

# The attorney general race no candidate can win

By ED SALZMAN

If you add up the intelligence from the so-called political insiders these days, California won't have an attorney general after Evelle Younger leaves office. None of the candidates now on the horizon can win the job, insiders say. There are some who can win the general election, but they can't make it through their party primary; there are those who can win the primary but are dead in the general.

There will be more than the usual amount of attention paid to the race for attorney general next year, for these reasons: This will be the only statewide office on the ballot next year without an incumbent seeking reelection. The field will be large, especially in the Democratic primary, and thus there will probably be more dollars spent in this contest than for any other save governor. And the law-enforcement post has traditionally been viewed as a springboard to higher office.

Republican Younger, who has served as attorney general since 1971, is giving up the job to run for governor — trying to follow in the footsteps of Earl Warren and Pat Brown. In fact, the only AG of recent vintage who did not advance from that post was Democrat Thomas Lynch, who took the post by appointment relatively late in life and viewed it as a capstone to his political career. Lynch's predecessor, Stanley Mosk, serves on the state Supreme Court.



**BROWNING**

There is still plenty of time for new candidates to appear on the scene, but up to this point there has been a surprising lack of interest among potential Republican candidates. There is only one

sure contender, state Senator George ("Call me Duke") Deukmejian. Outgoing United States Attorney James Browning of San Francisco would like to run if he can raise sufficient money. Browning's claim to fame is the successful prosecution of Patricia Hearst.

On the Democratic side, there are several candidates, announced and unannounced, and there could well be a field of five major contenders by the time filing closes in March. Just because a candidate has announced, however, does not mean that he or she will definitely run. If the money supply is short and the poll results disappointing, an early March dropout could be in order. The five most probable candidates: Congresswoman Yvonne Brathwaite Burke of Los Angeles, City Attorney Burt Pines of Los Angeles, District Attorney Joseph Freitas of San Francisco, Assemblyman Alister McAlister of San Jose and Superior Court Judge Bruce W. Sumner of Orange County.

Here is a balance sheet on the assets and liabilities of each candidate:

Browning has only the identification with the Hearst prosecution going for him. He is not dear to the hearts of those who finance GOP election campaigns, and he is relatively unknown in Southern California, where Republican primaries are invariably decided. On the hustings, he might well be a high-powered campaigner, but he would need a massive quantity of resources to defeat Deukmejian. An early poll showed him a hair ahead of the senator, but there was a massive undecided element, and that was before Deukmejian started putting his campaign together.



**DEUKMEJIAN**

Deukmejian appears to have put together most segments of the Republican Party behind his candidacy, and that's the reason he may be virtually unopposed in June. He has an excellent reputation for integrity and honesty.

He has the right kind of legislative record, keyed to crime control, political reform and tax breaks for senior citizens. Perhaps most significantly, he received tons of publicity last year as the author of legislation restoring the death penalty in California. Among those who analyze elections, however, he is not considered a short-odds candidate for the general election. He is not blessed with a television personality, and his conservative legislative record may make it difficult for him to attract the Democratic votes he would need for victory. Deukmejian went before the statewide electorate once before, seeking the Republican nomination for attorney general, and was swamped by Younger. Deukmejian, 49, has served in the Legislature since 1963 and he survived a rough challenge in a reapportioned Long Beach district last year. He serves as Republican floor leader in the Senate.

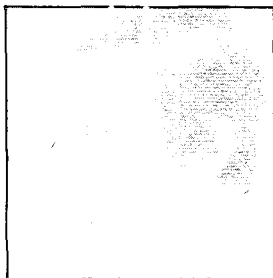


**BURKE**

Burke and Pines share the same Los Angeles constituency — the minority concentrations and the white liberals on the west side of town. Both are announced candidates. Burke will have to give up her congressional seat to run, while Pines has a free ride. Burke, 44, is an exceptionally attractive candidate with relatively little ex-

perience in law enforcement, although she did serve as an attorney for the McCone Commission investigating the Watts riots. She has received a great deal of publicity and has high name identification among voters. She served in the Assembly from 1967 to 1972, when she was elected to Congress. Her good looks, television appearance, birth of a daughter while serving in Congress have given her far more attention than she could have received on her record as a state and federal representative. She figures to do well in the north, an area where Pines should have difficulties. One of Burke's campaign problems may be the fact that her husband, Bill Burke, has been a major figure in Medi-Cal operations under investigation by the state.

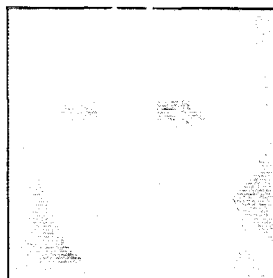
Burke will be one of the favorites to win the primary, but can she win the general? Are the voters of California ready to elect a liberal Black woman with no connection to law enforcement as the state's attorney general? Will she be hurt by the fact that two other statewide elected officials, Superintendent of Public Instruction Wilson Riles and Lieutenant Governor Mervyn Dymally, are also Black? Powerful Angelenos are torn between Burke and Pines, and their contest could prove damaging to the winner.



**PINES**

Pines, 38, has served as Los Angeles city attorney for five years. He won reelection this year by an unreal 9-1 margin. He was viewed as the logical Democratic nominee for attorney general, but that was before

his department was hit with a scandal over the shredding of police files and before Burke entered the competition. Pines has charisma and will probably be able to get broad Democratic support for the general election — but first he must finish ahead of Burke and the other Democratic candidates, perhaps a difficult task.

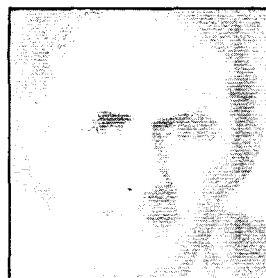


**SUMNER**

Sumner, 53, is perhaps the ideally qualified candidate. He has served as a Republican assemblyman, as chairman of the state Constitutional Revision Commission, as a member of the state Judicial Council and as a

judge. Among those who know his work, he is considered one of the highest caliber elected officials in the state today. But he is virtually unknown, doesn't have the kind of dynamic personality that sells on television and may well decide to return to the comfort of the bench before filing closes in March. Sumner would be a strong Democratic candidate against Deukmejian, but the odds are mighty long against his winning the primary. Sumner feels he will have a

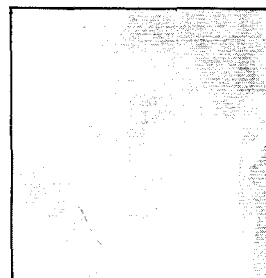
chance if he can get large majorities in Orange and San Diego counties, plus a decent vote in Alameda County, where he has the backing of Oakland's new mayor, Lionel Wilson. Sumner has many friends in political circles, but the task is converting his insider strength to votes in Los Angeles and the San Francisco Bay Area.



**McALISTER**

McAlister, 48, is a novel Democratic candidate — a genuine conservative. He was the Assembly sponsor of the Deukmejian death-penalty bill and thinks that he just might be able to pull out a victory if the liberal vote is

divided among several candidates. He heads the important Assembly committee on finance and insurance, a reward for his strong backing of Assembly Speaker Leo T. McCarthy. He can count on support from his fellow Mormons, his constituency in Santa Clara County and those scores of Democrats in search of a Republican-type candidate. Should he stage this scenario successfully and oppose Deukmejian in the November election, the voters would have a choice between Tweedledum and Tweedledee.



**FREITAS**

Freitas, 38, has been in public office less than two years. He might benefit by his northern connection, with the other three mainstream candidates (Burke, Pines and Sumner) coming from the south. He has a name that

might appeal to the state's Chicano population, even though it is Portuguese. He would have a free ride but might have trouble raising the kind of money necessary for a first-class campaign. He, like Sumner and McAlister, would be a long shot in the primary. But should he be able to pull it off, he could be a strong Democratic candidate for the runoff.

Of these five Democrats, only Burke and Pines have shown the kind of commitment that makes them look like sure candidates, but Sumner is not far behind. There are other potential candidates, but one of them is not District Attorney John Van de Kamp of Los Angeles, who would have been a major factor in the race. Another outside possibility is Supervisor Quentin Kopp of San Francisco, but he seems to have his hatchet sharpened for the political head of Mayor George Moscone in two years.

Despite the evidence that there are candidates who look good for the primary (Deukmejian and Burke) and others who look good for the general (Sumner and Pines), someone must win both. This is a case in which the alleged political intelligence defies the laws of mathematics, and zero plus zero equals one.

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# The saddlebags of Saddleback

By PAUL BRENNAN

It was only a few years ago that candidate spending for school board seats was reckoned in mere hundreds of dollars and any candidate who spent in excess of a few hundred was viewed as a fool or eccentric, or both. That hardly seems the case in recent years — at least in southern Orange County, where ample funds are available for school board candidates if they represent the right ideology.

While the super-conservative image of Orange County has been exaggerated by the national press, it does seem safe to state that southern Orange Countians take their ideologies a bit more seriously than many others. And when ideology mixes with the economics of higher taxes, any local election is likely to bring out big money.

For example, take a glance at the campaign statements for the latest school board election in the Saddleback Valley Unified School District, held last March. The district encompasses the burgeoning communities of Mission Viejo, El Toro and Laguna Hills. The population is almost exclusively white and upper-middle class. Mission Viejo, with its public tennis courts, swimming pools and golf courses, is viewed by many as the ultimate "plan" in planned communities. About 17,000 students are enrolled in the district's schools.

In the election of March 8th, two seats on the five-member board were up for grabs. By filing deadline, 14 candidates had qualified. Some of the candidates were less than fully committed and either dropped out or did little campaigning. Others spent little or nothing. But a handful spent enormous sums. The total spent by all candidates: \$42,000. Since there are only 42,295 registered voters in the district, the total represents nearly one dollar per qualified voter.



Among the 14 candidates, one officially withdrew; five reported spending less than \$200; one reported spending \$322 and another reported spending \$1,100. All lost. By contrast, the six front-runners spent over \$40,000. One of the two winners, Mary Phillips, reported spending more than \$17,000.

## Paying to win

Why would any seat on a school board be worth that kind of money? Simply put, the election boiled down to a struggle between teachers and developers. One side wanted higher salaries, benefits and educational expenses; the other wanted to keep school costs and taxes down. Both sides were willing to pay to win.

Among the serious contenders were two incumbents: William Kohler and Dennis Smith, both considered strong conservatives. There were four challengers: Mary Phillips and William Kelly, moderate to strong conservatives; and two teacher-backed candidates, Juneann De Casas and Marvin Silver.

The California Teachers Association (CTA), through its political arm, Association for Better Citizenship (ABC), came through with \$3,000 each for De Casas and Silver. Fund-raising efforts by the local Saddleback Valley Education Association (SVEA) added to the pot, producing a total of more than \$8,000 for the two teacher-endorsed candidates. SVEA and the two candidates made no attempt to hide or distort their mutual support and affiliation. This, plus the passage of SB160, providing collective bargaining for teachers, quickly became the only major issue in the race. The local press seized on it and repeated charges of "unionism," "outside money," "frightening teacher power," and "CTA trying to buy an election." The campaign worked: Despite money and good organization, De Casas and Silver ran fifth and sixth respectively.

What few voters realized was that "outside" money was coming in to the other candidates, too. Big property developers, particularly the Mission Viejo Company, and other interests pumped in almost as much as CTA. Candidate Kelly, who ran fourth and spent \$2,361, appeared to raise all of his money from local supporters. But defeated incumbent Smith — who ran third — spent over \$4,300 and received \$1,500 from developers, including \$900 from the Mission Viejo Company. Other developers who contributed to Smith's campaign were from the Los Angeles area. Incumbent Kohler, who ran second, spent over \$8,000, including \$900 from the Mission Viejo Company. Phillips spent the most money (\$17,387) and received the most votes. She also collected the most from developers, \$2,150, plus \$600 from engineering consultants and \$300 from financial institutions, for a total of \$3,050. Of 19 contributors listed by Phillips who donated over \$4,000 to her campaign, only three resided in the school district.

As the smoke cleared (and campaign reports became available) the score stood: Developers 1, Teachers 0. But looking at the players, one thing is sure: They don't play for small stakes.

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