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Perata investigation moves to Sacramento; his attorneys cry foul

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Former state Senate leader Don Perata and his attorney have mounted a furious campaign against a decision by Sacramento federal prosecutors to review corruption allegations that San Francisco federal prosecutors declined to pursue.

The Sacramento review violates a deal, called a tolling agreement, between defense attorneys and the U. S. attorney's office in San Francisco that stopped the clock on the statute of limitations while the parties discussed the matter, the defense attorneys insist.

That agreement does not extend to the Sacramento U. S. attorney's office and the statute of limitations now precludes prosecution, the attorneys claim.

But acting U. S. Attorney Lawrence Brown of Sacramento said Wednesday:

"It is our view that the tolling agreement was between defense counsel and the United States, and was not specifically limited to the (San Francisco-based) Northern District of California. If a case is charged in this district, the defense will presumably be free to litigate that issue."

Brown said the review in his office began in October, but he declined to say when it might be completed.

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