



# Acting DA faces her toughest case

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SANTA CRUZ — In a decade, Kate Canlis has come full circle.  
In 1989, she held the No. 2 job in the Sacramento County District Attorney's Office and had the top prosecutor's endorsement to take his place when he resigned. But the Sacramento County Board of Supervisors picked a rival.  
Now, Canlis has moved up from the No. 2 spot in the Santa Cruz County District Attorney's Of-

fice and holds the top position on an interim basis while making another bid to become a chief prosecutor.

Again, she has the endorsement of her former boss, new Judge Art Danner. But she also has some stiff competition from other lawyers, in and out of her office, hoping to be chosen by the Board of Supervisors.

Former colleagues and associates in Sacramento wish Canlis luck but wonder why this

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Hopkins

Acting District Attorney Kate Canlis has her former boss' endorsement for prosecutor.

## Canlis

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woman, a one-time judge who says she has few political bones in her body, would want to subject herself to a tough political process yet again.

"I can't believe she's doing this," says Pat Dougherty, widow of Canlis' former boss in Sacramento, John Dougherty. "It's like burning your hand — why stick your hand in the fire again?"

"But," Dougherty added, "that says a lot about Kate. She likes to be D.A. and she likes to get in there and really do it."

She is at a stage in her career where supporters say her qualifications are tough to beat and the prospect of being a public figure no longer frightens her.

And Danner, who held the district attorney's job for 20 years before accepting a judicial appointment late last month, has tried to clear a path for Canlis by firing another long-time chief deputy, Jon Hopkins. That ensured that Canlis would automatically be the acting district attorney during the appointment process.

Still, Canlis is not necessarily the front runner among the nine people who hope to replace Danner. Some political observers are speculating that defense lawyer Ron Ruiz already has support from three of the five supervisors and that another prosecutor, Christine McGuire, may have the other two sewn up.

But predictions are shifting constantly. Two weeks ago, former district attorney Peter Chang surfaced as a serious contender. Then last week, there was serious speculation that no one had any meaningful support.

For its part, the Board of Supervisors has remained quiet. At the next board meeting Tuesday, it's possible a new district attorney could be selected or the supervisors could begin a formal selection process.

Whoever is picked will serve until the voters get a chance to pick their own district attorney in the March 2000 election.

Will Danner's endorsement finally give Canlis the job she has wanted for so long? Maybe, but maybe not.

The fact that five prosecutors — more than 10 percent of the district attorney's staff — are competing for the job is telling, one supervisor said.

"Has (Canlis) been accepted as the natural heir? Obviously not," said Supervisor Mardi Wormhoudt.

Maybe it's masochism, but Canlis says making another run to be chief prosecutor is sim-

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—Judge Art Danner, former county district attorney

ply something she was meant to do.

Born Kathryn Ann Canlis 53 years ago, Canlis grew up in Stockton, the eldest of two daughters of a county sheriff and an elementary school teacher. Her father, Michael Canlis, was sheriff of San Joaquin County for two decades and was considered a progressive for his time, developing the first work-furlough program in the state.

Kate Canlis' first career choice was education. She was a second-grade teacher for a few years before getting a degree in 1973 from the McGeorge School of Law in Sacramento.

After law school, Canlis worked as a deputy district attorney for the Sacramento County District Attorney's Office and within five years climbed to a supervisory position in charge of major crimes.

In 1981, Gov. Jerry Brown appointed her to the Municipal Court bench in Sacramento.

She presided over preliminary hearings but found herself wishing she was on the other side of the bench. Her passion was prosecution.

"I just wanted to jump down there and argue it myself," she recalls.

After two years, she stepped down and returned to the Sacramento County District Attorney's Office, this time as John Dougherty's chief deputy.

When Dougherty resigned in 1989, he crowned Canlis his heir. Though some of her colleagues criticized her as overly aggressive and even vindictive, she won a vote of confidence from her fellow prosecutors — 81 of the 111 staff attorneys supported her for the post. But she pulled out of the contest when it became clear her opponent, Steve White, would win the supervisory appointment.

Canlis and former associates there said the Sacramento decision was "purely political." Though both Canlis and White were Democrats, White had more clout in party circles.

Leaving the office, Canlis landed a job as executive director of the California District Attorneys Association, essentially a lobbyist group. But that lasted just a year.

Danner offered a job as an assistant district attorney in charge of filing felonies. Canlis, who had a vacation home in Santa Cruz County, gladly accepted.

"The great thing about being a prosecutor is you never have to do anything that you don't think is right," Canlis said in a recent interview. "There is very little moral ambiguity to it."

Canlis gradually gained more and more authority, eventually taking over many duties that had been handled by Danner's long-time second in command, Jon Hopkins. She became a chief deputy in 1997.

After Gov. Wilson appointed him to the bench, Danner declined to comment on Canlis. But in earlier interviews, Danner had repeatedly praised Canlis as the most qualified person in the office to take his place.

"None of the candidates have the immediate understanding of the ongoing issues for the office except Canlis," Danner said.

Danner said he was backing her over Hopkins because she "had proven that we can improve our office." She held lawyers accountable for their work and enforced office policies.

Though others in the office portray it as a nest of morale problems, Danner said that wasn't so.

Canlis is a registered Democrat but says she doesn't live and breathe politics.

When the state's prosecutors named her in 1985 to chair their successful campaign to oust state Supreme Court Justice Rose Bird — primarily because of her role in overturning death sentences — Canlis was honored but hesitant. Though she was chief deputy in the Sacramento District Attorney's Office, the idea of speaking out on such a high-profile subject did not appeal to her.

"I was just more shy then," she said. During that time, Canlis told a reporter she "would never run for political office."

But times have changed. "I feel differently now," Canlis said. "I'm older. I have a better understanding of the media spotlight."

She said she is fighting for Danner's job "because I feel I'm absolutely the best person to do it. I understand budgets, personnel, and all kinds of administrative actions."

Having worked under four district attorneys, Canlis said she wants the chance to implement her own ideas and visions.

Politics comes with the territory, but it's just one part of the job, she said. Being in the spotlight, she acknowledged, is another.

Until last week, Canlis had never been on the radio, although her husband, Daryl Alan Gault, had been a conservative radio talk-show personality for years at KSCO.

During her first week as acting district attorney, Canlis was a guest on KUSP's "Talk of the Bay" program, discussing hate crimes.

And just two weeks ago, she was the cover story for a weekly newspaper. That experience reminded her of the downside of a public life. Someone mailed the cover to her with a note: "Honey, you should go into prostitution."

She tossed it. Canlis has her share of detractors, most of whom won't speak on the record. They acknowledge she is a sharp lawyer and tough administrator but also accuse her of being divisive and vindictive.

Lawyers and others in and out of the District Attorney's Office say she plays favorites with promotions and assignments.

Canlis says she has befriended some prosecutors she has promoted but stressed that they had earned their assignments.

"Just to say I like them, I don't know why that's a bad thing," she said.

One of Canlis' rivals for the post, Assistant District Attorney McGuire, says some of Canlis' decisions have been "so clouded by friendships that other people don't know for sure" what they were based on.

Canlis supporters say her critics may not appreciate her style of calling things the ways she sees them. They say Canlis can be brutally honest.

"Yeah, she plays favorites. Her favorites are the ones who work hard, are competent and are committed to basically doing justice," says Assistant District Attorney Dennis Wong, who was assigned by Canlis to supervise the juvenile and gang units and grants.

Assistant District Attorney Toni Allen, who replaced Canlis as the felony filing supervisor, says Canlis vastly improved the office training program. Canlis also devised an intake system, ending a pattern of lost files and neglected cases.

"Why are they anti-Kate?" Allen asked. "She's tough and decisive — they're qualities you'd want in a top official."

Critics in Sacramento used to say the same things about Canlis. And Canlis disputed the characterizations in much the same way.

Sacramento colleagues are still defending her. Despite the vindictive tag some have placed on her, they say she is a compassionate person.

"She's a very capable lawyer and extremely intelligent, and some people are intimidated by intelligence," says Al Locher, an assistant chief deputy in Sacramento.

The talk in Santa Cruz legal and law enforcement circles is that the District Attorney's Office may be keeping up with business but is a mess internally.

The problem areas are said to be budgeting and personnel issues, as well as the office's relationship with other county agencies.

Supervisor Wormhoudt said she has heard the talk.

"The only thing people agreed upon is the need for much better management," Wormhoudt said.

Board members said they are optimistic that the political maneuvering will not blur their decision. But politics is in the eye of the beholder, and some say it's only natural for elected officials to choose a politically palatable person.

Newly seated Supervisor Tony Campos said he is looking for "someone with a well-organized management style who could bring people together, and someone with a good personality."

Supervisor Jeff Almquist said he's looking for "someone who can create an office with strong public support from the community and law enforcement. ... The D.A. has to be a good decision-maker and know how to deal with all the things administrators have to do. I'm a lawyer and not all lawyers are good administrators."

Wormhoudt says administrative skills are one concern, but she also is interested in the candidates' prosecutorial philosophies. She said she wants someone who supports alternative programs such as drug courts.

Stopping short of saying she favors any of the four known candidates from outside the District Attorney's Office, Wormhoudt added, "One of the things that gives me pause is whether anyone in the department can assume a leadership position and get anything done. No one seems to have the vote of confidence from the majority of the office."

In other words, this could get interesting.