



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

January 8, 2020

Sean Elo

Via email at: [REDACTED]

Re: COM-12052019-02647; Sworn Complaint Against Kelvin Barrios

Dear Mr. Elo:

This letter is in response to the sworn complaint you submitted to the Enforcement Division of the Fair Political Practices Commission regarding the above-named individual. The Enforcement Division will not open an investigation on this matter.

As you know, the Commission approved two cases regarding the activity of Mr. Barrios while he acted as treasurer for two committees (see FPPC No. 2017-00964 & FPPC No. 2018-01465). Your complaint alleged that Mr. Barrios violated the Political Reform Act's ("Act's") prohibition on personal use of campaign funds with regard to the committee, San Diego County Young Democrats, while he was a volunteer treasurer of the committee.

Section 83116.5 contains the liability for violations of the Act. Any person who violates any provision of this title, who purposely or negligently causes any other person to violate any provision of this title, or who aids and abets any other person in the violation of any provision of this title, shall be liable under the provisions of this chapter. *However, this section shall apply only to persons who have filing or reporting obligations under this title, or who are compensated for services involving the planning, organizing, or directing any activity regulated or required by this title, and a violation of this section shall not constitute an additional violation under Chapter 11 (commencing with Section 91000).*

Since Mr. Barrios was in a volunteer position with the San Diego County Young Democrats and there is no indication that he met the other criteria for liability under the Act, the Enforcement Division will not pursue this matter further. The activity alleged is outside the purview of the Act. If you have any questions regarding this letter, please contact Chloe Hackert at [chackert@fppc.ca.gov](mailto:chackert@fppc.ca.gov).

Sincerely,

Galena West, Chief  
Enforcement Division

GW/ch

cc: Matt Soleimanpour o/b/o Mr. Kelvin Barrios, via email at: [REDACTED]