFS may print an electronic receipt verifying the report was filed with the Division. Each report filed by means of the EFS is considered to be under oath and such persons filing the report are subject to the provisions of Chapter 106, F.S.

http://election.dos.state.fl.us/EFS/pdf/dsde110B_UserGuidePAC.pdf

NOTES:

1. For further information on the EFS, see Rule 1S-2.017, Florida Administrative Code; Reporting Requirements for Campaign Treasurer's Reports.
2. Political committees that do not file their campaign treasurer's reports with the Division must consult their filing officer for filing instructions.

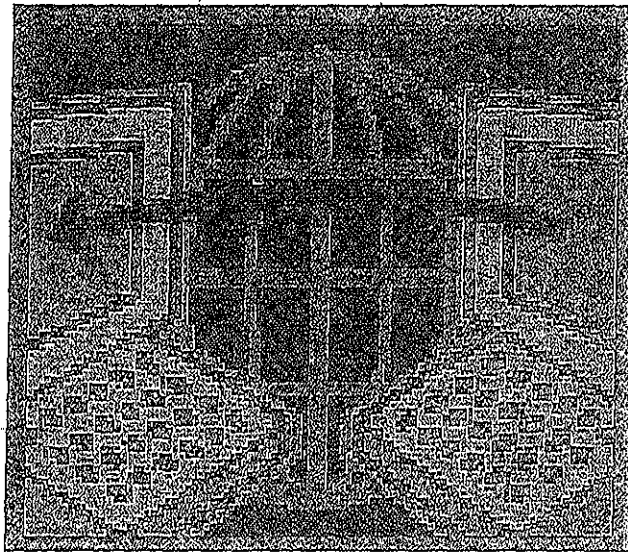
Chapter 12: Electioneering Communications

Electioneering communication means communication publicly distributed by a television station, radio station, cable television system, satellite system, newspaper, magazine, direct mail, or telephone that:

1. Refers to or depicts a clearly identified candidate for office without expressly advocating the election or defeat of a candidate but that is susceptible of no reasonable interpretation other than an appeal to vote for or against a specific candidate;
2. Is made within 30 days before a primary or special primary election or 60 days before any other election for the office sought by the candidate; and
3. Is targeted to the relevant electorate in the geographical area the candidate would represent if elected.

Department of State
Division of Elections

Political Committee EFS User's Guide



Florida Department of State
Division of Elections
R.A. Gray Building, Room 316
500 S Bronough Street
Tallahassee, FL 32399-0250

EFS HELP LINE: 850-245-6280

January 2011

Rule 1S-2.017, F.A.C.

DS-DE 110B (eff. 01/11)

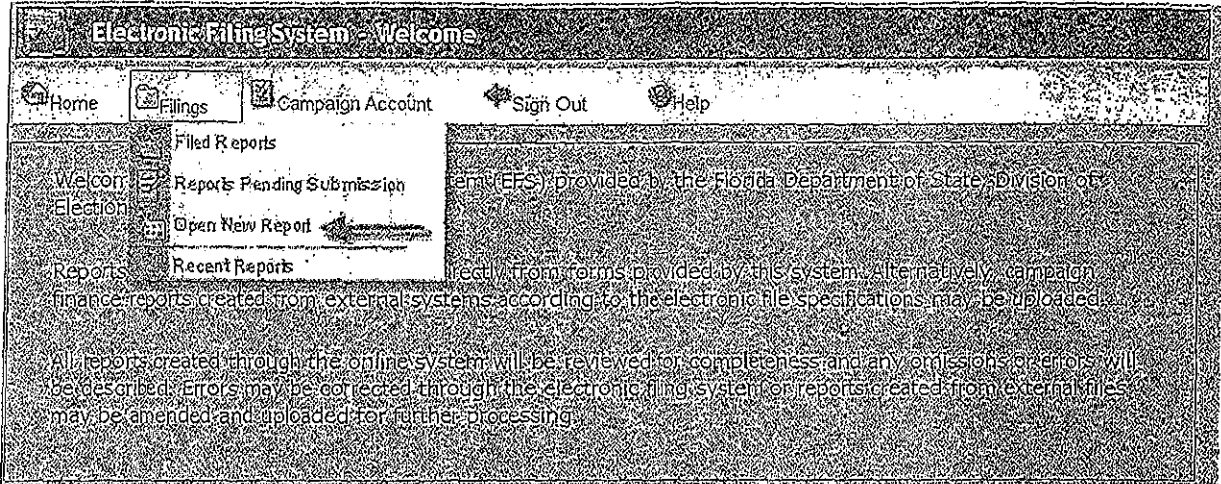
EXHIBIT 4 (1 of 6)

Index

Introduction	1
Access the EFS	2
Passwords and PINs	3
Set a Password Recovery Question	3
Recover Password	4
Change a Password	5
Set a PIN Recovery Question	6
Recover a PIN	8
Change a PIN	10
Create a New Report by Data Entry	12
Enter Contributions	14
Enter Expenditures	16
Enter Other Distributions	20
Enter Fund Transfers	23
Report Credit Card Activity	25
Report Prepaid Distributions	29
Report Reimbursements	32
Create a New Report by File Upload	36
Review Data for Errors	39
Create an Error Filter	43
File the Report	45
Print a File Receipt	47
Make Changes to the Report after Chairperson Enters PIN	49
Access a Pending Report	50
Amend a Report	51
Print a Report	56

Create a New Report by Data Entry

From the Welcome screen, click  Filings and then  Open New Report.



Use this form to submit an original report, to submit an amendment to a previously filed report, or to select a report from the Filed Reports listing and then choose the Amend Report option from the Edit menu item.

Coverage Periods
Campaign finance reports itemize financial activity occurring during a specific reporting period. The reporting period is declared by first selecting the reporting year, and then the report type, the beginning and ending coverage dates, and the filing due date for the report are automatically associated with the *Reporting Year* and *Report Type*.


Election Cycle:


Report Type:

Coverage Period: Due Date:

Special Election Report Waiver

Uploading a Campaign Finance Report
A Campaign Finance report file meeting the department's specifications may be uploaded at the time a report is opened. Use the Browse button to locate and select the report text or zip file to be uploaded. You may upload the report file in a compressed zip. The zip file must contain only one report file.

Click  arrow next to Election Cycle. Scroll to the cycle associated with the report you are entering.

Click  arrow next to Report Type. Select report type corresponding to the correct cover period and due date.

The Cover Period dates will automatically fill in based on the Calendar of Election and Reporting Dates.

The Due Date will automatically fill in based on the Calendar of Election and Reporting Dates.

If this report is for a special election, click the box next to Special Election Report. (If no special elections are scheduled this option will not be available.)

*****NOTE*****

If this report is a waiver of report (no activity), click the box next to Waiver.

Election Cycle: 2010 General Election
 Report Type: FZ 2010
 Coverage Period: 7/17/2010 - 7/30/2010 Due Date: 08/09/2010
 Special Election Report Waiver

Click at the bottom of the screen. A Report Detail screen (view only) will appear. This screen will not indicate any activity until individual detail data is entered, saved and a review is performed.

Report: 2010 - G4 - 27 2010 General Election Covers: 10/16/2010-10/26/2010 Due: 10/29/2010

Amendment Waiver Complete Status: Incomplete Detail Records
 File Date: Review Status: Not Reviewed
 Status: Data Entry Last Review:

of Transactions: 0

Contributions		Total Amount	Expenditures		Total Amount
Cash and Checks:		0.00	Monetary:		0.00
Loans:		0.00	Transfers to Off Acct:		0.00
Total Monetary:		0.00	Total Monetary:		0.00
In-Kind:		0.00	Other Distributions:		0.00

Review Messages

Created: 10/26/2010 11:41:25 AM By: 50552 Revised: 10/26/2010 11:41:25 AM By: 50552

EXHIBIT 4(4 of 6)

File the Report

If the **Review Status** is Updated Detail – Needs Review the report has not been reviewed since the last update. (See page 39 for instructions on how to submit the report to the system for review.)

If the status of the report is Complete Detail Records, you are ready to file the report.

Click on **Go To File Report**

The chairperson enters his or her PIN, and then selects **Report Approved**

NOTE: A PIN is the same as your signature attesting to the validity of the report.

Step 1: Enter the candidate/chairperson PIN.

Step 2: Select the 'Report Approved' button.

Report: 2010 - F3 - 26 Coverage Period: 8/7/2010-8/19/2010 Due: 8/20/2010

Review Status: Original Amended

Waiver

PIN for Candidate/Chairperson: **Report Approved** ←

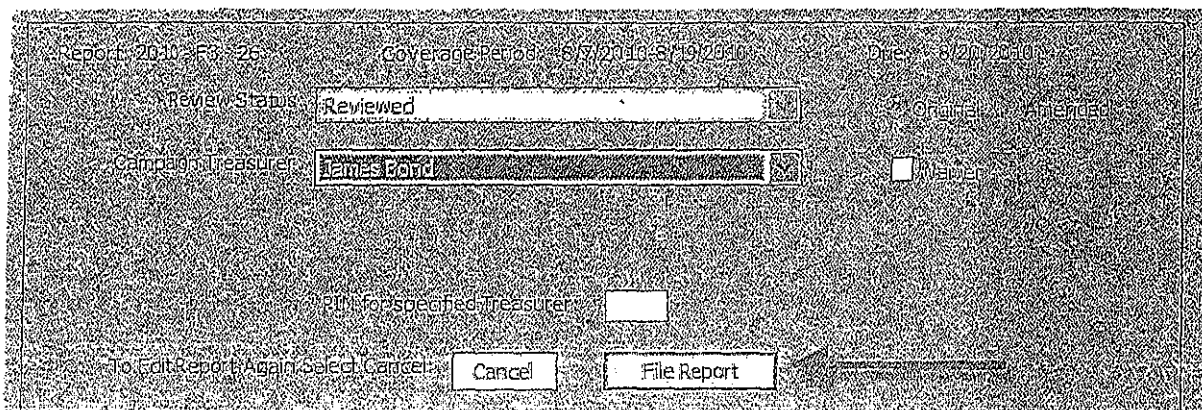
EXHIBIT 4(5 of 6)

If there is more than one treasurer, click on the drop down and select the treasurer that is filing the report.



Campaign Treasurer: James Ford

The treasurer enters his PIN and then clicks



Report: 2010-F6-25 Coverage Period: 6/7/2010-5/19/2010 Date: 6/20/2010

Review Status: Reviewed Original Amended

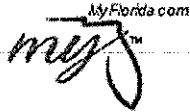
Campaign Treasurer: James Ford Neither

PIN for specified Treasurer:

To Edit Report Again, Select Cancel:

IMPORTANT NOTE: If changes need to be made after a chairperson PIN is entered, the treasurer must undo the chairperson PIN validation before the system will allow changes. See page 49 for instructions.

EXHIBIT 4 (6 of 6)



[search](#) | [directory](#) | [contact us](#) | [411](#) | [subscribe](#) | [tour](#) | [help](#)

Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Committee Name: Advocates for Memory Against Baker Act

Name:

Account: 64370

Election:

Acct.

Type

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
2/10/2016	M1		SNT	0	\$0 00		\$0 00	\$0 00
1/11/2016	M12		GCO	0	\$0 00		\$0 00	\$0 00
12/10/2015	M11	12/10/2015						
11/10/2015	M10	11/19/2015	FEC	9	\$0 00		\$0 00	\$0 00
10/13/2015	M9	10/14/2015	FEC	1	\$0 00		\$0 00	\$0 00
9/10/2015	M8	9/10/2015						
8/10/2015	M7	8/10/2015						
7/10/2015	M6	8/10/2015	FEC	31	\$0 00		\$0 00	\$0 00
6/10/2015	M5	8/10/2015	FEC	61	\$0 00		\$0 00	\$0 00
5/11/2015	M4	8/10/2015	FEC	91	\$0 00		\$0 00	\$0 00
4/10/2015	M3	8/10/2015	FEC	122	\$0 00		\$0 00	\$0 00
3/10/2015	M2	8/10/2015	FEC	153	\$0 00		\$0 00	\$0 00
2/10/2015	M1	8/10/2015	FEC	181	\$0 00		\$0 00	\$0 00
1/12/2015	M12	8/10/2015	FEC	210	\$0 00		\$0 00	\$0 00
12/10/2014	M11	8/10/2015	FEC	243	\$0 00		\$0 00	\$0 00
11/10/2014	M10	11/6/2014						
10/31/2014	G7	11/6/2014	FEC	6	\$0 00		\$0 00	\$0 00
10/30/2014	D6	11/6/2014	FEC	7	\$0 00		\$0 00	\$0 00
10/29/2014	D5	11/6/2014	FEC	8	\$0 00		\$0 00	\$0 00
10/28/2014	D4	11/6/2014	FEC	9	\$0 00		\$0 00	\$0 00
10/27/2014	D3	11/6/2014	FEC	10	\$0 00		\$0 00	\$0 00
10/26/2014	D2	11/6/2014	FEC	11	\$0 00		\$0 00	\$0 00
10/25/2014	D1	11/6/2014	FEC	12	\$0 00		\$0 00	\$0 00
10/24/2014	G6	11/6/2014	FEC	13	\$0 00		\$0 00	\$0 00
10/17/2014	G5	11/6/2014	FEC	20	\$0 00		\$0 00	\$0 00
10/10/2014	G4	11/6/2014	FEC	27	\$0 00		\$0 00	\$0 00

EXHIBIT 5



FLORIDA ELECTIONS COMMISSION

107 W. Gaines Street,
Suite 224 Collins Building
Tallahassee, Florida 32399-1050
Telephone: (850) 922-4539
Fax: (850) 921-0783

February 16, 2016

Advocates for Memory Against Baker Act
Attn: Maximiliano Barraza, Chair
1080 94th Street, Apt. #105
Bay Harbor Islands, FL 33154-2396

RE: Case No.: FEC 15-269; Respondent: Advocates for Memory Against Baker Act

Dear Mr. Barraza:

On March 10, 2015, the Florida Elections Commission received a complaint alleging that you violated Florida's election laws. I have reviewed the complaint and find that it contains one or more legally sufficient allegations. The Commission staff will investigate the following alleged violations:

Section 106.07(7), Florida Statutes: As alleged in the complaint, for each of the following reporting periods, Respondent failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the reporting periods:

- 2014 M11

You may respond to the allegations above by filing a notarized statement providing any information regarding the facts and circumstances surrounding the allegations. Your response will be included as an attachment to the investigator's report

When we conclude the investigation, a copy of the Report of Investigation will be mailed to you at the above address. You may file a response to the report within 14 days from the date the report is mailed to you. Based on the results of the investigation, legal staff will make a written recommendation to the Commission on whether there is probable cause to believe you have violated Chapter 104 or 106, Florida Statutes. A copy of the Staff Recommendation will be mailed to you and you may file a response within 14 days from the date the recommendation is mailed to you. Your timely filed response(s) will be considered by the Commission when determining probable cause

The Commission will then hold a hearing to determine whether there is probable cause to believe you have violated Chapters 104 or 106, Florida Statutes. You and the complainant will receive a notice of hearing at least 14 days before the hearing. The notice of hearing will indicate the location, date, and time of your hearing. You will have the opportunity to make a brief oral statement to the Commission, but you will not be permitted to testify or call others to testify, or introduce any documentary or other evidence.

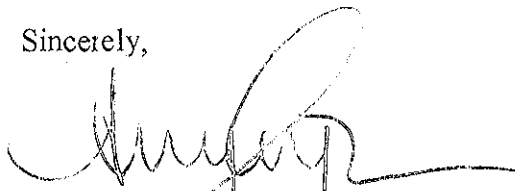
At any time before a probable cause finding, you may notify us in writing that you want to enter into negotiations directed towards reaching a settlement via consent agreement.

The Report of Investigation, Staff Recommendation, and Notice of Hearing will be mailed to the above address as this letter. Therefore, if your address changes, you must notify this office of your new address. Otherwise, you may not receive these important documents. Failure to receive the documents will not delay the probable cause hearing.

Under section 106 25, Florida Statutes, complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 and 106, Florida Statutes, are confidential until the Commission finds probable cause or no probable cause. The confidentiality provision does not apply to the person filing the complaint. However, it does apply to you unless you waive confidentiality in writing. The confidentiality provision does not preclude you from seeking legal counsel. However, if you retain counsel, your attorney must file a notice of appearance with the Commission before any member of the Commission staff can discuss this case with him or her.

If you have any questions or need additional information, please contact **Cedric Oliver**, the investigator assigned to this case.

Sincerely,



Amy McKeeyer Toman
Executive Director

AMT/enr

AMENDED
DIVISION OF ELECTIONS
FEC REFERRAL FORM

RECEIVED
2015 MAR 10 P 1:16

To FEC from Division of Elections

STATE OF FLORIDA
ELECTIONS COMMISSION

Name: Advocates for Memory Against Baker Act
Account Number: 64370
Chairperson: Max Barraza
Treasurer: Maximiliano Barraza
Registered Agent: Maximiliano Barraza

The Division of Elections is referring this issue to the Florida Elections Commission pursuant to Sections 106.22, 106.25 and 106.19(1)(c), Florida Statutes.

Section 106.07(8)(d) Florida Statutes, requires the filing officer to notify the FEC of a committee's alleged failure to file reports as set forth in the notification.

In the alternative, Mr. Barraza failed to notify the filing officer on the prescribed reporting date that no report was to be filed as required by Section 106.07(7), Florida Statutes. Late filing of the required waiver notice(s) may constitute a deliberate failure to include information required by Chapter 106 (see Section 106.19(1)(c)).

Report(s):

2014 M11

2014 M12

Sent By: Kristi Reid Bronson

Date: March 9, 2015 *KRB*

ejr

**AMENDED
AFFIDAVIT**

STATE OF FLORIDA

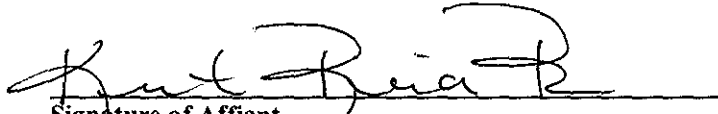
County of Leon

Kristi Reid Bronson, being duly sworn, says:

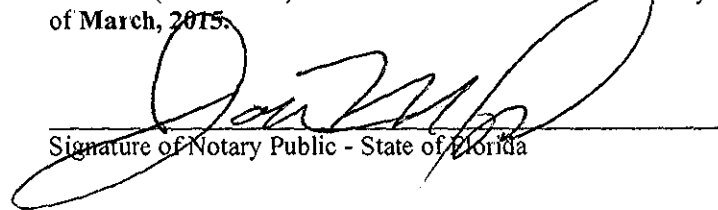
1. I am the Chief of the Bureau of Election Records of the Division of Elections (Division). In that capacity, I oversee the Division's duties related to the filing of campaign finance reports.
2. This affidavit is made upon my personal knowledge, including information obtained from review of the attached records, of which I am the custodian.
3. I am of legal age and competent to testify to the matters stated herein.
4. Advocates for Memory Against Baker Act (64370) is a political committee registered with the Division. On October 1, 2014, Mr. Barraza filed the DSDE 5 and 6 with the Division of Elections indicating that he was the chairperson and treasurer for the committee. (See attached documents and acknowledgment letter)
5. The 2014 M11 campaign treasurer's report was due on December 10, 2014. On December 11, 2014, the Division mailed Mr. Barraza notification that the 2014 M11 campaign treasurer's report had not been filed. (See attached letter.)
6. On December 29, 2014, the Division mailed Mr. Barraza notification that the 2014 M11 campaign treasurer's report had not been filed. (See attached letter)
7. The 2014 M12 campaign treasurer's report was due on January 12, 2015. On January 13, 2015, the Division mailed Mr. Barraza notification that the 2014 M12 campaign treasurer's report had not been filed. (See attached letter.)
8. On January 26, 2015, the Division mailed Mr. Barraza notification that the 2014 M12 campaign treasurer's report had not been filed. (See attached letter.)
9. On February 13, 2015, the Division mailed Mr. Barraza final notification with delivery confirmation that the 2014 M11 and 2014 M12 reports had not been filed. (See attached letter with delivery confirmation.)

10. Mr. Barraza did not notify the Division of Elections prior to or on the prescribed reporting dates for the 2014 M11 and 2014 M12 reports that no report was to be filed.
11. As of March 9, 2015, Mr. Barraza has failed to file the 2014 M11 and 2014 M12 report.

I hereby swear or affirm that the foregoing information is true and correct to the best of my knowledge.


Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 9th day of March, 2015.


Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known _____



**STATEMENT OF ORGANIZATION
OF POLITICAL COMMITTEE**

(PLEASE TYPE)

OFFICE USE ONLY

14 OCT -1 PM 2:49

DIVISION OF COLLECTIONS
SECRETARY OF STATE

1. Full Name of Committee

Telephone

Advocates for Memory against Baker Act 786 467 2182

Mailing Address (include city, state and zip code)

2501 Vista Rise^{Rise} Apt. B, Tallahassee, FL 32304

Street Address (include city, state and zip code)

Same as above

2. Affiliated or Connected Organizations (includes other committees of continuous existence and political committees)

Name of Affiliated or
Connected Organization

Mailing Address

Relationship

N/A

3. Area, Scope and Jurisdiction of the Committee.

FL Ballot Initiative

4. Nature of Organization or Organization's Special Interest (e.g., medical, legal, education, etc.)

Medical, Legal, social/political

5. Identify by Name, Address and Position, the Custodian of Books and Accounts (include treasurer's name)

Full Name

Mailing Address

Committee Title or Position

Max Barraza

2501 Vista Rise
Apt B, Tallahassee
32304

Treasurer

6. List by Name, Address and Position, Other Principal Officers, Including Officers and Members of the Finance Committee, if Any (include chairman's name)

Full Name	Mailing Address	Committee Title or Position
Max Barrera	2501 Vista Rise Apt B, Tallahassee 32304	chair

7. List by Name, Address, Office Sought and Party Affiliation Each Candidate or Other Individual that this Committee is Supporting (if none, please indicate)

Full Name	Mailing Address	Office Sought	Party
N/A			

8. List Any Issues this Committee is Supporting:

List Any Issues this Committee is Opposing: Baker Act

9. If this Committee is Supporting the Entire Ticket of a Party, Give Name of Party

N/A

10. In the Event of Dissolution, What Disposition will be Made of Residual Funds?

Charitable organization

11. List all Banks, Safety Deposit Boxes, or Other Depositories Used for Committee Funds

Name of Bank or Depository & Account Number	Mailing Address
Bank of America	803 Lake Bradford Rd, Tallahassee FL 32304

12. List all Reports Required to be Filed by this Committee with Federal Officials and the Names, Addresses and Positions of Such Officials, if Any

Report Title	Dates Required to be Filed	Name & Position of Official	Mailing Address

STATE OF FLORIDA Leon COUNTY

I, Maximiliano Barrera, certify that the information in this Statement of Organization is complete, true and correct.

X 

Signature of Chairman of Political Committee

10/1/2014

Date

**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR
POLITICAL COMMITTEES**
(Sections 106.011(1) and 106.021(1), F.S.)

RECEIVED
14 OCT -1 PM 2:49
DIVISION OF ELECTIONS
SECRETARY OF STATE

CHECK APPROPRIATE BOX:

OFFICE USE ONLY

Original Appointment of Treasurer Reappointment of Treasurer Deputy Treasurer

1. Committee or Organization <i>Advocates For Memory Against ^{Baker} Act</i>		2. Telephone <i>(746) 487-2182</i>	
3. Name of Treasurer or Deputy Treasurer <i>Maximiliano Barraza</i>		4. Email (optional)	
		5. Telephone (optional) <i>(850) 688-7602</i>	
6. Mailing Address <i>2501 Vista Rise Apt. B Tallahassee FL 32304</i>			
7. Street Address <i>same as above</i>			
8. The following bank has been designated as the <input checked="" type="checkbox"/> Primary Depository <input type="checkbox"/> Secondary Depository			
9. Name of Bank <i>Bank of America</i>		10. Street Address <i>803 Lake Bradford Rd</i>	
11. City <i>Tallahassee</i>		12. State <i>FL</i>	13. Zip Code <i>32304</i>
14. Signature of Chairman <i>X [Signature]</i>		15. Name of Chairman (Print or Type) <i>Maximiliano Barraza</i>	

Campaign Treasurer's Acceptance of Appointment

I, *Maximiliano Barraza*, do hereby accept the appointment as
(Please Print or Type)

treasurer or deputy treasurer for *Advocates For Memory Against ^{Baker} Act*
(Committee or Organization)

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING CAMPAIGN TREASURER'S
ACCEPTANCE OF APPOINTMENT AND THAT THE FACTS STATED ARE TRUE.

10/1/2014

X [Signature]

Signature of Campaign Treasurer or Deputy Treasurer

**REGISTERED AGENT
STATEMENT OF APPOINTMENT**
(Section 106.022, F.S.)

OFFICE USE ONLY

14 OCT -1 PM 2:49

DIVISION OF COLLECTIONS
SECRETARY OF STATE

HAND DELIVER

- Original Appointment Change of Appointment
 Change of Mailing Address Change of Physical Address

Registered Agent and Office Information

Name Maximiliano Barraza Telephone 786 487 2182

Street Address 2501 Vista Rise Apt B

City Tallahassee State FL Zip Code 32304

Mailing Address same as above

City _____ State _____ Zip Code _____

I accept this appointment and confirm that I am familiar with and accept the obligations of the position as set forth in Section 106.022, F.S. I also understand that I may resign this appointment by executing a written statement of resignation and filing it with the applicable filing officer.

Maximiliano Barraza
Signature of Registered Agent

10/1/2014
Date

Former Registered Agent and Office Information (for changes only)

Name _____ Telephone _____

Street Address _____

City _____ State _____ Zip Code _____

Committee or Organization Information

Name of Committee or Organization Advocates For Memory Against Baker Act

Street Address 2501 Vista Rise Apt B Telephone 786 487 2182

City Tallahassee State FL Zip Code 32304

Maximiliano Barraza
Signature of Chairperson

Maximiliano Barraza
Printed Name of Chairperson

10/1/14
Date



FLORIDA DEPARTMENT OF STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

October 3, 2014

Max Barraza, Chairperson
Advocates for Memory Against Baker Act
2501 Vista Rise Apartment B
Tallahassee, Florida 32301

Dear Mr. Barraza:

This will acknowledge receipt of the Statement of Organization and Appointment of Campaign Treasurer and Designation of Campaign Depository for **Advocates for Memory Against Baker Act**, which were placed on file in our office on October 1, 2014. This information appears to comply with the requirements of Section 106.03, Florida Statutes, and the name of this organization has been placed on our active committee list as a political committee.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **October 10, 2014**. The report will cover the period of Sept. 27-October 3, 2014 (G5). All political committees that file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS)

Credentials and Sign-ons

Below is the web address to access the EFS and the committee's user identification number. The enclosed sealed envelope contains the committee's initial password. Once you have logged in using the initial password, you will be immediately prompted to change it to a confidential sign-on. The chairperson, campaign treasurer, and deputy treasurers are responsible for protecting this password from disclosure and are responsible for all filings using these credentials, unless the Division is notified that your credentials have been compromised

EFS Website Address: <https://efs.dos.state.fl.us>
Identification Number: 64370

Max Barraza, Chairperson
October 3, 2014
Page Two

Pin Numbers

Pin numbers are confidential secure credentials that allow you to submit reports and update information. The enclosed sealed envelopes contain your confidential pin numbers.

Each political committee chairperson is required to provide the Division of Elections with confidential personal information that may be used to allow access in the event that the password is forgotten or lost. When you enter the campaign account screen, there will be a drop down box where you pick a question (such as *What is your mother's maiden name?*) and supply an answer. All passwords and answers to questions are stored as encrypted data and cannot be viewed by Division staff and given out over the phone. Please notify the Division if your credentials have been compromised.

Timely Filing

All reports must be completed and filed through the EFS not later than midnight, Eastern Standard Time, of the due date. Reports not filed by midnight, Eastern Standard Time, of the due date are late filed and subject to the penalties in Section 106.07(8), Florida Statutes. In the event that the EFS is inoperable on the due date, the report will be accepted as timely filed if filed no later than midnight, Eastern Standard Time, of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

Any political committee failing to file a report on the designated due date is subject to a fine of \$50 per day for the first 3 days and, thereafter, \$500 per day for each day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each primary and general election, the fine shall be \$500 per day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

Electronic Receipts

The person submitting the report on the EFS will be issued an electronic receipt indicating and verifying the report was filed. Each campaign treasurer's report filed by means of the EFS is considered to be under oath by the chairperson and campaign treasurer and such persons are subject to the provisions of Section 106.07(5), Florida Statutes.

Max Barraza, Chairperson
October 3, 2014
Page Three

Instructions and Assistance

An online instruction guide is available to you on the EFS to assist with navigation, data entry, and submission of reports. The Division of Elections will also provide assistance to all users by contacting the EFS Help Desk at (850) 245-6280.

All of the Division's publications and reporting forms are available on the Division of Elections' website at <http://elections.myflorida.com>. It is your responsibility to read, understand, and follow the requirements of Florida's election laws. Therefore, please print a copy of the following documents: Chapter 106, Florida Statutes, *2014 Political Committee Handbook*, *2014 Calendar of Reporting Dates*, and Rule 1S-2.017, Florida Administrative Code.

Please let me know if you need additional information.

Sincerely,



Kristi Reid Bronson, Chief
Bureau of Election Records

KRB/ljr

Enclosures



FLORIDA DEPARTMENT OF STATE
Ken Detzner
Secretary of State
DIVISION OF ELECTIONS

December 11, 2014

Maximilliano Barraza, Treasurer
Advocates for Memory Against Baker Act
2501 Vista Rise Apartment B
Tallahassee, FL 32304-2304

Re: PAC 64370

Dear Mr. Barraza:

Your campaign treasurer's report, which was due December 10, 2014, has not been received.

Section 106.07(8)(b), Florida Statutes, requires that the filing officer immediately notify you of the failure to file this report and that a fine will be assessed of \$50 per day for the first 3 days late and, thereafter \$500 per day, although a fine cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each primary and general election, the fine shall be \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

Once your report is filed, this office will notify you of the specific amount of your fine. Fines must be paid to the filing officer within 20 days of receipt of the payment due notice.

Please be advised, however, that failure to file a campaign treasurer's report may constitute a violation of Chapter 106, Florida Statutes, independent of the automatic fine violation referenced above. Therefore, if you fail to file a report the division will turn the matter over to the Florida Elections Commission.

Section 106.265(1), Florida Statutes, authorizes the Florida Elections Commission to impose a civil penalty up to \$1,000 per count for each willful violation of Chapter 106.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

A handwritten signature in black ink, appearing to read "Kristi Reid Bronson".

Kristi Reid Bronson, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

Second Notice

December 29, 2014

Maximilliano Barraza, Treasurer
Advocates for Memory Against Baker Act
2501 Vista Rise Apartment B
Tallahassee, FL 32304-2304

Re: PAC 64370

Dear Mr Barraza:

Your campaign treasurer's report, due December 10, 2014, has not been received.

Section 106 07(8)(b), Florida Statutes, requires that the filing officer immediately notify you of the failure to file a report.

The first notice of the failure to file the above mentioned report was mailed, via regular mail, to the address on file with our office on December 11, 2014. As of this date, we do not show a record of receiving this report.

If the report is not filed via the Division's electronic filing system within 14 days of receipt of this notice, this matter will be referred to the Florida Elections Commission for further action. Section 106 265(1), Florida Statutes, authorizes the Florida Elections Commission, upon finding a willful violation of Chapter 106, Florida Statutes, to impose a civil penalty up to \$1,000 per count.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

Kristi Reid Bronson, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Ken Detzner
Secretary of State

DIVISION OF ELECTIONS

January 13, 2015

Maximilliano Barraza, Treasurer
Advocates for Memory Against Baker Act
2501 Vista Rise Apartment B
Tallahassee, FL 32304-2304

Re: PAC 64370

Dear Mr. Barraza:

Your campaign treasurer's report, which was due January 12, 2015, has not been received.

Section 106.07(8)(b), Florida Statutes, requires that the filing officer immediately notify you of the failure to file this report and that a fine will be assessed of \$50 per day for the first 3 days late and, thereafter \$500 per day, although a fine cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each primary and general election, the fine shall be \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

Once your report is filed, this office will notify you of the specific amount of your fine. Fines must be paid to the filing officer within 20 days of receipt of the payment due notice.

Please be advised, however, that failure to file a campaign treasurer's report may constitute a violation of Chapter 106, Florida Statutes, independent of the automatic fine violation referenced above. Therefore, if you fail to file a report the division will turn the matter over to the Florida Elections Commission.

Section 106.265(1), Florida Statutes, authorizes the Florida Elections Commission to impose a civil penalty up to \$1,000 per count for each willful violation of Chapter 106.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

A handwritten signature in black ink that reads "Kristi Reid Bronson".

Kristi Reid Bronson, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE
Ken Detzner
Secretary of State
DIVISION OF ELECTIONS

Second Notice

January 26, 2015

Maximilliano Barraza, Treasurer
Advocates for Memory Against Baker Act
2501 Vista Rise Apartment B
Tallahassee, FL 32304-2304

Re: PAC 64370

Dear Mr. Barraza:

Your campaign treasurer's report, due January 12, 2015, has not been received.

Section 106.07(8)(b), Florida Statutes, requires that the filing officer immediately notify you of the failure to file a report.

The first notice of the failure to file the above mentioned report was mailed, via regular mail, to the address on file with our office on January 13, 2015. As of this date, we do not show a record of receiving this report.

If the report is not filed via the Division's electronic filing system within 14 days of receipt of this notice, this matter will be referred to the Florida Elections Commission for further action. Section 106.265(1), Florida Statutes, authorizes the Florida Elections Commission, upon finding a willful violation of Chapter 106, Florida Statutes, to impose a civil penalty up to \$1,000 per count.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

Kristi Reid Bronson, Chief
Bureau of Election Records



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

FINAL NOTICE

Delivery Confirmation:

USPS TRACKING # 9114 9999 4423 8939 8828 25
& CUSTOMER RECEIPT
For Tracking or inquiries go to USPS.com
or call 1-800-222-1811.

February 13, 2015

Maximilliano Barraza, Treasurer
Advocates for Memory Against Baker Act (64391)
2501 Vista Rise
Apartment B
Tallahassee, Florida 32304-2304

Dear Mr. Barraza:

According to a review of the Division's records, the following reports have not been filed:

Table with 3 columns: Year, Report, Cover Period. Rows: 2014 M11 11/1/2014 - 11/30/2014; 2014 M12 12/4/2014 - 12/31/2014

The candidate has previously been notified of the reports that are outstanding. Enclosed are copies of letters sent by the Division. If the reports are not filed within 7 days of receipt of this letter, the Division will forward this matter to the Florida Elections Commission for further action. Section 106 265(1), Florida Statutes, authorizes the Florida Elections Commission to impose civil penalties of up to \$1,000 per violation

If you have any questions, please call the Help Line at (850) 245-6280.

Sincerely,

Handwritten signature of Kristi Reid Bronson

Kristi Reid Bronson, Chief
Bureau of Election Records

KRB/jq



[English](#)

[Customer Service](#)

[USPS Mobile](#)

[Register / Sign In](#)



USPS Tracking™



[Customer Service](#)
Have questions? We're here to help.

Tracking Number: 9114999944238939882825

Updated Delivery Day: Thursday, February 19, 2015

Product & Tracking Information

Postal Product:

Features:
USPS Tracking™

Available Actions

[Text Updates](#)

[Email Updates](#)

DATE & TIME	STATUS OF ITEM	LOCATION
February 19, 2015, 3:53 pm	Delivered. In/At Mailbox	TALLAHASSEE, FL 32304

Your item was delivered in or at the mailbox at 3:53 pm on February 19, 2015 in TALLAHASSEE, FL 32304

February 19, 2015, 9:10 am	Out for Delivery	TALLAHASSEE, FL 32304
February 19, 2015, 9:00 am	Sorting Complete	TALLAHASSEE, FL 32304
February 19, 2015, 7:10 am	Arrived at Post Office	TALLAHASSEE, FL 32304
February 19, 2015, 3:45 am	Departed USPS Facility	TALLAHASSEE, FL 32301
February 17, 2015, 4:41 pm	Arrived at USPS Facility	TALLAHASSEE, FL 32301

Track Another Package

Tracking (or receipt) number

f

[Track It](#)

HELPFUL LINKS

[Contact Us](#)
[Site Index](#)
[FAQs](#)

ON ABOUT USPS.COM

[About USPS Home](#)
[Newsroom](#)
[USPS Service Updates](#)
[Forms & Publications](#)
[Government Services](#)
[Careers](#)

OTHER USPS SITES

[Business Customer Gateway](#)
[Postal Inspectors](#)
[Inspector General](#)
[Postal Explorer](#)
[National Postal Museum](#)
[Resources for Developers](#)

LEGAL INFORMATION

[Privacy Policy](#)
[Terms of Use](#)
[FOIA](#)
[No FEAR Act EEO Data](#)