



FAIR POLITICAL PRACTICES COMMISSION

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

August 11, 2009

✓ State Senator Lou Correa

REDACTED

Re: FPPC No. 06/343, Don Perata, Californians United, Lou Correa

Dear Senator Correa:

On May 8, 2006, the Enforcement Division received a complaint alleging that you, Californians United, and former State Senator Don Perata violated the Political Reform Act ("Act")¹ with respect to the June 6, 2006 state primary election. At issue in the complaint were two mailers sent in March 2006 opposing Tom Umberg's bid for the State Senate seat in the primary election. The complaint alleged you and/or Mr. Perata may have coordinated or acted in concert with Californians United in making payments for the two mailers, which were reported as independent expenditures on Californians United's campaign statements. If the allegation was true, the payments would not be independent expenditures, but rather, would be non-monetary contributions in excess of the applicable contribution limits found in Section 85303, subdivision (a) of the Act.

We have completed our review and investigation into this matter, and concluded that there is insufficient evidence to establish that either you or Mr. Perata exerted control over Californians United, or worked in concert with the committee in producing the mailers that opposed Mr. Umberg's campaign in the state primary. Although there is some evidence of the use of similar consultants, we found it insufficient to prove the payments were made at your behest. Furthermore, we believe it is unlikely that further investigation will produce evidence to support the allegations that you or Mr. Perata exerted control over Californians United's expenditures.

Based on the foregoing facts and circumstances, we have closed our file in this matter. If you have any questions, please feel free to contact me at (916) 322-8062.

Sincerely,

REDACTED

Melodee A. Mathay
Staff Counsel IV
Enforcement Division

¹ The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated.