

CALIFORNIA ELECTIONS

Westly Stumbles in the Mud

He vowed to keep it clean, then ran an attack ad. Phil Angelides is quick to capitalize.

By Michael Finnegan

Times Staff Writer

May 18, 2006

In a new television ad, Steve Westly wags his index finger and jabs a hand into the air to show how adamant he is about running a clean campaign for governor.

"I promise, unilaterally, I will not do a single negative ad on TV against my opponent unless he attacks me first," he tells a crowd.

Then the ad, aired by his rival Phil Angelides, pillories Westly as a hypocrite, closing with a Sacramento Bee headline: "Westly first to air negative TV ad."

The presence of the ad on California's airwaves is testament to Westly's quick reversal of fortune in the race for the Democratic nomination to challenge Gov. Arnold Schwarzenegger in November.

Just three weeks ago, the state controller was riding high amid polls showing his emergence as the clear front-runner in the June 6 primary. But now, even Westly's advisors concede that Angelides, the state treasurer, has erased much, and perhaps all, of Westly's early edge.

To political strategists not involved in the campaign, the most telling sign of the shift in momentum was Westly's launch of attack ads. It was particularly telling, since by doing so Westly violated his own pledge, touted only four weeks earlier.

"The guy to throw the first punch is the guy who is losing," said Chris Lehane, a Democratic strategist unaligned in the primary.

Even with Westly's present difficulties, strategists say, the Democratic contest remains competitive and volatile. Back-and-forth attack ads, which for many voters will define key contrasts between the candidates, have been airing for less than a week. And polls have found an unusually large share of voters still waiting to make up their minds.

In that context, both candidates are still "scratching and clawing," said Samuel L. Popkin, a political science professor at UC San Diego. "I don't think either one of them feels like they're in a safe place," he said.

But for Westly, an Internet tycoon who has put \$32.5 million of his own money into the race, losing his early edge is problematic, because the bungled effort to champion a positive campaign is

more than just a routine spat over tactics.

Westly has spent the campaign trying to persuade voters that he is an outsider — Silicon Valley pioneer, university teacher — who is, in effect, more trustworthy than an opponent he casts as a career politician. But the Angelides ad suggests to voters that Westly fits the politician's stereotype of speaking "out of both sides of their mouth," said Shanto Iyengar, director of Stanford University's Political Communication Lab.

"It's a very compelling message," he said. "People say, 'Aha, I knew that all along.' "

That message is all the more compelling in a primary, because a dearth of contrasts on issues heightens the importance of personality, Iyengar said. And in this race, Westly's retreat from his pledge gave Angelides a fresh way to make his case that Westly cannot be trusted to stand up for core values.

Bruce Cain, director of the Institute of Governmental Studies at UC Berkeley, said Westly could be hurt further if Democratic voters fault him for starting a nasty primary fight that threatens to hurt the party's effort to unseat Schwarzenegger.

"I personally think it was a stupid pledge to sign," Cain said. "It was a mistake, and it was a mistake that candidates who are overly optimistic about their chances frequently make — that they're not going to need to claw their way back."

Part of Westly's trouble is the narrow language in the statement he signed five weeks ago: "I pledge not to be the first candidate in this primary campaign to initiate any paid advertising that attacks the other candidate by name." He asked his rival to sign the pledge, but Angelides refused.

Then, day by day, campaign events began turning in Angelides' favor — among them a Democratic Party endorsement of the treasurer and a \$7-million ad campaign bankrolled mainly by his longtime real estate partner, Angelo Tsakapoulos. So on Friday, Westly started running an ad that slammed Angelides, by name, for supporting tax increases.

Explaining his about-face this week outside Los Angeles City Hall, Westly said: "My opponent's attacked me repeatedly, personally and by name. I never said I would stand by and let that happen without responding."

Westly's advisors said the pledge had stemmed from the candidate's genuine wish to avoid a negative campaign. "Some things in politics are done because the candidate believes in them," media consultant David Doak said.

Advisors also cited Angelides ads that attacked Westly by implication, including one with a teacher saying, "Only Phil has an honest plan to fully fund our schools."

"You'd have to be a fool not to understand who he's talking about," Westly strategist Garry South said.

Westly was running ads at the time that criticized Angelides in the same way.

On the question of who deserves blame for starting a negative ad fight, Westly's latest spot muddies the picture. Drawing on charges of dirty tactics by Angelides in previous campaigns, the ad closes by quoting a Washington Post writer who once branded him a "champion smear artist."

The ad also presses Westly's case on taxes, now the No. 1 conflict in the race. It says Angelides plans "to raise taxes on working people," a charge he denies. A new Westly radio ad also pummels Angelides as supporting higher taxes, saying Westly would consider higher taxes only as a last resort.

Angelides has said he would roll back tax breaks for corporations and the wealthy to raise money for schools. His advisors say Westly's attacks on taxes opens a debate that they welcome — one that, in their view, keeps the campaign focused on character.

"I'm glad they threw us in this brier patch," Angelides pollster Paul Maslin said. "At the end of the day," he added, voters will "see one guy who's resolute, and one guy who's not."

With the election 19 days away and the race still undefined to many voters, the dynamics of the race could still change. In addition to the ad mocking Westly for breaking his positive-campaign vow, Angelides on Wednesday began airing a spot directly attacking Westly for his own past support of tax hikes. And in public remarks that could foreshadow more aggressive ads to come, Angelides has been relentless in depicting Westly as a weak-kneed politician who was too cozy with Schwarzenegger when the Republican governor was popular, a claim Westly denies.

For his part, Westly has hinted strongly that he might soon run ads attacking Angelides' record as a developer. In public statements, he has accused Angelides of ravaging wetlands around Sacramento to build subdivisions, a charge Angelides denies. But so far, Westly's ads have barely touched on the topic, which he could use to undercut Angelides among voters concerned about the environment, traditionally a high priority in Democratic primaries.

"I'd buckle your seat belts," said Larry Grisolano, a Democratic strategist who advises labor unions that back Angelides, "because I think the race is still in front of us here."