

**Thurbert Baker interviewed by Bob Short
2008 December 8
Atlanta, GA
Reflections on Georgia Politics
ROGP-059
Original: video, 77 minutes**

sponsored by:

**Richard B. Russell Library for Political Research and Studies
University of Georgia Libraries
and
Young Harris College**

University of Georgia
Reflections on Georgia Politics DOCPROPERTY "reference"
Thurbert Baker

Date of Transcription: June 29, 2009

BOB SHORT: I'm Bob Short and this is Reflections on Georgia Politics, sponsored by the Richard Russell Library at the University of Georgia. Our guest is Thurbert Baker, former Georgia legislator, administration floor leader for Governor Zell Miller and Attorney General of the State of Georgia. Welcome, Mr. Attorney General.

THURBERT BAKER: Thank you, Bob. Glad to be here.

SHORT: Rocky Mountain, North Carolina. Any childhood memories?

BAKER: First of all, no one would ever know where Rocky Mountain, North Carolina is, so let me just tell you. It is east of Raleigh. It is a small, small town. When I was growing up, the population was probably no more than 15-20,000 on a good day, and so I have a lot of good childhood memories. You know, we grew up in the rural part of the state. Most of my family members were farmers back in those days. And so I remember well those hot summer days, working in the tobacco fields of North Carolina, working in the cotton fields of North Carolina. You know, we didn't have a lot, but everyone was poor, so you didn't really know you were poor, because you sort of gauged yourself by all the people who were around you. And so we never really thought we were, you know, on the poor side of the scale, but we had a loving family.

I grew up now in a household where we had a single mother, my sister, my brother. My

sister is older, my brother is younger. My grandmother -- this was back during the time when extended families were still a part of this American society, and we grew up a very close-knit family with relatives as sort of the core unit of the family structure. And so I spent my summers working mostly trying to make enough money to buy clothing to go to school during the course of the year and certainly to go to the fair. That was back during the days when you could have at least a dollar and fifty cents and spend all day at the county fair, and I did just that. It was sort of the highlight of my experience, I think, back as a young child.

But I'll tell you an interesting story. My mother tells me that when I was six years old, I was talking about becoming a lawyer. Now, I can't swear to all of this. My memory gets foggy on me from time to time and I can't remember all this, but she tells me that when I was six years old, I would run around the house and talk about wanting to be a lawyer one day. Now, I can tell you this much. We didn't have any lawyers in our family. I was the first one to graduate from college in my family. But we had a small black and white TV, and this was back during the days when you didn't have the big floor model TVs. They weren't color TVs. It was just a small black and white TV. And it would work half the time, half the time it wouldn't. But it never failed to work when Perry Mason was on.

And so I would literally -- now think about this. Here's a young kid -- 6, 7 years old, maybe -- rushing home from school, not to play, but I wanted to watch Perry Mason. And so I get home and I watched the program, and I was just in awe of what was happening. And I don't know why I was so taken by it, but I remember saying to myself on many occasions -- and you always knew what the storyline would be -- the bottom line, whoever the bad guy or bad gal was,

you know, at the end of the program they would break down and confess to all of the crimes they had committed. I remember that well, and I'd think to myself, you know, truth and justice prevailed another day in America. This is good stuff. Yeah, I want to be a lawyer. Now, I have to tell you, there is a difference. I've learned over the years there is a difference between TV and reality. In all of my years of having some bad guys on the stand for cross-examination, no one has ever broken down and confessed to anything. Whatever their story was when they started, it was their story when they ended up. And so it's just a little bit different.]

But I think it was a great inspiration for me, and I always thought that was something that I wanted to do. And I knew even at an early age that if I were going to go off and become a lawyer that I had to get a good education. I also knew that I didn't like walking in between tobacco plants with a 100 degree temperature around me every day of my life. I didn't want to do that, and so I knew I had to go off and I had to get a good education. And so I graduated from Rocky Mount Senior High School.

Now at the time that I started high school, the school system in Rocky Mount was segregated. We had a black high school and we had a white senior high school, and so for my tenth grade year I attended the all-black senior high school. It was called Booker T. Washington Senior High School. Between my tenth and eleventh grade year, however, the system integrated, and so I was able to go from Booker T. to Rocky Mount Senior High School, which was now the integrated high school for the entire city of Rocky Mount. And there some challenges. Obviously there was some challenges as you integrate for the first time high school students. But I remember even in those days being somewhat of a mediator between students,

between the black kids and the white kids, and I served on the human relations committee and I held office for my class and for the school. And I just remember there were bigger issues that we needed to be focused on and we needed to get out of the racisms that might have existed at the time, and to move these students forward and to move myself forward as a person.

And so, I remember those days with great fondness, being able to work on the student council and being able to work in student government. I was voted one of the 10 Most Outstanding seniors in my high school, a very coveted award to have -- not that I was even looking for it, but I think it was a reflection of my efforts in the eleventh and twelfth grade to try and be a mediator, and to try and bring students together and to do what was good for the high school and to do what was good for the city of Rocky Mount.

Now, you have to understand, Rocky Mount is right in the heart of what we call Tar Heel country, and so from the day I started thinking about a college to attend, in the back of my mind I always knew I needed to go and wanted to go to the University of North Carolina at Chapel Hill. It was what we all dreamed of. Had a lot of conversations with my counselors and with classmates about the school of choice, and I've got to tell you, this is a great lesson, I think, for young kids and high school students. There were some of the counselors that I talked to, didn't think my background was strong enough to attend the University of North Carolina at Chapel Hill. They said, "You know, Thurbert, maybe you ought to think about a smaller school." But you know, I had it in my heart and I had it in my mind that I was going to go to Chapel Hill, and that was it.

And so, I worked extra hard during my high school years, made good grades, and lo and

behold, got accepted at the University of North Carolina at Chapel Hill. Probably surprised a few people, and for all of those naysayers who were telling me, "You may not be able to get in. You may not be able to do well, even if you get in." You know, I always think back now and say to myself, had I listened to those people, I may have gone a different direction. But thank God I didn't, you know. I stayed focused on what I wanted to do. I knew I needed to get education and I thought it was going to start at least at the college level with the University of North Carolina at Chapel Hill.

Now, understand this. Coming from a small town of about 15 or 20,000 people and going to a major university campus, at that time that had about 30,000 kids at the University of North Carolina, this was a huge change for me, you know. The whole city of Rocky Mount was not as large as the University of North Carolina, and so, you know, my first day there I was just in awe of the whole experience, to think that you literally had to get on a bus to go from one end of the campus to the other end of the campus. I rode buses around town, but I didn't go from one end of the campus to the other. But that's what this experience was all about, and I was very focused. I knew what I wanted to do. By the time I hit the University of North Carolina collegiate-level work, I knew I wanted to go to law school, and I was already in the mindset of preparing myself for law school, and so I majored in political science. At that time everyone who talked to you about law school -- at least most of the people I talked to -- told me to get a good foundation for law school, you needed to be a poli sci major, is what we called ourselves. And so I went there and I signed up. I wanted to be a political science major. An interesting thing happened to me on the way. And I have to share this story with you.

Now, on the day that you sign up for classes at the University of North Carolina -- at that time we had to go to this deal there we called the Tin Can. It's not there anymore, but everyone went to the Tin Can to sign up for classes. And I'm ashamed to say this, but on the day of those classes, I was just a little bit late getting over there to sign up, so much so that when I got there, all of the P.E. classes were virtually taken, and you had to have P.E. as part of your curriculum. Everything except for fencing and badminton, that's the only thing that was left. And I'm standing there in the line and I'm trying to argue with the student saying, "You've got to have something else. Basketball, hockey, soccer, anything except fencing and badminton." And they stood there and they said, "No, sir. That's all that's left. You've got to take fencing and badminton. You have to have two P.E. classes." And so I said, "If I got to do it, I'll do it."

And so, I end up enrolling in the fencing and badminton classes, and fencing was the first eight weeks of the semester time, and I remember having this wonderful gentleman, his name was Ron Miller, who was the coach of Carolina's fencing team. He was my instructor. And I went through this eight-week period, I believe it was, taking fencing as a class, and found out that I really liked it. Now remember, this is a black kid growing up in rural North Carolina. I didn't know anything about fencing other than what I saw with Zorro! I mean, I watched Zorro on TV, but I didn't know anything about fencing other than what I had seen on TV.

And so, interestingly enough, at the end of my fencing class, Ron Miller, the coach, comes up to me and he says, "You know, Thurbert, you're pretty good at this. I'll make you a deal. If you will agree to come out for the fencing team, I'll exempt you from the next eight weeks of badminton." "Consider it a deal, coach! Consider it a deal! You don't have to

negotiate with me on that at all. I'm signing up right now." And I did. Now, here's what I didn't expect. I didn't expect that four years later I'd be an All-American fencer. Did not expect that at all. I did not expect that, at the end of my time at UNC I would be voted one of the top fencers in conference history. Didn't know that at all. All I knew is, I didn't want to take badminton!

That's all I knew when I started on this journey. But I will tell you this. It was a wonderful experience for me as a young kid growing up in rural North Carolina. I don't think I had my first store-bought fast-food hamburger until I was probably 15 or 16 years old. And so, here I am at the University of North Carolina fencing on one of the top five fencing teams in the country, and traveling all over the country to fence. And they even fed you where you went. I mean, you know, you stay in nice hotels, they put you on a plane. First time I ever rode on -- flew on an airplane was when I was fencing at the University of North Carolina. And so I got an opportunity to see the country, and I got an opportunity to meet people, and while book knowledge is always a great thing to have, the personal experience of doing it sometimes is equally as good. And so for four years I had this wonderful time in my life. Not only of getting a great education at the University of North Carolina, but also having an opportunity to do something that no one would have ever expected me to do, certainly not a young kid growing up in the tobacco fields of North Carolina. It just wasn't expected of us. And so I believe that experience was one that really gave me a more worldly view of who we are, but more importantly, what we can be in the process, because there were a lot of people who said to me, you know, "Thurbert, why are you doing this? You know, you don't fence. What is this?"

You don't even know what fencing is, and maybe you ought to go spend your time somewhere else." And I never really gave up, because I enjoyed it and I thought I could do it, and I thought I was making a contribution to the school and to the university, and so I never gave up on it and it was a wonderful experience. So for four years, I tell people now, some of the best times of my life I spent at the University of North Carolina at Chapel Hill. I graduated with honors from the university. Had a great time, as I said, fencing. Met a lot of wonderful people, people who I still communicate with to this day, and so it's been a huge part of my life experience.

SHORT: Then you went on to law school.

BAKER: What a great challenge that was. You know, this has been building up -- now remember, this has been building up since I was 6 years old, okay? And so now I'm about to move on to law school. The first choice I had to make, of course, was where are you going to go to law school? And that's not an easy challenge for a young college student. You're trying to figure out a lot of different things -- most importantly, location, at least that's what my mother thought. And, you know, Mom was pretty much a protective mother. She didn't want me to get too far away. Chapel Hill was about -- at that time -- about an hour and a half, two hours' drive from my hometown of Rocky Mount, and she was okay with that, and so her suggestion to me from, you know, time to time was, "You know, why don't you just stay here? You know, you can stay here and you can get your law license and you can practice here in Rocky Mount." That's what Mom wanted me to do. But, you know, I thought for four years I had been there in

Chapel Hill. It was a great experience. Chapel Hill is a place that can grow on you very easily. I was a little afraid that if I stayed there another three years for law school that I would never grow out of Chapel Hill. And I had seen enough from my experience with the fencing team to know that I needed to continue to grow my horizon.

And so, you know, I applied to different places, and the place that interested me the most was Atlanta and Emory University. And it's strange how these things come to bear. I had actually gone to Atlanta the summer before I graduated from the University of North Carolina and had the best time. Went to the underground. I remember my experience of going to the underground in Atlanta and seeing so many different people and the city was a huge place to me at the time, and I always thought that if I had an opportunity, I'd love to come back and live in this city. And I think that played a role in my decision, first, to apply to Emory University here in Atlanta, and then ultimately to attend. But I did. I made an application to Emory University. It was then and still is a wonderful institution, a wonderful law school. Got accepted to Emory, and what a joy that was for me. And you know, all the time I'm just thinking, you know, how my life was progressing. But I got to tell you something. I remember the day I got accepted. I think my mother met it with mixed feelings. You know, she was very proud and excited that I was going to law school, but a little bit uneasy that I would be leaving and going 400 miles away. But she wished me well, and you know, packed me up with a sandwich or two in a brown paper bag and gave me some clothing that had been hanging in my closet for some time, and off I went to Emory University.

Now I will tell you this. The three toughest years of my life, I spent in law school. I

understood that law school was going to be a challenge. Undergraduate and high school, those curriculums were not nearly as difficult as law school, but this was a time -- and certainly for me it was a time in my life when I really needed to get serious about what I was going to do and what I would be about. And so I started my freshman year, I remember working my freshman and second year in law school and never had enough money. I got scholarship money to attend law school, but you never really had enough to make ends meet. And so, during my entire time at Emory, I worked. And that put an extra stress, I think, on you, because you wanted to spend more time -- as much as possible -- studying. And so most of my time in law school I spent in the law library or working.

The first time I ever met Maynard Jackson was between my first and second year in law school, and I had a work study project and the financial aid director asked me if I would consider going to the city of Atlanta and speaking to people in the purchasing department about a project they wanted a student to handle. And I did. I went to the purchasing department, had a chance to meet the purchasing director, and also the Mayor of the city, Maynard Jackson at the time, who is now deceased, but at that time was Mayor of the city. And they had a project where they wanted somebody to come in and sort of figure out where all of their real estate holdings were. They had a lot of properties and a lot of parcels of land that they owned all over the metro area, but didn't quite have a handle on all of what was there. And so my job, should I choose to accept it at the time, was to go in to work through this huge vault of real estate deeds, and try and put together a master plan, so to speak, a master document that would show where all of these real estate holdings were. And so I got a staff of about four people. They put us up in an office

-- now where the Fulton Daily Report is actually located -- that was my office at the time. And we did a wonderful job, and this is while I'm in law school, but we learned more about real estate law during that project than I think I learned under my real estate professor in law school. But it was a great experience, but again an opportunity to expose myself to different people, to expose myself to different experiences. I graduated from Emory University in 1979 and you know, I kind of look at my life at these milestones, and certainly that was a milestone for me, graduating from a law school, but I knew I had to pass the bar, and that was always the challenge for young lawyers. Had I known then what I know now, I would not have been so stressed out, because I now know that when you take the bar exam and you get this letter back from the bar folks, if you get a very thin letter, it's a good sign, because the only thing in that letter is -- it says to you, congratulations, you have passed the Georgia bar! If you get a thick letter, that's a problem, because they're sending you another application telling you you've got to go back and take the bar exam again! I didn't know that at the time, and I remember after taking the bar exam in Georgia that I must have sat with that letter for at least 30 minutes before I had the nerves to open it up. Finally, though, I got a chance and I said, alright, it is what it is, just open it up. And I opened it up and there it was, congratulations, you've been admitted to the Georgia bar.

SHORT: When did you go into private practice?

BAKER: Went into private practice at that time and wanted to do -- I was not like, I

think, a lot of students coming out. I wanted to learn how to practice law. I mean, that and how to try lawsuits. That was the main focus of what I wanted to do, and I told a lot of my classmates at the time, I'm going to jump on the first opportunity I get to just try cases. I want to know how it feels to be in a courtroom environment. And so the first opportunity I had to do that was working in Fulton County in the Public Defender's office.

I had an opportunity -- and I will tell you how interesting this experience was. On the first day that I go into the office of -- the Fulton County P.D.'s office, I walk in, they take me back to my office, and I'm all excited about this experience because I know they try cases. And I walk in and there are files stacked from the floor to halfway up the wall, all around the office. And I'm looking at these files and I'm starting to thumb through and there are murder cases and robbery cases and all kinds of cases, and I look at my supervisor and I said, "Now, who's going to help me with these cases?" And he looks at me and he says, "Well, you are the help, Thurbert. These are your files. You've got to learn to handle these cases." And so I was thrown into the fire right off Day One, and literally went in and started trying cases in Fulton County, and what an experience that was. I tell young lawyers now that if you really want to do this business and do it the right way, learn how to try lawsuits, and so I spent a good bit of time just doing that, just reading files, going to court, trying lawsuits, but I got to be a much better lawyer because of that experience.

I had an opportunity shortly thereafter, though, to go off and do something that I also thought I had a great love for, and that was environmental law. Good friend of mine called and asked if I would consider applying for a position with the U.S. Environmental Protection

Agency. We have a regional office here in Atlanta. And I was still having fun trying lawsuits, but I said what the heck, I'll go and do it and see what comes of it. Well, I applied and got accepted for the position. And so I had a big choice to make, but I decided I had done enough of the criminal law at that time. I'm going to go off and do some civil law, some civil enforcement, and spent a number of years working in the Environmental Protection Agency, and that was during a time when the new hazardous waste law -- we called it RICRA at the time -- had just been passed by Congress, and so I was actually in the hazardous waste section and had an opportunity working with the Department of Justice to move all around this Southern region and to literally try cases involving environmental pollution and those who were polluting the environment, and we were trying cases, some on a civil basis and sometimes on a criminal basis for those who would pollute and endanger the environment. I remember, you know, some of my toughest cases were cases in Florida, where the water table was so high, and you know, literally if you dropped something hazardous on the ground, it's in your water table shortly thereafter. And so I remember those experiences and those challenges, so a lot of the cases now that law students are reading about in law school were cases that I had an opportunity to work on as a lawyer for the U.S. Environmental Protection Agency during those days. What a great experience that was.

SHORT: Somewhere during that time you decided to run for public office.

BAKER: It's interesting how that happens. I've had from time to time, people come to

ask me, "How did you get into this business of politics and government?" And a lot of people think you've got a master plan that you've been thinking about, dreaming about forever, and you just put it into place and it all works and you get to get elected. Not so, I don't think, for most people, certainly not for me. I'll tell what I did have an interest in. I had an interest in helping my community. I had for a long time been involved at the local level. The thing that concerned me the most was, you know, people who would always complain about what was wrong with the county or what was wrong with the city, and as soon as you asked them to show up on Saturday morning for a meeting, you could never find them. And I promised myself, even before I decided to run for public office, that I would never be like that, that if I had an opportunity to give something back, and if I had an opportunity to make a difference in a positive way, that I would do it, but I would never be the type of person who would shirk that responsibility, especially if you've been given the ability to help. And so I actually had a friend of mine approach me first and ask me if I would consider running for the state legislature, and at that point had not crossed my mind, and I just said, "Nice of you to ask me, but you can't be serious." And he says, "I'm very serious, Thurbert. We don't have good representation in our district. I think you'd be a great person to run. And by the way, if you don't run, I want to run." That was what he said, and I said, "Well, let me give it some thought." And so I sat down, thought about it, talked to my wife about it, and we finally made a decision that we would run.

Now, remember back in -- now this was back in 1988 that I was first running for public office for the State House of Representatives. At that time -- out of DeKalb County, which is

where I ended up living -- DeKalb was a majority white county at that time, and the district that I lived in was a majority white district. It was a 60 percent white district, 40 percent African American, and a lot of people back in those days didn't think I could get elected in a district with those demographics. Just wouldn't happen. And so, again I had a lot of naysayers, you know, who would come to me and say, "You know, you're a good guy but we don't think you can win. You just don't need to waste your time doing it." But you know, I had heard that from the days of the tobacco fields in North Carolina and the days of fencing at Chapel Hill and the days of law school, and I was convinced at that point that if you work hard enough, if you do the right things for the right reasons, people pay attention to it, and people go out and support you.

And so I did. I just made the decision to run for the State House of Representatives. Ran a tough race. I thought I knocked on every door in my district, I mean literally. And just as we were about to have the first of five elections that I ran in for the state legislature, the most important moment in my political life at that time, a week and a half out from the election, a judge over in Rockdale County puts me on trial, a case that I have to try. And I remember going to the judge and saying, "Your Honor, it's very important that I be available to campaign over the next week and a half. If you would just allow me to postpone this trial until that happens, I would be most appreciative and I could finish my campaign and I promise you, I'll be back in court in two weeks and we can try this case." Judge looked at me and he said, "Mr. Baker, I've run a few elections myself. I just decided that if you haven't won it by now, you won't win it." And so I went on trial, and I'm trying this case and I'm taking my coat and tie in -- wearing my coat and tie in in the morning. I would change clothes at the courthouse in the afternoon or a

service station or wherever I could find to change clothes, put on my blue jeans, and I'd go out campaigning and knocking on doors in the afternoon. You know, what an experience that was. But listen, when all was said and done, after I thought I had done all that I could to -- I ended up in a runoff with the incumbent who, by the way, had been there for eight years, and I thought I couldn't do any more. But I also knew that I had come a long way, and that if I just kept working hard, this might just work. And so we entered into a runoff, and I got elected. My first term out -- first opportunity to run for public office, and I got elected in DeKalb County, and what an excitement that was.

SHORT: What were you most interested in during your first few years in the legislature?

BAKER: Well, interesting enough, what I was most interested in coincided with what Governor Zell Miller was interested in back in those days. Here's what happened. As a freshman legislator -- at least we were told that when you first come into the General Assembly you are to sit in the back of the room, be quiet, and to learn from the people who have been there years before you. And that it would almost be a sign of disrespect if you came in as a freshman legislator and to speak when you're not spoken to. And so I was almost of the mindset that when I get there, I'm going to sort of be on a little bit of cruise control, just kind of watching and learning what was going on in the General Assembly. It didn't turn out that way, because during my first term as a state representative, I was asked by then Governor Zell Miller to

become part of his administration floor leader team in the House of Representatives, and this was unusual for a freshman legislator to be asked to be part of a floor leader team. I didn't know much about it. Didn't know much about Governor Miller at the time, other than he was Governor of the state. But as I talked to my colleagues around the Georgia General Assembly in the House and talked to Speaker Tom Murphy at the time, everyone kept telling me how significant this was, that to be asked to do this at such an early stage in your political career was an honor. I thought it was a big thing to be appointed to the House Judiciary Committee, which I got during my freshman term as a legislator. But I was told consistently that this was a huge deal, and that if you had the opportunity to do it, I should go off and do it. We thought about it, we talked about it a good bit, and I accepted Governor Miller's appointment to be one of his floor leaders. Now, as a floor leader, my job was that of passing the Governor's legislation, and as you probably well know, most of the important legislation that flows through a General Assembly cycle comes from the Governor. The state budget comes from the Governor, all of the -- at least during this time, all of the significant legislation flows from the Governor's office. And so, part of my job was to convince my colleagues in House of Representatives that we ought to pass the Governor's agenda. The Governor, year-in and year-out had 60, 70 pieces of legislation that he wanted passed, and so we had a huge job as floor leaders. There were three of us at the time in the House, and we passed probably 98, 99 percent of the Governor's legislation, and the pieces we didn't pass, it was because we consciously made a decision not to move them forward. So we had almost a perfect record during that time.

SHORT: Let's talk for a minute about some of those programs. There was the lottery.

BAKER: Absolutely. Toughest piece of legislation I have ever had the pleasure of trying to pass. Governor Miller sat us down from time to time and would always talk about his vision for the state -- his idea, his philosophy about campaigning and governing. And of course Governor Miller had run on this idea of a statewide lottery, and it was his sole issue. A lot of people tried to convince he ought to have other issues, but he decided that was going to be his point of interest, and he did. He campaigned on it well, he got elected, because I think people in Georgia believed what he was saying and believed that he could deliver this state lottery for education. Of course, the criticism from those who didn't like it was, we go the way of so many other states, we get people to vote for a lottery and then we run off and spend the money for other things. Governor Miller was smart enough to understand that criticism, and so he had crafted in the law a requirement that the lottery would be used for education or education-related purposes.

Now, here comes the challenge. We now have to convince a General Assembly -- as floor leaders -- that this is a good thing for Georgia. And I will tell you from being there on the front lines day in and day out, it was a tough sell. There were people who were morally opposed to the lottery, there were people who just didn't like it for other reasons, there were people who thought it was a good idea. But by and large, when we started out, this was a hard sell for the Georgia General Assembly, and so I spent a good deal of my first term there trying to convince my colleagues about this lottery legislation. I will tell you this short story, and it's

very insightful as to how things were going. I remember counting votes from time to time on the floor of the House and seeing if we had enough votes to pass it, and just to determine when we would bring the bill up for a vote. We'd have, for example, 95 votes for it on Wednesday. On Friday the legislators would go home. They'd come back on Monday and we may have 50 votes. And so I'm trying to figure out what happened to all of our votes over the weekend. Well, they'd go home, they'd go to church and they'd get beat up in church or they would get beat up by local leaders, and they'd come back and they'd changed their minds on that Monday morning. And so I finally told the Governor, I said, "Listen, you know, we literally have to try to take this vote during the week before people go home and change their mind." Well, we ended up doing it. We only passed the lottery by a vote or two, and it has become, I think, the most significant legislation in the history of this state, and certainly the most important piece, I think, that I have ever had an opportunity to work on, because we said to our children, you know, "If you're willing to work hard and to make good grades, you can get a tuition-free education in this state." And unlike any other state that I've seen, leading up to this point, we've held true to that promise, and we've had thousands and thousands and thousands of kids to go to college and to get a tuition-free education simply because they were willing to work hard and to make good grades. And I think that's a testament, not only to Governor Miller, but I believe a testament to the people of this state, that we are willing to make that kind of investment in our children. So if you ask me the proudest moment in my legislative career, I'd have to say it was our passage of the lottery. We did a lot of other great things.

SHORT: Crime bills.

BAKER: Crime bills. Two strikes and you're out. I remember standing in the well of the House and arguing with my colleagues about the need to have what was then the toughest anti-violent crime legislation in the country passed here in Georgia. And I remember all of the criticisms that we had with the legislation, but I kept telling my colleagues and impressing upon those from the media who would ask, that for those individuals who are willing to commit these heinous crimes -- I mean, we're talking about some of the worst crimes that you can imagine -- for those individuals, we need to be able to send a strong message that we simply won't put up with that here in Georgia, that Georgia is too good of a state, and that if we were able to pass this legislation where we said if you commit one of the seven deadly sins -- is what we call those crimes -- if you committed one of the seven deadly sins, the first thing that's going to happen is, you'll have to serve a minimum of ten years for that crime. And if you were crazy enough to commit one of those seven deadly sins a second time, then we're talking about life without parole. And it made a difference. I am convinced it made a difference.

I've gotten several calls from reporters over the years who have asked me why I believe we have seen a drop from time to time in the violent crime rate in this state. And while I can't prove this with any degree of statistical certainty, I would vouch for this with my reputation. The reason we saw that drop and continued to see it from time to time is because people understand that there is a serious penalty to be paid when you commit one of those violent crimes in the state of Georgia, and that it has made us a safer state by passage of that legislation.

It's made us a safer state. It's made us a better state, and I believe at the end of the day, our children are going to benefit from those tough stances we took in passing the two strikes out -- you're out legislation. I don't think there is any doubt about it.

But it wasn't just there. I mean, we went ahead and we dealt with a perennial issue. We strengthened the DUI laws in this state, you know, we had so many loopholes in our system at one time, and people were coming in into courtrooms and they had been, you know, DUI three or four times and they were still driving. Had the license and nothing was being done about it, and the loopholes were just running amuck. Well, we were able to clean up that process and we were able to strengthen our DUI laws and to make Georgia, I think, the highways safer and a better place for us all to live in. And of course, you can never overlook what we were able to do with taxes in the state. The largest single tax decrease or cut in the state's history, we were able to do it during those days as well. So, I've got a lot of fond memories about my time in the Georgia General Assembly.

SHORT: I'm sure you do. In 1997 when Attorney General Mike Bowers resigned to run for Governor, Governor Miller appointed you Attorney General. Were you surprised?

BAKER: Somewhat. Somewhat. You know, we knew that Mike Bowers was going to leave -- and to run for Governor. But Governor Miller had not indicated where he would go with the appointment. There were a lot of good candidates. There were a lot of good candidates who could have assumed this job, and I think, and do a very fine job with it. It was somewhat of a

surprise, but you know, I think Governor Miller always had confidence in not only my ability to communicate with my colleagues in the General Assembly and to get legislation passed, but just to communicate with people in general, and I believe he must have seen something in my background that led him to believe I could do this job. I was a little surprised and a little frightened at the time about having to go off and do such a huge thing as being the Attorney General of the state. I remember I had run five times now as a state rep, but never having run statewide, and that's a different animal altogether. And I knew that should I accept that appointment, I'd have to run for the job in 1998. But my family and I, we talked about it, we prayed about it, we finally decided we're going to go off and we're going to do it. And so the appointment came. I think it surprised a lot of people in the state that I got appointed to that slot, but listen, I never looked back. I was convinced from all of my life experiences that if we got in this position and we worked hard, we could make a significant difference here in Georgia.

SHORT: How did that appointment happen? Did he call you on the phone or call you into his office or write you a letter?

BAKER: Now see, you're getting into the real insider stuff now, I can tell! No, here's what happened. Governor Miller would from time to time call me over to his office to talk about his legislation or issues that he had to deal with. I was his floor leader at this time, and so it was not anything unusual for the Governor to call up and say, "Thurbert, can you come over. We need to chat for a minute." And so I remember going over on one of those calls, and the Governor's

sitting there in his office, and I walk in, “How are you doing, Governor?” “I’m doing fine, have a seat,” and this. Nothing unusual. And he sits down and he pauses for a moment. Now, he never really paused for a moment about anything, but this day I think he paused for a moment, and I’m saying to myself, “Now, what is this about?”

And then he started to tell me. He says, “You know, Thurbert, I’m thinking about doing something here, and it’s never been done, and I just want to tell you where I am and I want to get your thoughts on it.” And he went on to tell me about how Mike Bowers was leaving. And when he started on that conversation, I had a sense of where he was going with it, but then he finally came to it and he says, “Now, Thurbert, I want to appoint you the next Attorney General of Georgia, and I want to tell you, it’s not going to be an easy thing. You’re going to have a tough job. You’re going to have to run statewide. You’re going to have to raise a lot of money to do this job, but I have confidence in you, and I’m going to be with you 100 percent all the way.” And that’s really how it happened. It was a face-to-face meeting. I was thrilled that he would ask.

SHORT: Did you accept on the spot?

BAKER: I told him I had to think about it for a second. And I really did, because it was going to be more than an experience for me. It was going to be a family experience, and you know, I wanted to make sure that everybody in the Baker household, first of all, were on board as well. But we talked about it, and I got back to the Governor very shortly thereafter and

told him we were all green lights, we're ready to go. And so that's what put me on this track. Eleven years later I sit here now, looking back on that moment as one of the moments that changed my life forever.

SHORT: You've been reelected what -- twice.

BAKER: Three times.

SHORT: Three times!

BAKER: I've actually run three times now. 1998 was my first term, then I ran again in 2002.

SHORT: Right.

BAKER: And then again in 2006, and you know, along all three tracks of campaigns, you know, there have been people out there who have said -- the naysayers again, "You can't get elected. You're going to have a difficult time getting elected." But I've never doubted myself, and I never thought that we couldn't get elected to this job. And so we've run now successfully three times in Georgia, and it's made a huge difference, I think.

SHORT: Led the ticket.

BAKER: Led the ticket.

SHORT: That's something to be proud of.

BAKER: Yeah. Well, listen. You know, when I came to this job, I wanted to do a few things. I wanted to make sure that we focused a lot on Georgia's safety, that we continued to do some of the things that I had done in the General Assembly, that we were strengthening the laws on the books, that we were making life easier and better for the citizens of this state, that we were supporting law enforcement. And so, we got in and we worked with sheriffs and we worked with police chiefs and, you know, we passed legislation that I thought would accomplish those things.

I've always believed that government ought to be as transparent as possible, and that open government is really what we need in Georgia, as open as it can possibly be. So during my first term over here as Attorney General, we convinced the legislature to allow us to get more involved as an A.G. office, and making sure that local governments, for example, are following the open government and open meetings statutes of Georgia and making sure that state government is following the law as well. I've always said that government is not the government of the officeholders. It's really the government of the people, and that we're entrusted with these positions on behalf of the people of this state, and that they have a right to

know how their government is operating so that they can make an informed decision every four years or every two years about what they want to do with the election cycles. And so we pushed hard for that during my first term as Attorney General, and I think we made a lot of strides in trying to open up government and make sure that it is responsive to the needs of the people of this state. And so, in those years -- in the early years -- we focused there, and I think it's made a difference in Georgia.

SHORT: Uh-huh. What do you see as issues in your office in the coming years?

BAKER: You know, we've started on things that are of great interest, I think, to us now that really were not as big of a problem when I first started back in 1997 as Attorney General. One of the issues that we've dealt a lot with and continue to deal a lot with, and it will be an issue in years to come, is this whole problem of identity theft. We have gotten to a time in our country now, and I think around the world, where we are so connected because of the Internet, and everyone is computer-savvy and people like the connectivity that comes with it. Well, it also opens up a whole new world for criminal activity out there, and people are literally stealing your good name and your good credit, and they are destroying families. And they are destroying households because they've now gone out and they've stolen your identity, your name, your Social Security number, your maiden name, whatever it is that identifies you as a person, and they've gone out and they've literally bankrupted people. We didn't have -- years ago we didn't have a statute on the books that allowed us to go out and prosecute those cases.

We could cobble together things. If somebody stood behind you at an ATM machine with a gun and robbed you, we could charge them with armed robbery or any number of crimes. If they stood over your shoulders, though, and caught your ATM number, you know, and found a way to get access to your Social Security number, there wasn't a whole lot we could do about that.

And so we have worked with the legislature. We've been able to convince them to give us a new identity theft statute here in Georgia. When we drafted it here in the law department and got the General Assembly to pass it, we became just the third state in the whole country to have a comprehensive identity theft statute on the books. That is a modern day problem that will continue for years to come, and I'm so proud to be able to say we were at the forefront of this issue and that we've been able to do something on behalf of the state in trying to move us in the right direction in fighting this crime.

Now, we're seeing the same issue, a very similar issue now, when we talk about the Internet -- when we talk about the protection of our children. I say all the time that -- you know, it's interesting. We will go to the parks and we will watch our kids, while they're playing in the park, and we won't let them get out of our sights. But we will go home and the kids will get in their rooms and close the doors and get on the Internet, and we don't worry about them. But they're exploring a world much broader than the park they just left, because now they're able to talk to people around the world via the Web, and there are dangers -- there are good things about it, but there are dangers as well, and we know that there are predators who are out there lurking on the Internet, and that they are enticing our kids to come to certain locations, and they want to do them harm. And so I thought we needed to do something more in Georgia to better protect

our children who are Internet-savvy, and so we've been able to go in and convince the General Assembly to strengthen our laws, strengthen the statutes that deal with those predators who are trying to entice our kids over the Internet. And we've been able to accomplish that and I think we are sending a very, very strong message in that regard -- better protection of our children. We work with those social networking sites, MySpace and Facebook, and we've gotten them to help us better identify the predators who are using those social networking sites and trying to entice our kids over the Internet. So, we've made a great deal of progress.

One other thing I'll mention, and I think this is very important. You know, we're seeing one of the worst real estate crises, I think, in the history of this country right now, and it has impacted so much of this country's economy. And I think most economists, as you talk to them, will say unless we can deal with the real estate crisis nowadays, we aren't going to deal with the overall economic problems we see in America. Well, whenever there's a lot of foreclosures that are ongoing in your state or in the country, it also creates a new breeding ground for crime and criminals. And so, we are seeing -- from a law enforcement standpoint -- we're seeing a number of people who are out there engaging real estate scams. Equity scamming is one in which they come in and they basically try and get you to turn over the deed to your property in exchange for a promise to get you a new mortgage, or to settle the one you've got, with no intention at all of doing it. But once they get your deed, then they're skimming the equity out of that property and they're running off. And so, the homeowner is now in worse shape than he or she was before this help supposedly arrived.

And so, we're working hard now here in this office, and with my colleagues around the

country, to try and do what we can to help the criminal element -- help solve the criminal element and problems that we're seeing in the marketplace as a result of this mortgage fraud crisis. You know, I've gone from, you know, getting appointed to this job back in 1997 to having run successfully three times now for the Attorney General's job, and having won in high numbers and leading the ticket, as you say, and even having now served as national President for the entire Association of Attorneys General in this country -- the first time a Southerner, by the way, has ever held the reign of President of a National Association of Attorneys General. So, it's been a great experience for me, and I think the time that I've had to serve in this job is one that I believe has made Georgia a better state, and certainly made me a better person.

SHORT: Have you thought of higher office?

BAKER: You know, everybody thinks about higher office, whether you want to admit it or not. Here's what happens, though. People always come to you and they always want to know what your next run is going to be. I've had a pretty simple philosophy about this most of my political career. It was the same philosophy I had when I was in the State House for five terms. Do your job and do it well, and don't look beyond where you currently are. And I've never done that. I've got two years now left on my third term as Attorney General, and certainly people come to me all the time and want to know about the next job, and I keep telling them, "Listen. Don't worry about the next job. Worry about the one you've got right now. Do it well, and the rest takes care of itself." I'm still enjoying myself. I am proud to say that I'm

still enjoying myself and I want to do this job as long as I can.

SHORT: Is that an announcement for reelection?

BAKER: That's just a statement that this has been a good, good 11-year cycle for me.

SHORT: Let me ask you this question. Mr. Attorney General, since you are elected by the people and are a constitutional officer, you report only to the people. Is that not right?

BAKER: I represent the people of Georgia and I'm elected by the people of Georgia as a constitutional officer, and you know, that is really a great challenge, and it's sometimes confusing for people to understand. They see other models, for example, where the U.S. Attorney General is appointed by the President of the United States. Well, the state Attorney General is not appointed by the Governor. The state Attorney General is appointed by the people of Georgia, the voters of this state, and I am responsible ultimately to the people of this state. Now, I represent, of course, all of state government, but at the end of the day, I am responsible to the voters of this state -- the people who put me in office.

SHORT: So, you are not directed in any direction by the Governor or the General Assembly?

BAKER: No, I'm not directed by the Governor or the General Assembly in terms of my work responsibilities. All of my powers and duties are established in the constitution and by law in this state. Now, of course the Governor of this state and I have had a disagreement in years gone by as to exactly who the Attorney General works for, and the Governor took the position, essentially, that the Attorney General works for the Governor of the state. And my position, of course, was as Attorney General I work for the people of this state. I represent the state, but my ultimate responsibility is to the voters of Georgia. And you know, we went back, because this issue became such a big issue here in the state of Georgia, and we ended up litigating it. The Governor ended up suing me as Attorney General and this matter went to the Superior Court of Fulton County, and then up to the Georgia Supreme Court.

But the real issue, the core of the question, was you know, who does the Attorney General of Georgia report to? And of course, our position was -- as far back as we can tell -- from the 1800's when this question came up as to who the Attorney General of the state reports to, it's clear from our research that even back in the 1800's when the legislature of this state took that question up, that they made it clear that the Attorney General reports to the people of Georgia, and not to the Governor of the state. And so that was our position as we litigated this really critical issue here in the state of Georgia, and at the end of the day, the Supreme Court came back and sided with this office and said the Attorney General does not work for the Governor, but works on behalf of the people of Georgia.

SHORT: You're asked from time to time to issue opinions on certain situations. What

effect do those opinions have on law?

BAKER: When we issue an official opinion of this state of the Attorney General's office and on behalf of this state, those opinions are binding on the executive branch of government for Georgia, and that is a fairly powerful tool for the Attorney General to administer. We get a lot of requests from a lot of different agencies and departments and the Governor's office seeking our legal advice and opinion as to one issue or another. Now, not every request for opinion ends up in an official opinion by the Attorney General; sometimes we will just send letter advice. But if we think that the issue is broad enough with enough statewide implication, then we can issue an official opinion here in this office by the Attorney General. And as I said, when that happens, it is binding on all of state government.

SHORT: Let's talk for a minute about the organization of your department. Is it similar to a private law practice? Do you have specialties with investigative people?

BAKER: Yeah, we have broken down the law department into five different groups, and we try to coordinate -- and the law department has gone through a number of reorganizations over the years, and the last one before I actually got here. But the law department is broken down into five different groups, and what we try to do in those five groups is to capture similarities of work. So, for example, we have a criminal division, and that division will handle all the criminal matters that come before the law department, in particular, dealing with agencies

that have some criminal law aspect to what they do. For example, the Department of Corrections, the Department of Public Safety, the Department of Highway Safety, you know, would all fall under one shop. We try and also capture a lot of the trial work that goes on. We have a general kind of litigation department that we capture cases that need to go to litigation. We have transactional work that's caught in one area of the law department as well. In other words, we're just trying to capture similar activity as reported to us by the agencies out there. That makes it easier for the agencies who report to us on legal matters, and for the law department to keep track of them as well. In each one of these groups, though, these practice groups, we've got a Deputy Attorney General. And that Deputy Attorney General will have several different supervisors that works for him or her in that division. Now, all of those deputies ultimately report up to the Deputy Attorney General, and then, of course, the Attorney General. And so we're set up in different groups -- five different working groups -- similar to what you see in private practice, but we are all based along and trying to coordinate along departmental lines -- pulling together departments who have similar interests.

SHORT: Can you recall some of the major cases your department has handled?

BAKER: Oh my goodness, there have been a ton of cases, I think, that we've handled over here that were so important. Now, I will tell you the one that, I think, gets my attention most of the time. We had an issue a while back and it was an open governments' issue. We had an issue involving the Atlanta Olympics from 1996, and the question really became whether

or not all of the records of the Olympic Games should be open for public inspection here in the state of Georgia. And there were a lot of people who didn't believe that the Olympic Games had any relationship at all to government, and therefore was not subject to government review under the open records law of this state. We looked very hard at it. This matter came to our attention, and we looked very hard at the question as to whether or not those records ought to be made public. We understood that there were a lot of government incentives that were made available for the Olympic Games. We understood there was great help, not just at the city level, but at the state level as well, and there was a regional effort, using taxpayer dollars to make the Olympic Games happen. And I finally concluded that these records should be open to the people of this state, that they ought to have an opportunity to review those records and what happened. And I will tell you, that was one of those moments that we really, really struggled with, because it was a close call. But at the end of the day, I always wanted to err, if I had to, on the side of openness in government, and one of the toughest calls that we had to make was in that case. It was a matter that I think we took it up well in the law department, and ultimately I issued an opinion and the courts agreed with us, that those records should be open records in Georgia.

SHORT: Let's talk for a minute about party politics in the state. We've seen an increase in power by the Republican Party over the recent years after the Democrats have held sway for over a century. What has happened?

BAKER: If I could bottle that question up and sell it off, I probably would. You know, and I was there in the legislature for ten years, and during the time I was in the legislature, the Democrats still pretty much controlled most of state government. I think, though, political parties from time to time tend to just run their course in power, and from time to time, people simply want to see a change. And, you know, that change is moved along a lot quicker if something drastic has happened in your governing cycle and people are all in an uproar about it, and they may throw everybody out who's in and put in a new crop of players altogether. For over 130 years, Democrats pretty much ran the state of Georgia, and that's a long run. And I think over that period of time, people will change, politics will change, and states change. And I think we were just seeing a progression of all of those dynamics happening in the state of Georgia, and I think once Governor Barnes was defeated in his race against Sonny Perdue -- Governor Perdue -- then, of course, that started another wave of change in the state of Georgia. And so we've seen a lot of that happen now over the last eight -- almost eight years now. But I believe these pendulums shift back and forth over a period of time. And so we've just got to see what comes down the pipe, but I think this is a natural progression. We're seen it in the country, in the U.S. Congress, a change there, and we're seeing a change in Georgia, and you're seeing changes all over this place.

SHORT: Let's talk a minute now about Thurbert Baker. Do you still have time for fencing?

BAKER: You know, if I could find the time to fence, I'm not sure the knees and the back would allow me to do it like I used to. I still have a great love for the sport. I like watching it, but I have not fenced now for some time, and I think you've got to stay focused on that if you want to do it. There was a while back I actually went out and thought I'd try to fence a little bit at a local fencing club here. And the mind remembered everything! But I'm not so sure the body could execute as it did 20, 30 years ago. But I still have a great love for it.

SHORT: Tell us a bit about your family.

BAKER: Well, I'm married to my high school sweetheart. I've been married now for 30 years, and I started dating my wife when we were sophomores in Rocky Mount, North Carolina. We both grew up in the same hometown, and so we literally were 15 miles apart during our college days. Of course, I came here for law school, but she later came down. We got married during -- between my junior and my second and third year of law school. And so we've literally been together for a long period of time. We have two lovely daughters. They are now 26 and 24. One, the oldest daughter, Jocelyn, is an interior designer here in the city, and my youngest daughter is doing what her mom does. She's a teacher, and she's got first-graders, and she's enjoying herself as well. I'm very proud of my daughters.

SHORT: When you look back on your career as a lawyer and as a politician --

BAKER: Yes.

SHORT: -- Is there anything you would have changed?

BAKER: I don't think so. You know, a lot of opportunities have come to me over the course of my life -- some expected, some not expected, but if I look back over the years, I'm not so sure that I would have changed anything. We have had good days and bad days, but a lot of that is just part of the job. It's part of what you sign up for when you want to be a state legislator, when you want to be a lawyer, when you want to be the Attorney General, and we've had to make tough decisions over the years. But that's part of the job too, and so long as you understand that, you know, none of these days have been that bad. It's just been an opportunity to do something good for Georgia.

SHORT: When history looks back at Thurbert Baker 50 years from now, how would you like to be remembered?

BAKER: As a public servant. As a true public servant. Someone who cared about his state and wanted to do what was good for Georgia. Not that I always agreed with everybody on how to get there, but there should never be any mistake about my ultimate goal, which was to do something good for the state of Georgia.

SHORT: Well, Mr. Attorney General, on behalf of the Richard Russell Library, the University of Georgia, and myself, I would like to thank you for being with us today.

BAKER: Thank you so much.

[END]

**University of Georgia
Thurbert Baker
32**

Page PAGE

**3525 Piedmont Road, N.E.
Eight Piedmont Center, Suite 310
Atlanta, Georgia 30305
800-872-6079
FAX 404-873-0415
www.wordzx.com**