



May 2, 2017

An Open Letter to Members of the San Diego County Legal Community

From Jessica Hayes, Chair, San Diego County Democratic Party

The announcement by District Attorney Bonnie Dumanis of her early retirement sets up a partisan power play intended to sidestep our democratic process. On behalf of the San Diego County Democratic Party, I am asking the Board of Supervisors to appoint a replacement DA who pledges not to use that office to run for election in 2018.

In the interest of restoring democracy to the highest law enforcement post in the county, I am now calling on qualified attorneys to apply for the position of Interim District Attorney, for the partial term that begins in July of 2017 and ends in December of 2018.

The political party affiliation of applicants for the position should not be a consideration. Instead, beyond meeting the qualifications of the office, applicants should make three commitments to the Board of Supervisors and the people of San Diego County:

- (1) That they support an independent investigation of any involvement of the District Attorney or her staff in the Jose Anzano corruption scandal;
- (2) That if appointed, they pledge to serve as an independent and apolitical caretaker who will not run for election when Ms. Dumanis' term ends; and
- (3) That if appointed, they will not make a public endorsement in the election for that office in 2018.

Inside the all-Republican coterie of our county-level elected officials, there is a long and sordid history of early retirements followed by the Board of Supervisors' appointment of a hand-picked successor. The appointee then has an enormous advantage running for office as the incumbent.

Sheriff Bill Gore had qualified opponents in his first campaign, but he had a unique advantage as the anointed incumbent due to his predecessor's resignation and the Board's appointment. This gaming of the system feeds into voters' concerns about partisan inside deals and the wealthy donors who maintain the status quo. These are hallmarks of a system that, if not corrupt, is at the very least broken.

It seems to be happening again. The District Attorney is retiring early, triggering an appointment by the County Board of Supervisors. Her hand-picked successor has already announced her candidacy for the office. The Board of Supervisors should appoint someone who pledges not to use that appointment as a platform to launch their race for the same seat. It violates the public's trust – a particular concern when dealing with the highest law enforcement position in the county.

Outgoing District Attorney Dumanis retires under the cloud of her association with the Azano scandal. Were the County Board of Supervisors to install her preferred candidate as the next DA, the entire county government could be snowed under by ethical and legal red flags. Such a shameless manipulation of power would diminish and severely impugn the integrity of their elected offices.

An appointee who is not a candidate, and who pledges not to run for that seat while in office, will go a long way toward restoring the credibility and the public trust that Ms. Dumanis has reduced during her tenure. I hope well-qualified attorneys will apply for the appointment under the terms I've proposed.

Interested applicants can find more information at <http://bit.ly/2q0zcRs>.