

No one is running against S.F. district attorney in fall election

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San Francisco District Attorney Kamala Harris collected more than \$500,000 from donors for her re-election effort, lined up high-profile endorsements and launched a campaign Web site.

Then the clock at the Department of Elections struck 5 p.m. Friday, the deadline for filing candidacy papers. Harris found herself with no challenger in the Nov. 6 election - the first time that has happened to a San Francisco district attorney since 1991.

A write-in candidate could still decide to run, but that person's name wouldn't appear alongside Harris'. The city's ranked-choice ballot - which allows voters to mark first, second and third choices - will feature Kamala Harris, Kamala Harris and Kamala Harris.

"Isn't that amazing," said Terence Hallinan, whom Harris unseated in 2003 after two terms. "There's no campaign, no excitement, no controversy."

Supporters and critics of Harris pointed to many reasons why nobody came forward, but generally agreed on one thing: Any challenger was likely to lose to an incumbent who has proved to be popular, well-connected and an effective fundraiser.

Even before Friday's deadline, Harris had locked up endorsements from most members of the Board of Supervisors plus the public defender. Campaign contributors included business heavyweights and actor Robin Williams.

"She's definitely proved her mettle as a politician," said Public Defender Jeff Adachi. "She's continued to be very active with her constituency and her community, and she's reached out to those who initially opposed her."

Harris's first term has not been without controversy. Although she has a better relationship with police than Hallinan did, investigators have accused her of being slow to prosecute homicide suspects and of boosting her conviction rate through lenient plea agreements.

Kevin Martin, vice president of the Police Officers Association, said officers were "pleased with a lot that Kamala Harris has done." But he said hard feelings remain over her decision, four months after she took office, not to seek the death penalty for David Hill in the fatal shooting of Officer Isaac Espinoza. Hill was convicted of second-degree murder in January and sentenced to life in prison without parole.

Harris told voters during the 2003 campaign that she opposed the death penalty, and said this week that she had no regrets about her decision on Hill. "This job is too powerful, and its impact too profound, to make decisions based on their popularity," she said.

However, San Francisco is one of the nation's most left-leaning cities, and opting not to seek capital punishment for Hill appeared to cause little damage to Harris' popularity outside the Police Department.

Harris' supporters said voters shared the 42-year-old district attorney's philosophy of balancing prosecutions of violent crimes with rehabilitation for lesser offenders.

They said Harris also got off to a good start by professionalizing her office. Harris said two-thirds of her lawyers lacked e-mail accounts when she arrived, a problem that has been fixed. She said the office's felony conviction rate has jumped from 52 percent to 68 percent in the past three years.

Others said Harris benefited from the lack of a strong challenger to Mayor Gavin Newsom. That candidate, they said, might have partnered with a challenger to Harris on a ticket to the left of the incumbent mayor and district attorney.

Jim Ross, a political consultant who ran Newsom's 2003 campaign, said ranked-choice balloting might have discouraged challengers to Harris. Promoted by its advocates as a boon to underfunded candidates hoping to avoid a costly runoff, ranked-choice voting actually strengthens incumbents, Ross said.

Voters pay less attention to second and third selections than the top slot and often leave them blank, Ross said. The resulting under-vote means incumbents can prevail with less than the 50 percent-plus-one that they once needed to avoid a runoff.

Unlike Harris, Newsom will be on the ballot with other candidates - 13 people, including former Supervisor Tony Hall, are running against him. Fringe candidates are less likely in a district attorney's contest, however, because the office must be filled by a lawyer. Also, many attorneys would be taking a pay cut if they settled for the top prosecutor's salary of \$176,261.

A few experienced attorneys said they had considered taking on Harris. One was Jim Hammer, a former prosecutor who helped win convictions against a couple in the city's infamous dog-mauling case and later raised his profile by doing television commentary. He said this week that he wasn't ready "for the personal level of politics" or prepared to solicit donors.

Randall Knox, another former prosecutor, said he had concluded that he could not beat Harris.

"I thought that given her level of name recognition and her approval ratings and her ability to raise money, it was not feasible," said Knox, who recently dealt Harris a blow by helping former city building official Augustine Fallay beat fraud and corruption charges. "I'm a nobody with no political base."

Former Supervisor Matt Gonzalez, who ran against Hallinan for district attorney in 1999 and against Newsom for mayor in 2003, said he never seriously considered a campaign this year. Bill Fazio, who ran unsuccessfully for district attorney in 1995, 1999 and 2003, was out of the country this week and could not be reached.

Only one person, 39-year-old Maurice Chenier of Los Angeles, even took out nomination papers to run against Harris. He said he was frustrated by the city's high violent crime and by the handling of the fatal shooting of his nephew, rapper Max Chenier, in San Francisco in November 2005. A grand jury heard evidence in the case but did not indict anyone.

Chenier said he would be tougher on criminals than Harris because they "don't respond by being given a break."

Chenier said he still may become a write-in candidate. He said he rents a room from his parents in San Francisco's Ocean View neighborhood and spends most of his time in the city, where he was born and raised.

Even with no challenger, Harris said she assumes she will still have an election night party in November. "I hope so," she said.

But she may not receive a concession call.

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<http://sfgate.com/cgi-bin/article.cgi?f=/c/a/2007/08/16/BAB6RIAE2.DTL>

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