

## Endorsements

OCTOBER 25-31, 2006

### Dolores Carr for DA

Both candidates vying for the county's top prosecutor position, Karyn Sinunu and Dolores Carr, are intelligent women with ample legal experience. Sinunu has worked at the district attorney's office for the past 20 years and served as chief assistant to District Attorney George Kennedy for a year before she took a leave of absence this summer. Carr spent 15 years as a prosecutor before she became a judge in 2000. She also worked as a defense attorney early in her career. Her supporters say her experience filling three roles in the courtroom gives her the balanced perspective a district attorney needs. Both candidates are competent and have the potential to serve the county well—but there are areas of concern with each.

Carr's family ties to the county's largest law enforcement agency, the San Jose Police Department, where her husband holds a high-level position, could align the two agencies a little too closely. She has been popular with police associations because she prefers that grand juries investigate officer misconduct and police shootings behind closed doors, except in "extraordinary cases." Many police watchdogs favor open hearings.

Sinunu, on the other hand, allowed ambition to get the best of her when she laid the groundwork for her run for office, soliciting contributions from subordinates and members of the legal community who depend on the good graces of the DA to secure outcomes for clients. That creates, at minimum, the perception of a conflict. While an internal investigation has cleared Sinunu of intervening to protect an attorney suspected of drug dealing, Sinunu's handling of certain cases has raised questions about whether she would reward friends and punish enemies. While that's a risk with anyone in power, Carr appears to have the more cautious temperament. Current and former high-level managers who've worked with Sinunu over the years are not supporting her run for district attorney—including Kennedy himself, who distanced himself from her candidacy when he pulled his endorsement of her in July.

Carr, on the other hand, entered the race as an underdog and racked up an impressive collection of endorsements. Since prosecuting criminals involves teamwork between agencies, Carr's broad support is a sign that she can build bridges. The fact that Carr comes from outside an office that could benefit from reform is a plus. The ideal district attorney would be aggressive about modernizing the department while judicious in using the power of the state, including the discretion to initiate capital punishment prosecutions. While some of Sinunu's positions on issues such as victimless crimes are more progressive, Carr seems the better choice, on balance, to become the county's top prosecutor.

to stop governments from forcing the sale of private property simply to hand it over to private developers. That's certainly reasonable. But the "regulatory takings" provision of Prop. 90 raises red flags about its true intent. Governments would have to compensate for passing any new laws that devalue private property. That includes zoning ordinances that regulate new developments and land-use controls to protect the environment. That's going too far. Even state Sen. Tom McClintock, an outspoken critic of eminent domain, told the *Sacramento Bee* that he preferred a cleaner version of Prop. 90, though he supports it because his own initiative failed to qualify for the ballot. Prop. 90 could curb redevelopment abuse, but at a price that Californians should not have to pay.

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