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# Steve Cooley: L.A.'s D.A.

He's been district attorney since 2000; now he's aiming to be state attorney general.

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By Patt Morrison

Steve Cooley's isn't a face that's all over YouTube or the nightly news, and he's fine with that. In spite of the celeb cases that have come through the county district attorney's office -- the decades-long case against Roman Polanski and murder cases like Phil Spector's (convicted) and Robert Blake's (acquitted, which prompted Cooley to declare him nonetheless "guilty as sin" and the jury "incredibly stupid") -- Cooley is more in Hollywood than of it. But you may be seeing more of Los Angeles County's D.A.: he's running for state attorney general.

You can't get more California than Cooley. He was born here and went to Cal State L.A. and USC law school. He has been in the D.A.'s office since the Nixon administration, and got elected to the top job in 2000.

Cooley follows a long line of L.A. D.A.'s in launching himself toward the state attorney general's office. Where he sits now, however, is on the 18th floor of the Criminal Courts Building downtown, which is chockablock with mementos of his career: the novels of his favorite writers, Joseph Wambaugh, Michael Connelly and his friend James Ellroy (Cooley spent several years as an LAPD reserve officer) and pictures of his wife, Jana, their two grown children, and his Welsh springer spaniels, Dylan and Coner.

**You've been elected three times. You're practically the FDR of the D.A.'s office.**

Well, I'm not the Harold Stassen!

**When you ran a third time, people threw back at you what you said about the incumbent in 2000: If you can't get the job done in two terms, it's time to move on.**

Someone very smart had told me that -- John Van de Kamp [*former Los Angeles district attorney and California attorney general*]. He said: "Steve, if you can't get it done in two terms, it probably can't be done." I changed my mind. There's always ways to improve and new problems. It's like this moving target with new challenges, new cases, and we're still accomplishing an awful lot.

**Your office created a division to deal with government corruption, from outright crime to violations of the Brown Act, which ensures public access to government meetings. There was some criticism that you were focusing on small, minority-led cities.**

Wrong. That's an old criticism. The city of Vernon, a 75-year dynasty of one family, the

Malburgs -- a small city but a long-term corrupt entity. [*Leonis Malburg and his wife, Dominica, were convicted of several felonies.*] L.A. city commissioner Leland Wong -- big city, international bribery, lots of other violations.

We're an equal-opportunity prosecutorial agency when it comes to public corruption. Brown Act enforcement -- it was passed in 1952; never enforced until 2001 in L.A. County. Largest county population-wise in the country, 88 cities, hundreds of school districts, water districts, electric districts, and we don't have any Brown Act problems? Come on. The Public Integrity Division has been very healthy for government.

### **Do they like the acronym?**

They do. They call themselves the PID.

### **Your policy is that a nonviolent, non-gun, non-drug offense isn't an automatic third strike.**

I did [that] within 10 days of being sworn in. I think it's seeped down conceptually throughout California. Certainly there's a great reduction in cases that could be called abuses of the three-strikes law.

### **You also get hammered on it. Mike Reynolds, an author of three strikes, wrote that you are "completely unsuitable" for the office of state attorney general.**

If you have a good, powerful law like this, if you abuse it, it will be taken away from you. We almost lost three strikes several years ago, and it was only retained by the U.S. Supreme Court. The appellate courts cited my evenhanded application [and] proper exercise of prosecutorial discretion as the reason it should be upheld as constitutional. So those who are still criticizing me, they're obviously uninformed; [they're] demagogues looking for an issue. My policy is well conceived, well executed and I'm proud of it.

### **What is it about the A.G.'s office that interests you? How is it different?**

When you're a front-line prosecutor, a D.A., you're more of a plumber or a carpenter building a house. When you're the attorney general, you're more the architect, planning it out and trying to think strategically of the big picture.

### **How did you decide to run?**

The people who came and suggested to me maybe I should think about this [said] could you live with yourself if "fill in the blank" was the chief law enforcement officer of the state of California? That's a pretty compelling argument. Some of them, without mentioning names, are a little scary.

### **But who'd want to go to state government now? Talk about frying pan to fire.**

That's why you should go into it. Anyone can go in when times are good and there's lots of money. But it's an even greater need for leadership and decision-making when times are tough.

### **Could you stand living in Sacramento?**

Oh, no no no no. That's not how it works. Look out this window [*he points down Spring Street and laughs*]: The Ronald Reagan State Building. That's where Steve Cooley's gonna be hanging out! I'm not going to Sacramento, in this age of faxes, e-mail, Twitter.

**What's the next big challenge for law enforcement?**

We've got to expand the infrastructure to keep up with the potential for forensic evidence, particularly in the areas of DNA and Internet technology. Electronic crimes are ever-expanding. Even though money's tight, you cannot let time march past you, because you'll never catch up.

**Do you have a death penalty philosophy?**

Yes. I support it.

**What about the hundreds of inmates on California's death row?**

It's unfortunate that California, because of a lot of factors -- the 9th Circuit [Court of Appeals] being one of them -- has been unable to execute the will of the jury. The Night Stalker, Richard Ramirez -- his prosecutor is dead and in his grave, and Richard Ramirez is still playing games on appeal. People like him, some other murderers -- these people merit the death penalty.

**Atty. Gen. Jerry Brown decided not to defend Proposition 8 in federal court, even though voters passed it. Do you think that's within his purview?**

I think that an attorney general who believes that the initiative process or the legislative process has resulted in a law that is unconstitutional [has the] prerogative to refuse to defend it. Prop. 14, which overturned the Rumford Fair Housing Act [*which said Californians could not refuse to sell or rent to people based on their race*] was ultimately thrown out by the U.S. Supreme Court. Someone not defend[ing] a certain legislative or initiative action because their first duty is to the Constitution of the United States and the Constitution of California -- that's a higher obligation.

**Have you thought about whether you would have done the same thing?**

It's something that would bear a lot of further study, but I think there is a rational basis for what he's done.

**In this office, you know you'll have cases like Blake's and Spector's. Celebrity cases go back to the 1920s here.**

It is what it is. In this town there's going to be the celebrity factor -- victims in some cases, suspects in other cases. The basic rule: Don't change the rules because it's a celebrity case. Back to your basic policy manual. How would this case be handled but for a celebrity being involved?

And don't go out there and talk about it. Don't try to glom onto that person's celebrity. First of all, it's unethical. You're not supposed to talk about the facts of the case until they've been introduced in court.

Too many elected officials look at their job as nothing but a series of photo ops. I think that ultimately it catches up with them. The public wants you to just do your job. Don't go out there

and grandstand because you're dealing with someone who was allegedly responsible for the death of Michael Jackson. It's not very classy. The public sees right through it.

**How does the case against director Roman Polanski fit into that?**

This is a person who fled the jurisdiction after being convicted, and the circle of justice has not been closed. So hopefully the process will work, he'll come back, the case will be resolved, and we'll move on. In a sense, he got a very reasonable, beyond reasonable, case settlement for what he did to that child. To get a low-grade felony of unlawful sexual intercourse -- he's a lucky man and he ought to take advantage of the benefits conferred on him. But act like he's the victim at this stage? Huh-uh. Whoopi Goldberg and the rest who have created a whole celebrity exemption for this person -- I think that they should be ashamed of themselves.

**Did you see "Chinatown"?**

I saw "Rosemary's Baby" too, but there are no exemptions because you happen to be a brilliant artist.

**Do you ever watch, say, "Law and Order" and think, "We never do things like that!"**

I watch very little television -- mostly the History Channel. Some of the [law dramas] are pretty accurate, though some of them, you go, "Boy, what part of the Constitution were *they* reading?"

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