Peters returns some felon funds, not all

By Lauryn Schroeder

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After Babulal “Bob” Bera pleaded guilty to two felony counts of election fraud in May, Rep. Scott Peters of San Diego returned $5,400 donated by the retired engineer from Orange County.

“Given the news that broke on Tuesday, we decided that returning it was appropriate under the circumstances,” Peters spokeswoman MaryAnne Pintar said at the time.

That wasn’t the only money that Peters received from Bera and his immediate family. Bera’s son, Ami Bera, is a congressman from Elk Grove. The elder Bera admitted in federal court that he illegally funneled nearly $270,000 to his son’s 2010 and 2012 election campaigns through “straw man” intermediaries.

According to court documents, Bob Bera and his wife, Kanta, were able to get around campaign contribution caps by asking relatives, friends and acquaintances to donate the maximum allowed amount, then reimbursing them in most cases.

U-T Watchdog reviewed Peters’ contributions and found $41,600 from the family since 2012:

- $5,400 in 2015 from the elder Bera — the money that was returned. He also gave contributions totaling $7,700 to Peters in 2012 and 2013.
- $5,400 on the same day in 2015 from Bera’s wife, who was implicated in Bera’s case but is avoiding federal charges under an agreement in her husband’s plea bargain. She donated another $2,500 in 2012 and $5,200 in 2013 to Peters.
• $10,200 from Rep. Bera, who gave $5,000 in 2012 and $5,200 in 2013. Peters and Bera are friends in Congress. The two Democrats were both elected in 2012, defeating Republican incumbents.
• $5,200 from Congressman Bera’s wife, Janine, in 2013.

Pintar said Bob Bera’s donation in 2015 was legal, but the Peters campaign nevertheless decided it was appropriate to refund that amount.

Pintar said the campaign was unaware that Kanta Bera was involved in the money funneling. The campaign did not return her contributions because she did not plead guilty.

As to the other contributions from Bob Bera, Ami Bera and Janine Bera, Peters’ campaign did not reimburse them because they were given in earlier election cycles, in 2012 and 2013. According to Pintar, the funds were spent in those previous election cycles.

“We would have had to send him another donor’s money from the 2016 election cycle,” she said. “We thought that enriching Mr. Bera in that way was not appropriate.”

According to campaign finance reports, Peters’ campaign fund carried over $28,700 from the 2012 election cycle, and carried over $68,700 from the 2014 election cycle. Pintar said those carry-over funds were obligated to campaign debt, mostly money owed to Peters.

According to Paul Ryan, deputy executive director of the Campaign Legal Center in Washington, D.C., candidates are generally not required to return donations in situations like the Bera conviction. Even if the contributions are given illegally, candidates do not need to disgorge them unless they knowingly received an illegal contribution.

“The fact that any of these contributions were refunded strikes me as a political move,” Ryan said. “They’re just giving back the really dirty money and keeping everything else that’s not directly linked to the controversy.”

Rep. Patrick Murphy, a Democrat running for Senate in Florida, received two donations from Bob Bera, one for $5,200 in 2013 and a second for $5,000 last year. Murphy donated all of the money, a total of $10,200, to three nonprofits — Renewal Coalition, Big Bend Homeless Coalition and a government watchdog, Common Cause Florida.

He did not disgorge a $5,200 donation he received in 2013 from Rep. Bera’s mother. Emails to Murphy’s staff asking why the campaign chose not to reimburse other donations went unanswered.

In the Bob Bera case, prosecutors said there were more than 130 instances of improper campaign contributions reported from approximately 90 people. Bob Bera reimbursed many of the people who made the donations, and investigators said it’s possible even more was donated illegally to the congressman’s early campaigns.

According to prosecutors, there has been no indication that Rep. Bera or his staff were aware of the funneling scheme.
“To date, there is no indication from what we’ve learned in the investigation that either the congressman or his campaign staff knew of, or participated in, the reimbursements of contributions.” acting U.S. Atty. Phillip A. Talbert said at a news conference.

GOP operatives are suggesting otherwise.

"It defies belief that Rep. Bera was unaware of these activities,” National Republican Campaign Committee spokesman Zach Hunter said in a statement.

Bera is facing a challenge in the November election from Sacramento County Sheriff Scott Jones, a Republican.

Peters took 58 percent of the vote in the primary election this month and faces Republican challenger Denise Gitsham in November.

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