

Transcript of an exchange between City Attorney Mike Aguirre and Bob Kittle, the editorial page editor of The San Diego Union-Tribune during the show "Editor's Roundtable" KPBS January 19, 2006, which is hosted by Gloria Penner.

Gloria Penner: We're talking about the resignation of San Diego U.S. Attorney Carol Lam and who might replace her. And let's go to the phones. It looks like our first caller is San Diego City Attorney Mike Aguirre. Mike! Welcome to "Editor's Roundtable."

Mike Aguirre: Gloria, thank you so much for letting me call in. You know, I spoke with Pat Shea this morning, because he had read the editorial and he was so surprised because he received a phone call from Mr. Kittle yesterday at his home And Pat told me what Bob had said was really uh inaccurate and untrue. That he had not been seeking an appointment, that this was something that Bob had basically made up -- out of whole cloth -- that he did not represent that he was having conversations with the president. He took no steps and has taken no steps to try to get appointed. And, out of nowhere, uh, Bob made up this editorial and, uh, it attacked Pat for cronyism. When Pat never even attempted to get the appointment to begin with and I was just wondering if Bob could explain why he did that and why he concocted this editorial that somehow Pat was in the running.

Gloria: OK. mister, ah, Mike, uh if you just hang in there and we'll get a response from Bob.

Bob Kittle: Right. The fact is this: I called Pat Shea because I had heard that he was under consideration for U.S. attorney. And I called him and I said, "Pat, I understand you're in, uh, line possibly to have Carol Lam's job." He said, "Well, you know, I've heard the same thing." And I went on with the discussion and I said, "Is it true that you and the president are close friends and that you went to Harvard together?" And he said, "Yes, we're, we are, friends and we do stay in regular contact with each other." And I said, "Have you had any direct discussions with the Justice Department about this?" And he said, "Not yet." All of which was reported in the editorial, I might add. I said in the editorial that he said he hadn't had discussions with the White House about this, or with the Justice Department. He expressed great interest in how the job of U.S. attorney is handled and would be handled in the future and how the administration would handle the appointment.

Gloria: OK.

Mike: Well...

Bob: So that's where things stand. The editorial accurately reflected all that. And if you want to say I accused him of cronyism, I pointed out that, in fact, uh, he is a friend of the president's and that would leave the administration vulnerable to charges of cronyism, which certainly it does.

Mike: The misrepresentation was Pat never said he was having regular communications with the president of the United States and that would be preposterous, obviously, for such a representation...

Bob: What he told me was...

Mike: But Bob, who told you...

Bob: I had the conversation, let me tell you what the conversation was. What he told me was that he stayed in regular touch with the president. He didn't say that he had talked to the president about this matter of course and the editorial didn't suggest that. And in fact, the editorial said he had no direct discussions with the administration about this.

Gloria: Last comment, last comment, Mike.

Mike: OK. Pat, er, ah, Bob, who was it who told you -- you were concerned about, and people have expressed concern about anonymous sources -- who was your source that told you such a thing that it wasn't just more of a concern or worry on your part?

Bob: Pat Shea was my source. I went to the source and I asked him about this speculation that he was being considered.

Gloria: I think Mike is saying, how, where did the original mention of Pat Shea come?

Bob: Someone told me that he was under consideration and I'm not going to discuss that person's name because the person told to me on the condition that that person would remain anonymous. However, I didn't rely on that person's word, I went to the source, Pat Shea, and asked him about it.

Mike: He wasn't under consideration for it. He wasn't.

Gloria: OK. Alright. Mike, we...

Mike: OK. Thanks a lot Gloria. I appreciate you letting me call in.

Bob: Wait, wait.

Gloria: Wait just a minute, Mike, Bob Kittle has something he wants to say to you now, Mike.

Mike: OK.

Bob: Since we're putting pointed questions to each other Mike, challenging each other...

Mike: Right.

Bob: I'd like to challenge you. Your deputy, your top deputy, sent a profane, profanity-laced memo to the lawyers on the other side of you in the pension case. It was the kind of foul language and unprofessional conduct that at a reputable law firm, the man would have been fired on the spot.

Mike: Well, Bob...

Bob: You basically said, "I'm not going to take any disciplinary action against him because he didn't mean to send that profanity-laced memo to the lawyer on the other side, he meant to send it to another lawyer."

Mike: Bob...

Bob: I'll let you answer the question, but what kind of standards do you have in your office?

Gloria: Yeah.

Mike: Well, Bob, it's the same standard that you had when on the 19th of January 2004 you wrote a profanity in an email to, uh, Mr. Peters. And I think you should apologize to the people of San Diego uh, for your "quote..."

Bob: I have never used profanity in an e-mail to Mr. Peters.

Mike: Excuse me, Bob...

Mike: I'm looking at this...

Gloria: Gentlemen...

Mike: I'm going to post it on my website today Bob. Because we've got the email and I'm looking at it right now. You've got "F blank blank blank Off" Uh, in your email of Jan. 24, you wrote at 2:51 p.m. to Mr. Peters. So I think you owe an apology.

Gloria: Alright, Mike.

Bob: That's not true.

Mike: I hope that the *Union-Tribune* will discipline you for your behavior.

Gloria: Mike. We're really off topic now. And I think that however you two want to resolve this.

Bob: I can assure you I have never used the F-word in an email to Scott Peters...

Mike: We'll have that, for your listeners we'll have that on our -- on the city attorney's website at sandiegocityattorney.gov -- everyone can look at the website and see what Bob wrote.

Gloria: Thank you very much, Mike.

Mike: Thank you. (hangs up)

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