



# CALPEEK

CALIFORNIA POLITICAL WEEK

P.O. BOX 1468, BEVERLY HILLS, CA 90213  
Dick Rosengarten, Publisher

(310)659-0205 FAX(310)657-4340  
Website: www.Calpeek.org

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## **CAMPAIGN 2010: ANOTHER SCANDAL ROCKS S.F. POLICE & DA. IT MAY SURPASS DRUG LAB MESS.**

Editor's note: Here's the proof that the L.A. Times screwed up royally when it endorsed Demo S.F. DA Kamela Harris for Attorney General. For months, S.F. sources have told Calpeek that Harris is incompetent and has been a total disaster for the criminal justice system in San Francisco. Here's our commentary & analysis...

...Another major scoop for the S.F. Chron's crime reporter, Jaxon Van Derbeken. In the May 3<sup>rd</sup> story Van Derbeken writes that more than **80 police officers** have "criminal histories or police misconduct records" that the department and prosecutors withheld and did not disclose to defense attorneys. What the S.F. Chron is saying is that the disclosure of the drug lab scandal, which resulted in the dismissal of 600 cases thus far, is peanuts compared to this unfolding scandal...

...Van Derbeken's on the record source for this story is prosecutor Lael Rubin who works for the L.A. Co. DA's office, in charge of the disclosure process. She's well known to the L.A. news media and she conducts seminars on disclosure to prosecutors across Calif...

...In the Chron story Rubin said, "Depending on the nature of the failure to disclose (an officer's crimes) and the officer's role in the particular case, it could result in very serious cases being tossed out and serious offenders being released on the street..."

...FYI: in 2002 the L.A. Co. DA was the first prosecutorial office in Calif. to develop a written policy that spells out the disclosure process involving officers and civilian police experts who give testimony in criminal cases. According to Van Derbeken's story, many county DAs have adopted such policies, but **NOT** San Francisco. The S.F. DA's office says it relies on the police to *volunteer the info*. The list of problem SFPD officers has not as yet been disclosed by Harris' office...

...S.F. Public Defender Jeff Adachi, a frequent Harris critic, said he doesn't know the exact number cases that could be reopened but suspects hundreds. And Adachi said it's the DA's job to check the criminal history of every witness

(including police) and "they obviously didn't do that. Every San Franciscan should be outraged here." On May 4<sup>th</sup> Adachi accused Harris of "unethical conduct" because her office didn't do background checks on the police who were set to testify. District Atty. Harris said Adachi's comments were "irresponsible" and his claim that hundreds of cases could be jeopardized is "wild speculation." Harris' response contradicts what Lael Ruben said...

...This S.F. Chron story is big news in the Bay Area, but the editors at the L.A. Times haven't seen fit to cover the scandals. And in fact, aside from Chris Kelly the other Demo AG candidates have left Harris untouched. The crime lab scandal and this latest fiasco will be issues in November IF Harris is the Demo nominee for AG – bet your first born. Stay tuned...

### **Greenhouse Gas Wars**

## **CAMPAIGN 2010: GOV. ARNOLD DECLARES WAR ON GROUPS WHO WANT TO REPEAL AB 32.**

Editor's note: Get ready for WWII as the initiative to suspend AB 32 is expected to qualify for the November 2<sup>nd</sup> ballot. AB 32 was approved and signed into law in 2006. The law is meant to curb greenhouse gas emissions. Parts of the law won't even take effect until 2012 and later in 2020. The opponents say it will put one million Calif. jobs at risk and cost consumers, businesses and taxpayers billions of dollars in higher energy costs. Here's our commentary & analysis...

...The Calif. Jobs Initiative Committee turned in more than 800,000 signatures, well above the 435,000 needed to qualify for November's ballot. According to an S.F. Chron story, the CJIC raised about \$1 million dollars and half went to the paid petition circulators. The big givers to the YES side include Valero Services of Texas, which gave \$500,000 to the initiative; and Tesoro was another big oil contributor which gave \$175,000 to the YES side...

...The proposed initiative doesn't actually kill AB 32, but the initiative would "suspend" AB 32 until Calif.'s jobless rate falls to 5.5%. The current unemployment rate is about 12.3%. So in effect, the initiative would "kill" rather than suspend AB 32 because it will be a cold day in hell before unemployment falls to the 5.5% level...

...The YES campaign has hired two campaign management firms to handle the initiative. They are Goddard Claussen and Woodward & McDowell – both have excellent track records in high profile initiative ballot wars...

...Gov. Arnold has already fired the opening salvo in this war. “The effort to suspend AB 32 is the work of greedy oil companies who want to keep polluting in our state and making profits. AB 32 will add jobs, create savings in energy costs and increase personal incomes. In fact the highest job creation Calif. is seeing right now is in our green economy.” Gov. Arnold also said, “If the special interests try to push me around, I will push back.”...

...The NO committee goes by the name of *Californians for Clean Jobs & Energy*. The lead consultant is Winner Mandabach Campaigns; Mercury Public Affairs (w/ties to the governor) will handle fundraising; Olson Hagel is on legal; Bicker, Castillo & Fairbanks will work on coalition building; consultant Steve Maviglio is in charge of communications; and polling will be done by FM3 Research (that’s Fairbank, Maslin et al). This is a veteran team and one must remember, it’s easier to run a NO campaign than a YES campaign...

...The theme of the YES campaign is to wait until unemployment reaches what proponents call, “a reasonable, manageable figure.” Maviglio said the proponent’s goal is unrealistic. “Make no mistake, this initiative is designed to kill this clean-energy law, not suspend it.” More in the weeks ahead. Stay tuned...

#### **CAMPAIGN 2010: POIZNER LETS FLY WITH THE “VULTURE” AD AIMED AT MEG WHITMAN.**

Editor’s note: If GOP businesswoman Meg Whitman never heard the name *Goldman Sachs* again, she’d be thrilled. For the uninformed, G-S is up to its eyeballs in the Wall Street financial mess. Key G-S executives were called to testify in front of a U.S. Senate committee probing their current financial dealings. They didn’t come across as guys wearing *white hats*. The former Ebay CEO’s problems with G-S go back to December of 2002. The ad tells a story that voters can understand. Here’s *Calpeek*’s commentary & analysis...

...And helping voters with what *Calpeek* sources (both GOP and Demo) call the *hardest hitting negative tv ad* in this election cycle, is an ad *Team Poizner* calls “*The Vulture.*” A Vulture fund is a fund that buys securities in distressed investments, such as securities that are near bankruptcy...

...The tv ad has everything a GOP voter would want to know about EMeg’s time on the Goldman Sachs Board of Directors. And there’s lots of vulture & Whitman video to go along with the ad copy, including some current tv news interviews where Whitman looks very uncomfortable...

...In a May 3<sup>rd</sup> news release from *Team Poizner*, they have

written a number of sections about the events leading up to her departure from G-S in December of 2002. The key to all this negative stuff is a Wall Street term called “spinning.” At the time Whitman was getting insider info from G-S, the practice of spinning wasn’t illegal. Now it is. The closest *Calpeek* can describe it, spinning is like getting insider info and using the info to make big profits...

...In the Vulture tv ad, Whitman claims she was “fired” from the G-S Board of Directors. *Team Poizner* says she actually resigned the same day the SEC banned spinning. Whitman has said she didn’t like the culture at G-S. “I didn’t like the management and I got off.” *Team Whitman* says she did nothing wrong – and that’s true, but EMeg got clobbered in an EBay shareholder lawsuit. This info is all in the Vulture tv ad. Whitman still has dealings with G-S, but there’s nothing wrong with that...

...Are the negative ads by *Team Poizner* and the negative news articles of EMeg and G-S causing her numbers to sink? *Calpeek* has no way of knowing if this is accurate, but it does make sense that her numbers would drop. There is also another good Poizner tv hit which shows Whitman morphing into Gov. Arnold. The governor is POed, but it’s a good spot because conservative GOPers don’t like Schwarzenegger. Who is the ultimate winner in this Poizner vs. EMeg tv battle? Demo Jerry Brown. Stay tuned...

#### **CAMPAIGN 2010: UPDATE ON U.S. HOUSE RACES.**

Editor’s note: Here’s are some updates on Demo and GOP U.S. House primaries...

☒ **20<sup>th</sup> CD Update** – U.S. Rep. Jim Costa(D-Fresno) has a Demo primary opponent for June 8<sup>th</sup>. He is Steve Haze of Auberry and he’s knowledgeable when it comes to water issues. According to a Fresno BEE story by John Ellis and Mike Doyle, Haze is the program manager for the Upper San Joaquin River Stewardship Council. He’s also an expert on the Delta...

...Costa hasn’t had a serious Demo primary challenger like Haze in a long time. Haze has loaned himself \$155,000. As of 3/31, Costa reported cash on hand of \$362,676. Costa’s campaign report also shows he’s spent about \$275,000 on radio/tv ads. In other words, he’s not taking Haze lightly. Haze, in the BEE article, says there is “dissatisfaction with Costa,” from Demo Party’s leftwing in the 20<sup>th</sup> CD, who think Costa is too conservative. FYI: Costa voted for the health care law...

...For the GOP there is Fresno accountant Richard Lake, Fresno businessman Serafin Quintanar and Andy Vidak, a Hanford Co. farmer. A recent news release from *Team Vidak* announced the endorsement of former CA Secretary of State Bill Jones. Vidak also has endorsements from some well known growers, including Bill & Carol Chandler of

Chandler Farms; David Jackson of Family Tree Farms; and Bob Smittcamp of Lyons Magnus. FYI: Vidak is the GOP's top fundraiser in the 20<sup>th</sup> CD...

☒ **30<sup>th</sup> CD Update** – Yes, there are some GOPers in U.S. Rep. Henry Waxman's West L.A. district. The GOPers vying for the primary nomination are David Benning, Ari David, Robert A. Flutie, Chris Kolski and Charles Wilkerson. According to a story in the Jewish Journal, the only thing these five agree on is that “Henry Waxman has to go.”...

☒ **36<sup>th</sup> CD Update** – U.S. Rep. Jane Harman's campaign consultant Harvey Englander emailed a statement about a May 1<sup>st</sup> interview that Harman's Demo opponent, Marcy Winograd, gave to the Tehran Times. Englander said, “The differences between Congresswoman Jane Harman and her challenger Marcy Winograd could not be clearer. Please read the interview Winograd gave the Tehran Times on May 1<sup>st</sup>. Winograd's recklessness speaks for itself.” Here is the web link: [http://www.tehrantimes.com/Index\\_view.asp?code=218640...](http://www.tehrantimes.com/Index_view.asp?code=218640...)

**CAMPAIGN 2010: UPDATE ON COUNTY SUPE RACES.**  
Editor's note: *Calpeek* has some catching up to do on these county supervisors' contests...

☐ **Riverside Co.** – Former Palm Springs PD Chief Gary Jeandron has been endorsed by the Riverside Co. chapter of the CDF Firefighters. Jeandron is running for the 4<sup>th</sup> District job now held by Sup. John Benoit. This race is heating up. Jeandron's other public safety endorsements include Cathedral City Professional Firefighters Assn.; the Riverside Co. Deputy DA's Assn.; the Blythe, Cathedral City, Indio & Palm Springs POAs. The Riverside Sheriff's Assn., and the CCPOA CRC have also endorsed Jeandron...

☐ **Orange Co.** – In the the open 4<sup>th</sup> District battle to replace Chris Norby on the O.C. Board of Supes, the Orange Co. Republican Party has endorsed Shawn Nelson with an 85% vote – much more than the 2/3rds vote required. Nelson is also supported by Norby, U.S. Rep. Ed Royce, Supervisors Pat Bates and John Moorlach and State Sen. Mimi Walters...

...For those who haven't noticed, the O.C. GOP establishment is badly split between Nelson and Anaheim Mayor Pro Tem Harry Sidhu. Sidhu has been endorsed by State Senators Bob Huff, Tom Harman and U.S. Rep. Dana Rohrabacher. Sidhu is also backed by Board of Supes Chair Janet Nguyen and Vice Chair Bill Campbell, BOE member Michelle Steel and Anaheim Mayor Curt Pringle...

☐ **Alameda Co.** – Rack up another big endorsement win for Nadia Lockyer, who is running for the 2<sup>nd</sup> District open seat on the Bd. of Supes. Lockyer got 33 votes vs. only 3 for former Assemblywoman Liz Figueroa and one vote for NO endorsement from the Alameda County Democratic Party. Lockyer also won the endorsement of the Building & Construction Trades Council of Alameda Co. Stay tuned...

**CAMPAIGN 2010: POLITICAL SHORT TAKES.**

Editor's note: Not as many entries this week, but the ones we have are pretty good...

◆ *Ghost Writers in Calif.* According to the latest bash & trash memo from *Team Kelly*, guess what two candidates share the same ghost writer? The ghost writer is Joan O'C Hamilton, who wrote *The Power of Many* for GOP businesswoman Meg Whitman and wrote *Smart on Crime* for S.F. DA Kamala Harris. Both give credit to O'C Hamilton on the book cover. Both candidates used the books to launch their respective campaigns. And now both *need a rewrite*: EMeg to distance herself from the Goldman Sachs fiasco and Harris from the S.F. crime lab scandal...

◆ State Sen. Tom Harman has won the endorsement of Westminster Mayor Margie Rice...

◆ No shock as The New Majority Calif. endorsed Meg Whitman. The New Majority Calif. has chapters in Orange, San Diego, L.A. and the Inland Empire. Members are some of the most successful business leaders in Calif. The Calif. Farm Bureau also has endorsed Whitman for governor...

◆ District #2 Acting Board of Equalization member Barbara Alby has been endorsed by the Sacramento BEE...

◆ No real shock here as the L.A. Times editorial board snubbed L.A. Councilwoman Janice Hahn and endorsed S.F. Mayor Gavin Newsom for LG. The S.F. Chron and the Sacto BEE also went with Newsom. The LAT endorsed new LG Abel Maldonado...

◆ Seven members of the L.A. City Council have endorsed Demo Assemblyman Hector De La Torre for Insurance Commissioner. The councilmembers are Paul Krekorian, Richard Alarcon, Tony Cardenas, Bill Rosendahl, Dennis Zine, Jose Huizar and Ed Reyes. De La Torre also has been endorsed by U.S. Rep. Xavier Becerra(D-L.A.)...

◆ State Sen. Alex Padilla(D-L.A.) has endorsed Demo AG candidate Assemblyman Alberto Torrico. This news release also contained the names of at least 100 Latino leaders who have endorsed Torrico, including U.S. Rep. Dennis Cardoza. And Torrico has won endorsements from many of the key public safety unions: CA Police Chiefs Assn., PORAC and Calif. Professional Firefighters...

◆ The S.F. Bay Guardian has endorsed L.A. Councilwoman Janice Hahn for LG. The Guardian's endorsement of Hahn was more like a bashing of S.F. Mayor Gavin Newsom...

◆ Orange Co. U.S. Rep. John Campbell(R) has endorsed State Sen. Sam Aanestad for LG...

◆ GOP businesswoman Carly Fiorina has won two good endorsements: the Calif. Pro-Life Council and New Majority Calif.. It's doubtful the pro-life endorsement will help against Assemblyman Chuck DeVore because DeVore is tight with Calif. pro-life conservatives. Stay tuned...

STATE SENATE UPDATES

**CAMPAIGN 2010: GOV. ARNOLD SETS JUNE 22<sup>ND</sup> & AUG. 17<sup>TH</sup> AS ELECTION DATES FOR 15<sup>TH</sup> SD.**

Editor's note: Here's an update on the special election in the 15<sup>th</sup> SD to replace former State Sen. Abel Maldonado(R) and an update on the 14<sup>th</sup> SD primary...

☒ **15<sup>th</sup> SD Special Election** – Gov. Arnold Schwarzenegger(R) sent *digital salutes* to five counties in the Coastal senate district previously held by Maldo. A separate *digital salute* was also sent to Senate Pres. Darrell Steinberg(D). Steinberg and county election officials wanted the special runoff election, now set for August 17<sup>th</sup>, to be held with the regular general election **Nov. 2<sup>nd</sup>**. The county election officials in Santa Clara, Santa Cruz, Monterey, San Luis Obispo and Santa Barbara say by not consolidating the vote with the Nov. 2<sup>nd</sup> general election, Gov. Arnold's decision will cost the counties a combined **\$6.5 million dollars**, funds which they claim not to have, according to reporter Robert Cruickshank of the *Calif. Progress Report*...

...PPT Steinberg wanted a consolidated general election when the turnout would be much higher. There's no doubt Gov. Arnold was playing politics with the dates and never intended to consolidate the special election. A smaller turnout could aid the GOP candidate, Assemblyman Sam Blakeslee of SLO. The Demo in the special will be former Assemblyman John Laird of Santa Cruz...

...If the Demos can regain the 15<sup>th</sup> SD, and take over the 12<sup>th</sup> SD now held by State Sen. Jeff Denham(R-Atwater), and hold all their present seats, they'd have a 2/3rds majority of 27 votes...

☒ **14th SD Update** – This Central Valley SD is currently held by Sen. Dave Cogdill(R-Fresno) who is not termed out, but is leaving anyway. The 14<sup>th</sup> SD leans GOP by a margin of 47% to 34%. The biggest county in terms of total voters is Fresno Co. which accouts for 52% of all voters...

...The only Demo in the primary is former airline pilot and businessman Larry Johnson of Clovis. The GOP field includes Assemblyman Tom Berryhill of Oakdale; Tom Marsella of Fresno; and Heidi Fuller. Both Fuller and Marsella have raised the issue of Berryhill's recent move into the 14<sup>th</sup> SD – a little carpetbagging never hurts. Fuller went to court, but lost and is now appealing the judge's decision. Berryhill says he's done nothing wrong. Berryhill is a hardline conservative who follows the GOP line of no new taxes and isn't particularly fond of Gov. Arnold. Stay tuned...

**The June 8<sup>th</sup> Calif. Primary is 3 weeks away**  
*Calpeek's Cyber Directory of Campaign Consultants* is on sale, by subscription only. It's a must for political insiders. You have to be a regular *Calpeek* subscriber to buy the Directory. **COST** is \$50.00 – checks only, no credit cards and no invoicing. And there is a subscription form which potential subscribers must fill out. email: Calpeek@aol.com to get a form...

**CALPEEK'S INFOBAHN: POLITICAL SHORT TAKES**

Editor's note: Here are a few news items of interest...

◆ **Santa Barbara Oil Drilling Plan is DOA** – Don't kid yourself. Gov. Arnold Schwarzenegger wanted very much to allow a new oil drilling project off the Santa Barbara Coast. But with the deep water oil disaster in the Gulf of Mexico, Gov. Arnold had no choice: he withdrew his support May 3<sup>rd</sup> for the Tranquillon Ridge project owned by Houston-based Plains Explorataion and Production (PXP). In Gov. Arnold's budget, he projected 2011 revenues of \$100 million dollars and \$1.8 billion dollars over a 14 year period from the proposed project...

◆ **Hahn Goes After Newsom on Drug Lab Fiasco** – L.A. Councilwoman Janice Hahn is going after her rival for LG, S.F. Mayor Gavin Newsom. The best quote in Hahn's news release says, "While Newsom's been gallivanting around the state running for governor and now Lt. Governor, hundreds if not thousands of criminals are about to be released on the Streets of San Francisco." It's all about the fiasco at the S.F. crime lab, something *Calpeek* has written about several times, only with DA Kamala Harris in the bull's-eye. Now it's Newsom's turn. Hahn says the drug scandal happened on his watch as mayor. She's not wrong...

◆ **Anthem Blue Cross Folds on Rate Hike** – With the attempted terrorist car bombing in NY's Time Square, the disastrous oil spill in the Gulf of Mexico and the brouhaha over Arizona's new immigration law, the news that Calif.'s biggest individual health care provider, Anthem Blue Cross, folded under tremendous pressure and withdrew its proposed 39% premium hike. It was big news the day of the announcement, but has faded quickly from the front page. Well Point, ABC's parent company, earned \$877 million dollars in 1<sup>st</sup> Qt. of 2010. To say the Well Point was acting like a greedy pig gives a bad name to that very intelligent animal. AG candidate Rocky Delgadillo was one of the few Demo AG candidates to repeatedly bash ABC. Delgadillo said the ABC incident makes it clear that passing rate regulation legislation in Sacto is a must and so is U.S. Sen. Dianne Feinstein's legislation to authorize a review of all rate hikes to assure they are reasonable and based on accurate data."...

**CALPEEK'S CALENDAR OF POLITICAL EVENTS**

May 24	Last day to register to vote in Calif.
June 1	Last day to request absentee ballot
June 8	Calif. primary election, 37 <sup>th</sup> SD & 43rd AD elections
July 9	Nat'l Governors Assn. meeting, Boston
July 24	Last day to qualify initiatives for the Nov. 2 <sup>nd</sup> Calif. Nov. 2nd ballot