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

March 1, 2010

The Honorable Raoul Thorbourne
Mr. Brian Hildreth
Bell, McAndrews and Hiltachk

REDACTED

Advisory Letter Re: FPPC No. 09/225, Kevin Culhane, et. al

Dear Judge Thorbourne and Mr. Hildreth:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),[1] found in Government Code section 81000, et seq. This letter is in response to an investigation begun against you by the FPPC in response to a voluminous complaint that alleged more than 100 separate reporting and other violations involving numerous individuals and committees, including Raoul Thorbourne, the Marjorie Koller and Raoul Thorbourne Campaign Legal Defense Fund (the LDF) and Thomas Hiltachk and Brian Hildreth, as Treasurer and Assistant Treasurer, respectively, of the LDF.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that of the over 100 violations alleged there was a single allegation that was substantiated as to Judge Thorbourne, the LDF, and Thomas Hiltachk and Brian Hildreth as Treasurer and Assistant Treasurer of the LDF. The violation was the failure to file the Statement of Organization (Form 410) and a Recipient Committee Campaign Statement (Form 460) for the LDF in Raoul Thorbourne's county of domicile, Solano County. However, the statements were filed in Sacramento County, where Judge Thorbourne is a superior court judge. We have

[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. 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.

determined that the public harm from this violation is de minimus, and are therefore closing the case with this Advisory Letter.

The Act provides that campaign statements for committees controlled by a candidate for his or her election shall be filed in the with the elections official of he county in which the candidate or elected official is domiciled. Additionally, campaign statements for controlled committees shall be filed with the elections official of the county with the largest number of registered voters in the districts affected. (Section 84215) You are advised that, as a candidate for superior court judge in Sacramento County with a candidate controlled committee for that office, your campaign statements must be filed in both the county in which you are domiciled, and the county with the largest number of registered voters in the districts affected. Due to the mitigating circumstances previously identified, we have decided to close this case with an Advisory Letter.

The Commission publishes forms and manuals to facilitate compliance with the provisions of the Act and provides guidance regarding filing obligations over the telephone and through written advice. Please call the Commission's Technical Assistance Division at 1-866-275-3772 or visit our website at www.fppc.ca.gov.

Please feel free to contact me with any questions you may have regarding this letter.

Sincerely,

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GARY S. WINUK
Chief, Enforcement Division