

NEWS

Judge Bars Leanna Louie From Appearing on November Ballot in Board of Supervisors Race

By Joe Fitzgerald Rodriguez  Sep 7, 2022

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Leanna Louie (front right) and Robert Louie cheer as they celebrate the recall of SF District Attorney Chesa Boudin at an election night party at Manny's restaurant on Feb. 15, 2022, in San Francisco. (Gabrielle Lurie/San Francisco Chronicle via Getty Images)

A San Francisco judge on Wednesday denied Leanna Louie's appeal to keep her name on the November ballot as a Board of Supervisors candidate.

In his ruling, San Francisco Superior Court Judge Richard Ulmer Jr. said it was "not clear" from the evidence presented by Louie's attorneys that she had met the legal definition of living in District 4, the collection of outer Sunset District neighborhoods she sought to represent.

Though Louie had rented an apartment within the district, [a recent investigation by Mission Local](#) uncovered records showing she owned, or lived in, multiple homes in San Francisco.

Those revelations prompted [an investigation by the city attorney's office](#), which found that Louie had been bouncing among six separate residences in the city, and that her rental in District 4 — which includes the Sunset District — was not her primary residence.

San Francisco election law dictates that candidates for seats on the Board of Supervisors must be "domiciled" in the district they are vying to represent, which entails living in the district 30 days before filing to run for office.

In late August, the city's Department of Elections moved to strike Louie from the ballot, a decision [she subsequently appealed](#) in court.

In Louie's hearing, Ulmer focused on the location of her father's Bayview home, which is the address she filed with the city's Department of Elections and also what appears on her driver's license.

But perhaps most significantly, Ulmer noted that in signing and mailing her April primary ballot from that address, Louie had attested under "penalty of perjury" that it was her home.

"You've got a tough row to hoe here, because you've got felony perjury," Ulmer said. "Everybody knows that, not just lawyers."

Ulmer spent much of the hearing needling arguments made by Louie's attorneys, Stanley Shen and Christine Linnenbach. Some of their arguments weren't summarized in court documentation as required, he said, while other assertions — like one that the present-day rental crisis and epidemic of homelessness renders living requirements for candidates obsolete — were met with open incredulity by the judge.

"Now in 2022, the 30-day domicile requirement (for candidates) does not reflect the reality of San Francisco, where there are thousands of homeless populations who do not have a domicile," Shen argued to the judge.

"You're not saying that your client is homeless?" judge Ulmer said.

At another point, Shen tried to claim that prior court rulings set a precedent that the judge did not have the authority to strike Louie from the ballot.

To this, Ulmer said, "I just removed a proposition from the ballot the other day, Proposition K. They asked me to and there was no opposition. Was that in error?"

The judge's frustration was palpable enough that when Louie's other attorney, Linnenbach, tried to argue a point near the hearing's end, judge Ulmer simply walked out as she spoke.

"I'll get that Labor Day back someday," he said to no one in particular, lamenting his time lost to extra work on this case, as he stepped off the bench with his back turned to the court.

In his ruling, Ulmer wrote that Louie's April vote made under penalty of perjury, among other evidence, showed she had "failed to carry her burden" in demonstrating a change of domicile.

"I am pleased the Court took our investigative findings seriously and agreed with our legal conclusions," San Francisco City Attorney David Chiu said in a statement, following the ruling. "Removing a candidate from the ballot is not a decision we took lightly, and we advised our client to do so only after a thorough investigation that revealed shifting narratives and inconsistencies in Ms. Louie's explanations regarding her residency."

Louie would have faced incumbent Supervisor Gordon Mar, a progressive Democrat, and safety advocate Joel Engardio, a more moderate Democrat.

Louie's candidacy was considered part of the recent backlash against San Francisco progressivism. A charismatic firebrand who co-founded an Asian American community empowerment group in the city, Louie cultivated a following as she rallied for the recalls of city school board commissioners and former District Attorney Chesa Boudin. She became known for her often-volatile, pugnacious rhetoric, including verbal smackdowns of reformist policies. Notably, Louie drew public ire **for calling a Jewish journalist a Nazi**.

That tack also positioned Louie in stark contrast to Mar, who opposed the recalls. She viewed that divide as a political opening, and previously told KQED she thought she could galvanize Chinese monolingual voters in particular, and recall supporters more broadly, to unseat Mar.

Louie's failure to appear on the ballot doesn't necessarily spell the end of the political movement the recalls galvanized, San Francisco State University political science professor David Lee said.

Recalls usually fail in San Francisco. So the fact that two recalls not only made it on the ballot but succeeded?

That "puts us in uncharted territory," Lee said.

At least three candidates running for office in San Francisco are linked to recent recall efforts: Supervisor Matt Dorsey, who openly advocated for Boudin's recall, supervisor candidate Joel Engardio, and City College of San Francisco Board of Trustees candidate Marie Hurabiell.

How successful their campaigns are may not be as cleanly tied to the recall as Louie's would have been, however. Dorsey has been a known quantity in local politics for years, Engardio has run several campaigns previously, and Hurabiell's run on the college board may have somewhat less relation to K-12 school politics or a district attorney race.

Louie, by contrast, played a particularly prominent role in galvanizing Chinese San Franciscans to oppose the

school board commissioners and Boudin.

But her campaign began to crumble last month during an investigative interview with the city attorney's office, when she sought to present evidence that her primary residence was in the Sunset District. Instead, she repeatedly shot herself in the foot, said Ann Ravel, a former chair of the Federal Elections Commission who now teaches at Berkeley Law.

"The whole thing was just a comedy of bizarre statements that did not do anything to support her position, because there's a clear definition of what a 'domicile' is," Ravel said.

Those "bizarre" statements include Louie inviting the City Attorney's Office investigators out to champagne. But there were also more substantive statements that ultimately swayed judge Ulmer to rule against her.

In the 70-page transcript of the interview, Louie admitted to investigators that she sleeps in whichever home is most convenient for her, based on where in the city she is working. She said she had been waiting for her mattress to be delivered to her 35th Avenue Sunset District apartment, so had not slept there consistently in the 30 days leading up to her run for office. And while she did have a housewarming party in **that apartment — which she rents for \$500 a month — she also recently bought a home with her fiancé in the city's Ingleside neighborhood.**

"People can have lots of different residences, and many people do — perhaps they'll have one in Tahoe or someplace," Ravel said. "But the importance when you are running for office is that you in fact have a domicile, and intend to stay in that area."

And one statement from that transcript, in particular, stood out to Ulmer about Louie's feelings on where she ultimately calls home.

"This transcript of this interview with Ms. Louie, people didn't seem to focus on too much, but I found telling," Ulmer said. In that transcript, **Louie said, "Bridgeview drive is 'where the mail will always go.'"**

That's exactly what previously established court law means when defining a domicile as "one location with which a person is considered to have the most settled and permanent connection," Ulmer told the attorneys in court.

"That's where my mail will always go,' is what she said."