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PROFILE: KATHLEEN BROWN, CALIFORNIA'S FIRST WOMAN GOVERNOR?

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INTRODUCTION

In February 1994, Kathleen Brown announced her candidacy for Governor of California. If successful, Brown will become the State's first woman Governor and join the ranks of Democratic Senators Barbara Boxer and Dianne Feinstein — placing women in the three highest elected positions in the State.

The 1994 California gubernatorial election is unique in a number of respects. First, the election of Kathleen Brown, John Garamendi, or Tom Hayden would be significant because it would place a Democrat in the Governor's office for the first time in over ten years. In addition, Pete Wilson could become the first California Governor to serve only one term since 1942. Finally, all the candidates in 1994 face an unusual political climate prompted by the barrage of disasters which have assailed California in the last few years, including earthquakes, fires, floods, and riots.¹

I. CREDENTIALS AND BACKGROUND

In California, the Brown family is a political dynasty similar to that of the Kennedys in Massachusetts.² Kathleen is the daughter of Edmund ("Pat") Brown, who served as Governor for two terms and helped to establish statewide universities, new

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1. Bill Stall, *State Candidates Face a Jaded Electorate in '94*, L.A. TIMES, Jan. 1, 1994, at A23.

2. Margaret Carlson, *Born to Run*, WORKING WOMAN, Jan. 1994, at 44, 46.

freeways, and a modern water supply system.³ Kathleen Brown's brother, Jerry, also occupied the Governor's mansion for two terms, from 1975 to 1983.⁴

At first, it looked as if Kathleen Brown would escape the family political legacy. She left Stanford University during her sophomore year to elope with George Rice. Brown supported her husband through Harvard Law School and raised their three children as an at-home mother.⁵ Her first brush with politics did not come until 1975, when Brown won a seat on the Los Angeles school board, which she held for five years.⁶ Brown subsequently divorced Rice and married Gordon Van Sauter, currently the head of Fox News. With Sauter, Brown moved to New York where she graduated from Fordham Law School in 1985 at the age of thirty-nine.⁷ She then worked for two years at the prominent firm of O'Melveny & Meyers.

Returning to Los Angeles in 1987, Brown received an appointment from Mayor Tom Bradley to serve on the Board of Public Works. On the Board, Brown gained valuable experience in public financing, which helped her in a successful campaign for California State Treasurer in 1990.⁸ While opponents attempted to associate her with brother Jerry by dubbing her "Sister Moonbeam,"⁹ she preferred to call herself "a different shade of Brown."¹⁰

Brown earned a solid reputation as State Treasurer, successfully managing California's \$22 billion investment portfolio.¹¹ In 1993, Brown presented a delegation of California Congresspeople with a proposal to stimulate the State's failing economy.¹² Brown called for an extension of the temporary one-half cent sales tax, a politically risky move. She argued that the increased

3. *A Paler Shade of Brown?*, ECONOMIST, Oct. 2, 1993, at 32.

4. *Id.*

5. Carlson, *supra* note 2, at 47.

6. Eric Schine & Leah Nathans Spiro, *Dynasty? Kathleen Brown's Dazzling Edge*, BUS. WK., May 31, 1993, at 58.

7. *Id.*

8. Mary Beth Barber, *Kathleen Brown: What's in a Name? Plenty*. CAL. J., Dec. 1993, at 9, 12.

9. Political opponents of Jerry Brown called him "Governor Moonbeam" because his political ideas were at times wild and unpredictable. Carlson, *supra* note 2.

10. *Id.* at 84.

11. Jane Gross, *Well Liked Even by California Rivals, Latest Brown Is Now Early Favorite*, N.Y. TIMES, Mar. 26, 1993, at A19.

12. Glenn F. Bunting, *Brown Gets Vow of Help from Clinton*, L.A. TIMES, Mar. 4, 1993, at A3, A24.

tax (which would bring in an added \$1.5 billion annually) was necessary to combat the State's \$4 billion budget deficit.¹³

Kathleen Brown's background, having worked as an at-home mother and having attended law school at the unusual age of thirty-nine, makes her a unique figure in the political arena.

II. VIEWS ON CRIME

Last December, Brown announced her ideas on the highly controversial issue of crime. Her views revolve around a thirty-three-point "Anti-Crime Plan" which has six primary elements:

1) Programs to prevent people (especially juveniles) from committing their first crime;

2) Harsher punishments for first-time offenders, including a guaranteed minimum of 90 days imprisonment for drug crimes;

3) Overhaul of current gun laws, including a ban on all assault weapons;

4) Increased number of police on the street — backing President Clinton's Anti-Crime Plan;

5) Mandatory in-prison treatment of all prisoners convicted of crimes involving drugs or alcohol;

6) Prevention of violent crimes by incarcerating repeat offenders for longer sentences; support for the "Three Strikes You're Out"¹⁴ crime strategy.¹⁵

Experts predict that Brown's anti-death penalty stance may be a weak spot with California voters, 75 percent of whom are pro-death penalty.¹⁶ Brown responds to this challenge simply: "The issue the voters care about is will the governor enforce the death penalty . . . [a]nd I have stated quite clearly my intent to enforce the law and enforce the death penalty."¹⁷

13. Dan Morain & Daniel M. Wientraub, *Treasurer Calls for Extending 1/2-Cent Tax*, L.A. TIMES, May 13, 1993, at A3.

14. "Three Strikes" is a statute supported by President Clinton. It mandates life sentences without parole for anyone convicted of three violent felonies. Anthony Lewis, *Tough but Smart*, N.Y. TIMES, Jan. 24, 1994, at A11.

15. Bill Stall, *Kathleen Brown Outlines 33-Point Anti-Crime Plan*, L.A. TIMES, Dec. 14, 1993, at A1, A32-A33.

16. George Skelton, *The Jury's Plea for an Explanation*, L.A. TIMES, Dec. 16, 1993, at A3.

17. *Id.* Brown has been criticized broadly for this statement. George Skelton of the Capitol Journal comments, "If she comes across as too soft — on the tough issues or in demeanor — that could play into lingering stereotypes about women and worry some voters." George Skelton, *A Shake-Up in the Race for Governor*, L.A. TIMES, Jan. 27, 1994, at A3.

III. VIEWS ON THE ECONOMY

Due to her strong track record as State Treasurer, Brown has developed a solid reputation for her economic ideas. In January 1994, she publicized her economic platform which includes a year-long tax moratorium for new businesses, a job-creation tax credit, and the establishment of the California Performance Review to help minimize wasteful spending.¹⁸

IV. VIEWS ON IMMIGRATION

One of the most important political issues in California is illegal immigration. It is also one of the major points of contention between Brown and the incumbent Governor Wilson. Wilson focuses on reducing public benefits to illegal immigrants, advocating the exclusion of illegal immigrants' children from social services,¹⁹ such as health care and education. Brown, on the other hand, takes a demand-side approach, claiming that illegal immigration is primarily attributable to the employment opportunities available in California.²⁰ Therefore, she advocates strict laws targeting United States employers who hire illegal immigrants.²¹ Brown proposes increasing penalties for hiring illegal immigrants from the current ceiling of \$3,000 to \$10,000 for the third offense. Additionally, she urges an increase in minimum fines on employers who violate state and federal labor laws from \$50 to \$1,000.²² Brown also supports the institution of tamper-proof Social Security cards to help employers determine immigrant status.²³ Finally, she argues that the cost of incarcerating foreign criminals should be deducted from the foreign aid provided to that country by the United States.²⁴

V. VIEWS ON EDUCATION

Education will be a key issue in the 1994 California gubernatorial contest. Brown has a strong background in education, hav-

18. Bill Stall & Amy Wallace, *Brown, Garamendi Outline Economic Recovery Plans*, L.A. TIMES, Jan. 27, 1994, at A3, A26.

19. Wilson has proposed a constitutional amendment denying citizenship to the children of illegal immigrants. See Stall, *supra* note 1, at A23.

20. Bill Stall, *Brown Adds Voice to Immigration Debate*, L.A. TIMES, Sept. 30, 1993, at A3.

21. *Id.* at A34.

22. Vlae Kershner, *Kathleen Brown Lays Out Her Immigration Plan*, S.F. CHRON., Sept. 30, 1993, at A23.

23. Stall, *supra* note 20, at A34.

24. *Id.*

ing served as a member of the Los Angeles Board of Education for five years. Recently, she developed a twelve-point plan which highlights technological and vocational education to make young Californians job-ready for the twenty-first century and to restore the State as a magnet for "high-tech" business.²⁵ Brown's goals include setting standards for student performance, increasing school safety, preparing students for the workforce, promoting teacher improvement and parental involvement, and raising the graduation rate to ninety-five percent.²⁶

Brown proposes specific programs to meet these goals. First, Brown plans to enforce Proposition 98, which directed forty percent of the State's general fund budget to education.²⁷ Second, she wants to create a "job-ready program" in every high school in partnership with local businesses and community colleges. Students could choose between a traditional college preparatory program, a job-preparation program, or a combination of both.²⁸ Last, Brown intends to expand drug and alcohol education and impose tougher penalties on students caught with drugs or guns.

CONCLUSION: CALIFORNIA'S FIRST WOMAN GOVERNOR?

Kathleen Brown is not the first woman to seek prominent office in California. Four years ago, Dianne Feinstein challenged Pete Wilson for the governorship. Today she and Barbara Boxer occupy U.S. Senate seats.

In 1990, Dianne Feinstein's chances for election as Governor appeared strong. Pre-election polls indicated that California wanted change and voters believed that electing a woman was a vehicle toward that change.²⁹ Abortion was predicted to be a decisive issue and although Pete Wilson was pro-choice, Feinstein retained an advantage since most voters felt that the abortion issue would be "better entrusted in a woman."³⁰ These advantages aside, Feinstein took her liberal constituents for

25. Jack W. Germand & Jules Witcover, *Schools and Politics — A Volatile Mix*, NAT'L J., Nov. 11, 1993, at 2740.

26. *Id.*

27. Bill Stall, *Candidates for Governor Vow Better Schools*, L.A. TIMES, Jan. 23, 1994, at A3.

28. *Id.* at A28.

29. Danny Goldberg, *The Center Isn't Holding*, THE NATION, Oct. 22, 1990, at 452.

30. Michael Reese, *Climbing Up the Ladder*, NEWSWEEK, Feb. 26, 1990, at 45.

granted and sought the support of women's groups too late.³¹ She also alienated many liberal women with her pro-business and pro-death penalty stances.³² Without the crucial support of liberals and women's groups, Feinstein lost the election. However, she succeeded in gaining a Senate seat just two years later.

Brown seems to have learned from Feinstein's mistakes. In addition to courting early support from women's groups, Brown has financed her campaign better than Feinstein. While Feinstein had difficulties accessing fund-raising networks, Brown is an excellent fund-raiser; she has already amassed over \$6 million.³³

In 1992, Barbara Boxer took advantage of the surge of money aimed at women's political campaigns created by the Clarence Thomas/Anita Hill debate.³⁴ In her successful senatorial bid, Barbara Boxer capitalized on women's outrage over the confirmation hearings by targeting female voters.³⁵ The election was not easy for Boxer at a time when, according to Democratic political consultant Clinton Reilly, Democrats no longer made up the majority of California registered voters.³⁶ Boxer used her expertise on military spending to break down stereotypes of women candidates, who are expected to be knowledgeable only on domestic issues.³⁷ Brown has a similar advantage with her reputation as a competent treasurer and fundraiser; she is breaking stereotypes of women as incompetent in handling finances.

A year ago, when Barbara Boxer was asked, "Do you really think Californians will vote for two women for the Senate?" she responded, "Nobody's asking if California will vote for two men. . . . Are we about tokenism here?"³⁸ Should Kathleen Brown win the Democratic nomination, people may ask whether California will elect a woman Governor to serve side by side with two women Senators. As Barbara Boxer suggests, we may be looking not at tokenism but at progress.

31. Harry Pachon, *Another Loss That Erodes the Coalition*, L.A. TIMES, Nov. 8, 1990, at B7.

32. Reese, *supra* note 30.

33. Daniel M. Weintraub, *Brown Leads Campaign Race for Cash*, L.A. TIMES, Feb. 1, 1994, at A3. This figure is twice the amount that Garamendi and Wilson have to date combined. *Id.*

34. Charles Kaiser, *Women on the Verge*, VOGUE, Mar. 1992, at 332.

35. Susan Rasky, *Will Women Catapult Her into the U.S. Senate?*, CAL. J., Apr. 1992, at 183.

36. *Id.* at 186.

37. Kaiser, *supra* note 34.

38. *Id.*