

McCracken Poston interviewed by Bob Short
2009 November 24
Athens, GA
Reflections on Georgia Politics
ROGP-092
Original: video, 144 minutes

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DOCPROPERTY "reference" Reflections on Georgia Politics
McCracken Poston

Date of Transcription: DOCPROPERTY "date" February 24, 2010

BOB SHORT: I'm Bob Short and this is Reflections on Georgia Politics, sponsored by the Duckworth Library at Young Harris College and the Richard B. Russell Library for Research and Studies at the University of Georgia. Our guest is state representative McCracken Poston.

Welcome.

MCCRACKEN POSTON: Thank you.

SHORT: Delighted to have you on our series. Thank you.

POSTON: I'm honored to be asked.

SHORT: With your permission, we'd like to divide our conversation into three parts. First, you and your early life, secondly, your experiences as a public servant and lastly, your work as an attorney who's handled many high profile cases here in Georgia. Ringgold, Georgia.

POSTON: Yes, sir in the county seat of Catoosa County, but I actually grew up in a much smaller town north of Ringgold, Graysville, Georgia. And Graysville I think in its heyday had 120 people in it. The great thing about Graysville was as a child my mother was a poll worker and we had a little cinderblock polling place that was in the end of a dog pen. Luckily, you didn't have to go through the dog pen, but it was kind of built into the end of it and I remember as a child having to stay there all day while my mother was a poll worker, just how it was the most excitement that ever happened in Graysville because you saw people that you didn't see for a long time and you saw candidates leading up to that time that you never saw. And it became a real big deal to me to try to help and then later. I was enthusiastic about getting involved in

elections.

I had been born over in Fort Oglethorpe but I was raised in Graysville all of my life, and I remember as I got older and old enough to get involved in campaigns, and my oldest sisters -- I had five older sisters and I'm very proud of all of them. And some of them accomplished some great things really before women were encouraged to, you know, go to school and be anything other than this, that and the other, and they've done well. But a couple of my older sisters were involved in Kennedy campaigns in college and that kind of rubbed off on me a little bit. But I decided that every candidate that I could find that was worth his or her salt was going to come visit Graysville, Georgia.

And we had a little mercantile store in the middle of town with two real characters that ran the place, Pete and Bud Brown. They were World War II vets, brothers who ran a great little butcher shop and a little general store. And I made it my cause to bring in candidates because it was a great setting for a candidate. Chattanooga was just across the line. The news crews could come from Chattanooga and be there very quickly. It gave them a real kind of an old world setting for a political event. And the first candidate of any kind of broad election that I took there was Norman Underwood. And really worked hard on Norman Underwood's campaign. He was a north Georgia man being from Calhoun. And so I thought he was a good candidate for governor that year and I think it was '82.

And later on, I went onto law school and I'd like to give Norman Underwood credit, probably, for helping me get into law school just here in Athens. And during law school, I got a call from Norman Underwood after my Congressman was shot down somewhere over Korea or Japan in

the Korean Airline incident.

SHORT: Larry McDonald.

POSTON: And I was no big fan of Larry McDonald, but that was a terrible way to go, but it did create an opportunity for then, the 7th District, and that's where Catoosa County was configured then. And I heard for the first time about a man named Buddy Darden. And Norman Underwood had told me some nice things about him and apparently told Buddy Darden some things about me and how I'd worked hard for him up in Catoosa County. So I decided I would take Buddy Darden to the Graysville store and among other places all through Catoosa, and Walker, and Dade Counties and just really hit up a good friendship with Buddy Darden that lasts to this day, and later worked for him in Washington as an intern.

But Buddy really enjoyed the Graysville store and I learned something about the Graysville store. The brothers there at the store would really give what I call "the treatment" to a candidate. They would not hold anything back but it was always good-natured kind of teasing, but it had kind of an edge to it as well. And I remember when I worked for Buddy and I would see at the Capitol, the U.S. Capitol, there was a room that you'd go into the top of the Capitol and they'd run a flag up the pole and then they'd run it down and then you'd get a certificate that on that day, that flag flew above the Capitol even if it flew up there for just a second. Technically, it flew above the Capitol.

So I, in my powers of an intern, got behind the typewriter and wrote up kind of a proclamation

and a letter that I got Buddy Darden to sign to the Brown Brothers in commemorating just this piece of Americana that they had at the store. And I just thought they'd get a big laugh out of it and I packaged up the flag, and my mother at the time was the assistant postmaster in Graysville. So I just sent it general delivery and asked her if she'd make sure Pete and Bud got it. What I guess I didn't expect, these were two World War II veterans that had fought for our country. The emotional impact it had on them, it was almost in jest from me, but when I heard their reaction when they got it, it was a flag that had actually flown over the U.S. Capitol, I was profoundly touched because I realized these people still do believe in the system. They still do believe in our country and anyway, as touched as they were, I was touched by their reaction.

Well, later, a couple of years later, a gentleman that I had always kind of admired Hamilton Jordan, decided he was going to run for U.S. Senate and much like the same people kind of tell about this young guy in North Georgia that'll work hard for you, he found me. And I remember we were having an event for him in '86 and there was kind of an entourage following him. I really didn't know who it was, but I had worked out the schedule that day and without telling anybody, I built in about a two-hour period for travel from the Walker County event through Catoosa County and I was going to take him to the Graysville store before I took him to the airport in Chattanooga.

And there was just really nothing good happening. There was nothing really newsworthy happening and I had heard that there were some news reporters behind him in that car. So I said, "Well, I built in another stop, Hamilton. It's a little place that I think will be a good setting for your news crews and you just never know what happens here." And he said, "Are you taking me

to the Graysville store?" And I was just completely overwhelmed. I thought, "You've heard of it?" He said, "Buddy Darden said you'd drag me to this place." Well, we went and he got out and Pete and Bud Brown, who were never scripted, Pete pulled a gun on him and waived it around in his face and said, "Now, are you one of these Republicans because if you are we're going to throw you in the creek and let them fish you out in Tennessee." And so they had a big time with Hamilton.

Well, as soon as that gun came out, I saw reporters' notepads flip open and photographer flashes start going off. One of the reporters was David Broder of the *Washington Post* and who I'd been reading for years but I never recognized him. He was in a baseball cap and a t-shirt and he did an article in the *Washington Post*, dateline Graysville, Georgia, and I guarantee since the Civil War, nothing has datelined Graysville, Georgia. But it turned out to be a very good article and so Hamilton was glad that I had kind of worked that in there, a place that he wasn't sure if I should drag him there or not. But I felt confident after running those three gentlemen's races locally where Norman won Catoosa County, Buddy won Catoosa County, and Hamilton even won Catoosa County, that it was time for me to run.

By then I was out of law school. I was an assistant district attorney with hopeful ambitions to go to the state legislature. My legislator was Bob Peters who had been there for 20 years and who I was very good friends with his daughter in school. I didn't have a thing in the world against Bob, but it was something that would run into me many years later, a young person trying to challenge a way -- and I was in my twenties. I was 27 when I started the race, basically just saying, "It's our turn. Nothing against you, it's just our turn." I did a couple of things right, I think. One is I

went and visited Tom Murphy, the Speaker of the House. Stuck my hand out and introduced myself and I said, "I just want you to know, I'm not running against you. I'm just running for the seat." And you know, I did that kind of as a preemptive way to not win the battle and lose the war. You know, I wanted to be well received and I just worked hard. I had to quit my job as assistant D.A. I didn't really have a law practice much developed. So I just worked every day and I went door-to-door. I think somebody estimated once that I had gone to about 5,000 or 6,000 doors, got bit by a bunch of dogs and those are the people that always --

SHORT: Kissed a lot of babies.

POSTON: Yes, when their dogs bite you and you don't complain they like you. They will vote for you. I went to the primary and was surprised myself even. I beat Bob and I got 70% of the vote. Now, that kind of set up a dilemma for me because this was 1988. I really liked those big numbers. I just knew that that would send a message with me to Atlanta that I may be there to stay a while. I had done my homework with the Speaker and the leadership. So they were impressed with that number, but we had a bit of a fledgling Republican Party that was starting up there and they had fielded a candidate. So I knew at the top of my ticket it was going to be Mike Dukakis versus George H.W. Bush and I knew I was not going to get 70% of the vote because my county was already voting Republican in a lot of national races and where they weren't yet in state races. We just knew it was coming.

So I didn't know what to do. I just kept working hard. The fellow that was running as a

Republican was the county surveyor and I just remember one day in court - I did have a couple of little cases that I just did to keep food on the table and keep gas in the car - I went back and I did just my first attempt at opposition research. I just - literally, without any kind of hint that there would be anything there - started going through the old giant books of cases that had been gone back for many years, all alphabetized. In other words, everybody with the last name C would be in this one book and then you could go to the older book that had the last name C.

Well, lo and behold about 27, 28 years before or 23 years, I think, before, there was a conviction by my Republican opponent for attempted murder. And so I knew enough about voter registration that if you were a convicted felon, you could not only not hold office, you couldn't vote unless your civil rights were restored. Well, I really went back and forth. I wasn't sure whether that was really him, had the same name, same middle initial. The way indictments were drawn in those days were pretty interesting because it didn't use any kind of standardized language. It used some pretty flowery language describing actually what the state alleged happened, and they said he had stabbed a guy with a dirk. Well, I'd never heard of a dirk. I had to look it up.

And so I just hesitantly -- Max Cleland was coming to Chattanooga to give a speech -- and I went up there and introduced myself and I told him, I said, you know, "I'm running in this race and I know you're the Superintendent of Elections. I've got this situation. I don't know what to do about it." I described it to him and he said, "Well, we can investigate it if you want to." So I thought long and hard and I really thought about wanting to come down to Atlanta with that 70% and I went ahead and I filed for an investigation of it. Well, I thought all along, "I've messed up.

This is probably his father. This is probably somebody that's not even him." And next thing you know, my opponent is holding a press conference. And I thought, "that's pretty bold. It must be that I have screwed up and I got the wrong guy." They flipped on the camera and he goes to the microphone and he says, "First place, I wish you people would quit using that word dirk. I cut that boy with a regular pocketknife."

So I knew I was in good shape and I got to go to the Capitol with my 70% intact and it immediately paid off. The Speaker, I guess, really did show me a lot of graciousness and a lot of inclusiveness, which of course later I guess made some of my later positions hurt even more to him, you know, and I always felt bad about that. But it was an interesting thing because the actual first event that I ever went to as a representative-elect was I was invited to a freshman gathering. Didn't really know much about it, but it was the first opportunity I was going to have to meet my freshman colleagues. This was late 1988, maybe November, maybe about this time of year, 1988, but I was to show up at the Ritz-Carlton in Atlanta.

And I showed up and there were some people that I had known for a few years through Young Democrats or other connections, but later ended up being lifelong friends. One, Ron Fennel from the coast, who is just a good candidate and a very aggressive and on-the-move kind of guy. Another, Ray Holland, whose brother was a friend of mine from law school, whose brother John is now a judge down in Turner County. Ray is a few years older, very interesting guy, very intellectual guy. And then my friend Doug Teper who was one of the, at the time, maybe the only Jewish member of the legislature. Had kind of had a life of political activism. He and I roomed together at the event in Athens where the entire legislature meets before the legislature

starts and kind of -- it's an orientation of sorts. Doug and I roomed together and he's telling me all these protests he had done and all these nuclear plants he had protested. And I just remember laying in bed thinking, "oh Lord, this guy's a real molotov cocktail thrower. I don't know about this guy," but ended up he became really one of my best friends in life.

SHORT: You became known as the Four Horsemen.

POSTON: Those four, we did. We did. Only because we stuck together. I guess we were all four kind of taken in by the Speaker and, you know, the Speaker had a very interesting style that probably was very effective. You never heard the Speaker directly say, "I don't like this, I don't like that, or I don't want this happening, or I don't want that happening." He would issue some vague kind of opinions that everybody surrounding him kind of new what the gist of it was and then everybody else would do his bidding. Well, in our case he was just inclusive of us and really more so of some of our colleagues, which had to not be pleasant for them and the poor Republicans didn't even get the time of day. Earl Ehrhart was in my class his first time in the legislature. Cynthia McKinney, Ralph David Abernathy III, several other really good people who got elected, but did not have that immediate inclusiveness that the four of us did.

SHORT: How did you get that name, Four Horsemen?

POSTON: I have no idea. One of the, you know, I always associate it with the apocalypse so

I'm not sure, maybe that was appropriate. But I don't know. I know one of the newspaper articles had something to do with it and I got to tell you, and I think the Speaker was behind this, I got selected to be profiled by the *Atlanta Journal Constitution* as a freshman. And I don't think that happened, I don't think they just picked me because I was like everybody else had ever been in the legislature, white male. I think that was a direction maybe Murphy offered me up for that, which he most certainly later regretted. But I, you know, it was flattering and I remember my friends Ron, Ray, and Doug we, you know, we would try to include each other on things if we heard about them.

But the thing, the interesting thing about my freshman year, we were told to be quiet and, you know, be seen and not heard. There was something very interesting that was going on at the Capitol that I think people innocently get sucked into. For one thing, you know, I told you about the going to Ritz-Carlton and going to the races the next day. Well, that kind of rarefied air at the Capitol can be somewhat intoxicating and I saw a lot of people become somewhat dependent on that. I knew of a committee chairman that loved to eat at The Commerce Club and so someone took him every day to The Commerce Club. Now, I often thought, well, what if that person that took him to The Commerce Club decided they really needed a bill through and this guy's got how many years of service and how many lunches at The Commerce Club. The popular saying is "You can't buy a legislator for a lunch" but, you know, let's say about 30 years of lunches at The Commerce Club, there's no telling what the value of that is. And that might be something that that legislator thinks about.

We got invited to the Masters. You know, it just seemed to be a time where your head would get

pretty big if you weren't careful. My next term, I had decided myself that I needed to do some constituent service. '89 was my first session. '90 was my second session. So it really actually wasn't my next term, but it was election year and I had about three issues in Catoosa County. One was a toxic waste, proposed toxic waste facility that nobody wanted except the person that had the license. The other one was an issue about, oh Lord, I'm trying to remember all this. Catoosa's one of the smallest geographic counties in the state, but we had five phone companies working in different parts of the county. We had Bell South out of Chattanooga that actually came down into Graysville and got my parents and my House where I grew up. We had Ringgold Telephone Company based in Ringgold and spreading out. We had the Chickamauga Telephone Company. We had something out of Dalton and I think we had one more. And it would be long-distance to call just across the county. In some communities, it would be long-distance to call across the road.

And James Beck, who was a member of the legislature from South Georgia, he had a similar situation in his county. So he and I decided we were going to introduce a toll-free countywide calling bill to make phone companies work it out amongst themselves, but you got to be able to call across your county for free. Well, I put my name on the bill and we dropped it in, and a lobbyist from the telephone communications industry came by and said, "We're going to miss you at the Masters this year." Well, I started figuring out how things worked around there and it was a bit unsettling because you have an atmosphere where your ability to be places with your colleagues was important because that's where you, I guess, bonded and shared all your memories and a lot of business was discussed on those kind of things. And yet, I had a

constituent issue.

So finally, there was one other little guy. He was a sole operator of a little Exxon gas station. His name was Ken Abney and it was in Ringgold, and he had been there all his life. His family, a big family in Lafayette and Ringgold. But Ken was a sole operator of his gas station and he sold Exxon product. And he asked me one day while I was in there, he said, "Would you ever consider doing something for me?" And I said, "What?" And he said, "Well, this Exxon is breaking me. They're selling to me at prices that their own company-owned store, they're undercutting to it. So that store just up the road is killing me but I'm contractually obligated to them." And I vaguely started remembering a thing that as a freshman at the very first meeting I ever had with my colleagues, these oil lobbyists were talking about, and that was, don't ever introduce retail divorcement.

SHORT: Divorcement.

POSTON: Don't ever introduce it. That was the message at that meeting. Well, I didn't know what divorcement was and it didn't sound like anything I would ever introduce, and here was a constituent asking me directly, "Would you help me? Can you help me keep them from doing this to me?" So kind of remembering the little comment about the Masters, I decided, well, I'm going to try to be a constituent-minded person and I'm going to be more careful. And so I drew up a bill. Well, it was later called -in the 1991 session - it was called the Lobbyist Full Employment Act of 1991. Every lobbyist at the Capitol and a lot they flew in were hired by

these companies. They came in. They completely overwhelmed the Capitol. Some of my colleagues who enjoyed that kind of thing were patting me on the back saying, "We've never had it so good here." There were lunches, and dinners, and sports tickets, and all kinds of things, you know, going around.

And here I was representing my sole constituent. The oil lobbyists actually had the audacity to come up and say, "We can't believe you did this. This is just a little guy. He only sells so and so gallons a month. We've looked him up. We know what it's all about." And at that moment, that was the wrong thing to say to me. And so I really just kind of buckled in, but I realized that divorce itself, I think there were good arguments on both sides and I recognized that. So I told the side that liked what I did, I said, "I'm only carrying this so far as it helps or affects my constituent. If you're going to start trying to protect these middle men called the jobbers, you need to get another person to carry that water because I'm just really going and to limit it to what my constituent needs and he's an owner-operator."

And so that's ultimately what killed the bill. I think Tom Kilgore introduced an amendment on the House floor to include the jobbers and I just didn't have the constituency in the jobbers. So I basically was not necessarily for that amendment. It killed the bill. But the aftermath was amazing because the *Atlanta Business Chronicle* quoted a member of the Petroleum Council of Georgia who said, "We spent \$800,000 to beat Poston's bill." Now, \$800,000 in a House of 180 people, that just was phenomenal to me and I think that was a low estimate. That's how much they spent. We don't know how much the individual oil companies spent. We don't know how much the jobbers spent trying to support my bill. We didn't know because there was no

registration of lobbyists. There was no reporting of their expenditures. There was nothing like that in Georgia. So one newspaper said that I was chagrined at the excesses that I had witnessed and I think that was an understatement.

What happened later that year, though, probably had more to do with my positions than anything. In July I developed type-1 insulin dependent diabetes. And it had been in my family. My youngest sister had it, but it changes you. I believe any, I think, not just diabetes, any realization of mortality made a lot of the things that went on at the Capitol kind of silly by comparison and it sure made waiting in the wings and keeping quiet for ten years seem silly. And I knew my district was changing so much that I knew the old pattern of "Do your apprenticeship. Be quiet. Do what the Speaker tells you to until your time comes," that just wasn't going to work. It was already changing. The Republicans were increasing in number in the House, even though then they were around 60 something members out of 180. But you know, you only had to have 91 to have the whole House.

And so reapportionment was that year. I remember being in the hospital and having reapportionment maps tacked up on the wall in the hospital up in Chattanooga. And I was still respectful to Mr. Speaker. I remember a number of us had basically taken what he wanted his district to look like in Haralson County as number one and then we drew what we could live with, and then we presented it to him as basically the entire congressional district of House, state House districts and got him to sign off on it. Well, that's all we needed to carry that map to reapportionment with his signature and all of our signatures on it. And everybody knew, okay, that's sacred. We're not going to mess with that district.

So it kind of took care of reapportionment which was always a critical time in any legislator's lives. So another thing kind of happened that I think affected me. When I was a freshman I had been asked by the Speaker, again, he never asked directly, but one of his staffers had said, "Speaker would like to spend some time with you this weekend. You know, you got any plans?" And I said, "Well, I don't now. The Speaker wants to spend time with me." So I was told to be at the bottom of the old Ramada, which was the stadium hotel at the time where everybody tried to stay close to the Speaker, and I thought, well, we're going to Bremen. I wonder what I'm going to do in Bremen. I wonder if I'm dressed appropriately. Well, we didn't go to Bremen. We went to Charlie Brown Airport. We got in a slick little airplane and me and another legislator, and the Speaker, and a lobbyist, and we went to Houston.

I never to this day know what we were doing there, but I do know that when I got back - and I guess I was just literally going along for the ride - when we got back, the other three people in the plane with me were all named in the BCCI investigation that was going on, The Bank of Commerce Credit International, that rogue Italian bank that had influenced or tried to influence some banking legislation in Georgia before I even got there. And I had no idea to think anything wrong was going on, on that trip, but I just knew it's all three of them and plus me and some other trip. So with that and the diabetes and the things I had witnessed in the retail divorcement bill, my heart was set. And I read that Max Cleland was going to do a blue ribbon commission on ethics in government. Now, Max was chomping at the bit for an office to run for and so I realized that that was his purpose. But what I don't think he realized was my intent and I told him, I said, "Would you please put me on this panel because I plan on introducing its results as a

bill?"

Well, that kind of got Max excited because the Speaker didn't like Max Cleland and I don't know of any particular reason, but he just wasn't one of the Speaker's protégés. He wasn't like Bubba or a number of the other -- Larry, or Terry, or any of the other members that had been there toiling and waiting their turn. And so it was a bit disconcerting to the Speaker that I was helping Max Cleland with something. And I told him, I said, you know, "Mr. Speaker, I just really was upset by a lot of things that I observed and I really feel like we could use this." And that was very naïve of me. I realize that now and I don't think the Speaker was against ethical rules. I never want anybody to ever think that I was saying, well, "he's unethical and I'm ethical."

What I realized was that this was a very powerful tool that Tom Murphy had. As long as there were enough of us who loved going to the Masters, and who loved going to The Commerce Club, and who loved doing these things, he literally could control us that much easier. I mean, here was the tools that he was using very deftly to keep power, and quite easily I might add, because few lobbyists were going to cross him. They had multiple clients. They would be hurting all their clients if they took a real controversial issue that the Speaker was against. So it was just a very well-oiled machine but I introduced the bill. Well, of course, common cause and some good government organizations kind of rallied around it. But they were not used to winning anything. They were used to tilting at windmills all the time and not having any success. So there was no formula or blueprint for success for anything like this.

So, of course, I had mentioned that the Speaker had kind of helped me become this freshman that they had been profiling. Well, I was a sophomore now, but, you know, he had helped get my

name out there. So the *Atlanta Journal-Constitution* started picking up on the bill, "Hey, yeah, this is needed." What also helped was I was asked to debate the bill on Channel Five and this was just before the '92 session. And so I went to debate the bill with a senator who before I even had the bill introduced, between our debate and the introduction, he was federally indicted. So there would be things like jet fuel that would happen to my bill that I didn't cause but would certainly -- they were helping it along -- the general feeling that we need to have ethics legislation.

And so it started. Well, of course, the Speaker, in a very unfortunate interview for him, basically said he didn't see any need for ethics and what the opponents always came down to is, "I can't believe you're challenging my integrity, I can't be bought for a meal." Well, like I said, "Of course you can't, but if you really like golf you may not introduce that bill for toll-free countywide calling because you like golf a lot and you sure think Augusta National is a pretty place. Or if you really like The Commerce Club, you might not, you know, let that bill out of your committee because that lobbyist is against it." And I realized suddenly, it became very clear to me how they played ball when I got a call from Rhonda Cook and I had met a young woman and married her, a woman I met at The Capitol. And I got a call from Rhonda Cook and she said, "Well, I can't tell you who told me, but somebody in the Speaker's office told me that you had accepted a gift from lobbyists for your wedding." And I said, "Well, I don't know, I don't think I did, but I'll get back to you. Let me just get back to you."

I called my then new wife and I said, you know, "let's go through those thank you cards and let's see who all gave everything and tell me anybody that you know or recognize as a lobbyist." She

was up in Ringgold. She called me back a little later and she said, "Well, Larry Walker, Terry Coleman, Buddy Darden, about a dozen legislators had gone in together for a trip, a honeymoon trip, but John Thomas and Jake Collins are on there too." I said, "well that's fine. That's good." And I called Rhonda back and I said, "Well, they're right." And I said, "And I think this is a good example of why we need ethics legislation when they can get into your, you know, wedding gifts from - you think are from your colleagues and you don't even know that they were there until, you know, you look at the card."

And so that was their swipe at me for doing this and I just continued running. Because it taught me a valuable lesson, though, about how they play ball. And so I remembered that. So we get in with the bill and like I said, I had two strikes against me. I was working against the Speaker's mandate that we didn't need an ethics bill and I was working with Max Cleland, which of course, you know, the Speaker always had his candidate for something. And I had done the good lieutenant stuff. I had flown around with Bubba McDonald all over the state and sometimes I was the only person flying around with him because the Speaker wanted us to support Bubba, and probably missed out on a lot of good opportunities with Governor Miller because of doing what the Speaker asked me to do.

So you know, I was realizing what this was about to cost me. The Speaker did get interviewed because he introduced an ethics bill, or he had his people introduce an ethics bill, a companion ethics bill. And the paper -- and by the way, the *Atlanta Journal-Constitution*, people have to realize, then was a true statewide paper. It's no longer that anymore. It doesn't even run even here in Athens anymore on a daily basis and it hasn't run in Ringgold for years. But at the time it

did. You could get it literally statewide. And so, here's a reporter asking him questions, which he rarely did, and one of the questions was, "Why is your bill speeding along and why is Poston's bill bogged down?" And he said, "Well, I don't know. There's a vast difference between our two bills," and they said, "Well, what are the differences between the two? What is the differences? What do you not like about Poston's bill?" And he said, "Well, I don't know. I haven't read it." So there's a vast difference between our two bills, but he hasn't read mine and that kind of helped me out a little bit, unintentionally of course.

But the attempt to embarrass me was a definite shot across the bow and a valuable lesson.

Charlie Weltner, who was of course on our supreme court and who had lived a life of taking very principal positions even if it hurt his politics, I went to law school with his son and I was friends with his daughter. And I would seek counsel from him sometimes in this new role that I had of trying to reform some things and, I said, you know, "I just didn't know that they had gotten involved in my wedding even." And he said, "You should have." He didn't offer any kind of condolences, or "don't worry about it," or "shake it off." He just said, "You should have," and that was a valuable thing to hear from him because I always respected him.

So the *AJC* at the time, the Atlanta paper started doing something that I thought was unprecedented. When my bill would stall in committee, they would do an excellent editorial, but then they would list the numbers of the committee members and particularly the committee members who were obstructing. And so these people started getting hundreds if not thousands of telephone calls. Well, as impressive as that was, imagine how I was treated even by the secretaries that were having to take, field these calls. It was not my idea and it was not my

strategy, but it was effective because people were starting to get a little worried. They started getting calls from their own district. "I can't believe you would obstruct something like -- called an ethics bill. What is the point behind that?"

And I made it clear that while, you know, there was a lot in the bill that I could do without, my main interest was the lobbyist registration and lobbyist disclosure. I've never been a term limits guy. I always thought voters could make up their own mind about their legislator if they had the information. What they were lacking was the information of what was influencing their legislator and that's what the bill was offering. So at some point, probably in all of politics, perception becomes political reality. So I was being crucified a bit for championing this bill and the Atlanta paper, every slight that would happen to me, the Atlanta paper would run it and the other side would just get besieged by calls from their district. And that was a fairly interesting. The paper would identify me as someone who was challenging leadership and that the leadership was unhappy and it all really became red meat when I was pushing to fund the state ethics commission to manage these new rules.

And the new welcome center in Ringgold got cut from the budget right as they found some money for the new ethics bill. So I took it in good stride. I thought, you know, the welcome center, cutting that is really hurting all of you. It's not like cutting the McCracken Poston Health Center or anything that Catoosa Countians go to. We never stop at the welcome center, but you're hurting yourself because this is your state and this is where people come, a big corridor, I-75, and, you know, you're really hurting yourself. But you know, touché. And so basically that gave the paper and the media the kind of "the give and take" and they really ran with it, and this

poor legislator, and how he's being beat up and how they're hurting, they're not wanting his bill. Well, in committee I learned a lot about the process because Denmark Groover was, of course, the mastermind and just an incredible lawyer that they even created a verb out of his name, a bill would be Grooverized and you didn't always want your bill Grooverized because sometimes everything you intended for it to do once it was Grooveized, it did the exact opposite. But you know, you looked like you were passing a bill that did nothing. Well, I knew enough about that and I was on the judiciary. And to Speaker Murphy's credit, he had a system of rules where once you got a committee, he would not take you off of it no matter how mad he got at you. Rules committee was the only one he would take you off of and so that was the committee, the one committee that he really controlled with an iron fist. But I got to maintain, you know, my committee positions - well, my committees, I should say that. I'm being premature here.

And so I started realizing, though, that my bill was being cut away. It was being Grooverized and I was being asked to carry a shell of a bill onto probably its death because it would have been nothing that anybody wanted. But I started realizing, and you have to know, Bob, I didn't pass this ethics bill myself. I couldn't. I constitutionally couldn't have passed it myself. It took a majority of the legislature to pass it and I started seeing my colleagues, my friends that I came in with as freshman, some people who had not always been up front on bills before, but other people who had witnessed the excesses that I had witnessed and they had just been quiet about it. And now, they were kind of inspired and they wanted to restore some of the things that had been stripped away in the judiciary committee. And Bobby Lawson from Gainesville, Tom Bordeaux from Savannah, Republican Max Davis from Atlanta, and others were very helpful in restoring

things to the bill. Well, and it passed judiciary.

Well, Denny Groover was so mad at me he moved for passage of his bill as well, but ultimately I think just because of the pressure the paper was putting on, they decided to run with mine. Well, I got it through rules, which was a tough barrier, but I was told the only reason you can get it through rules is if you do not agree to any amendments on the House floor. Well, here were people, my friends and colleagues that were not on the judiciary committee who had read about all the stripping down that the bill had endured and they were embarrassed. They didn't want to pass a skeleton even if it was going to go to conference committee later. They wanted the House version to be strong. And so, but here I was with this obligation to not agree to amendments. So I kind of violated a code, I guess, of operations, but technically I was true to my word. What would happen through the parliamentary inquiry of the bill, we'd be there and I'd say, "Please pass my bill, and the chairman would say, this is a good bill, please pass it." Well, then all my friends would stand up and they'd say, "Well, look, I move to restore this language that was in the original bill." So there were all these handwritten and typed out amendments that were good amendments. And so, I would say "parliamentary inquiry." Everybody wants to hear from the author of what the author thinks, but you can't just say what you think. You have to ask it in -- I always tell school kids that it's like playing jeopardy all the time. You have to ask everything in the form of a question. So I would say, "Isn't it true, Mr. Speaker, that this is a wonderful amendment, but I'm obligated to a deal that I cut that I can't agree to amendments." Well, that infuriated them, but amendment, after amendment, after amendment passed and got restored to the bill. So it was a fairly good bill that passed the House. But I was completely without a

country at that point because Denny Groover was furious and the Speaker was furious.

Well, normally the Senate, you know, passed -- I went over and worked in the Senate committees and they passed a much stronger version of the bill than even the House did. And normally, the bill's author gets to be one of the conferees. Well, I had enough of playing a role in my own bill's weakening or ultimate destruction. So I wrote the Speaker a letter and, you know, "I think this is probably something you had already planned already, but I don't care to be on the conference committee for my bill". And I basically said, "I support the Senate version more than the House and it wouldn't be a true legislative conference committee if I was on the House team." But I did that for another reason. For one, it put the entire pressure. I think they would have liked me to be there and they could have put pressure on me. "We'll give you your welcome center back. We'll do a number of other things, just help us come out with a so-so bill." I didn't want to do that and I just, you know, I had been cussed out enough about the way I'd handled the thing on the floor that I just thought, well let's just let the whole world come down on them if they don't pass a good bill.

And lo and behold, they did. And in the eleventh hour of the last day of the 1992 session, my bill came through as a conference committee that the Senate had passed and the House passed it. And I guess it is the proudest work I ever did in the legislature because it was a game changer. Forever lobbyists had to register. They had to report everything that had ever happened and in terms of what they gave to legislators. Well, and Zell Miller came through and funded the design for the Catoosa County Welcome Center. So it was a plus all around and I'll always appreciate him for that. Now, the end of the '92 session, I knew that things were not going to be

the same for me, but there were enough people out there who were just upset at the way everything had gone down, embarrassed at the way the leadership kind of seemed to bungle it and completely misread what the public wanted.

And so, some of us approached Dubose Porter and said, you know, "All of us are young and all of us have just been here a few days. You're the governor's floor leader. You know, what if we tried to get you elected as Speaker?" I mean, we felt a real groundswell out there in the state from the reaction to the ethics bill and the reaction to our leadership's blocking or attempts to block the ethics bill. And it took some talking to Dubose, but he thought, "Well, you know, I'll do it. I'll try to do it." And it was very clear and probably to his detriment that I was the most outspoken advocate for Dubose. And I really was, and I made it my pledge to myself because I always liked Tom Murphy. So I was not going to get personal about it and I just said, "It's just time for change."

Well, Ray Holland, who I told you was kind of the intellectual of our bunch, he came up with a document that we called the "Holland Manifesto" and it was basically a bill of particulars, of everything we thought was wrong with our body and the way we did business in the legislature. We called for an ethics committee for us to police our own, the establishment of that. We called for pre-filing of bills so that people could pre-file them even, you know, the summer before the next legislative term and have study committees, and have public hearings and, you know, involve the public in things except for this 40-day madness that we always did. And we asked for computerization of information and so that we could all have access to it, and we asked for computers on the House floor or the ability to get access just so that we don't have to, last minute

things, we would like to have our own sources of information other than what the lobbyist out in the hallway was sending in through their legislator.

So the brilliance of Speaker Murphy was - and I'll always admire him for this, and I've always said, he deserves one of the biggest statues out on the Capitol ground. I will say that to this day because he did remarkable things and he stopped a lot of bad legislation over the years. So I'll always want to honor him in that respect, but things started getting nasty at this point at the Capitol. And basically, he co-opted a lot of our ideas, which was fine. I mean, he created a House ethics committee. They came up with their own pre-filing of bills that they started doing and all of this was from the Holland Manifesto, all from the group after we lost the Speaker's race, running on these issues. I had looked at the old Al Burruss case when Al Burruss challenged Speaker Murphy and the group of people that kind of supported Al Burruss. It was literal political obliteration. Al Burruss spent the rest of his career trying to come back, trying to build back and I saw that as not a good role model for me and I didn't think for any of us.

So I thought we should form a group called the Democratic Reform Caucus. Now, the difference between our time and Al Burruss' time also was there were more Republicans now. Suddenly, the Speaker is twenty-something votes away from losing the House. So he couldn't afford to alienate all of us, even the rebels. So they picked out just one person to punish and you're looking at him. I got the punishment from on high. I got stripped of my committee assignments. Some of our rebels actually got new committees to head. Dubose did a wonderful job at rehabilitating his in-House politics, but there had to be a sacrificial lamb and I guess I deserved it

because I was the most outspoken of all of them. And I knew how it worked. So I wasn't personally upset. I just thought, well, this is just the way it works.

BREAK

POSTON: Well, the 1993 session was, of course, the session that Speaker Murphy was reinstated. There was some talk of cutting a deal with the Republicans and Dubose wanted nothing of it. I think that he wanted to start rehabilitating himself. I was, of course -- my personal situation was different and I thought, "Well, what would it hurt, you know, what would it hurt to do a little power sharing right now because they're coming on pretty strong? We're all going to want them to be kind to us, kinder to us than they have been dealt with over the years and so it might be good to have a bit of a transitional government." But nobody else really wanted to do anything with that and that again was the brilliance of Tom Murphy because, like I said, some of the rebels came out pretty good. They got some good committee assignments and got good treatment.

But they had to have the sacrificial lamb, and that was me, and that was fine. But the Democratic Reform Caucus, we watched closely what was going on and we continued to try to change things. And Dick Pettys with the Associated Press discovered what was popularly called a slush fund that House leadership was controlling of state money. And it was of questionable legality as far as the process goes, but it was a certainly powerful tool that they could work and reward with.

Now - a funny story - I've been speaking chronologically, but I've got to go back: When my little group that you call the Four Horseman, when we were freshman, we were such eager students of the process that we would show up at the Appropriations Committee meetings. We would just sit there and listen, soak it all in. This is how they do it. This is how they work. Well, I was dating a little girl from Ringgold that was going to college down in Atlanta and we quit dating, but we were still friends. We grew up in the same town and so there she was, you know, kind of being one of the hangers-on too at the process. So we get to what they call the green door committee and so we're all showing up, ready to follow them in through the green door and they just kind of laughed and said, "Well, woah, nobody comes past this. Nobody comes past this. This is a kind of a real closed door session thing." I'll never forget the old girl I dated got to go in the green door committee and the guy who got elected by 44,000 Georgians didn't. So there were some memories of reform, budget reform that we had, and we introduced a measure as the reform caucus to straighten it out. Now, the leadership was embarrassed by this slush fund discovery. So they really couldn't do much about it other than swallow hard and pass our bill. So we were very excited. So at the end of the '93 session, we had survived the Speaker's race. We had been obliterated, beaten pretty badly. The Speaker can count numbers, you know, and he had the power to make the promises to keep the power. But we had survived. We had created this Democratic Reform Caucus. We had passed reform legislation. Again, at this time, the Slush Fund Budget Reform Act.

And so imagine my surprise in the summer when I and my office get a call from the Georgia Bureau of Investigation and he said, "Representative Poston," he introduced himself and I said,

"Yes, sir, what's happening?" You know, you always kind of get a lump in your throat when the GBI calls you. He said, "Did you observe anything unusual on the last night of the legislative session, this last one?" And I remember somewhat sarcastically saying, "Yeah, we passed a budget reform bill. That was the most unusual thing that I ever saw." And so he said, "No, this is more unusual than that." So I asked him, "What are you talking about?" And he said, "Well, there was a young man serving as a page who reports that over in your section, Section A," which was one of the smaller little sections just to the right of the Speaker's platform, I always thought the Speaker wanted to keep me close where he could watch me. But he said, "There was a young boy working as a page who says that a member flashed a kind of a phallic toy at him." And I was just stunned and I said, "But you have no idea who it is?" And he said, "No, that's why I'm calling. We're trying to see who saw something different." I said, "Well, are you learning anything?" He said, "Not much." And I said, "Is this publicly known?" He said, "Oh, no. This isn't publicly known."

So between hanging up with him and my next call, I realized that if things aren't publicly known around there, somebody else is going to be assigned as the purveyor of the sex toy and I wasn't going to let that happen. I was the most unpopular guy there at that time. There were active candidate recruitment campaigns coming out of the Speaker's office for my seat and so the very next call I made was to Dick Pettys at AP. I said, "Guess what?" And he of course ran with it, and we had the infamous, the absolute first case for the new House Ethics Committee. And I filed a complaint. I didn't have any idea who did it, but I filed a complaint saying, "You know, we really need to fully investigate this and find out what happened and do what we need to do."

Well, that was - as someone said - now my fight had started involving noncombatants and I was just, you know, being a rebel for the sake of being a rebel. But at the same time, I felt a little bit of self-preservation here because if you don't solve who did it, you know, I'm going to be accused of it or, you know, somebody like that. The rumor that's going to go out and about is going to be that. Well, it ended up, of course, being the chairman of the Transportation Committee. So, you can imagine how I swallowed hard and said goodbye to the last road paving that I'll ever see when that happened, but I could not resist when the reporter called me and said, "Well, it's the chairman of the Transportation Committee. It was given to him -- he's saying it was given to him by a lobbyist." And my response was, "Well, I wonder if he reported that thing on the new Lobbyist Disclosure Act that I passed two years ago." Well, the poor lobbyist had to go back and amend his report to put this fake penis on his report that he gave as a gift.

And so, I guess I became the point person then for anybody that had a problem with the leadership because the next thing that happened, and this was the furthest thing out of my business -- I think I had a personal reason to bring the sex toy complaint because I was concerned. It happened in my section. If it's not solved, you know, there's going to be a rumor started about it. The next one I had probably the least reason to file, but I was just mad as hell because they were recruiting a candidate against me and, as Zell Miller has often said about the mountains, "You don't put us in a corner." And a young lawyer who was a special attorney general by assignment over in Bremen, Haralson County area, had put one of the Speaker's clients on the child abuse registry, one of his law clients. And the Speaker, and this is unrefuted, the Speaker told her that if she didn't get his client's name off the child abuse registry he's going

to cut the funding for her entire agency that supported her and the Department of Family and Children's Services.

And of course, this woman was very upset but she could find very little recourse. And of course, I filed another ethics complaint. And like I said, I probably was less enthusiastic about that one, but I was just mad as hell and I was not -- I realized from the Burruss example that to tuck your tail and try to get along was not an option because you weren't going to get anything anyway. So as long as I was punching them, I was relevant and I was continuing to make some impact. Well, that case went away faster than anything. The House Ethics Committee, which the Speaker loaded up with his own people, took no evidence, didn't even give the woman a chance to talk. Murphy didn't even appear and they dismissed it. Now, the sex toy thing was something completely different. That had enough, like I always call it, jet fuel to it that nobody was going to be able to just suppress that. It involved a child. It turned out that the mother had called the Speaker's office two days after it happened and nothing had ever been done. And then she later said she had actually talked to the Speaker about it, about two months before I broke the story. And so they had their problems. And so, ultimately the chairman was publicly reprimanded in a session that was probably the most painful session I've ever sat through in the legislature because he got a standing ovation and then for the next two hours, people just took turns at the well giving me hell and "How in the world I could do that to a friend and a colleague?" and "How in the world could I..." And I couldn't believe it. And to the chairman's credit, it was pretty well known in the House that he was not the one who brandished it. He was seen as the one brought it to the floor, but he was not the one who -- likely not the one who showed it to the child. And

yet, the brotherhood of the legislature, the fraternal atmosphere caused him to take the fall and not include anybody else. And that was obviously a lesson that I never learned was the brotherhood and the fraternal atmosphere. And so I was -- I caught a lot of heck about that. Well, the next session, of course this all happened in the '94 session and Brian Hicks, who was a reporter for the *Chattanooga Times*, he told me off the record, he said, "I just had an off-the-record conversation with Tom Murphy. He tells me you're not going to pass a bill this year." And I said, "Oh, so he's threatening me?" He goes, "Oh, no. You know how he is. He's more subtle than that. He said, 'I'm not stopping him from passing a bill. The members just don't like him. They're not going to -- they've told me they're going to let one bill out.'" Well, I had about five things I wanted to do, various things, and I had other ways of getting four of them done. I had vehicles, we called them, that I could plug my language into another bill or maybe over in the Senate side and nobody would ever see my name on it and it would pass, and they did. But I had one bill I couldn't find a vehicle for and a constituent who was a little girl in a wheelchair, her parents had asked me to get involved. She was getting a dog trained to help her.

SHORT: Suzie.

POSTON: You know Suzie? You remember Suzie?

SHORT: I remember Suzie.

POSTON: Well, these assistant dogs are great. They help people with wheelchairs. They can open refrigerators. I don't know how but they can push an elevator button and I don't know if they know which floor to push, but they can at least push one of them. And they can do absolutely amazing things. And I was given a demonstration and I thought, "Well, this is amazing and yes, I will introduce this bill." But I told this group of advocates, I said, "Maybe I'm not your best person. You know, I've kind of stepped on some toes down there." They said, "No, you're our guy. Let's do it."

And so, we introduced this and it had probably the most enthusiastic constituency of anybody I've ever seen. Now, my bill, it was already allowed for trained dogs, certified assistance dogs to come into public places. What the bill was about was to let dogs in training by a certified trainer also go to public places because they said, "You know, you can train a dog forever and he's not going to be ready for a MARTA station. And you know, even those new train dogs, they're going to go to MARTA stations. They're going to be a little freaked out because here comes that train whooshing through and there's a big drop off, and we really need to train them in places like that." So all the advocates who were already at the Capitol, their dogs were already trained and certified, but they were just excited about the measure.

So I started to realize that this was really breaking down a lot of the members' resolve that I was not going to pass the bill. And of course it wasn't their resolve, it was the Speaker's resolve.

And so it got put in, like, two subcommittee levels of hell and, you know, I would show up and there'd be five or six people in their wheelchairs, and their dogs, and the dogs are well-behaved.

They're not scratching or, you know, using the bathroom on the floor. They're all perfectly

behaved and the subcommittee would say, "Well, gosh, yeah, we can't stop this. Yeah, move it up." Well, it kind of got delayed enough to where it only got out of committee by the time the rules calendar kicked in, the one committee that Tom Murphy could control.

So I would show up and Bill Lee, the chairman of Rules, he pulls me off to the side and he said, "I really wish you wouldn't bring all these people." And I said, "Well, what do you mean?"

They're just here for bills like everybody else. Look at all these people lining the walls." There's everybody you could think of, you know, lined the walls and Bill kind of ran the Rules

Committee with kind of a lighthearted, comical approach. It was disarming in a lot of ways and it served a good purpose because there's so much seriousness there that it, you know, I wasn't necessarily against his style. But he said, "You're trying to make us feel bad." And I said,

"Well, I'm not trying to make you feel bad, but I'll talk to the group and, you know, you have this committee in such a small room, I'll talk to the group and maybe they can just designate one advocate a day to come with me."

And, you know, I did that out of respect for the chairman and I went out and told the group, I said, "Here's what he said. You're all trying to make us feel bad there in your wheelchairs and your dogs, you know. Just making us feel terrible. So why don't you just pick an advocate a day and we'll continue asking for this bill to come out." And we did. Well, finally some of the members of the Rules Committee, they just could not take it anymore and somebody said -- and Bill Lee was not chairing it. Denny Groover was chairing it, because he was the vice-chair. And he made a mistake that day. He made a statement that he sincerely apologized to me for yesterday, not yesterday, gosh this is how many years ago? He sincerely apologized to me about

it the next day, but he just got caught up in the moment. What he didn't realize was there was a group of schoolchildren there. There were reporters from Columbus that a couple of the key legislators were from Columbus, Calvin Smyre and Tom Buck and somebody said, "Why don't we let Poston's bill on? He and those people have been here every day." And Denny said, "Those people are handicapped enough without Poston's help." And it blew up on him. It was a comment that probably we've all made, insensitive comments in our careers and our lives, but it was just the worst time to make it. And it became fodder for the press.

And he came to me the next day and he said, "You know I didn't mean that the way it sounded." He said, "I'm really sick and tired of this thing between you and Tom Murphy." He said, "You come tomorrow. I'm going to get your bill out of committee." And he kept to his word. The next day -- and I'll always admire him for that. He's the one who had been around long enough that he didn't have to take the Speaker's mandates all the time and he got my bill out. Now, that day that the bill got out of committee, the advocate of the day since I had made the group come down to one, was a little boy, 12-years-old named David Zeroux. And David had been in a wheelchair all his life, and his dog, Suzie, was this black lab who was just a beautiful dog. And I just turned to him. He was about the right age. I said, "Hey, why don't you be my page tomorrow when this bill comes out and people can kind of see how Suzie helps you." And I meant just be a page and they'll see the dog helping him all through the day.

Well, I got so excited and I really didn't think, "Well, we're just about to, if it passes -- which how could it not pass? We're about to go over Tom Murphy's mandate." But I didn't think of it that much. I was just excited to have the bill up the next day and it was a great bill. Well, the

next day I'm sitting in my chair getting ready and Butch Benefield, the Speaker's Sergeant at Arms, he was a state trooper, really nice guy who was kind of the bodyguard for the Speaker, he came up and he said, "I'm sorry, your boy and the dog can't get in." I said, "What do you mean? Is there a problem?" He said, "Well, the Speaker says they can't get in." Well, Speaker and I had not spoken that session and I regret that because up to that point I had always gone in and told him my views on things and told him why I was doing things. But it had gotten personal and between all the ethics complaints and the getting opponents for me and all this stuff, we had just worn each other out and whatever.

So I finally went up to him and he was up on the bench, and I said, "Mr. Speaker, what's going on with my page?" And he says, "You're trying to make us feel bad." I said, "I'm not trying to make anybody feel bad. I'm trying to make these people that need this law passed feel good." And he says, "Well, they can't get through the aisles." Well, right as he was telling me that, John Sherrick with Channel 11 - I didn't plan it because I just walked straight up from Butch Benefield to the Speaker, so he knows I didn't plan it - John's behind me and he said, "Hey, Poston, we want to do a story about your boy and the dog." And I said, "Well, talk to him because he won't let him on the floor." And I walked off and I saw those lights come on and I saw the Speaker, he kind of rocked back and forth and kind of rubbed his whole face with his hand and I knew, I knew it had just blown up on him. But I didn't hear what he said.

And so, my bill came up. The Speaker relented, let the boy and the dog on the floor. I didn't plan on the boy doing a demonstration, but he wheeled down and he turned around and he dropped an envelope down on the ground. Out of his pocket, he had a little sport coat on. And

the dog went down and put its paw on the end of the envelope, made the other end stand up, grabbed the upward end with his teeth and laid it on the boy's lap. And God, we had people crying in the aisles, and cheering, and standing up, and I turned around and there wasn't a soul in the Speaker's chair. And I thought, "Well, you know, maybe this is over with. Maybe, you know, maybe it's finally over with," but to my chagrin it was not.

I didn't even watch the news story that night. I came the next morning and Sherrick came up kind of ashen-faced and said, "I just got told by the Speaker's office that if I do one more story on you I'll never get a story again." And I said, "Well, what did you do? What did you say? What did he say?" And he said, "You didn't see it?" I said "No" and so I left and went down to the House information office and asked them to run me that story. Well, it was awful and it was the Speaker in his own words just doing himself in, trying to explain why he was banning this child and the dog from the floor and one thing you don't do, you know, W.C. Fields says, "You don't work with children or animals." And it just was hard to explain how you could ban that child and especially after the child's performance.

So I thought, "Oh well, that's too bad and maybe that's over with." But, unfortunately, I heard someone say "The gentleman from Haralson wants a point of personal privilege." So he went to the well and the place was just completely silent and, of course, I'm in the last seat on the front row of the right side. So, when I turn my seat I pretty much can see everybody looking at me, and the Speaker breaks down and cries, and sobs, and I couldn't believe it. And I could not believe what I was hearing and he was crying and saying how he was misunderstood and if that Neal Boortz were here, he would bash his brains in. And I was thinking, "Oh gosh, what's for

me, you know." And he went on and on about how, he talked about his brother who was disabled and how he couldn't believe people would say he was not kind to the disabled or didn't understand the disabled.

And certainly, I had heard about his brother and I knew the Speaker was a very good advocate for the disabled, but he obviously didn't realize what it looked like to try to punish me in that context with the boy and the dog. But he wasn't going to say that either. He wasn't going to say, "I was just punishing Poston" because that was something he would never say. And so the one thing he did was he said, "Well, I hope that Mr. Poston will come up here and explain that it just wasn't like that." Well, I was told later that that was my last opportunity to come up and basically get a little bit under the wings a little bit, maybe just a little bit under the fold, maybe not be put off in Siberia so much. And I could not do it. I did go up and spent the most of my personal privilege thanking everyone for making it such a great day for David Zeroux because his parents had told me that it was the most excited he had ever been about anything. They said - I asked, "Doesn't he go to school?" And they said, "Yeah, but this is -- he's so into this legislative process, we're all for him coming here as much as he wants to." And that's all I said. And Ray Holland later told me that, he said, "You missed a real good opportunity. The Speaker was needing a lifeline and you could have thrown him one, but you didn't."

But later that year, he lined me up some opposition and in April, after the session, a former tax commissioner comes down, escorted by Bob Peters, the guy I had beaten years before and helping him sign up to run against me. So I knew that was directly from the Speaker's office.

Well, we had passed a drug test law that all the legislators - we felt we needed to do as well, but

obviously, while the state employees got theirs randomly, we knew we got ours right before qualifying and we had to qualify within a certain number of days of that drug test being made or otherwise it's stale. So we were all, you know, getting ready to do our drug tests and I'll always remember the funny story. I'll let Representative Ray Holland tell you about that day, but we all show up and then, of course, we all go and see who our opponents are, those that drew opponents, and not many of us did, but I did.

And my opponent, aided by my predecessor, signed up to run against -- for State House District Two. Well, that was the number of the district when I came in, but reapportionment had changed it to District Three. So they signed up for the wrong district and, of course, when I saw the printout of what, who all had run and Mike Snow's calling me saying, "Who is this guy and why is he running against me?" I said, "It's a mistake. I'm sure they'll correct it." And sure enough, they corrected it. Well, they corrected it the next -- that was on a Monday. They corrected it on a Wednesday and signed up for District Three, but the gentleman had put the wrong precinct down. Now, that was not a fatal error but I went up to the courthouse in Ringgold and I was laughing about the first mistake, and I planted in the ears of a few people that I knew would go blab it immediately that he had made another mistake, that he had put down the wrong precinct that he lives in and I was going to disqualify him.

Well, he ran as fast as he could down to Atlanta on Friday to qualify a third time for the same race, but this time his drug test was out of date because his drug test had expired. So he qualified the last time without a drug test and I got him disqualified. So that was basically the end of my troubles with the Speaker. We had done battle and we had done battle fiercely and we had given

each other our best shots, but we were both standing. And in a strange way, we started getting along again. And I left two years later and ran for U.S. Congress and it was a failed bid, but I knew I had done about as much as I could do at the state Capitol and I was leaving on my own terms, which was important to me, and I wanted to either do this on a full-time basis or get out of it. And I let the voters decide and they sent me home to Ringgold from the congressional race.

SHORT: It was generally known, though, at that time that the Speaker supported you for Congress, did he not?

POSTON: Yeah, he did. He did and more than I would ever dreamed that he would have, and I've talked with him in later years and again, like I said, even in the fiercest of battles and even when I was trying to have him sanctioned and removed, I still think he deserves one of the biggest monuments there because of what he represented, the period he represented and the progress that the state made while he was Speaker. I just don't think that everybody should be in those positions forever and the brilliance of the man is that he passed just about all of our reforms. What you see in the House now Tom Murphy heralded in, not his successors, the computerization, the prefiling of bills, and if anything I think quite frankly there's been almost a step backwards.

The Speaker was fair. When you got a committee, you kept it. I know that there were people on judiciary that were dying that I was there when I was in the middle of throwing all those molotov cocktails, but he left me on it because he was a man who made a principled rule, seniority, and

this, that, and the other, and he generally stuck to it because he knew things would start unraveling if he started picking it here or there. But it was fascinating to me as a leadership style how he would never directly tell somebody to do something. He would just tell them what he thought about it and what his concerns about it were and generally people got the idea and scrambled around.

SHORT: There was one bill that I recall that you championed that is now law in Georgia, but it took all these years, is your idea about an inspector general.

POSTON: Well, I actually, of course, that was one that I did not pass myself, but I was the first one to bring it up. I also separated the heads of Department of Natural Resources and Environmental Protection Division. It was an unusual arrangement and with my toxic waste facility about to happen in Catoosa, I realized that the same person that's supposed to be protecting the environment was the person that was issuing permits for these facilities. And I wrote to Jimmy Carter - and I'll always be proud of this and I have it framed in my office - I wrote him a letter telling him that I was trying to change this and I looked back in history at when they merged together, when they were put together, and I suspect that it might have been put together for a personality of that day that the President Carter, then Governor Carter trusted and likely just created that position for him.

And he wrote in the margins of my letter that I was right and he mentioned the guy's name and said, "Yes, this is why I put these two together," but basically gave me his blessings to undo it.

And I basically infiltrated every gubernatorial debate and planted that question to give the false sense that this was something of great statewide concern. And Zell Miller, to his credit, he pledged that he would look into it and change it and he did. And so I was very proud of that. I did, after the ethics act, when things were a lot tougher to do, I passed the Statewide Whistleblower Act that protects state employees for blowing the whistle on fraud, and abuse, and theft of state funds and services. And then my last year there, a Pesticide Notice Act for people who are sensitive to pesticides, for example, in dorm rooms. Sometimes it gave -- you were supposed to post notice. So those who are sensitive could look out for the notice and just avoid their room for a while or even get out for a while if they worked in an office and they had some sensitivities.

SHORT: Well, now let's turn to your legal career.

POSTON: Well, I was kind of a bit of adrift to tell you the truth, after losing the congressional race, even though I should have been more prepared to lose it.

SHORT: Well, let's talk about that for a minute. That was an unusual election in that the incumbent had switched parties.

POSTON: The incumbent had switched parties. He obviously read the tea leaves. I could never do that and so it was an opening. It was an opening and I had already decided I need a heads up

way to leave here in the State House. Tom Murphy didn't run me off. Nobody beat me here. They tried to beat me back home. They tried to beat me at the Capitol and they didn't. So here's a heads up way that I can leave. I was none too happy with the incumbent because he had just used a lot of our goodwill and treasure to get himself elected and then this was, however, the time of the Gingrich Revolution and he said, "Congressman Deal said that he could do more in the majority party than he could in the minority party." So I'm always curious what he's saying now that the Democrats have taken over again and I understand he's running for Governor now. So maybe that's his way of getting out himself.

But it was a different animal than as you can imagine a state House race. I wanted to do it right. I hired all the professionals. They put me in a padded room with a telephone and a list and I very uncomfortably raised \$500,000, which was apparently something that most challengers didn't do. But it was very - it was not all pleasant. I didn't really get to do the door-to-door and get to know people like I had done in the district, but had, as Zell Miller taught us all, the modern campaign is more of a, you know, it's not necessarily the country store anymore. But yet I launched my campaign from the Graysville Mercantile, which I was very proud of. Both brothers are passed away now and my dad passed away in July of this year and he was my sign man in all of my elections. He got out and put up signs and I always very happy that he and I had that time.

But it was just a completely different animal. The funny thing about it was my wife that I had married at the Capitol, she could not stand Ringgold and she really probably wasn't really liking me anymore and suddenly we were going to be in Ringgold together. And she really wanted to move on with her career and she found a job in Chicago. Unfortunately, she found it in the

middle of my congressional race and so, with my blessings, she left, and so I had the amazing absent spouse throughout this congressional race. Well, campaign staffs are kind of notorious about, you know, communicating with each other and teasing each other. Well, Deal's staff would call my staff and they'd say, "Where'd he put the body?" And so it was just completely, you know, embarrassing. Nothing public was out, but it was fairly well known that I was going through a divorce right in the middle of a congressional race.

And so it was kind of merciful at the end of the congressional race to go ahead and do that. So I was just trying to somewhat reinvent myself as a lawyer, which I had never really done full-time ever. I had been a prosecutor briefly and I had always dabbled in politics the rest of the time. So I was trying to figure out what I wanted to do and where I wanted to do it. And in 1997, not quite a year after the congressional race was over, I was just walking to the court house one day and I had heard that there was a strange discovery of a woman's body in a man's house in Ringgold and he claimed it was his wife and nobody in town really knew that he had a wife, and didn't know, didn't recognize her, didn't know. And they surmised that he had kept her there for, like, 30 years. And so I knew this guy because he had gone to high school with my oldest sister and he was odd acting, very sinister acting and kind of scared people. He had a little TV shop in town that he had shuttered in the early '80s and he had some theory that the sheriff had put him out of business and he had even run for sheriff in '84 and it was all considered somewhat of a joke. But he was very sincere and always wanted to talk about how he had been done wrong, but nobody knew he had a wife.

And so he would catch me at the same corner of sidewalk and street every day, no matter what

time I left. I would see him walking from a phone booth and he would encounter me and the first couple of days it was just -- he would nod. And the second couple of days he would say -- grumble something and finally I just said, "Mr. Ridley, I know who you are. How are you doing?" And he said, "Oh, I'm not doing any good. They're saying I killed my wife." And just the memory of my congressional race was so fresh on my mind, I said, "Well, I know exactly how you feel." And he looked up at me as if he had just found his lawyer. And so he started, you know, in his own way -- he was the most difficult client I have ever had. I hadn't had many clients up to that point, but he is the most difficult client I have ever had and probably will ever have.

He suffered from a paranoid condition that would not allow him to trust me yet he needed me. He lived in poverty. There was this shackled building that he owned that had a bunch of 1970's console TV sets in them that had had the last high watermark from the last flood we had on them and the roof was falling in, and his house looked like a fortress. It was all kind of fences and things like that on the side that you could see from the street. And I thought, "Well, this poor guy, he doesn't have anything." That was before we had the public defender system so I walked him over to the judge's office and I said, "Judge," to Judge Van Pelt, I said, "Judge, this is Mr. Ridley. He's charged with killing his wife and holding her hostage in the house for 30 years and he needs a lawyer." And the judge says, "Well, the sheriff's already called me about him. He owns a \$500,000 piece of property up on the lake in Chattanooga." I looked at him and he looked at me and he said, "Well, that's momma and daddy's property. They'd never want me to sell that." And I thought, "Man, this guy is somewhat of a mystery."

So he and I came to terms that I would represent him, but it was like pulling teeth to get him to even come to my office. So I decided to me, this case was important because I was no longer doing public work and I had just lost this congressional race, and I really wanted to win something. And I told him, I said, you know, "I really want to win your case. I think you've got a good case." And I was thinking in terms of "the state can't prove you did this." You know, in the back of my mind I was thinking, "Well, did he do it? And I'm not sure, but I don't think the state can necessarily prove it." Well, he wouldn't let me go into his house. He would miss appointments. He was driving me crazy.

So finally I decided -- he would call me from phone booths in the middle of the night screaming at me, "Why I hadn't knocked the case out yet?" That's the way he put it. And so finally I said, "You've got to come to my office." You know, I'd just scream back at him and he would get calm. And so, ultimately, when I finally got him to come to my office I told him, "I'm going to put a phone back into your house. Your phone's been cut off. I'm going to pay for it and have it put back in the house and that way you and I can communicate." And he agreed, and yet he still wouldn't let me in the house. Now, he had let the sheriff's deputies and investigators go in every time they wanted to, but he wouldn't let his own lawyer.

So finally I got the case put off because I just didn't have anything. I got it put off from the September term and Thanksgiving came along and I had gone to my parent's house up in Graysville, and my mother - they remembered him. My dad had bought Zenith television sets from him and my mother said, "Why don't you take Alvin Ridley something? You know, we know he's alone now and why don't you take him something." And it was that gesture, that me

showing up at his house and while there was this huge barricaded, giant ten-foot tall fence on one side, on the other side there was one strand of turned off electric fence that was laying on the ground. So it wasn't like a real fortress at all, it just looked like one.

I showed up at the door with that and he was so touched by the gesture he invited me in. Well, it was the most bizarre, uncomfortable house I'd ever been in. It was just a very poor house. It smelled awful. It was in poor condition. But the guy was also quite a pack rat. There was everything you could imagine in this house over the years, old things, televisions. I told him that I wanted to go back out to my car and get a camera because there were no locks on the windows, there were no locks on the doors. There was nothing that would make you think that this woman was held there. So I went into every room but one and he said, "You can't go in there. That's momma's room." So I'd say, well, you know, "I need to get photos of every room, but I'll respect your wishes right now."

But what I did find on the wall was a shrine of sorts that he had put of poems and letters and things that his wife had written. She had a very distinctive hand, a handwriting that, you know, you could tell right away was the same person, although ultimately I did get a scientist to confirm that. But, she apparently had epilepsy. And one of the side conditions that she had that I didn't even learn about until the eve of the trial was that some temporal lobe epilepsy patients who are not medicating have a condition called hypergraphia, where she was compelled to write everything she ever thought. And so in this house was 27 years of her writings and I spent almost a week there every day over the holidays going through this stuff. And I found a notation, a journal entry, or something written that I could account for every month of 27 years,

either that she dated it or she talked, or what she was talking about. "Man landed on the moon today." "Elvis's movie came out today." And I could date them by what she was talking about. She wrote four presidents and here's a woman that everybody in Ringgold is saying she's been held captive in her house but she's writing presidents. She wrote Congressman Davis. She wrote all these people and she shared the same kind of paranoid view that Alvin had, how everybody was against them and they needed help, and oddly enough, he thought and she thought that federal government was their salvation. They despised and suspected everybody in state government. Well, I learned -- and it was somewhat inspiring to me that I get a call from Nathan Deal, my former opponent, the congressman. And I thought, "Well that's kind of nice, him calling me up. He's never done that before. It's a nice gesture. I wonder what it's about." I called him and he said, "Keep Alvin Ridley away from my congressional office. He's scaring the people down there."

And so, knowing how Alvin was and how he trusted federal government and hated state government, that was going to come as a big blow to him. But at the same time, I didn't want him arrested. So I kind of sat him down in a calm moment and I said, "Alvin, let me tell you about that Nathan Deal." I said, "You know what I think about Nathan Deal," you know, and I was just kind of boosting up. I didn't really think anything about Nathan Deal, but I was just trying to get him fired up that I was on his side and I said, "He said doesn't want you at his congressional office anymore." I said, "If you'll help me and help me help you win this trial, I'll tell you where he lives and you can go tell him about it." So that calmed him down.

He was fine with that, but it also inspired me to work even harder for him and I was paying

money that I didn't have for experts. I hired this one expert that I didn't check out very closely and it turned out he wasn't even licensed, but I wanted him to come see the house and this was right before the trial. We were picking a jury and there was a woman watching the trial who said in the paper, "He's always been weird," talking about the defendant, "He used to ride around town with a mannequin in his car making us think he had a girlfriend." Well, I was incensed because all I needed was more weirdness about my client and so I couldn't believe it and I got this forensic pathologist guy and I said, you know, "I want you to come over his house and look at where the body was and kind of help me with my theory that she had a seizure and she suffocated herself." And I said, "But I can't believe they're being so cruel to this guy."

Well, Alvin was uncharacteristically excited about the forensic pathologist coming over and I quit saying the term forensic pathologist because I'd have to spell it for him every time. He'd pull his glasses out and pull some wad of paper out of his pocket. But he was so excited. We go on in the house and the place is very creepy, but I was used to it by then and one room was illuminated by a little red Christmas light bulb. And that helped him find the string for the other light and he said, "I've got her here just like I found her," and he clicked it on, and there's an old mannequin from the 1950's laying in the bed. He has recreated the scene and he pushes down on it and its head falls off and lands on the forensic pathologist's foot and he ran out of the door and never came back.

And so, I would tell him -- we had a motions. I filed more motions in that case than I had ever filed before and he was suggesting that I file other motions such as, "Please make the government stop surveying me from space." And so I would just humor him and I'd file,

occasionally I'd file "Please government, stop surveying him," you know." And he would sit there and nod his head. Well, he didn't show up for motions day and Judge Van Pelt said, "You know, if you don't have him here by 1:30 after lunch I'm going to put him back in jail." Well, I didn't know where he was. I was the only person he ever talked to, but I knew he went to the VA Clinic up in Chattanooga because I had taken him to the VA Hospital one time because of his, you know, he wore -- for no reason, no apparent reason - he wore a neck brace. And he was saying he didn't have to go to court because his neck was hurting. So I was wanting to prove that his neck wasn't hurt. So I took him to the VA Hospital - and this is probably an indictment of the old VA system - he was a veteran so he qualified and he came in and he said -- they said, "Well, Mr. Ridley, what do you need?" And I said, "Tell them, Alvin. Tell them." He said, "Well, I was up on the roof..." -and a lot of his stories started off, "I was up on the roof" - he said, "I was up on the roof and the sheriff worried me by driving by, and worried me off the roof and I fell two and a half stories and landed on my head."

Well, without looking up they said, "Well, we're going to give you some Tylenol and codeine," and I said, "Wait a minute, did you hear what the man said? He said the sheriff worried him off the roof and that he floated down and landed on his head and you're about to give him medications?" I said, "Give him a placebo and let us go see the psychological counselor." And Alvin said, "Don't give me any of those placebos. I hear they're habit forming." So got him back to a counselor. Anyway, he misses that court date. I found him at the VA Hospital and they said, "Yeah, he's here. He says a spider bit him."

And so I go up to Chattanooga and I get him and I said, "You got to come with me or you're

going to go to jail." So through lunch I got him and I got him back and I said, "Judge, I got Mr. Ridley right here. I guess we're ready to go through our motions." And he said, "Well, Mr. Ridley, why weren't you here?" And Alvin said, "Well, I got a spider bite, judge." And while I was, you know, looking at the judge trying to wink or whatever, he raised his shirt and he apparently had a grotesque bite wound on him. It was so bad that the judge said, "That's okay, Mr. Ridley, you go home." And so we got our motions put off.

But Alvin was such that he would tell me that the Constitution said he did not have to go to court. So I took to carrying a copy of the U.S. Constitution around with me and every time he would say it it would always be in the morning, and this was all throughout the trial, I would -- he would leave his door unlocked by then, and I would just go on in and I'd say, "Alvin, get out of bed." He'd be in bed covered all the way up to his neck and he'd say, "The Constitution says I don't have to go if I'm sick." And he'd be real frustrated and I said, "I brought it again. Tell me which article, which chapter. Tell me which place." And he says, "Well, it ought to say that." And I said, "Well, it doesn't and they're going to put you in jail. We got to show up to win." I said, "I feel real good about your case." Well, he'd pull the covers off and he'd be fully dressed, shoes and everything. So he was just making me go through this ordeal to get him there, hoping I guess I would say, "Okay, you don't have to go."

Well, one day I asked the judge, "Well, what would it take in this motions hearing for him not to be here?" And the judge said, "Well, he has to sign some waiver of his presence." So I told him, I said, "Alvin, I'm excited. I got a way that you don't have to come to court next time." And he said, "Oh, yeah?" And I said, "Yeah, you meet me at my office, nine o'clock." So I stayed at my

office and I waited on him, waited on him. He wasn't there and I just kept improving the waiver and even threw in a part about he's satisfied with my representation. And he still never showed up. I tried calling him, the phone's busy.

Well, let me take you back to the first day I went to the House. I had already gotten the state discovery and the state discovery noted a period six years before where his state officials had come in to check on his elderly mother, and in reality they were looking for the wife. The wife's family was constantly looking for her and sending state agents in to try to look for her, which increased his paranoia. But they noted that there were two cats tied to the coffee table. So you know, I just thought, well that's kind of weird. Well, then I look at the coroner's report from '97 and they described this body laying in the bed and then they said, and by the way, there are two cats tied to the coffee table. So I told him when I went in the house, I said, "You know, I could have the best case on you, but if, you know, any of my relatives get on this case and they think you're abusing these cats, you're going to be convicted just for that reason."

Well, I made him untie the cats and right before the trial I told him, I said, "We need to get these cats to the doctor to check them out because the DA is trying to make a big deal over the fact that you tied these cats to the coffee table." And he said, "Well, momma didn't want them having no babies." And they had a little litter box and a little bowl of water, but they were just tied with twine to the coffee table. So I took a little high school girl that worked for me, went over his House to get him and the cats to take them to the vet and I took in two big file boxes and I sent him with a file box and I said, "By the way, when these cats come out of the house, they better have some names." So he came out and he said, "This one's Meowee. Momma named her

Meowee." And he hands me a box and I hand it to the little girl that came with us and I didn't want her to go in the house. So he goes in to get the other cat and I think I hear it, so I'm calling it under a table and this rat about this big comes out and made me kind of scream, and the girl thought he was killing me inside the house so she started screaming.

Well, he came out with the other box and he said something about "this is Kitty." So we went to the vet. I had never seen the cats in the daylight. We went to the vet. The vet found that the cats were in good shape, but one of them was like 20-years-old. It's upper fangs had grown down below its chin. It looked like some kind of saber-toothed cat, but the vet said that's not unusual for a really, really old cat. Well, the cats -- the night I was trying to get him come sign this waiver of his presence at the motions hearing, the phone was off the hook. Well, I finally went to his house and I was scared to death so I went ahead and called an ambulance. I figured either he's going to need an ambulance or I'm going to get shot trying to go to his house at night and I'm going to need one close by. So I said, "No police please. Just an ambulance." So I had two ambulance workers and an ambulance out in his driveway and I beat on his door and kind of stepped back in case there was going to be any shooting. And he came to the door and his hair was all disheveled. He's usually very clean cut and he obviously had fallen asleep. And I said, "Alvin, why in the world aren't you at my office signing this form? I was worried about you." And he said, "Well, I guess I fell asleep." And I said, "Well, why didn't you answer the phone?" He said, "Well, since you made me untie them cats, they keep knocking the phone off the hook." So it was my fault.

So ultimately though, her writings vindicated him and, but the interesting thing was he would not

let me use them unless I agreed to let him control the evidence, which was a big compromise because I was afraid he was not going to show up with it and then I would have nothing. So when I'd get him every morning from home, he would load up these giant Samsonite suitcases and we'd take them to the Catoosa County CourtHouse. And we'd open them up, and one day he forgot his neck brace. So I sent my secretary to the medical supply store to get him another one, and there's no telling what the jury thought, see me right before jury selection putting a neck brace on him like I was trying to get their sympathy or something, but I was just trying to keep him calm.

And he would open the suitcases and I would get out the packets of or paperwork that I wanted to introduce. Well, the problem was that about, well, I would just say in the hundreds of cockroaches hitched a ride to the courtroom in his suitcases and we infested the first courtroom in Catoosa County Courthouse with cockroaches. And another media source interviewed the jurors one time and they were talking about me trying to make a point and then I would see a roach climbing up my tie and I would flip it off and start stomping it.

But that was the case. He ended up somewhat in his own way charming the jury. He and I had agreed that he was not to testify but the last day before the end of the trial, was the one day I thought he can eat lunch. He kind of started having a following of people that started realizing, well, maybe he's innocent. So I said, "Well, why don't you go eat lunch with your following there and I'll just have a lunch without you." Well, that was the day Jesus showed up and told him he was to testify. So I told the judge, "I need an extra hour with him," and I told him about - if he testified all the things that could come out that I had successfully suppressed like the cats

being tied up and all these other things that none of them incriminating, but just weird stuff that the DA was hoping to use against him, but that I had gotten suppressed.

But he was intent. So I thought, "well, I've had a year and a half of trying to work with him, there's no way the DA can get anything out of him in a half a day." And it was somewhat of a comedy hearing the DA try to get to brake him, you know, because he just doesn't think the way we do and he doesn't respond the way we do. So the jury acquitted him and it was, like I said, the most challenging law case of my career in terms of a difficult client. I later had other challenging cases. One you mentioned, Bob, before we started was a fellow that we both knew in Georgia who was accused of going to Tennessee and killing his opponent in a state Senate race. And that was a difficult case.

I learned that high profile cases have their own levels of difficulty that are different than just a normal case. The fact that it's high profile can make a prosecutor make completely different decisions. They probably are investigated better and there's more government resources put into them because of the potential of the media involvement. That client was convicted. I was the seventh lawyer to try to represent him. He was very difficult, but someone that I remembered and knew from the legislature just as you did. And everything after that pretty much calmed down.

I became a father, which is the best job I've ever had. I went through a divorce again, which is unfortunate, but I have my children half the time with me and they are very special. They were born in the Republic of Kazakhstan. I adopted them at eight months, four months, and 11 months old. They are now nine, nine, and four, and Elena, Mac, and Cal, and they are the loves

of my life. And they are one of the reasons I agreed to do this interview so one day they can look at their old man and, you know, see some of the things that I was involved in.

I guess I have to mention a huge case that I was involved in from 2002 on. As everyone knows, the whole country was just in a state of shock after September 11th, 2001 and for weeks and months after that there was a bit of just almost a national depression or just, again, shock and whatever. Well, in February of 2002 there was a discovery at an old rural crematory in Walker County of some bodies and that were not cremated and not properly handled, not properly stored. And so, from that day began I guess one of the biggest cases in Georgia. I know that it was the longest search warrant ever executed in Georgia's history of the property and the whole grounds for five months the government held the property. I remained on the sidelines for several days, curious about it of course, and wondering which one of my colleagues was going to step up and represent the guy, but everybody seemed to be scrambling around for a piece of the civil action. And even I was starting to get some calls from people who thought they had a body there and wanted to know who they could sue and whatever.

And I just remember being a little embarrassed that the guy was not represented. Again, we didn't have the public defender system in place and he was just sitting in jail and nobody was saying anything about him. And there were press conferences twice a day suddenly on CNN and everywhere. And a reporter from Chattanooga who is no longer a reporter and that's the only reason I'll say who it was because he knew the family. I actually knew the family from democratic politics. Clara Marsh was active in the democratic party in Walker County, a very fine woman who had been an educator all of her years and was retired and working kind of in the

county office like a lot of retired educators end up. Her husband had started the crematory back in 1982 and quite frankly it was a remarkable thing for -- a success story for an African American in Northwest Georgia, which is so predominantly Caucasian, that here was a guy that had found a need and kind of built a small crematorium and was servicing these funeral homes throughout the area.

And it was really kind of a shock to everybody, but I guess, like I said, more shocking to me was who's going to represent this guy. Well, my reporter friend called me and he said, "I'm going to take off my reporter hat. I asked this family if they had a lawyer yet and they wanted to know would you at all be against talking to them about taking the case." And I said, "Well, not at all."

And I remembered there was a book I had in college, before law school, and it was by a gentleman who had been kind of an activist in the sixties and he had gone on to be a lawyer and did some public defender work. And it was called, "How Do You Defend These People", and it was just basically a book about the Constitution and about why it's so important that people who are accused of doing the most heinous things, why it's even more important that they get representation because it becomes symbolic of what the rest of the system is like or what it can do.

And so I'd already kind of pulled the book in case they did want to hire me so I could explain it to my then wife because she wasn't too pleased about me taking the case. The lady that cleaned our House called and cussed her out and said, I'm never going to clean your House again, and I just made an assumption and called her, and I said, "Ma'am, I'm sorry, I didn't know you had a relative there." And she said, "No, I didn't have a relative there. I just didn't think you'd

represent that nigger." And so I knew it was important then that he have good representation.

And I went and visited him in jail and filed a number of early motions, and ultimately they had him charged ultimately with 787 felony counts. He was looking at over 8,000 years of imprisonment, which I thought was excessive, but it was high profile and as my theory goes, they're going to, you know, throw everything at you when the cameras are rolling.

So it took me seven months to get him out of jail. Meanwhile, civil suits started happening and I didn't know if they had insurance or not. The mother couldn't remember who her insurance was with on the family property or whether it would apply. And so I started handling, defending civil suits and I had my friend from the Looper case in Tennessee who practices law in California, Ron Cordova, I asked him, "Will you come in and help because I need somebody to handle these civil things until we find out who the insurance is with." And so we literally just about set aside everything else to do this. I went through five secretaries in five years representing Ray Brent Marsh who, to this day, is the nicest, kindest, most gentle person I have ever represented.

I have a very strong theory of what happened there regardless if people want to hear it or not. I suspected there might be some environmental issues there. His father became sick in 1996 and was just completely disabled with his illness, strokes, neuropathy, all kinds of problems. The father died while I was representing them. Brent was charged with the mishandling of all the bodies, but there was a hue and cry for the rest of everybody's heads because the chief medical examiner made a really not well thought out comment early in the case that these bodies go back 20 years. He for the rest of the case regretted saying that because they didn't. They only went back five years, but because he said that everybody thought, well, we can just be against the

whole family.

And how could they not have known about that on their property. That's another question everybody has. Well, first this was 16 acres. Secondly, the Walker County Sherriff's Department inspected the property just four months before the discovery of the bodies and they couldn't find one body. So it's not that far a stretch to think that the rest of the family did not know about and Brent said the rest of the family doesn't know about this, but he could never give a reason of why it happened. The bodies were -- they were not molested. They were not tampered with. They were not, as the rumor had it, posed in various poses around a card table or as the rumors were going crazy. So it just didn't make sense. So I had him tested and the testing showed that mercury was just ravaging his toxicology makeup. And mercury, as you know, is a neurotoxin. The way it got into him and his father, I believe, was the venting from the old crematory. It was old. It was falling apart. It had holes in it and had rust. The way he described the process, his father and he would work over the years, either both of them, or just his father or just him, and Brent cremated successfully two-thirds of the bodies that were sent to him in the five, seven years that he ran the crematory, or five years that he ran the crematory.

In Europe, some places in Europe, the teeth, the mercury filled fillings of teeth, the tooth has to be extracted before that body can be subjected to cremation. That's because you're putting a heavy metal into the atmosphere. Well, there's no such regulation in Georgia. This facility wasn't being regulated and ironically, one of the things we did in the legislature was we basically grandfathered this one facility to keep them from having to be regulated for a short period of time, which is something that obviously none of us knew about it, but I voted for it too. It was

just what a constituent -- the way we looked after constituents and who would ever imagine that this would ever happen.

Well, the fact is none of it had happened when we did that. Poor Mike Snow paid a dear price for being the sponsor of that, looking after his constituents, and nothing had gone wrong at that point when that was done. But there it was for all of us to be embarrassed by. But Brent, I think the neurotoxin mercury affected him mentally, while it took another course on his father. His father died during the representation of multiple organ failure that was characteristic of mercury poisoning. You've heard the term "mad hatter." Well, this comes from this Huguenot craftsman a couple hundred years ago who made hats and they worked with mercury to, I guess, treat, or adjust, or make the hats more pliable or whatever and many of them began to have deep psychological issues.

And that was going to be our defense in the case and I had scientific backing. I had a professor who was an expert in neurotoxins who was going to back us up. We did win a key pretrial appeal and not really win it, but we got the Supreme Court to take it up and that was the issue, Brent had been charged with felonies for stealing a body. Now, the delineation of felony and misdemeanor in Georgia is the amount of \$500. So he only charged \$250 for the cremation service that was not done. So that would have been a misdemeanor theft. The question was, by taking a body, how could that be a felony? What is a dead corpse worth? Well, believe it or not there is case law on that from over 100 years ago where someone was going to a funeral and the casket fell, and there was a body fell out. And the court bestowed upon the nearest of kin a kind of a quasi torte right and they basically wrestled with that, "well, what's a body worth? What are

these materials?" It's not like pig iron. It's like a commodity that can be exchanged. It's something that is rapidly going away.

And so they agreed to take up that question and once the Supreme Court agreed to take up that question, the district attorney got reasonable and Brent wanted to stop his family from having to go through any more and so he agreed to a sentence that he's serving now, the service part being 12 years, and then pretty much the rest of his life on probation with some restrictions on, you know, obviously he's not going to go in the crematory business anymore. But the point is, I was proud; it was an extremely stressful case, but I was proud to have worked it because I thought it was important for my region and I had children by then, and I wanted them to see that this man gets treated fairly no matter what, no matter what the color of his skin, no matter what, how odd the case was.

And the oddity of the case kind of drove up, ramped up the passion about it and there were death threats. I was actually kind of hoping that the Klan would get involved so I could get a change of venue. And so I was kind of like, giving out every invitation for a threat from them, but the poor guy that ran the Klan, he was dying of cancer and he didn't have the time to work, to mess with us. But he did make a statement that I tried to use and I got a partial change of venue victory. We were going to go down to Lee County and get a jury and then bring them back. But there was no way to win that case. The question got down to how can I make this case so expensive for Walker County that they'll get reasonable because there's no, there's really no, other than the mercury defense, we can't say that he didn't do it because -- or that he didn't didn't do it, I guess in this case, but it was a very difficult case in that respect. And the family, of

course, is recovering. I will say that there was a lot of -- I had the fortune to represent some pretty nice people in very difficult times in their lives and I'm hoping that they feel that I helped them.

SHORT: Looking back over your political and legal career, is there anything you might have done differently?

POSTON: I can't say that. I'm a big believer that, you know, even when bad things happen to you, they set you on a course that gets you to where you are today. Obviously, had I won the congressional race, I can't imagine the scenario in which I would be the father of my three children. Had I gone anywhere else of any of the other things I've tried and sometimes failed, and perhaps even the battles with Tom Murphy, had I gone along and, you know, obviously if things were changing in Georgia anyway. So that course probably would not have turned out anything special. I would say that I'm a person of the time that I lived in and those times affected my course. It would have been completely different 20 years before. In the first place, they could have really punished me and made it stick because, you know, the Republicans didn't have enough numbers to be anything meaningful in those days and, you know, some of my Republican friends helped me out on this ethics bill, but some of my Democratic friends did too. And I thought it was, I guess, the fascinating thing, as much punishment and hell as I was going through, a lot of their spouses, a lot of my colleague's spouses would come up and say to me what their spouse couldn't get caught saying to me, and that is, "we really like what you're doing

and keep at it, and keep going." And so I had my inspiration and I was not alone. Like I said, I could not have passed it alone. There were a lot of people took a less high profile but they were there at key times to offer those amendments to restore the bill to its full power and who, you know, did the right thing.

SHORT: How would you like to be remembered?

POSTON: Well, gosh, I hope I'm around a lot longer to influence that, but I would like my children to remember me as somebody who believed in this country and not just its symbols, and not just its, you know, not -- a big issue in the legislature when I was trying to do what I thought was real work, we would get completely distracted on the subject of what are we going to do about a person that burns the flag.

And I couldn't believe that we were stopping everything, debating, what are we going to do about people that burn the flag. I had never seen anybody that burned the flag. I had seen it on TV, but, you know, I want my children to realize that every government and for hundreds of years has had a flag. It's just a piece of cloth, but what ours really stands for is the ability to take dissent to the point of making such profound public statements that it can be nauseating. But that's really what it stands for and that's a hard thing to sell on the street, but it's very important for people to know.

SHORT: Thank you for being our guest McCracken Poston. You certainly had a very brilliant

political career, if I may say, and you've certainly been a courageous member of the House of Representatives.

POSTON: Thank you, Bob. It's been a real honor.

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