



## FAIR POLITICAL PRACTICES COMMISSION

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August 3, 2012

Mr. Charles H. Bell, Jr.  
Bell, McAndrews & Hiltachk, LLP

**REDACTED**

Re: FPPC Case No. 11/1043; Farideh Mehran, Sharmin Bock, Committee for a Safer San Francisco: Supporting Sharmin Bock; Opposing George Gascón for District Attorney 2011

Dear Mr. Bell:

The Fair Political Practices Commission ("Commission") enforces the provisions of the Political Reform Act (the "Act")<sup>1</sup>. As you may be aware, the Commission received a complaint against the Committee for a Safer San Francisco: Supporting Sharmin Bock; Opposing George Gascón for District Attorney 2011 (the "Committee") alleging that it violated certain provisions of the Act. Specifically, the complaint alleges that the Committee acted in coordination with Farideh Mehran, on behalf of a candidate to direct and/or control the activity of the Committee. The Commission has decided to close this case without further action.

Government Code Section 82031 defines an "independent expenditure," in relevant part, as an expenditure made by a person, "in connection with a communication which expressly advocates the election or defeat of a clearly identified candidate or the qualification, passage or defeat of a clearly identified measure, or taken as a whole and in context, unambiguously urges a particular result in an election but which is not made to or at the behest of the affected candidate or committee."

Regulation 18225.7 (a) defines "Made at the behest of" as "made under the control or at the direction of, in cooperation, consultation, coordination, or concert with, at the request or suggestion of, or with the express, prior consent of. Such arrangement must occur prior to the making of a communication described in Government Code section 82031."

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<sup>1</sup> 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.

Our investigation did not reveal any evidence indicating that Ms. Mehran was a party to any discussions pertaining to the Committee's planned activities, or that Ms. Mehran discussed campaign plans with Sharmin Bock or acted as an intermediary between Ms. Bock and the Committee. We are closing this case without further action.

If you have any questions regarding this matter, please feel free to contact me at 916-322-5660.

Sincerely,

**REDACTED**



Zachary W. Norton  
Commission Counsel  
Enforcement Division