



# Profiles in Corruption

by Peter Schweizer

## Chapter Two

### Kamala Harris



President Barack Obama stood in front of an array of well-heeled donors in a private home in super-rich Atherton, California. Having just been reelected five months earlier, he was touting his White House accomplishments. After a few comments, he praised California attorney general Kamala Harris, who was also in the room, and highlighted her “dedication and brilliance.” He added: “She also happens to be by far the best-looking attorney general in the country.”

While the comments struck some observers as inappropriately personal and unprofessional, they revealed the close and long history that Obama and Harris shared. Harris had first supported Obama while he was running for the Senate in Illinois back in 2004. After he was elected, Obama flew out to San Francisco and held a fund-raiser for Harris. She had just been elected San Francisco district attorney and needed to retire some campaign debt. The newly minted senator from Illinois showed up at San Francisco’s famed Bimbo’s on Broadway to help. In 2007, when Obama announced his plans to run for president in Springfield, Illinois, she was again by his side. Harris and several members of her family joined the campaign. Harris, her sister Maya, and brother-in-law Tony West would labor over the next year to help Obama’s ambition become a reality. Kamala walked the snowbound precincts of Iowa, visited New Hampshire, and traveled to Nevada and Pennsylvania to campaign for him. Harris took the helm of his California campaign, serving as cochair. When Obama won, she was with him in Chicago’s Grant Park to celebrate the victory.

Harris is widely admired in progressive circles as the “female Obama.” Smooth, polished, and confident, she has worked hard to “cultivate a celebrity mystique while fiercely guarding her privacy.” This rising star in the Democratic Party also has a taste for expensive Manolo Blahnik shoes and Chanel handbags.

Harris paints herself as a gritty lawyer who is climbing the ladder of power by her own strength and determination. She has also positioned herself as “smart on crime,” even publishing a book by that same title.

The reality of her rise to prominence is far more complicated—and how she has leveraged her power along the way is troubling. Harris’s elevation to national politics is closely tied to one of California’s most allegedly corrupt political machines and investigations into her tenure as a prosecutor raise disturbing questions about her use of criminal statutes in a highly selective manner, presumably to protect her friends, financial partners, and supporters. Most disturbing, she has covered up information concerning major allegations of criminal conduct, including some involving child molestation.

Kamala Devi Harris was born to Donald Harris, her Jamaican-born father and Dr. Shyamala Gopalan, her Tamil Brahmin mother from India. Her father is a Marxist economist who taught at Stanford University; at one point, he advised the Jamaican government. Her mother was a highly regarded research scientist who worked in the field of breast cancer. Her parents were divorced when Kamala was five, and her mother’s family had a defining influence on her childhood. “One of the most influential people in my life, in addition to my mother, was my grandfather T. V. Gopalan, who actually held a post in India that was like the Secretary of State position in this country,” Harris recalled. “My grandfather was one of the original Independence fighters in India, and some of my fondest memories from childhood were walking along the beach with him after he retired and lived in Besant Nagar, in what was then called Madras.” Harris draws on those Indian roots to define herself. “When we think about it, India is the oldest democracy in the world—so that is part of my background, and without question has had a great deal of influence on what I do today and who I am.”

Harris recounts regular visits as a child to her mother’s homeland. After she was elected district attorney of San Francisco in 2003, she traveled to India and found that her grandmother had organized a party and press conference for her. Her grandfather was still a government official in Chennai. “One by one people came to pay homage. ‘It was like a scene out of *The Godfather*,’” Kamala said. Harris was close to her grandfather, who was “a joint secretary in the central government,” and “instilled in her a thirst for service.”

While Harris attended Howard University, a traditionally black college, and served as president of the Black Law Students Association at Hastings College of Law in San Francisco, many saw her leaning more toward her mother’s culture than her father’s. According to her mother Shyamala, Kamala knows “all the Hindu mythology and traditions,” and that “Kamala will be equally at ease in a temple or a church.” Harris was born during Dusshera, a major Hindu celebration. “So I gave her the name thinking of Goddess Lakshmi.” Shyamala insisted that giving her daughters names derived from the Indian pantheon was important to her children’s development. “A culture that worships goddesses produces strong women,” she says. Adds her mother, “Kamala is a frequent visitor to the Shiva Vishnu temple in Livermore [California]. She performs all rituals and says all prayers at the temple. My family always wanted the children to learn the traditions, irrespective of their place of birth.”

\* \* \*

Kamala Harris’s entrée into the corridors of political power largely began with a date. In 1994, she met Willie Brown, who at the time was the second-most-powerful man in California politics. As Speaker of the State Assembly, Brown was a legend in Sacramento and around the state. He represented a district in the Bay Area and was well known in San Francisco social circles. In addition to running the California Assembly, Brown ran a legal practice on the side, which meant taking fees from lobbyists and industries that may have wanted favorable treatment in Sacramento. Brown was under investigation several times, by the State Bar of California, the Fair Political Practices Commission, and the Federal Bureau of Investigation. In 1986, for example, as California Assembly Speaker, he

“received at least \$124,000 in income and gifts from special interests that had business before the Legislature.”

Despite a lifetime in politics and public service, Brown was known for his expensive Brioni suits, Borsalino hats, Ferraris, and Porsches. Later he downgraded to a Jaguar. “My body would reject a Plymouth,” he said. Along the way he played a version of himself in *The Godfather Part III*. Brown finally retired from political office in 2004. He purchased a \$1.8 million condo in the St. Regis in San Francisco two years later.

Willie Brown was married in 1958 (and remains so today) but that did not matter: Brown was sixty at the time he began dating Kamala, who was twenty-nine. Brown was actually two years older than her father. Their affair was the talk of San Francisco in 1994. Kamala’s mother defends her daughter’s decision—and offered choice comments about Brown. “Why shouldn’t she have gone out with Willie Brown? He was a player. And what could Willie Brown expect from her in the future? He has not much life left.”

Brown began pulling levers for Harris that both boosted her career and put money in her pocket, rewarding Kamala with appointments to state commissions that paid handsomely and did not require confirmation by the legislature. He put Kamala on the State Unemployment Insurance Appeals Board and later the California Medical Assistance Commission. The Medical Assistance Commission paid \$99,000 a year in 2002. The Unemployment Insurance Appeals Board paid around \$114,000 a year. Both posts were part-time. At the time, she was working as a county employee making around \$100,000. Along the way, Brown also bought young Kamala a new BMW.

Perhaps the most important thing Brown gave Harris was access to his vast network of political supporters, donors, and sponsors. Soon she was publicly arm in arm with Brown in the most elite circles of San Francisco, including lavish parties and celebrity galas.

By 1995, Willie Brown was running for mayor of San Francisco and Harris was regularly by his side. On election night, Willie Brown stood before his guests at the Longshoremen’s Union Hall. He was all smiles as the election results rolled in. Harris was in front of the crowd with him, smiling, and handed him a blue baseball cap emblazoned with “Da Mayor.” Brown placed the cap on his head and then Rev. Cecil Williams, a local fixture and longtime Brown friend, handed him a piece of paper. “It’s over!” he proclaimed.

The election wasn’t the only thing that was over that night. Many had speculated that Brown would divorce his wife and marry Harris, but that didn’t happen. Shortly after Brown’s electoral victory, he and Harris split up. There are conflicting reports as to who actually left whom. Most accounts report that Brown broke up with Harris. After the split, Kamala Harris started dating another prominent man: television talk-show host Montel Williams.

The romance with Brown might have been over, but Harris had political ambitions of her own, and the two remained allies. Brown, as mayor, would prove to be enormously helpful in her rise to political power.

Willie Brown possessed the most powerful political machine in Northern California. As mayor, he leveraged that power to enrich his friends and allies. During his tenure, Brown came under FBI investigation twice for corruption involving lucrative contracts flowing from the city to his political friends. His operation was soon dubbed “Willie Brown Inc.” Even local Democrats who might agree with Brown’s political views were turned off by the cronyism and corruption that was rampant under “Da Mayor.” “I thought it was only in Third World countries that people were forced to pay bribes to get services they’re entitled to from their government,” said U.S. district judge Charles Legge about the rampant corruption under Brown. “But we find it right here in San Francisco.”

Three years or so after Brown’s election, San Francisco district attorney Terence Hallinan hired Kamala Harris to head up his office’s Career Criminal Unit. Hallinan, nicknamed “K.O.” for his boxing skills, was a tough progressive who had little problem taking on the most powerful forces in San Francisco, whether it be the police or the new mayor. Hallinan insisted that Harris’s connection to Willie Brown had nothing to do with the hiring. Whether it did or not, Hallinan would soon regret his decision.

Shortly after she joined Hallinan’s office, the number two slot in the prosecutor’s office opened up. Harris wanted the job, but Hallinan chose someone else. Brown seemed furious at Hallinan, ostensibly for other matters. The mayor was publicly attacking Hallinan for failing to do his job. An insider had a different take. “This whole thing is about Kamala Harris,” one Brown friend told the *San Francisco Chronicle*. “Cross one of Willie’s friends and there will be hell to pay.”

The relationship between Willie Brown and Terence Hallinan had always been a complicated one. Hallinan had publicly embraced one of Brown’s rivals, Tom Ammiano. Hallinan had also been investigating Brown allies for corruption.

Passed over by Hallinan, Harris abruptly left the district attorney’s office and went to work at the city attorney’s office, which was run by a close Brown ally. Soon the Brown machine was cranking up to help Kamala Harris run against Hallinan.

By 2003, Harris threw her hat in the ring and announced her decision to challenge Hallinan for his position as San Francisco district attorney. Less known in San Francisco than her opposition, she regularly came a distant third in opinion polls, often registering in the single digits. But she could count on the Willie Brown Machine, which at the time ran so much of San Francisco. Rebecca Prozan, a former Willie Brown aide, was brought on as Harris’s campaign manager to give her a boost. Harris’s finance chair was Mark Buell, a major Democratic Party fund-raiser. A political consultant named Philip Muller set up an independent expenditure committee called the California Voter Project. Armed with a letter from Brown, he raised money to help boost her campaign. Muller had worked on both of Brown’s mayoral races. Beyond Muller’s independent efforts, the flow of money directly into her campaign was unlike anything the district attorney’s race had ever seen. “She’s hauling in campaign cash like there’s no tomorrow,” said the *San Francisco Weekly*.

Much of the money came from the super-wealthy of San Francisco who were close to Brown. The mayor himself gave the maximum contribution—\$500—and penned a letter



that Philip Muller, his close aide, took around to wealthy donors to raise cash. The letter asked the San Francisco elite to cough up five hundred dollars each to “help Kamala win.”

While Kamala Harris would later cast the campaign as a grassroots operation, it was a much more exclusive affair. The San Francisco elite embraced her, which meant all-white fund-raisers in Pacific Heights. Frances Bowes, heir to the fortune made from Hula-Hoops and Frisbees, hosted an event and brought friends like romance novelist Danielle Steel to write large checks. Bowes had originally met Harris through a “longtime Willie Brown crony” while Brown and Harris were still dating. The Brown endorsement of her campaign also opened doors—and wallets. “Why, Willie Brown just wrote us a letter on her behalf,” Bowes said.

Friends and alliances with the San Francisco elite she had formed while dating Willie Brown also came to her aid. The Getty clan, heirs to the vast J. Paul Getty fortune, were “strongly behind Harris,” and Vanessa and Billy Getty became “good friends.”

Harris denied that there was an effort by Brown to help her, but as the *San Francisco Chronicle* noted, “a large number of her contributors also have been donors to Harris’ onetime boyfriend and political sponsor, Mayor Willie Brown.” Darolyn Davis, who worked as Brown’s communications director during his days in Sacramento as the Assembly Speaker, threw a fund-raiser that netted nearly \$15,000.

Very quickly, the upstart challenger was dramatically outraising the incumbent. Indeed, Harris raised double what Hallinan did. The money flow was so great that it led Hallinan to allege that Harris broke a law by surpassing a voluntary spending cap that she had pledged in writing to honor. In January 2003, shortly after announcing her campaign, Harris had signed a form saying that she would stick to the city’s \$211,000 voluntary spending cap for the campaign. An official handbook put out by the city’s Department of Elections identified candidates that had signed the pledge. The voter’s guide is designed to let voters know which candidates agreed to abide by the law.

Harris signed the pledge—and then blew right past the spending limit. By the end of November, she had raised \$621,000—almost three times more than the cap she had pledged to honor. The San Francisco Ethics Commission vote to fine Harris was unanimous. Her campaign had to pay a \$34,000 fine, a record in city elections.

Blowing past the financial cap was not the only ethical issue raised about her campaign. Critics questioned the donations she accepted from individuals with matters sitting before her at her office in the city attorney’s office. In particular, she was taking “campaign contributions from slumlords with cases before” her office. According to Harris’s campaign donor filings, more than 10 percent of her donors were owners or operators of single-room-occupancy hotels identified as “problematic” by city officials. Donors included hotel owners cited by city officials as a “city nuisance” because of numerous arrests for “drug activity, assault, rape, robbery and burglary.” Another donor was the son of a hotel owner who verbally harassed a deputy city attorney and at one point threatened to shoot the attorney over code enforcement.

Carol Langford, a legal ethics expert who headed the American Bar Association ethics committee, saw the money flow as a major problem. “Of course, there’s a conflict there. If your office sues someone and you take money from the defendant, that’s a conflict.” She added, “Consider the tenants of these flea-bag hotels who are worried about bugs and rats—and then they see someone who is supposed to be protecting them taking money from the landlord. What are they going to think?” Hallinan, who was being vastly outspent in the campaign, claimed that “many of the contributors are connected with city government.” He argued that they were not giving that money for nothing; she would have trouble dealing with “corruption in city agencies” because of the conflict of interest.

The ethical problems with Harris’s campaign went beyond the financial questions. Shortly after the election, complaints emerged from city cleaning crews who said they were forced during the campaign to attend political events for mayoral candidate Gavin Newsom and Kamala Harris. Willie Brown had a history of deploying a “patronage army”—a cadre of city employees who performed political work because they owed him their jobs—to help favored candidates win elections.

In this particular case, workers assigned to street cleaning crews complained that they were asked to do political work including during Kamala Harris’s run for district attorney. Mohammed Nuru, a Brown protégé hired in 2000, was the deputy director of operations in the City’s Department of Public Works. He ran among other things a project called San Francisco League of Urban Gardeners (popularly known as SLUG). The organization was supposedly hired by the city to provide cleanup and gardening work around the Bay Area. But they also served another purpose: as a resource to be deployed as part of the Willie Brown machine. In the 2003 election, they were deployed to help, among others, Kamala Harris in her bid for district attorney.

According to internal records, SLUG employees were told by their bosses to “attend campaign events for” Kamala Harris. Campaign manager Rebecca Prozan admitted that she had conversations with the head of SLUG, Nuru, throughout the campaign, although she denies asking him to bring workers to the rallies. The results were undeniable. In one instance, Prozan admitted that the Harris campaign had mailed out 9,000 flyers for a public event, but only 50–75 people actually showed up. An investigator said, “Prozan concluded that all or most of the attendees were in fact SLUG workers.” Reportedly, Ron Vinson, a former Willie Brown deputy press secretary, led the workers into events.

In the November 2003 elections, Harris came in second behind Hallinan in a three-person race. Because neither candidate received a majority of the vote, there was a runoff. Winning the upset runoff victory, in early January 2004, Kamala Harris was sworn in as San Francisco district attorney. She decided to take the oath on a copy of the Bill of Rights rather than the Bible. There were two benedictions—one from a Hindu priest in Sanskrit, the other from an African American minister. The national anthem was played—as well as the National Black Anthem. After the swearing in, there was sitar music, and soul and Indian food were provided.

One week after she was sworn in as district attorney, the city opened an investigation into the allegations that city workers were pressured to campaign for Harris and newly elected Mayor Gavin Newsom. But no charges were ever brought.

As San Francisco district attorney, Kamala Harris enjoyed enormous discretion in the handling of legal cases. She would often determine which cases to prosecute and which not to. This was particularly true in highly public and politically sensitive cases. Over the course of her tenure, a consistent pattern emerged of favoring individuals and institutions that were either her political supporters, or those closely aligned with Willie Brown, or both. Some of these cases involved all-too-common instances of big-city cronyism and corruption involving city contracts, but other cases would involve disturbing crimes that were covered up.

\* \* \*

Perhaps the deepest and most troubling mystery of Kamala Harris's tenure as a prosecutor centers on the disturbing issue of sexual abuse of children by priests. Harris often recounts her background as a sex crimes prosecutor earlier in her career to attack others for their legal failings in this area. In July 2019, for example, she rightly criticized the lax penalties that pedophile Jeffrey Epstein faced in his plea agreement with prosecutors. Harris attacked the prosecutor in the case, Alex Acosta, who was now labor secretary in the Trump administration, for "protecting predators." Harris even went after the law firm that represented Epstein in those criminal proceedings, arguing that their representation of him "calls into question the integrity of the entire legal system." Critics noted that she gladly took campaign donations from the same firm.

But Harris's handling of the widespread priest abuse scandal in San Francisco, and later in the entire state of California, raises far more questions. During her decade-and-a-half tenure as a chief prosecutor, Harris would *fail to prosecute a single case* of priest abuse and her office would strangely hide vital records on abuses that had occurred despite the protests of victims groups.

Harris's predecessor as San Francisco district attorney, Terence Hallinan, was aware of and had prosecuted numerous Catholic priests on sexual misconduct involving children. And he had been gathering case files for even more. In the spring of 2002, Pope John Paul II convened a meeting in Rome to discuss how to deal with the spreading news of abuse. By 2003, with a rising national tide of complaints, the scandals would soon reach cities and towns across America. The *Boston Globe* produced a Pulitzer Prize-winning series on priest abuse and efforts to cover it up. The scandal had now most definitely engulfed San Francisco. Hallinan's office had launched an investigation and quickly discovered that the San Francisco Archdiocese had extensive internal records concerning complaints going back some seventy-five years. In spring of 2002, Hallinan demanded the church turn them over to his office. A month later, the archdiocese reluctantly complied.

The secret documents were explosive and reportedly contained the names of about forty current and former priests in the San Francisco area who had been identified in sexual abuse complaints. Hallinan used the information from the files to begin pursuing legal cases against them. In nearby San Mateo and Marin County, prosecutors obtained the same church records and those in Marin charged Father Gregory Ingels in 2003. But by June 2003, Hallinan and other prosecutors had hit a roadblock: the U.S. Supreme Court ruled that California's law extending the statute of limitations for priest abuse cases was unconstitutional.

Nevertheless, Hallinan was determined to pursue the cases. Discussions began among California district attorneys about how diocese abuse documents might be released to the public. Victim advocates were in favor of releasing them, arguing that redacting the names of victims and other sensitive information could protect their privacy. Hallinan's aggressive pursuit of these issues was of major concern to the Catholic Church and related institutions, which were facing mounting legal bills and settlements dealing with cases going back decades. Several priests were dismissed due to the anticipated release of the documents.

The records that Hallinan had in his possession touched on well-connected institutions at the heart of California's power structure. St. Ignatius College Preparatory School, in the Archdiocese of San Francisco, counted California governor Jerry Brown and the powerful Getty family as alumni. The school faced enormous vulnerabilities because of abuse problems there. Based on documents later released by the Jesuits who ran St. Ignatius, in the nearly sixty-year span from 1923 to 1982, in forty-three of those years the school employed at least one priest on the faculty who was later accused of abuse. Hallinan's investigation threatened to bring dozens of additional cases to light. The Catholic Archdiocese in San Francisco had reason to be extremely nervous.

According to San Francisco election financial disclosures, high-dollar donations to Harris's campaign began to roll in from those connected to the Catholic Church institutional hierarchy. Harris had no particular ties to the Catholic Church or Catholic organizations, but the money still came in large, unprecedented sums. Lawyer Joseph Russoniello represented the church on a wide variety of issues, including the handling of the church abuse scandal. He served on the Catholic Church's National Review Board (NRB) of the U.S. Conference of Catholic Bishops. The purpose of the NRB was to review Catholic Church abuse cases. Russoniello was also a partner in the San Francisco law firm Cooley Godward. Russoniello donated the maximum amount by law to her campaign, \$1,250, and his law firm added another \$2,250. He also sat on Harris's advisory council when she was San Francisco district attorney. Another law firm, Bingham McCutcheon, which handled legal matters for the archdiocese concerning Catholic Charities, donated \$2,825, the maximum allowed. Curiously, Bingham McCutcheon had only donated to two other candidates running for office in San Francisco before, for a total of \$650. As with Russoniello, their support was unusual.

Another law firm, Arguedas, Cassman & Headley, was defending a San Francisco priest against abuse claims at the time. They donated \$4,550 to Harris. The lawyer in the case, Cristina Arguedas, also served on Kamala Harris's advisory council. Beyond these law firms, board members of San Francisco Catholic archdiocese-related organizations and their family members donated another \$50,950 to Harris's campaign.

Harris also had ties to those who were working to prevent the Catholic Church documents from coming to light. Harris counts among her mentors Louise Renne, who as a city attorney for San Francisco recruited Harris to come work with her as a city attorney after her falling-out with Hallinan. Louise Renne's husband, Paul, was an attorney at the law



firm Cooley Godward, where Russoniello worked. Russoniello negotiated the agreement to bury the abuse records from public view.

Hallinan's loss to Harris changed more than the nameplate down at the San Francisco district attorney's office. With the changing of the guard, the fate of the investigation into Catholic priest abuse would dramatically change—and not for the better.

Harris, who had been a sexual crimes prosecutor early in her career, moved in the opposite direction of Hallinan and worked to cover-up the records. Hallinan's office had used the archdiocese files to guide its investigations and talked publicly about releasing the documents after removing victims' names and identifiers. Harris, on the other hand, abruptly decided to bury the records. For some reason, she did not want the documents released in any form. Harris's office claimed that the cover-up was about protecting the victims of abuse. "District Attorney Harris focuses her efforts on putting child molesters in prison," her office claimed. "We're not interested in selling out our victims to look good in the paper."

This was a bold claim coming from Harris. During the 2003 campaign, a woman who was allegedly tortured by a boyfriend with a hot iron "blasted" Harris for citing her story during a campaign debate. "I am appalled by Kamala Harris referring to my case," she said. "Harris is supposedly for victims, but she never consulted me before using my case." In short, she had publicly talked about a case the victim did not want mentioned.

When it came to the priest abuse scandal, the opposite was true. Victims' groups wanted the documents released and Harris was stopping it. They were outraged by her actions. Far from protecting victims, they argued, the cover-up was actually protecting the abusers by keeping their alleged crimes secret.

"They're full of shit," said Joey Piscitelli, the northwest regional director of Survivors Network of Those Abused by Priests (SNAP), the largest and most active victims' group. "You can quote me on that. They're not protecting the victims."

Rick Simons, an attorney who represented multiple victims of clergy abuse, also attacked Harris's actions. Hiding the records "shows a pattern and practice and policy of ignoring the rights of children by one of the largest institutions of the city and county of San Francisco, and in the Bay Area." Kam Kuwata, a consultant to Los Angeles district attorney Rocky Delgadillo, said there was "no reason why transparency and protecting the victim cannot work hand in hand."

With the outcry of victims groups, Harris's office then attempted to shift blame, claiming that the idea of burying the evidence had been first suggested by her predecessor, Hallinan. But he responded angrily to her claims. "I told Jack Hammel [the archdiocese's legal counsel] in no uncertain terms that I wouldn't go along with anything like that." He went on to point out that the documents contained information about a "potential target of a criminal investigation" and asserted he "wouldn't do a deal like that for [the archdiocese] any more than I would if it were an Elks Club with a bunch of pedophiles. Those are the kinds of deals that have allowed the church sex scandal to go on as long as it has."

Harris's actions were strange because they ran contrary to her public image as a fighter for victims—particularly children. Her decision regarding the diocese abuse records set off a chain reaction among those trying to bring to light the widespread abuse that was taking place. James Jenkins, a psychologist who was the founding chairman of the archdiocese's Independent Review Board, which was offering oversight on how to handle abuse claims, abruptly resigned from the board. He accused the church of "deception, manipulation and control" for blocking the release of the board's findings. Jenkins argued that Harris's deal with the archdiocese not only denied the rights of known victims, it also prevented other possible cases from coming forward. If the names of the priests who had faced credible charges were released, he said, it "would encourage other victims to come forward with their stories. Usually, people who do these things have multiple offenses, usually with multiple victims. The rule of thumb is there are seven more victims for every one who comes forward."

Transparency tends to embolden victims. Statistical evidence from the archdiocese confirms the view that releasing the names of accused priests led to an increase in the number of victims bringing charges. A good example of this is in Los Angeles, where District Attorney Steve Cooley ignored the church's cry to hide the report and did the opposite of Kamala Harris: he released the records. According to SNAP, this led to more than 211 self-reported or litigation-revealed abusers being named in the Los Angeles Archdiocese. In San Francisco, there were only thirty-six, according to a lawsuit filed in 2012.

So, what has happened to these abuse records? It is unclear. In April 2010, a journalist with the *San Francisco Weekly* asked for the records through California's Public Records Act. Harris's office denied the request, offering conflicting explanations as to why they could not provide them. In 2019, I requested those records through a California attorney. The San Francisco district attorney's office responded that they no longer had them in their possession. Were they destroyed? Were they moved somewhere else? It remains a disturbing mystery. Beyond the handling of these abuse records, Harris also had an abysmal record in prosecuting priest cases.

She somehow served as San Francisco district attorney from 2004 to 2011, and then as California attorney general from 2011 to 2017, and *never brought a single documented case* forward against an abusive priest. It is an astonishing display of inaction, given the number of cases brought in other parts of the country. To put this lack of action in perspective, at least fifty other cities charged priests in sexual abuse cases during her tenure as San Francisco district attorney. San Francisco is conspicuous by its absence.

The blind eye to priest sexual abuse was just part of a pattern of favoritism that has permeated Harris's career as a prosecutor. Though not as dramatic as the sexual crimes, there were numerous instances where she was apparently prepared to look the other way to protect politically connected insiders. Her actions represent the ultimate form of leveraging power in the criminal justice realm—deciding not to pursue criminal charges.

\* \* \*

It was the sort of thing that vice cops are supposed to do. At San Francisco's adult entertainment clubs, dancers were taking customers behind closed doors and having sex

for money. After repeated complaints that strip clubs in San Francisco were often really serving as prostitution clubs, the San Francisco Police Department decided to take action. They sent out letters to a couple dozen strip clubs and warned them that the police would be looking into their activities. They would be checking their business licenses and making sure that their permits were up to date. The police action caught the attention of newly installed district attorney Kamala Harris, and her staff sent the message to hold off on the enforcement. Meanwhile, in response to continued complaints, the police conducted a pair of sting operations. Three undercover officers went into each of the two clubs and were quickly solicited by female employees for paid sex. At both the Market Street Theater and the New Century Theater, it happened “within minutes.” When the operations were done, nine women were arrested, as was the general manager of the New Century. The cops claimed that they were “slam-dunk cases.” But Kamala Harris dropped the cases. “It just leaves me in amazement,” said San Francisco Police Department vice captain Tim Hettrich. It was “almost legalizing prostitution.”

Publicly, Harris claimed that the problem was that the police should be focused on arresting “street-level pimps and johns.” In a statement, Harris claimed that there had been “no arrests” of either. The San Francisco Police Department was incredulous. “That’s an outright lie,” said police investigator Joe Dutto. There were fifty to seventy johns arrested every month.

Harris then argued that the problem was that the doors for the private booths at the clubs were not legal and that the Department of Building Inspection should deal with them. Ken Harrington, a top building inspector, fired off a snarky memo requesting the very precise parameters of the “job” they were to do to satisfy the DA. Apparently flabbergasted that his office was responsible (not the cops), he stated, “The next thing, she’ll be blaming the gunshot homicide rate on us for not enforcing the city’s lead abatement ordinance.”

Harris’s strange objections to prosecuting prostitution cases connected to these raids have a possible explanation. The owner of both the Market Street and New Century theaters was a company called Déjà Vu. An owner of Déjà Vu, Sam Conti, had a long history with Willie Brown. Conti had first hired Brown as his defense attorney back in 1977. They remained friends. At Conti’s 2009 funeral, Brown delivered a videotaped eulogy.

Harris’s handling of this simple vice matter would set up questions about her prosecutorial conduct as it related to powerful political allies and friends. While she was prepared to throw the book at those with no connections to her, those with links to her or her powerful allies would often get charges dropped. It was selective enforcement of the law, hardly what one could call “blind justice.”

Kamala Harris entered the San Francisco attorney general’s office facing a whole host of issues beyond priest sexual abuse and strip clubs; among them was the rampant corruption that had become so common under her ex-boyfriend and political sponsor, Willie Brown. During the bitter campaign, Terence Hallinan had publicly stated that Harris would be unwilling to bring corruption charges against allies and friends of Willie Brown because they were still too close. Her record as a prosecutor would prove him correct.

Willie Brown appointed Hector Chinchilla, a real estate lawyer, as head of the San Francisco Planning Commission shortly after he became mayor. The planning commission has enormous power in San Francisco in determining which projects proceed and which do not. Chinchilla, sensing an opportunity, hired himself out as a consultant to developers who were seeking city planning permits from his commission. Over the course of the next several years, he took in \$181,000 from developers. The corruption case seemed clear. Developers told city officials that they had been told that if they hired Chinchilla he would “run interference” regarding opposition to their development. Reportedly, “Chinchilla performed anything needed on the project.”

In 2002, then-prosecutor Terence Hallinan had charged Chinchilla with seven misdemeanor ethics laws violations. “We do regard it as a major corruption case and indicative of what is going on in San Francisco,” he said at the time. “It is very disturbing that that kind of atmosphere is pervading in San Francisco.”

Given how close Chinchilla was to Willie Brown, the case “roiled City Hall.” Barely eight months in office, after a judge dismissed some charges, Harris dropped all remaining charges against Chinchilla.

It would not be the only case of Harris dropping the criminal charges of a Willie Brown ally. Even in instances where fraud directly threatened public safety, Harris struck legal deals with the friends and allies of Willie Brown. Consider the case of Ricardo Ramirez. Ramirez ran a cement and concrete company called Pacific Cement. As of 2003, a full one-third of the public works projects in San Francisco used Pacific.

Ramirez was a colorful but ruthless player in the construction business. He liked to wear \$500 cowboy boots and roamed around the city in a \$100,000 Mercedes-Benz. He threw lavish parties with Mariachi bands and tossed around a lot of campaign cash. Having given almost \$100,000 to politicians over the previous eight years made him a “well-connected political player” in San Francisco. Those contributions often went to the Willie Brown machine and were not always legal. In 1997, state officials found that Ramirez had illegally contributed \$2,000 to Brown’s 1995 mayoral campaign. His ties to Brown went beyond financial contributions. Ramirez was reportedly friends with Brown, but he also hired connected officials like Jim Gonzalez, who worked as a lobbyist for Ramirez. Longtime Willie Brown buddy Charlie Walker was also a close friend.

Ramirez might have gone down in the annals of San Francisco political history only as a contractor greasing palms to get city contracts, but he also cut dangerous corners threatening San Francisco public safety. Ramirez was using inferior and cheaper recycled concrete on major projects like the Golden Gate Bridge, parking garages, and light-rail projects. These were massive projects where structural integrity was key: the half-mile stretch of the Bay Bridge’s western approach; the parking garage at Golden Gate Park; a wastewater treatment plant in nearby Burlingame; and the Municipal Railway’s Third Street light-rail project. The projects required solid concrete, but Ramirez was actually using inferior recycled concrete, which contains recycled debris rather than hard rock. Prone to water penetration, recycled concrete is more likely to crack and to wear quickly. Recycled concrete is acceptable for decorative work, but for major load-bearing projects like roads or bridges, it is considered unsafe.



Ramirez's company was able to keep up the scam for a while, but it eventually caught up with him. Public works agency officials went public with the fact that Ramirez's company had defrauded them. Strangely, Ramirez never faced charges for delivering substandard concrete. Instead, Harris's office settled for a plea deal involving a single environmental count, illegally storing waste oil at one of his production facilities. To avoid jail time, he agreed to a year in home detention and payment of \$427,000 in fines and restitution.

City officials were mystified. Tony Anziano, an official with the state agency Caltrans who was in charge of the Bay Bridge approach project, said the agency had been defrauded by Ramirez and his company. According to the *San Francisco Chronicle*, Anziano "said that Caltrans had always cooperated with prosecutors and that he couldn't explain why they hadn't pursued charges."

Harris and her office refused to offer an explanation as to why they were going so light on Willie Brown's friend and donor. "Harris' office had no explanation for why it dropped the concrete case," noted the *Chronicle*.

\* \* \*

Kamala Harris's signature program as San Francisco district attorney was called Back on Track—a program designed to give first-time drug offenders an opportunity to avoid a criminal record. If they participated in and successfully passed through the program, their drug record was wiped clean.

Harris would tout the program as enormously successful. "Back on Track is an innovative initiative that has achieved remarkable results," she said in 2009 as she prepared her run for California attorney general. "It has dramatically reduced recidivism—the re-offense rate—among its targeted population (nonviolent, first-time, low-level drug offenders)." She boasted that fewer than 10 percent of Back on Track graduates in San Francisco had reoffended, but those numbers were highly deceptive in that they only reflected those who graduated. During the first four years of her program, for example, they kicked out almost half of those chosen for the program. The real recidivism rate was likely much higher.

The program was also fraught with other problems that Harris was hoping the public would ignore. Those included were not just nonviolent, first-time offenders who had committed a single drug offense. Some were illegal immigrants and violent criminals such as Alexander Izaguirre. Izaguirre had gone through the program even though he had two arrests (instead of just one) within eight months. One for selling cocaine, the other for a purse snatching. Given those facts, it is unclear how Izaguirre even got enrolled. More, Izaguirre was one of at least seven illegal immigrants who were signed up. The problem was that the job-training program that Harris had enrolled him in was training him for jobs that he could not legally hold given his immigration status.

One night, while he was still in the program, Izaguirre went to San Francisco's exclusive Pacific Heights neighborhood and committed a particularly brutal crime. Amanda Kiefer was walking down the street when Izaguirre snatched her purse and jumped into a waiting SUV. Rather than drive off, the SUV sped toward Kiefer to run her down. Kiefer jumped on the hood and saw Izaguirre and the driver laughing. The driver slammed on the brakes throwing Kiefer to the ground. The impact fractured her skull. Blood was oozing from her ear.

Kiefer would later ask why he was even in the program. "If they've committed crimes and they're not citizens, then why are they here? Why haven't they been deported?" Harris did not offer an explanation. Instead, she simply explained that enforcing federal immigration law was not her job. Never mind that her oath of office required her to enforce the laws of the state of California and to protect and defend the Constitution of the United States.

\* \* \*

Harris has a habit of dealing with problems by covering them up.

In 2009, Harris set her ambitions higher and announced her bid for California attorney general. She enjoyed the backing of the San Francisco establishment, Willie Brown, and won a very tight 2010 race against Republican Steve Cooley, who was the Los Angeles County district attorney at the time. In the end, Harris won by fewer than 75,000 votes, or less than 1 percent, out of more than 9.6 million votes cast in the election.

The pattern of selective enforcement of laws continued during her tenure as attorney general. Beyond the move to Sacramento and the new job, Harris also became romantically involved with Los Angeles attorney Douglas Emhoff. The two met on a blind date set up by a close friend of Harris. They were engaged in March 2014. By August, they were married. It was a private ceremony presided over by her sister, Maya. Guests were sworn to secrecy.

Emhoff has practiced corporate law most of his career and specializes in defending corporations facing charges of unfair business practices and entertainment and intellectual property law matters. He established his own boutique firm in Los Angeles, but was later tapped to become the partner-in-charge at the Los Angeles office of Venable LLP, an international law firm with offices around the country. As partner-in-charge, Emhoff was involved in all cases coming out of the office. Venable's clients included a parade of corporations who had matters sitting on Kamala Harris's desk. The fate of many of those cases is further evidence of the selective nature of the way she has exercised power, often for the benefit of friends, family, and those with whom they have financial ties.

Nutritional supplement companies have faced a myriad of legal actions over the years about what critics claim are exaggerated statements about the effectiveness of their products. This would seem to be a natural area for Harris to use her powers as attorney general and as a self-professed consumer advocate.

Indeed, in 2015 the attorneys general from fourteen other states, including New York, launched an effort to investigate nutrition companies on the grounds of false advertising and mislabeling. They claimed, "Many products contained ingredients that were not listed on their labels and that could pose serious health risks." Harris, who had a history of working with these AGs on other issues, did not participate.

At the same time that these states were pursuing the nutritional supplement issue, the Obama administration's Department of Justice (DOJ) was also going after dietary supplement producers, charging them with exaggerated claims about their products "that

are unsupported by adequate scientific evidence.” Their targets included General Nutrition Corporation (GNC), Herbalife, AdvoCare International, Vitamin Shoppe, Walgreens, and others.

The Federal Trade Commission (FTC) opened an investigation into Herbalife in March 2014. In California, Harris’s attorney general’s office had received more than seven hundred complaints about Herbalife. In July 2016, the FTC won a \$200 million settlement against Herbalife. But Harris never even investigated the company.

Something very strange occurred in this instance when it came to Harris’s handling of the matter. The *Los Angeles Times* noted her conspicuous failure to participate in the action.

It is worth noting that those corporations in question all happened to be clients of her husband’s law firm, Venable LLP. GNC, Herbalife, AdvoCare International, Vitamin Shoppe, and others were represented by Venable. Indeed, her husband’s office had only months earlier, in January, represented Walgreens in a case involving false advertising claims. Though the lawsuit was dismissed, the possibility of another class action case remained.

Herbalife was one of Venable’s large clients, paying the firm for thousands of hours of legal work. Herbalife had been the subject of a standing court order since 1986 concerning its advertising claims and practices. Critics point out that Harris declined to enforce those standing court orders.

As Harris was deciding on how to deal with the Herbalife matter, the company’s lobbying firm threw her a fund-raiser. On February 26, 2015, the Podesta Group, which specifically represented Herbalife, held a luncheon fund-raiser for Harris in Washington, D.C.

In 2015, prosecutors from Harris’s own attorney general’s office based out of San Diego sent her a long memorandum arguing that Herbalife needed to be investigated. They also requested additional resources to probe further into the company and its practices. Harris declined to investigate or provide the resources—and never offered a reason. By August 2015, Venable LLP promoted Emhoff to managing director of the West Coast operations.

This was not the only case in which Harris exercised her prosecutorial powers selectively. Those with the right connections avoided legal scrutiny even in generally clear-cut cases. Governor Jerry Brown was a Harris political ally and endorsed her candidacy for the U.S. Senate. Brown’s sister, Kathleen, joined the board of Sempra Energy in June 2013. In 2015 and 2016, the company suffered “the biggest methane gas leak from a well blowout in US history.” For more than one hundred days gas streamed out of the company’s well. The culprit was a corroded metal lining that had ruptured after long-term exposure to groundwater. It was a major environmental failure by the company. As attorney general, Harris often took on environmental cases with gusto. In this case, Harris’s office refused to investigate the matter.

\* \* \*

Political power creates leverage opportunities when a politician wants something from someone.

The Daughters of Charity owned several hospitals in California that were struggling and at risk of being shut down. The charity wanted to sell those hospitals to another nonprofit chain in the hopes of preserving them to serve the local communities in which they were based. The matter required a simple approval by California attorney general Kamala Harris as required by state regulations. A powerful union, United Healthcare Workers West (UHW), threatened to “blow up the deal” by offering to support her bid for the U.S. Senate if she would stymie the sale, and further, threatened to spend it on an opponent if she would not.

Founded in Paris in 1633, the Daughters of Charity is dedicated to serving the poor. By the nineteenth century, the order was in the United States and eventually began opening hospitals. As of 2002, the Daughters of Charity Health System (DCHS) consisted of six California hospitals. The system found itself in difficult financial conditions in 2014. The charity was facing serious economic challenges in the changing world of health care. The nonprofit hospital chain had suffered an operating loss of \$146 million, so they opened up the sale of the hospitals for a competitive bidding process that lasted thirteen months and brought in more than two hundred bids. Daughters of Charity selected a bid from Prime Healthcare Services for \$843 million. The choice was simple, as Prime Healthcare’s was the only bid that promised to honor a \$250 million unfunded pension for 17,000 current and former employees; maintain the facilities for at least five years, ensuring that communities would not immediately close money-losing hospitals; commit \$250 million in capital expenditures; and maintain the existing union contracts with employees. Prime Healthcare had a history of good performance in these circumstances. Over the previous fifteen years, they had acquired thirty-five hospitals around the United States that were either bankrupt or in deep financial trouble and had managed to save every one of them.

As California attorney general, Harris spent lots of time deciding which legal cases to bring and how to defend the state in court. She also had a role in providing regulatory approval. Which meant, of course, leverage over companies.

One of her regulatory responsibilities was the Non-Profit Hospital Transfer Statute, which meant she needed to approve such transactions as the Prime Healthcare acquisition of Daughters of Charity. Not only had the Daughters of Charity Hospital voted in favor of Prime’s bid as the “best and only” option to keep the hospitals open, but also a broad coalition of groups supported Prime Healthcare’s proposal. The California National Organization for Women and the California State Conference of the National Association for the Advancement of Colored People (NAACP) supported the bid. So, too, did newspapers like the *San Francisco Chronicle* and the *Los Angeles Times*. Indeed, the California Nursing Association (CNA), which represented 90,000 registered nurses in California, came out in support.

But powerful political allies of Harris’s did not like the deal. In particular, the Service Employees International Union (SEIU), UHW’s parent union, was strongly opposed. The union was a longtime backer of Harris and she coveted their support as she looked to run for the U.S. Senate in 2016. During her 2010 and 2014 elections for attorney general, SEIU and UHW had donated more than \$204,000. (In 2014, they were her leading campaign contributor.) They also provided millions more through political action



committees. Executives involved in the deal heard that the SEIU was promising Harris \$25 million through SEIU COPE, the national political action committee, if she squelched the deal.

SEIU leaders hated Prime Healthcare. The nonprofit chain had a good working relationship with many unions, including the California Nurses Association, but SEIU was not among them. SEIU wanted full unionization of all of Prime's California hospitals. They also wanted to unionize the nurses under their UHW, but the CNA already represented the nurses at Prime.

Public hearings were held in the affected communities by Daughters of Charity, and there was "overwhelming support" for the sale of DCHS to Prime. But the nonprofit chain refused SEIU's demands.

According to a lawsuit file by Prime Healthcare, SEIU officials boldly told the head of Prime Healthcare that unless they allowed their union to take over representation of the nurses, Harris would not approve the deal. If true, it was an extraordinary statement from union officials: they would dictate the regulatory approval of the transaction.

Prime Healthcare also alleged that Harris's office informed advisors for DCHS that the attorney general would approve the deal only if Prime allowed SEIU-UHW to unionize the chain. The Daughters of Charity ended up filing a lawsuit against the SEIU-UHW accusing the union of extortion.

The Prime Healthcare complaint against Harris claimed that on February 20, 2015, Harris publicly "approved" the transaction, but put impossible conditions on the deal. These were essentially "poison pill" requirements that her office knew would not be approved by Prime Healthcare. Indeed, the list of three hundred conditions was seventy-seven pages long. Furthermore, those conditions were nonnegotiable. The attorney general of California had never imposed such conditions on a hospital sale before. The consultant that Harris had brought in to review the deal had not suggested these conditions, according to the complaint. Indeed, senior executives from Harris's office allegedly informed Prime Healthcare that the conditions "were from the Attorney General, herself."

This was not the first time Harris had allegedly blocked a deal involving Prime Healthcare, which claimed that back in 2011, SEIU officials took credit for getting Harris to block Prime Healthcare's acquisition of Victor Valley Community Hospital (VVCH). Although the independent consultant hired by Harris's office had allegedly recommended approving the deal, the attorney general said no.

Instead, the complaint alleged that Harris wanted Victor Valley Community Hospital to support a bid by a competitor, KPC Global. She placed no conditions on the KPC Global purchase—even on fees or reimbursements—even though VVCH was a nonprofit hospital. When Victor Valley Hospital board members protested the decision, Harris allegedly threatened them with criminal investigations from her office and possible termination from the hospital board.

SEIU leaders bragged to hospital executives about their power. On July 24, 2014, union boss Dave Regan told Dr. Prem Reddy, head of Prime Healthcare, that as long as the nonprofit resisted his efforts to unionize the hospitals, there would be no Prime Healthcare deals in California. He allegedly told Reddy that Harris was "his politician" and she "would do what [he] told her to."

For the Daughters of Charity deal, SEIU favored a strange alternative, which, as alleged by Prime Healthcare, demonstrates where their interest actually stood. They did not push for a nonprofit chain like Prime Healthcare to take over the Charity hospitals; instead, they pushed for a New York City-based investment fund called Blue Wolf Capital Partners. The private equity firm had zero experience in operating hospitals. What they did have was close ties to organized labor and the Democratic Party. The Blue Wolf deal never materialized, but Harris had other ideas.

Having squelched the purchase of a nonprofit hospital chain by another nonprofit chain, Harris then jumped and offered conditional approval for Blue Mountain Capital to manage the hospital through one of its subsidiaries. The deal was quite extraordinary and frankly bizarre, even though, unlike what Prime Healthcare had proposed, it would maintain the hospitals as nonprofit entities. Blue Mountain Capital had a hard-charging reputation in financial circles and had been neck-deep in the credit swap debacle back in 2008. And in this particular case, Harris was approving a deal that was far worse for patients, according to Prime Healthcare's complaint. She allowed Blue Mountain to cut services that Prime Healthcare had promised to keep open. For Prime Healthcare, she had said that women's health services were required to remain open, for example, something that Prime Healthcare said it would do. Harris was allegedly allowing Blue Mountain Capital to close such services.

Harris's approval of the purchase was remarkable. "I cannot recall a hedge fund incursion of any scale, let alone on this scale," said Richard B. Spohn, a partner in the law firm Nossaman LLP's health care practice. "It's anomalous and it's portentous in sort of an ominous way. The monetization of nonprofit assets in this fashion is worrisome."

Blue Mountain Capital is headed by Andrew Feldstein, who has donated hundreds of thousands of dollars to the Democratic Party. His wife, Jane Veron, is also a major donor to the party, contributing tens of thousands of dollars.

Harris has used her powers as a prosecutor to leverage her rise to power, and protect corrupt allies and friends. But sometimes leverage is exercised through the proxy of family.

**A pdf copy of this excerpt may be downloaded [here](#).**

