California State Archives
State Government Oral History Program

Oral History Interview

with

RICHARD J. DOLWIG

California State Senator, 1956 - 1970
California State Assemblyman, 1946 - 1956

August 17 and 24, 1987
Sacramento, California

By Carole Hicke
Regional Oral History Office
The Bancroft Library
University of California, Berkeley

RESTRICTIONS ON THIS INTERVIEW

None.

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PREFACE

On September 25, 1985, Governor George Deukmejian signed into law A.B. 2104 (Chapter 965 of the Statutes of 1985). This legislation established, under the administration of the California State Archives, a State Government Oral History Program "to provide through the use of oral history a continuing documentation of state policy development as reflected in California's legislative and executive history."

The following interview is one of a series of oral histories undertaken for inclusion in the state program. These interviews offer insights into the actual workings of both the legislative and executive processes and policy mechanisms. They also offer an increased understanding of the men and women who create legislation and implement state policy. Further, they provide an overview of issue development in California state government and of how both the legislative and executive branches of government deal with issues and problems facing the state.

Interviewees are chosen primarily on the basis of their contributions to and influence on the policy process of the state of California. They include members of the legislative and executive branches of the state government as well as legislative staff, advocates, members of the media, and other people who played significant roles in specific issue areas of major and continuing importance to California.

By authorizing the California State Archives to work cooperatively with oral history units at California colleges and universities to conduct interviews, this program is structured to take advantage of the resources and expertise in oral history available through California's several institutionally based programs.

Participating as cooperating institutions in the State Government Oral History Program are:

Oral History Program
History Department
California State University, Fullerton

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Center for California Studies
California State University, Sacramento

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Regional Oral History Office
The Bancroft Library
University of California, Berkeley

Oral History Program
University of California, Los Angeles

The establishment of the California State Archives State Government Oral History Program marks one of the most significant commitments made by any state toward the preservation and documentation of its governmental history. It supplements the often fragmentary historical written record by adding an organized primary source, enriching the historical information available on given topics and allowing for more thorough historical analysis. As such, the program, through the preservation and publication of interviews such as the one which follows, will be of lasting value to current and future generations of scholars, citizens, and leaders.

John F. Burns
State Archivist

July 27, 1988

This interview is printed on acid-free paper.

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INTERVIEW HISTORY

Senator Richard Dolwig was interviewed as part of the State Oral History Program to record his recollections of his many years in the California state legislature--ten years in the assembly and fourteen years in the senate--representing San Mateo County. He was elected to the assembly from the 26th District in 1946, and in 1956 he successfully ran for the senate from the 21st District.

The interviews were recorded in two sessions, on August 17 and August 24, 1987. They took place in Senator and Mrs. Dolwig's lovely home in Sacramento. Mrs. Lisabeth Dolwig joined both interview sessions, having extensive knowledge of the legislature herself, and contributed helpfully to the information record. She herself made her own recording of the sessions.

The interviewer furnished Senator Dolwig with an outline of topics to be discussed and various articles pertinent to the topics. Research was done in the Regional Oral History files, the California Journal, the California State Library, and in newspaper files. Senator and Mrs. Dolwig furnished the interviewer with articles, illustrations, letters, and other papers. These papers will accompany the transcript to be deposited in the State Archives.

A lightly edited transcript of the interviews was sent to Senator Dolwig for review, and it was returned in February, 1988. Both Dolwigs looked over the manuscript, and Mrs. Dolwig added information, filled in missing words, and completed sentences that were left hanging. Some minor sections of the transcript were deleted where there was general conversation of no significance.

Carole Hicke
Interviewer-Editor
Regional Oral History Office

March 1988
The Bancroft Library
University of California
Berkeley, California

BIOGRAPHICAL SUMMARY

Richard J. Dolwig was born April 29, 1908, in Dickinson, North Dakota. He attended public schools in North Dakota, the University of North Dakota, Ohio State University, and Law and Graduate School of Business at Stanford University, obtaining his A.B. and LL.B. After graduation he taught high school English and history and coached basketball and track. He served with the U.S. Army during World War II from 1942-1946.

Dolwig was elected to the California Assembly as the Republican candidate from the 26th District (San Mateo County) in 1946 and served on the Finance and Insurance, Judiciary, Military and Veterans Affairs, and Municipal and County Government committees. In 1956 he was elected to the California State Senate from the 21st District (San Mateo County). There he served on the Elections, Judiciary, Local Government, Military and Veterans Affairs, Constitutional Revision, Workmen's Compensation Commission, Reapportionment, Transportation, Public Health and Safety, Social Welfare, and Finance committees, and he chaired the Governmental Efficiency Committee and the Insurance and Financial Institutions Committee.

He was obviously active in a great many areas of state legislation. He also practiced law and engaged in many community activities, including Boy Scouts of America, and associations for crippled and retarded children.

[Session 1, August 17, 1987]

[Begin Tape 1, Side A]

I FAMILY BACKGROUND AND EDUCATION

Ancestors

HICKE: I wonder if we could just start this morning by your telling me a little bit about how you got interested in politics and why you became a legislator.

DOLWIG: Well, in order to go back to that I'm going to have to take you to Alsace-Lorraine. In the middle 1800s, Emperor Franz Josef of Austria opened up lands in Austria-Hungary, and many of the people from Alsace-Lorraine migrated from France to Austria-Hungary because of the land development there. People from both sides of my family migrated to Austria-Hungary. Both of my grandparents, on my father's side and my mother's side, were born in Hungary.

It's very interesting that when the Homestead Act . . . [Interruption] . . . After the Homestead Act was passed in the United States, which as I remember was sometime in the 1800s [1863], the railroads in the United States began to advertise the land that was available in the various European countries. Of course, the word spread throughout these countries that all this land was available.

And not only that, a homestead consisted of 160 acres. Now in those areas where there was intense cultivation, they made a living out of ten and at the most twenty acres, so when they heard that 160 acres was given free of charge, they said, "This is Nirvana!" Not only that, but they [my

grandparents] did some research, and the interesting thing was that the climatic conditions in Austria, where they were living and where they were born, at the time were pretty much duplicated by North Dakota. So my grandparents from both sides came to the United States and moved to North Dakota.

Now it's very interesting, because my grandfather from my father's side was the mayor of a town in Austria-Hungary, and there were still remnants of the feudal system in Hungary at the time. They had the counts and the dukes and all the titled people and so forth, so the people had, you know, that lack of confidence in government due to the fact that they didn't participate. My grandfather, because he was mayor of the community, got himself into trouble. And the trouble was that in those days there were not banks. That was the beginning of the Rothschilds in Europe, but there were no banks where you could go and borrow money, and the only way that people would put out money was to get somebody else to sign for it--in other words, endorse it--and if they couldn't pay it, well then the endorser would pay.

My grandfather, because he was the mayor of the town, had extended himself by signing too many of these guarantees, so he just got [in] head over heels. And I remember my father telling me that if my grandfather hadn't guaranteed certain loans, they would burn his haystacks and they would burn his barn. It got so bad that he decided he better get the hell out of Austria-Hungary. He sold his property and bought passage to America. And that's how they arrived in North Dakota.

Of course, that time was when the great migration to the West occurred, and the railroads had been built, and then they said that they had to have some people and some activities to sustain those railroads, which is very interesting because it's all part of the history of this country.

So they ended up in North Dakota. My father's family: there were five of them plus my grandfather and grandmother, and when they got here they had no money. They couldn't speak a word of English, and they landed in Dickinson, North Dakota. This is where I was born.

A very interesting thing came up. My grandfather kept a diary from the time that they left Austria: you know, they came to New York and they were in Chicago and all of his impressions and so forth. I ran into that diary; in fact I still have it. It's in a big book. And it's of course written in German because, you see, that part of Alsace-Lorraine did not speak French; they spoke German, except one part of my mother's family spoke French. But he [my grandfather] wrote in German.

Well, I, strangely enough, had taken three years of German in college. So I went over that, and one of my professors at the University of North Dakota was in history, very much interested in the sort of thing you're doing, Ms. Hicke. I happened to mention this to him, and I said, "I've got a diary of my grandfather's from Hungary," and he said, "My God, why don't you translate it, and let's see whether we can't get it into the North Dakota Historical Quarterly?" I translated it and I've got a copy of that which is. . . .

HICKE: It's really a treasure.

DOLWIG: Yes. And it's very interesting: one of my cousins from there, whom I haven't seen for thirty years, said they were having a Centennial, which was about three or four years ago, and they wanted to know the background of the family.

Parents

DOLWIG: The reason I got into politics was because of my father. He was nineteen years old when he came over to this country; he was a young man. He had to leave all of his friends and everything. They homesteaded outside of Dickinson. There wasn't anything except flat prairie: no buildings, no nothing. My father and his friends built a sod house. In fact, my older sister was born there in the sod house, with a dirt floor and everything.

He spent his early years in that sod house and started farming. My father met my mother there. They got married when she was only sixteen years old. At that time, they didn't think anything of getting married at sixteen. My father worked hard, made enough money in farming, and went

into what is known as a general merchandise store with one of my uncles. I forget how many years they were in that, and then from there, he went into banking, and he was president of a bank.

Oh, and incidentally, my father was one of the few people in that whole area from Hungary that was sent to college. He went to Szeged to college; he had two years of college, which was very unusual. He served, I think, four terms in the North Dakota legislature. I was only eight years old when he first started taking me out campaigning. I just grew up with politics, and I learned it by osmosis.

MRS. D: Tell her what your father said about the responsibility and the honor of being a politician.

DOLWIG: Oh yes. Because of the end of the feudal system and the problems that his father had with banking and everything, why he said, "When you become a legislator, remember you are a servant of the people. You are there to serve them!" And I just took that as a philosophy.

Education and Move to California

HICKE: Now how did you get to California and start in running for [the California State] assembly?

DOLWIG: Well, that goes into more than that. First of all, I went ot the University of North Dakota.

MRS. D: You were fifteen when you went to college.

DOLWIG: I went to St. Thomas Military Academy my last year of high school, and I took college courses when I was fifteen. I took two years at St. Thomas College, and from St. Thomas College I went to the University of North Dakota, and from the University of North Dakota, I went to Ohio State University. Incidentally, while at Ohio State, I took law and education, and I got my certificate in education because I thought I might go into legal teaching.

HICKE: And you have a law degree.

DOLWIG: Yes. I taught one year in North Dakota. I taught English and history and coached basketball and track, which was very interesting, too, except I did not like that teaching environment—I decided I wasn't going to stay in teaching.

Then I graduated and I got a couple of jobs as a young lawyer, and then the Depression hit. My father then closed the bank. As a result, he weathered the Depression. There just wasn't anything happening in North Dakota during the Depression, so I came to. . . . My brother was going to the University of Southern California, so he and I drove down here, and I started looking for a job down here.

HICKE: That was in the 1930s?

DOLWIG: Yes, in the 1930s. Now don't forget, I was a practicing lawyer, and the first job I had was selling PABCO shingles. That's as bad as things were. I just figured things out, and I figured I'd better go back to school, and I went to Stanford [University]. At Stanford I took law and graduate school business courses. I was working towards my master's of law.

While I was there, the assemblyman from that area, Harrison Call, was looking for a lawyer to help him out in his office, and that's how I got started in politics: because I was in his law office. You see, I ran the law office while he was in Sacramento. He ran for attorney general, and when he ran for attorney general I ran for the assembly.

HICKE: Weren't you in the service first, Senator?

DOLWIG: Oh, yes.

Running for Assemblyman, 1946

HICKE: You ran for the assembly in 1946?

DOLWIG: Forty-six, yes. I went into the service in 1942.

HICKE: Was there anything in particular about the campaign that you remember? That first campaign?

DOLWIG: Well, of course I had good grounding with my father, because my father used to go out and he would go from farm to farm campaigning on a person-to-person basis, and he would take me along many times in the back of his buggy. That's what I did in my campaign. You see, I was a staunch Republican, and at that time the Republican women were very strong in San Mateo County. For weeks--I think it was six weeks before the election—I would have what was called meetings, neighborhood

meetings we called them. These Republican women would open up their house with coffee klatches, and I would go from house to house. I would start at 9:00 in the morning; I would go from house to house all day long and then again at night, and that's how I campaigned.

HICKE: We did an oral history with Mrs. [Lucile] Hosmer. She was the women's chairman for your campaign in 1947.

DOLWIG: That's right. How did you happen to interview her? She's been dead for quite a while.

HICKE: Oh, this is an old one. Let me just show you what she said. [Interruption] You were just saying you'd forgotten that Tom Callan. . . .

DOLWIG: Yes, and she mentions it. The only other one that I can remember was Tom Callan. Callan ran against me in the primary.

II EARLY YEARS IN THE LEGISLATURE: THE LATE 1940s

Voting against Art Samish

HICKE: Once you got to the legislature, what were your impressions?

DOLWIG: I had a very unusual experience. That goes into something else that I don't know whether you've run into but that's. . . . Who was the big lobbyist? The guy that showed the picture with the. . . . This was in the later days of this top lobbyist, who was really the most powerful. . . .

MRS. D: [Arthur H.] Art Samish.

DOLWIG: This was in the twilight days of Art Samish, and when I got elected to the assembly—this was after the election—I got together with [Senator] George Miller from Contra Costa County and. . . oh, what was his name; he was controller later on. Robert Kirkwood. The pressure was on us [to vote] for the speaker of the assembly, and we had decided we were not going to be Art Samish people. And the interesting thing is the three of us carried opposition to Samish throughout our legislative career—

HICKE: Why did you decide that?

DOLWIG: Well, because of the publicity, and Art Samish. . . . There was a blight on his name by that time. He was very generous with his money. He contributed to my campaign, but I sent the check back to him. Sam Collins was running for speaker, and we all boted against Sam because he was tabbed as a Samish man.

Gambling Scandal and Sam Collins

DOLWIG: When we got to our first session of the legislature, a big scandal broke out. Sam Collins was accused of favoring some gamblers in some important legislation. Of course, that was pretty serious, and it called for an investigation. There was a lot of trouble, because, you see, there were still remnants of the Samish machine in the legislature. And he was powerful, there was no question about it because as [Jesse] Unruh used to say, "Money is the mother's milk of politics."

HICKE: What kind of gamblers were these? Horse racing or something?

DOLWIG: Card games, 21.

MRS. D: Dog racing, I thought you told me.

DOLWIG: No, no, no. You see, later on the governor. . . . Who was governor at the time?

HICKE: At that time? Earl Warren.

DOLWIG: Yes. Earl Warren. Well, when he was attorney general Earl Warren's big publicity came when he put the gambling ships on the coast out of commission. That was a big publicity thing. And consequently there was a lot of pressure as far as gambling was concerned. You take up there in Jackson and in other parts of the state where gambling was quite open.

We weren't concerned about the gambling; we were concerned that here was the speaker of the assembly accused of favoring the gambling. So they stuck around and they finally decided that they were going to have one of the existing committees investigate the gambling charge. I don't remember why the chairman of that committee was not appointed the chairman of that investigating committee, but because I had voted against Sam Collins, they made me chairman. And of course everybody said, "That's it. That's the end of Dolwig.

Here's a freshman legislator, he's being thrown to the wolves, and you'll never hear from him again." [Laughter]

HICKE: Little did they know.

The Value of War Experiences: Training Officers; Defense Attorney; General Staff

DOLWIG: No. I guess I live right, because during the time while I was in the service I had some interesting experiences because I was a lawyer. The first job I had in the army was to run money between the [post] exchanges. At the beginning of World War II, the defense department set up a transportation corps for the army, which meant ships and planes and so forth. They then recruited the executives from the trucking industry, from the shipping industry, and all the main [transportation] industries, and they made those men officers, some of them as high as majors, because they had to give them some incentive to go into this transportation corps. Then they sent them up here to an officers school in. . . .

HICKE: The Presidio?

DOLWIG: Fort Mason, but the officers training school was at Camp Stoneman. They selected me as one of the officers because of my background in education.

This was very interesting, because we started from scratch. We had nothing to go by except the direcetive: "Set up the transportation school; make these guys officers in transportation." Of course, they knew transportation, they had the technology, but they didn't know anything about the army. [Laughter] No background at all. So we had to make officers out of them. One of the big things that I was assigned was court martials and the legal end, teaching them the legal end of it. But all of us participated in drilling and making officers out of them.

HICKE: I wish we had time to get all these reminiscences of your war years, but I'm afraid we won't get to the legislature.

DOLWIG: No, but it's interesting that my background helped me. Now I'm getting to that. This is the first time I've even thought about any of this. I ended up on the general staff,

but before I got to the general staff I was appointed a defense attorney. One of the guys had taken off his shoe and hit someone over the head and killed him, and I defended him. I had a good relationship with my superior officer, and he gave me a lot of leeway, and I defended this man and finally got him off. They were shocked. So then I became a prosecuting attorney, what they call in the army a trial judge advocate.

But while I was on the general staff I was on many boards of officers, and that was good experience, because, you see, you had to tread a very tough ground, because the superior officers expected certain things from you. But I was a lawyer and I was grounded in the law; that is, if I'm going to defend somebody, by God, he better get the best damn defense that he can possibly get. This is a tough row, you know, to hoe.

I learned a lot, because actually there is more politics in the army than there is in the government. In the army you're dealing with people's, men's, futures. And that's very serious.

HICKE: So it was a good background. . . .

DOLWIG: It was very good, because being on these boards of officers and everything served me. Not only that, but I had learned how to handle meetings and how to handle people. And that takes some time; that takes a lot of background. And of course, this was a great help to me when I was faced with all the newspapers running headlines on the speaker of the assembly being accused of favoring the gambling interests.

HICKE: Who accused him?

DOLWIG: Well, this was mostly newspapers. It was primarily the [San Francisco] Chronicle and the L.A. [Los Angeles] Times and the Oakland Tribune. So here I was a freshman assemblyman. I had all these veteran assemblymen on my committee. We held the investigation hearings at night in the assembly chambers, which were packed every night. Well, that was good experience.

I first hired an ex-FBI [Federal Bureau of Investigation] guy, and we found out that the newspapers had done all the investigative work before we even got there. In the end, we

cleared Sam Collins, which was kind of rough to do because there were a group of us that were definitely against Sam.

[End Tape 1, Side A]

[Begin Tape 1, Side B]

DOLWIG: Because of my experience in the army, I knew it had to be done right, and we got the ex-FBI guy. Not only that, I hired one of the top attorneys in San Francisco; he was an attorney for the committee. Everything had to be done right so that nobody could criticize it. But there were a lot of interesting things happened during those hearings.

I came out of that very well. And from there on in, I could almost write my situation as far as the assembly was concerned, committees and everything else. [Interruption]

III LEGISLATIVE ACTIVITIES AS ASSEMBLYMAN (1946-1956) AND SENATOR (1956-1970)

Committee Work

HICKE: Well, I didn't know if you were going to say more about that. I was just going to tell you the committees that you were on in 1946, which were Rules--oh this was 1949--Rules, Finance and Insurance, Judiciary, Military Affairs, Municipal and County Government. Now Rules is probably the most important of those?

DOLWIG: Yes.

HICKE: And you were on the Rules Committee for a long time.

DOLWIG: Yes, that's the committee that runs the assembly. Well now, here, I don't remember what we wrote this for, but there is about as composite a background as you could ask for. [Hands over resume; see Dolwig papers in State Archives] That was so many years ago, and I've done so many things I just can't remember them all.

HICKE: Oh, that's wonderful. Do you have an extra copy of that?

DOLWIG: Yes, I think you can have that one.

HICKE: Oh, okay, that's excellent.

DOLWIG: But you should take the time to read that, because I don't know how much of that you want to emphasize and that tells practically the whole story.

HICKE: Well, let's see. You've got here that you were chairman of the Senate Interim Committee on Public Utilities.

DOLWIG: That's right.

HICKE: Do you want to talk a little bit about that?

DOLWIG: It tells it there.

HICKE: Well, it says you led the first comprehensive study of the Public Utilities Commission in forty years, which led to many reforms. What were the reforms?

DOLWIG: Out of all those committees we always had legislation that was introduced. But I really don't remember now.

HICKE: Okay, this is good. This tells a lot of the . . .

DOLWIG: That's practically my whole legislative history.

HICKE: Well, one of the things I know we want to get into is first of all, the Republican and Democratic freshmen group, something that you mentioned over the phone. I didn't quite catch what that was. Was that while you were in the assembly?

DOLWIG: No, when I was in the senate.

HICKE: Oh, okay. Let's put that off then. I'll ask you that again. The next thing was the water controversy. Did you get into that mostly in the senate?

DOLWIG: Yes. I was ten years in the assembly and fourteen years in the senate.

Public Access to Beaches

HICKE: The fight over public access to beaches. Was that in the senate too?

DOLWIG: No, that was in the assembly.

HICKE: Okay, can you tell me about that?

DOLWIG: I think that's written up in there.

HICKE: This was a five-year fight; you told me that on the phone. It says here the State Recreation Commission, the first in the nation, was set up in 1952 and it was a bitter fight. Could you tell me about the pros and the cons? Who was for it and who against?

DOLWIG: Well, the difficulty was with the senate, because what some of us Young Turks were doing was that we were getting government into new fields, and the old legislators in the senate were opposed to anything like that, because their philosophy was, "Look, there's enough government." But you see, I took them into the mentally ill field. That had been shoved under the rug. As long as you housed them, why that took care of everything.

HICKE: That was when you were in the senate too?

DOLWIG: No, part of that was in the assembly.

HICKE: Oh, that was in the assembly? Okay, is there anything more to be said about the beaches before we go on to the mentally insane?

DOLWIG: We discussed some recent legislation which pertained to that. You mentioned it some place.

HICKE: Right. The supreme court just came down with a decision saying that property owners will be recompensed for their property once taken by the state.

DOLWIG: Oh yes. That's going to have some interesting ramifications. And it's a good law.

HICKE: Well, when you were fighting for public access to beaches, what was the solution to that problem?

DOLWIG: We just passed the law and took it.

HICKE: No recompense?

DOLWIG: No, because we said the public has a right to them and that's it.

HICKE: Were lobbyists involved in this?

DOLWIG: Oh yes.

HICKE: Who was lobbying for the bill?

DOLWIG: Private owners, because you see . . .

HICKE: They were lobbying against it?

DOLWIG: Well, yes, because. . . . Have you ever been down in southern California? Remember Marion Davies's place out on the beaches and others' places? They had elaborate homes, and some of them built fences to keep the people out of the beach areas.

HICKE: Who was lobbying for it, for public access?

DOLWIG: We were. There were three or four of us in the legislature. The interesting thing about it is one of my best cohorts was

Senator George Miller, who was a very, very liberal Democrat. And throughout [my time in] the assembly and the senate, we worked together.

HICKE: That is interesting.

DOLWIG: Yes. We never had any disagreements, because we never misled each other and there was a lot of trust. We accomplished a lot of things. I wish you'd ask some questions.

Committees: Judiciary, Military Affairs

HICKE: Well, maybe we should go on a little bit. Let me ask first about the Judiciary Committee. Was that of any interest in the assembly?

DOLWIG: The Judiciary Committee is a matter of ongoing interest, because that's where most of the laws go which are passed, because the Judiciary Committee deals with the administration of justice to courts, the judges, and all of those things. Yes, I was always interested in that.

HICKE: And Military Affairs? What did you do there?

DOLWIG: Well, that was veterans. They took an interest in what was going on and that helped me a lot politically, as I was identified with them.

Politics and Economics in San Mateo County

DOLWIG: You asked a question once; I think we ought to go back to that, and that is: "How diverse an economy is San Mateo County?" You're living in San Mateo County, Ms. Hicke, now, and I don't think you understand how diverse it is.

HICKE: No, I'm sure I don't. It covers a lot of geography.

DOLWIG: I had everything, because in those early days in South San Francisco, you had Bethlehem Steel, and you had some other steel companies, and you had a lot of manufacturing going on there and some industrial plants, so we have that whole shebang. In fact, during the campaigns, I would take the time when the men came in to work or as they came out of work, and I would be at the gate shaking hands and things like that.

And then you go down [the peninsula], and you get into the business area, and of course that's the length and the breadth of the county. What you don't realize is the extent of the agriculture down in Half Moon Bay. I had some real farm problems. We have pockets of Negroes down in South Palo Alto. Another thing that is not usually known is that San Mateo County, during the entire twenty-five years that I ran for office, was predominately Democratic. Fifty-one percent Democratic.

HICKE: Well, how do you explain your continuing election?

DOLWIG: I explain it because I always took care of my constituents, they came first, and I campaigned properly in those days. We held those neighborhood meetings with Lucile Hosmer—really, she did a terrific job. I would campaign, as I said, for six weeks, sometimes starting two months ahead of time and [spending the time] entirely on the campaign.

Pat Brown; Emphysema Legislation

DOLWIG: Not only that. . . . In several campaigns I didn't run against anybody except [Governor Edmund G.] Pat Brown. I ignored my opponents completely. And incidentally, it's an interesting background, because I knew Pat Brown ever since 1938, because we were adversaries in legal cases.

HICKE: When he was district attorney?

DOLWIG: Yes. I always liked Pat; we always got along beautifully. We were very good friends. But as governor. . . . Well, I remember one issue that I ran against him on. I had put in a bill to set up some clinics. As a result of [being on] some of these committees, these investigating committees, and especially on Finance and Insurance, I found out that emphysema—you know what emphysema is—that emphysema is not covered under workmen's compensation. If fact, the people that got emphysema had no recourse at all, once they got emphysema, and I said, "That's terrible. That's terrible!" As a result of my [being on the] interim comittee, I got my staff to work and we found out that there wasn't a place in the whole damn state of California where they treated emphysema.

HICKE: Really?

DOLWIG: Absolutely! I couldn't believe it. So I got the Department of [Public] Health to back me up. They agreed. They backed me up, and I put in a bill to set up a clinic in southern California and a clinic in northern California, paid by the taxpayers, sponsored by the state, for the treatment of emphysema.

Pat Brown vetoed it. He also vetoed some educational bills, and between those bills and the emphysema, I made them a campaign issue. I totally ignored my opponents in the next election and I just ran against Pat Brown. When he vetoed those bills I went to the governor's office, and I said, "For God's sake, Pat, how the hell could you have vetoed them? I never got in touch with you because I didn't think there was any reason to." And he said, "Oh, these guys told me that it wasn't necessary." I said, "Why didn't you get in touch with me? You knew I was the author of the bill." He just smiled and shrugged his shoulders.

HICKE: Did you ever get that legislation passed?

DOLWIG: Yes. Because I created such a furor, the CMA [California Medical Association] finally came out and they said, "Hey if you'll just lay off of this thing, we will set the hospital up in the north and in the south," and they did. Not only that, finally Pat Brown passed a bill on workmen's compensation and I got that straightened out.

HICKE: What did you have have do with that bill on workmen's compensation? Did it pass?

DOLWIG: Oh yes, I finally got it passed. That was easy to pass. I didn't have any trouble getting that passed at all, because it made sense! My God, imagine these people that had been working in dust areas, and people that worked in mining, and people that worked in all these kinds of places. If they got emphysema, they didn't have any workmen's compensation; they didn't have anything. It was terrible! The insurance company fought it, because they didn't want to insure against emphysema. That was a big item.

HICKE: Did you have constituents who were suffering from emphysema?

DOLWIG: Oh, yes. Oh, yes. Oh, yes. Of course, they were terrific supporters. I'll never forget, these emphysema people, a large group in San Carlos, set up a meeting during the

campaign one night. There were some very liberal Democrats that hated my guts, and they came to this meeting, and they were very strongly oriented on the environmental issues. One of my big fights was on Foster City. Well, I pushed that through, and of course, everybody said I was getting paid for that. These guys came to this meeting and they started to ask a lot of questions about that. Before I could even answer them, the chairman ruled the committee out of order and told them they felt that strongly about what I had done for them in emphysema.

HICKE: Okay. Well, how did you deal with this multifaceted constituency that you just described to me?

DOLWIG: You have to have an instinctive way about handling it. I always relied on my instincts.

MRS. D: May I say something here? You know of couse I was not married to the senator during all the time this was happening. It was very difficult for me to marry a man who was so public and so available. He is, to my knowledge, the only legislator who has always been in the phone book. And that is twenty-four hours a day. When I married him, there was no such thing as privacy anymore. Even on Saturday, he always was available to his constituents, and it was through his constituents and the problems that they had that the majority of his bills originated. He truly was a servant of the people in his responsibility to, you know, reflect the problems that were there in his community.

HICKE: Well, that does go far to explain it, right.

Water Issues; the Dolwig Plan

HICKE: Since we're into this senate time period now, why don't we just start on the water controversy that you were involved in all the way through? Maybe you can give us a little background as to how you got involved.

DOLWIG: Well, anytime you're in the senate and the assembly, you get involved in water, because you have these issues that come up, and its a fight between the north and the south all the time. That's where the issue is. And it still is going on. Just last session, they had the same type of situation. You

had to decide, are you going to vote for the north or are you going to vote for the south?

Oh, let me show you something; I think that'll explain that. [Hands over paper] This was my own independent conclusion, and I got a lot of people supporting me on it. It's happening in this last session; they haven't gotten anyplace on the water. They haven't had a peripheral canal, the south isn't getting as much water as they want, and we're having trouble here in the north. Why? Because it becomes a vacuum. Because they're always fighting with each other.

The thing that really persuaded me was I could see that the south, just because of their population, was going to have more votes. They would decide everything politically, as far as the water situation was concerned, and God help the north and God help the Bay Area. You see, I had a Bay Area outlook. I tried to pass a bill for a Bay Area smog control. Have you ever been in Sausalito? Did you ever see the . . .

MRS. D: It's the whole water plan, the environmental impact, how the tides flow. It's the bay development plan. It's one whole building.

HICKE: Yes. It's a mock-up of the tidal flow.

DOLWIG: I was responsible for that.

HICKE: Oh, well, that's wonderful. I didn't know that.

DOLWIG: I was responsible for that because I thought there should be a dam on the northern bay to keep out salt water intrusion. Did you ever hear of John Reber?

HICKE: No.

DOLWIG: John Reber had come up with this plan, and he had the support of the owner of the San Francisco Chronicle. The Chronicle always hated my guts, but when I went for the Reber plan, because the old man was for it, he was for me, and I had a lot of meetings with him. Then the rest of the newspapers had to say, "Dolwig's a pretty good guy." You'd be surprised at what happens at some of these newspapers.

As a result of my advocate of the Reber plan, I got involved with the Corps of Engineers. I finally decided, "I think we better get this whole damn thing taken care of. Because of my background in the army and the other situation,

I called a meeting of the Corps of Engineers, and I put them on one side of a big long table and all the other engineers on the other side of the table. "Now," I said, "look, we're going to discuss this thing and let's see whether we can come to a consensus." That was very interesting.

Out of all the work that I did on the Reber plan with this Corps of Engineers, congress finally appropriated the money for the Corps of Engineers for that study. That's the greatest thing that's happened to the Bay Area, because now they really know how the whole Bay Area works. Everybody should go there and watch that. They did a hell of a good job. The Corps of Engineers did one of the best jobs I've ever seen them do, and it's still working.

HICKE: Yes. What happened to the dam? Was that a proposal?

DOLWIG: No. Never got anyplace with it. I gave a speech in Los Angeles which summarizes the whole situation. Where the hell is it? It was before the Town Hall. This outlines the Dolwig plan, and I opposed the Brown plan. All right, where do you want to go from there?

HICKE: Well, I want to know what happened to the Dolwig plan.

MRS. D: Tell her how much money you had that you raised.

DOLWIG: Yes, and incidentally, George Miller was with me on that one. George Miller and I were the only ones in the legislature that opposed the Brown Water Plan. Here was George Miller and here was Pat Brown. Through George, I got the AFL-CIO [American Federation of Labor-Congress of Industrial Organizations] to back us up. The most we could raise was $5,000 for a statewide deal.

HICKE: It wasn't an initiative?

DOLWIG: No, we wanted to oppose the Brown bill because they had to vote the bonds.

HICKE: This was the Burns-Porter [Water Bonds Act of 1959]?[1]

DOLWIG: Yes. And lost it by 200,000 votes.

HICKE: Yes.

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1. Burns-Porter Water Bonds Act, ch. 1762, 1959, Cal. Stat., 4234.

MRS. D: But Senator, all of the work that was done to present your plan was all donated by engineers.

DOLWIG: Yes. I got about $750,000 worth of engineering services for the Dolwig Water Plan. Free.

HICKE: You told me a little bit about that over the phone too, that these engineers volunteered their services. Well, it's hard to talk about the plan without just a brief explanation of what you had in mind.

DOLWIG: You want to talk with Senator Richard Richards from Los Angeles, who is a very, very liberal Democrat. Do you see that cartoon over there? [points to wall] He and I opposed the cancer bill and we killed it.

MRS. D: Let's not get into that right now, honey. Why don't you go back to the water plan?

DOLWIG: There you are. [Hands over paper]

HICKE: Okay, this is the speech at Town Hall, "Why Proposition Number One--Water Bonds--Should Be Defeated."

DOLWIG: Boy, I was really in tough territory there.

MRS. D: Does that explain the Water Plan?

HICKE: Yes. Well, it explains why you opposed Governor Brown. "It would waste water; it's a blank check; it would create a financial Frankenstein; and it's a legally incompetent bond act." Okay, now, what did you propose in place of that?

DOLWIG: That's in there, isn't it?

HICKE: This four-part plan?

DOLWIG: Yes.

HICKE: Okay. The San Pablo Bay barrier.

DOLWIG: That's right.

HICKE: Okay, then the Delta Cross Channel.

DOLWIG: That's right.

HICKE: The Valley Aqueduct System, and the Central Valley Plan of the Los Banos Reservoir.

DOLWIG: That's right. The key to it was the Los Banos Reservoir, which they didn't know.

MRS. D: Well, the Los Banos Reservoir's the thing that would keep us from having drought. It would store the water, and you wouldn't be in the position now that we're in.

HICKE: Tell me a little bit about, first of all, why George Miller was with you on that.

DOLWIG: Well, it was north and south. He's from Contra Costa. Contra Costa County has a terrific agricultural interest, and it was good politics for him to take that position, take a lead in it.

HICKE: Okay, and how did you raise money for the proposal?

DOLWIG: I think we got $5,000 from the CIO.

HICKE: It was mostly the south, then that was against it and for the Brown Water Plan, and they by this time had the preponderance of votes?

DOLWIG: Listen, I have it in here and you're the one who did that research on it. [looking at Mrs. Dolwig] The biggest corporations in California owned land that the Brown Water Plan went through. That land was originally purchased for $200 an acre . . .

MRS. D: Five dollars, to ten dollars, Senator.

DOLWIG: Five dollars? And how much was it sold for?

MRS. D: When they quoted me the price, it was $3,000 an acre.

DOLWIG: That's why.

HICKE: Okay. That's a good explanation.

DOLWIG: That's all been written up; you did the research on it.

HICKE: Well, I'm sure we can find out about it.

MRS. D: It hasn't been written up. I did the research on it because I wanted to find out. [I talked with Ken Morrison, engineer for the Tejon-Castaic District. He was the one who told me the original selling price on the land. Sheldon Smith of Tejon Ranch Company was the one who offered me 1,145 acres for the $3.5 million, 1,100 acres for $3 million, and 2,800 acres for $8 million. This was during the drought. I told him I was worried about water. He assured me there would be adequate water. "No problem," he said. Note: See "Nadar Report Land Use in California," 1971, 2 vols.; "Politics of Land" (Nadar); "Power and Land in California," Nadar, Vol. 1, 1971; Los Angeles Times, Vol 3., p. 25-29, "Owen Valley Water Subsidies and Taxpayers Expenses, p. 27.][1]

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1. Mrs. Dolwig added the preceding bracketed material during review of the draft manuscript.

[End Tape 1, Side B]

[Begin Tape 2, Side A]

DOLWIG: This is the essence of politics. For instance, let me point out to you: the Los Angeles Times was the fifth largest landowner in the state of California. And the Brown Water Plan went right straight through their holdings. Doesn't that tell you a story? Not only was this land increased in value, but the Los Angeles Times owned the companies; you know, the Los Angeles conglomerate owns all kinds of things. It's one of the biggest conglomerates in the United States. They owned the concrete/cement companies, and those cement companies built those aqueducts on the Brown Water Plan. Imagine how much money that was.

HICKE: Well, in essence, you knew you were fighting a losing battle then?

DOLWIG: Well, we were hoping . . .

MRS. D: My husband never feels like anything is lost, and there's never anyone too big for him to take on, dear.

DOLWIG: No, because I'll tell you, if we'd have had enough money. . . . But, we had no sources for money because of all these big companies, all the big agricultural people, and then all of these conglomerates, like Tenneco [Corporation] and those people that own land were backing the Brown Plan.

HICKE: What about the other northern counties?

DOLWIG: Nobody really got behind it.

A Proposal to Divide the State

HICKE: Okay, so then this led to your proposal to divide the state.

DOLWIG: That's right.

HICKE: Can you tell me a little bit about that?

DOLWIG: Yes. The reason I introduced legislation to divide the state was to take the thing out of politics, as far as water is concerned, and put it on a contractual basis. In other words, you'd have North California, and South California, and those two states would then enter into contracts as far as

the water was concerned, and you'd take it [the controversy] out of politics. It was the sole reason.

MRS. D: I thought that you also said to me though, Senator—I hope you don't mind my doing this—that there was and there still is a duplication of offices and personnel. The money that is spent in keeping up the per diem, the travel and everything, with people coming up from the south . . .

DOLWIG: Well, that's true.

MRS. D: Plus the fact that we've got all those offices in the south that are duplicating what we have here. You've got staff down there, you know, things that you would not have if the state was divided, plus the fact that you are fighting an agrarian vs. an urban mentality. So obviously you're not going to have the votes that you need with the population growth down there. They represent different things; their ideals and what they want are completely different from us. It was my understanding that that's why you wanted to divide it.

DOLWIG: Well, those are the arguments that we used in the passage of bills. That's right.

HICKE: Would you say that the divisions are stronger along the north/south line or along rural/urban lines or liberal/conservative?

DOLWIG: North/south.

HICKE: North/south is the strongest faction?

DOLWIG: Well, that determines the votes.

HICKE: Some historians have said that it's really traceable to liberal and conservative.

DOLWIG: No. I do not agree with that.

MRS. D: George Miller was a Democrat, was he not, Senator?

DOLWIG: Yes.

MRS. D: And you worked with both parties. I don't think Senator's ever been just, "I am strictly a Republican." He's been more a statesman, you know, in that he worked with what was good for the people. I don't think the party lines were drawn that much. But it's abvious that's what is happening now. It's the rape of northern California. Because they're got all the votes down there; they've got all the power down

there. Do you know that when they rationed water here, the south didn't ration it? They were hosing down their gutters.

HICKE: I read an article that was in the U.S. News and World Report in 1965 that quoted you rather extensively and talked about this plan that you proposed. I think you were trying to get both a bill to the senate and a proposal for an initiative or some method of having the public vote on it.

DOLWIG: Yes.

HICKE: And what happened to those efforts?

DOLWIG: They were all defeated.

HICKE: By the south, primarily, and the lack of interest by other northern counties?

DOLWIG: Well, you see, here for instance. [hands over paper] That's the kind of publicity we got.

HICKE: Well, here's a picture of a vampire or something like it.

DOLWIG: This is the first bill I put in signed by [Randolph] Collier, [Walter] Christenson, [John] Begavich, [J. Howard] Williams, and [Donald L.] Grunsky. They were all northern California legislators in the senate.

Reapportionment

HICKE: This might lead to another question. When the reapportionment came about, what effect did that have on you?

DOLWIG: As far as the division of the state was concerned, it strengthened the division of the state aspect, because more and more, on the basis of reapportionment, it meant that the south was getting stronger.

HICKE: Were you involved in that at all? The reapportionment?

DOLWIG: Oh yes.

HICKE: In what way?

DOLWIG: Oh, I have to think back about it. I was involved in every one of them. During the entire time that I was in the assembly and in the senate, San Mateo County was one district. That took some doing. It was a senatorial district and it was an assembly district, the whole county. And I'll tell you, that's very good, because it meant that the governmental units in there were cohesive.

HICKE: Yes, I was just reading where Alameda County has been divided up in a big network . . .

DOLWIG: Well, look what they've done now as far as the state senate is concerned: they've got San Mateo County split up, what, in three directions now.

HICKE: How did you keep it all together?

DOLWIG: Just by sheer power.

MRS. D: You also kept it together, Senator, because I think it was every year you were in there, you won the award as the hardest working legislator, the one that carried the most bills.

HICKE: Okay, I'd like to hear a little bit about that.

DOLWIG: It's in there. [pointing to paper]

MRS. D: Senator, I think that she needs to have it on her tape, honey. She needs to have a fuller answer.

DOLWIG: Well, that's true. I was voted in an analysis made every year--at least at that time; I don't know whether they're doing it anymore--but there was an impartial analysis made on the number of bills and so forth, and I was voted on several occasions as the hardest working member of the legislature, especially in the senate.

HICKE: And so you were involved in the major reapportionment?

DOLWIG: I was always involved in reapportionment. That's the only way I was able to keep San Mateo County intact, because the way they're split up now, it is just fragmented. You know, there's no unity; I'm sure they're not as cohesive as we were in those days. Not only that, it helps you as a legislator.

HICKE: So are you saying that by sheer hard work and constant attention, some of these things can be done that otherwise couldn't be done?

DOLWIG: That's right. That's right. And not only that, I learned a number of things from my father, and one of them was: a crusader, don't be. Work within the rules and work within the setup. And that takes a lot of work, because that requires compromising, accommodations, and the ability to get along with people. It never interested me whether a man was a Democrat or a Republican as far as the legislature was concerned. I got the support of Democrats just as much as Republicans. And I was a staunch Republican; I was chairman

of the Republican Legislative Campaign Committee for a number of years, which meant that I was in every campaign in this state. Now that has some bad features too, because you can develop a lot of enmity on this thing if it isn't handled right.

HICKE: Can you give me some examples of what would happen?

DOLWIG: Well, for instance, I would have my committee get together, and we would decide which campaigns we were going to get into, and we would analyze this, and we would come to a conclusion that the Democratic incumbent was just too strong and was doing a good job. So why should we waste money to try to unseat him? And it worked.

Hugh Burns

HICKE: What kind of relationship did you have with the president pro tem?

DOLWIG: Well, that's another thing. Hugh Burns was a Democrat and president pro tem during the entire time that I was in the senate, except for a short time when Howard Way and Jack Schrade were in my last year.

HICKE: How did you go about making this a good relationship?

DOLWIG: Making friends. Making friends. And I'll tell you, my experience in the army helped me a lot because, as I told you, that army politics--that's rough politics. I learned a lot in the period of four years; I learned a lot.

HICKE: It sounds like you made use of that often.

DOLWIG: That's right.

HICKE: Well, let's see; on the water controversies: in 1961 there was a big battle; and the peripheral canal, which you mentioned--is there anything more to be said on that?

DOLWIG: Nothing's ever happened with that. It's on a political basis, and it's a political vote, and that's it. Not only that, as I remember, there was an initiative, wasn't there? And the people voted against it?

HICKE: What about the Davis/Grunsky Act?[1] That was for recreational lakes?

DOLWIG: Yes, that was a good one.

HICKE: Were you involved in that too?

DOLWIG: Yes, in the background. Not in the front. Grunsky was my seatmate during most of the time in the senate. Oh, and Grunsky was one of the Young Turks that came up with us.

HICKE: What do you think is the outlook for the water situation?

DOLWIG: Bad. I'll tell you what's going to happen. What's going to happen is going to cost the taxpayers about four billion dollars, and the taxpayers should not be burdened with that because the water users should be paying that. If they'd have put in that plan that those engineers gave me, it would have solved itself, and it wouldn't have cost that extra four billion that it's going to cost them now. Because with the population growth in southern California and the population growing up here, you're going to have more and more friction as far as the politics are concerned. Eventually it's going to get so bad that people are finally going to throw up their hands and say, "For God's sake, pass the bonds and do it." And that's not good government.

HICKE: What would have happened if the state had been divided in two? How would they have worked that out?

DOLWIG: Northern California's got the water; southern California needs the water. They would then get together; they would negotiate the whole situation out, enter into a contract between the two states, and if there was any question, the courts would decide it, and the whole thing would be resolved.

HICKE: Is it possible to get a copy of the speech brochure somewhere?

DOLWIG: This one?

HICKE: Yes.

DOLWIG: Well, I'll give it to you.

HICKE: How about if I make a copy of it?

DOLWIG: Yes, make a copy of it, yes.

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1. Davis/Grunsky Act, ch. 27, 1967, Cal. Stat., 872.

The Southern Bay Crossing Proposal; the Knowlands Oppose It; Power in California

HICKE: Okay, I'll return that. What I want to ask you about now is the southern crossing problem.

DOLWIG: All right. It was obvious that the Bay Bridge was becoming more and more congested, and as that became obvious, the answer was--from the transportation standpoint, the flow of traffic and everything--that another facility was needed down south farther. Studies were started, and the studies indicated that the southern crossing at Candlestick Point would be the answer. I put in the bill for the southern crossing, and that started the studies. The southern crossing was declared feasible. Then the question was how to implement it. You had to have an appropriation to build it. That's when we started to run into trouble because. . . . We've got to go into some background now.

HICKE: Good.

DOLWIG: Earl Warren, who was governor, was tied up with the Knowlands, the Knowland family. [Joseph R.] Joe Knowland owned the Oakland Tribune. [William F.] Bill Knowland was one of the U.S. senators in the state of California. The Knowlands were interested in building up Oakland, because Oakland had always been sort of a second cousin shoved off on the side, as far as San Francisco was concerned, and they resented it. It was like sibling rivalry.

When we found out there was such strong opposition from northerners to the southern crossing, we delved into it, and we found out that really what Oakland was interested in was to kill downtown San Francisco if they could. In other words, if San Francisco became so badly congested, it would certainly hurt the business area and the whole district. That's what's happening right now, because many outfits are coming up to Sacramento and going other places to settle because of the traffic problems in San Francisco. That was the politics behind it.

Of course, I must point out to you, again going back even further, when I first came to the assembly one of my

closest friends was a newspaperman, and he was political editor for the San Francisco Examiner. He was a great guy.

HICKE: What was his name?

DOLWIG: Jimmerson. J. W. Jimmerson. He and I would sometimes sit around and philosophize, and of course I was very much interested because he was one of the top political editors in this state. Now I'll never forget one thing he said and he pointed out to me. He said over a long period of time, the state of California was being run by the Los Angeles Times, by the Oakland Tribune, and by the San Francisco Chronicle. He said, "Look, my honest opinion is that the people of the state of California were least served during that period of time." And I never forgot that.

So you see, with the Oakland Tribune being opposed to the southern crossing. . . . I don't know to what extent the Los Angeles Times and the Chronicle were, because the Chronicle never supported us very strongly as far as the southern crossing was concerned. And they certainly should have.

Another facet of this whole thing was, I carried the fight to congress, because we had some congressional legislation we had to pass. I was able to get that passed over Senator Bill Knowland's objection. And [President] Harry Truman signed it. So you see it was a terrific fight.

But again, it's the newspaper involvement that caused all the problems, because of the Knowlands. Now the Knowlands aren't in that Oakland Tribune anymore, as I understand it. But those three papers had a tremendous influence in this state. I've got an editorial from the Oakland Tribune when I ran for attorney general; that was really surprising.

HICKE: When did you run for attorney general?

DOLWIG: It was in '62.

HICKE: I didn't hear about that.

DOLWIG: The Knowland and Warren machine killed my bid for attorney general. Again it goes way back to my fights as far as the southern crossing was concerned. You see how far reaching these things are. In fact, when I ran for attorney general, in the beginning phases of the campaign, the Knowlands and

the Warren people. . . . Warren still had, in those days, strong connections, and they didn't like the other candidates, and they supported me. Later, I don't know where the pressure came from, but the pressure came in, and the Warren people put up their own candidate, and he defeated me in the primaries. Then they turned around and didn't support him in the general election. So you see, a lot of things happen politically.

HICKE: Well meanwhile, back at the southern crossing . . .

DOLWIG: This all goes back to the southern crossing.

HICKE: That never went through?

DOLWIG: No.

HICKE: You said you got it through congress, and Truman signed it. Then what happened?

DOLWIG: Well, we never got it through the state.

HICKE: Because of the opposition of the newspapers? Did you find this appearing in other legislation: the same power?

DOLWIG: Oh yes, oh yes, oh yes. These are realities you have to deal with.

HICKE: One of the questions that I was interested in asking you was whether you think the speaker of the house has the most power, or does the governor have the most power, or any one individual that you could say . . .

DOLWIG: Well, the governor has the most power, and the speaker has the second most power, and the president pro tem has the third most power.

HICKE: And has this been true pretty much all the way through your . . .

DOLWIG: Oh yes. Well, there's a very definite reason for it, and that is, in the assembly the speaker appoints the committees, and in the senate the Rules Committee appoints the committees. So you see, depending on how you stack those committees, you can determine the course of legislation, which gives you a lot of power.

HICKE: What about the governor's power?

DOLWIG: Well, the governor has veto power, which is very strong power. That's a lot of power, because you can get a bill through the legislature, but if you can't get the governor to sign it, it doesn't mean a thing.

HICKE: Do you want to talk about the all-year-round schools proposal

now or do you want to wait?

DOLWIG: Well, why don't we pull some stuff together now? What time is it now? [Interruption]

More on the Investigation of Sam Collins

HICKE: We're back on your first investigation committee, and you were just saying how important that was.

DOLWIG: Yes. You see, I had all the oldest members of the assembly on my committee and here I was a freshman. At one point they started to give me a bad time because I made some rulings, because I was being fair. I made up my mind I was going to be fair and the devil take the hindmost on this thing. If Sam Collins wasn't guilty, he wasn't guilty, and that was all there was to it. And if he was guilty, then that was it, too.

So I made my rulings, and some of them were against Sam Collins, and boy, these older members really started ganging up on me, but I knew my rules. When I made my rulings and somebody started phrasing a lot of questions, I said, "Are you challenging the chairman's rulings? If you do, put the thing to a vote." I called them every time, and it stopped them every time. They weren't sure they had the votes. Neither was I. [Laughter]

HICKE: Well, that was an exciting time, I'm sure.

DOLWIG: It was very interesting because we had evening meetings, and the assembly chambers would be packed, standing room only. Oh, I didn't go into the other phase of it, which ties into what we were talking about gambling. These three newspapers, the ones I mentioned to you, did everything they could to get me to start a statewide investigation of gambling, because it was selling newspapers. I said, "No way." I said, "There's nothing in the resolutions setting up this investigating committee saying to go into statewide gambling." Just wasn't going to happen.

HICKE: Isn't that the province of the state attorney general?

DOLWIG: That's right. Gosh, the pressure was terrific.

HICKE: Okay, well let's stop for now and start again next time.

DOLWIG: All right.

[Session 2, August 24, 1987]

[Begin Tape 3, Side A]

Bill of Rights for the Insane

HICKE: One of the things that we want to talk about this morning is your Bill of Rights for the Insane that you proposed.

DOLWIG: All right. Let me give you a little background. Before I went into the legislature, in San Mateo County, I was a member of the Child Guidance Clinic and also the Mental Health Society. That was a field in which government had exercised a hands-off policy, more or less, and because of the problems that we were beginning to have in juvenile deliquency and in mental health, it was felt that we ought to get government interested in it. As a result of that, we set up a mental health commission in the county government and financed by the board of supervisors.

HICKE: The San Mateo County Board?

DOLWIG: San Mateo County Board of Supervisors. That's the first time that ever happened in the entire country. It more or less served as a model, in many respects, and was adopted in many other areas. The thing is that it gave an impetus to the mental health problems.

One of the facts of the mental health problem was, of course, our mental institutions and how we were handling this whole problem of insanity. Because of my interest in this thing, I was always. . . . Well, the one I was particularly interested in was the question of how the insane were being treated, and there were some scandals at that time about the terrible treatment that was being given in mental institutions.

HICKE: Did you go and look at any of them?

DOLWIG: Oh, yes.

HICKE: How did you find out about this?

DOLWIG: Well, I lived right next to the Sonoma State Home . . .

HICKE: Sonoma State Home?

DOLWIG: Sonoma State Home.

HICKE: You lived up there?

DOLWIG: Yes, I had a summer place there.

HICKE: Ah, I see.

DOLWIG: So I became very much alert. While I was living there, they had several escapees from the institution. There was a great deal of publicity because I had a place right next to it. But my interest was in that whole field of mental health, and as a result of that, many people came to me. In some instances husbands would get rid of wives by claiming that they were insane, and there were no safeguards or anything. They would get someone to say, "Yes, she's insane," and they would railroad her into the mental institution. That's just one example. Not only that, there were some instances that were brought to my attention where people were confined to an insane asylum that actually were not insane. And that's what gave me the impetus to go into this thing and see whether we couldn't do something about it.

Well, due to the work that I did with the Mental Health Association in San Mateo County, we finally developed the idea that maybe we ought to get these people out of our institutions, and not institutionalize them but provide care and facilities in a home environment. That was in a section of the Short-Doyle Act.[1] Short moved in later on. I was too busy in many respects, and Short had some interest, and Doyle did too, and they finally took that program over. It resulted in the Short-Doyle legislation.

The idea of getting people out of institutions was very good, but the state program provided that the counties and the cities would have to provide certain facilities and certain programs to help these people out, which was not done. Unfortunately, there was no big stick that could make the local agencies do this.

HICKE: They needed to follow up these people.

DOLWIG: That's right, and this has been the weakness of the thing, and this is resulting in a lot of people--this big thing about homeless people. A large percentage of those people

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1. Short-Doyle Community Mental Health Services Act, ch. 1989, 1957, Cal. Stat., p. 3535.

are people that have been released from the mental institutions that have not been moved into the adjunct programs that were supposed to have been provided. And that's why you have so many of those homeless people, about which you can hardly do anything, unless you take care of them personally.

Now, if I was still in the legislature, we would do something about that, because we could mandate the counties and cities to do it, because the state provides much revenue for them and we could hold back on those revenues if they didn't provide programs for these mentally ill people. There are particular problems, and they need housing, and they need some special care.

HICKE: Now, when [Governor Ronald] Reagan came in, he actually cut back on the insane asylum funds and . . .

DOLWIG: Yes, he cut this program, because this program was to get them out of the institutions and get them into a home environment where, presumably, people would take care of these people, and they would have a much greater chance of rehabilitation. Whereas in an institution, they weren't getting any particular care or anything. They were just housed, and fed, and that's it.

HICKE: Well, that was certainly a remarkable effort that you made.

Legislative Politics; Partisanship

HICKE: One of the things that we mentioned and didn't talk about was when you first came into the senate, there was something about the Republican and Democratic freshmen that you mentioned on the phone.

DOLWIG: No, I was talking about the freshmen in the assembly. The interesting thing is those friendships endured even through years in the senate. We were able to work together despite the fact that I was a conservative Republican and they were Democrats. We always worked together for something that we agreed on.

HICKE: One of them was George Miller?

DOLWIG: One of them was George Miller, one of them was Bob Kirkwood, and Grunsky was in on part of it. Some of them were from around the Bay Area.

HICKE: Okay. You told a lot about your work with George Miller. Did San Mateo County agricultural interests coincide with the Contra Costa interests?

DOLWIG: No, no. Contra Costa is, of couse, relatively agricultural, whereas the San Mateo interests--they were more or less specialty crops and so forth. No, there was no relationship. That was not the basis on which we worked together. We worked together primarily on a personal basis.

Hugh Burns Retires

HICKE: And you had the same sort of relationship with Hugh Burns; that was also a personal relationship?

DOLWIG: Oh yes. Hugh Burns and I always got along.

HICKE: Can you tell me a little more about that?

DOLWIG: Well, of course the Democrats were in control of the assembly and the senate, so you had to live within that context. I remember I never had any trouble during the entire time that I was in the senate, as far as committees were concerned, for appointments or anything like that. In fact, when he [Burns] retired, I tried to talk him. . . . In fact, I had talked him out of retirement beforehand, but I happened to be away when he just made a final decision to retire. And he did it.

HICKE: I want that story, but let me just ask you one question: Had he expressed this desire to retire to other people? Or was it pretty much you were the only one . . .

DOLWIG: Well, insiders . . .

HICKE: . . . because I don't think I had heard that before.

DOLWIG: No, he had talked about it, and I said, "No way can you retire." The senate was still the old type of senate. You see, the senate was originally, of course, all [representative of] rural. And then slowly we got more and more of the metropolitan senators into the situation, but primarily it was the rural senators, and they were usually a conservative group. But Democrats controlled them, like George Miller; George was a very liberal Democrat.

HICKE: But then in 1969, Burns managed to retire while you were gone.

DOLWIG: I had taken a trip to Japan on waste management, and while I was in Japan, I got very ill. I got so ill that they didn't dare to move me from my hotel room to a hospital. After I got better, I took two weeks off and went to Tahiti to recuperate. That ran into the period of the session, and when I got back, they had elected Howard Way, the liberal Republican, to the senate [pro tem]. When I came back, we changed it around; we elected Jack Schrade.

HICKE: Last time--we were off tape, but you told me the story about your father's maxim having to do with power. Can you repeat that for me: when you have power, don't use it.

DOLWIG: That's right. That's one of the things he warned me about. "Just remember, when you get into politics and you get power," he said, "you never use that power. If you have to use it, it means that there's a flaw in your whole setup, because you don't ever need to use it if you've got it." That's true.

HICKE: And so you didn't.

DOLWIG: I didn't. I learned how to use power.

Pharmaceuticals Bill

MRS. D: There's an interesting story we were talking about, Senator, about the bill that I got you to put in. Remember one day I was so upset when I got my bill from the pharmacy?

DOLWIG: Oh, well, I don't know. That's not apropos.

MRS. D: About not using power. About how you've got to go in and out-maneuver them to do what you wanted. But you never had to use power.

DOLWIG: You know the high cost of pharmaceuticals?

HICKE: Indeed.

MRS. D: And the variation from one pharmacy to another?

HICKE: Yes.

DOLWIG: Due to my illness, I was taking considerable medication, and, my God, it was nothing to get a thirty-dollar, sixty-dollar bill for medicine. I said, "My God, what's going on here?" And I said, "Somebody's got to do something to kind of slow

this whole thing down." So I did some investigation, just on my own; my staff didn't even know about it. I didn't even tell my staff about it. I decided I was going to put in a reporting bill that required the pharmaceutical companies to make a report insofar as their pharmaceuticals were concerned. And the basis that I found out from my own research, was that our Medi-Cal. . . . You know what the difference between Medicaid and Medi-Cal is?

HICKE: Yes.

DOLWIG: All right. Our bill for Medi-Cal was mounting terrifically and was into hundreds of millions of dollars. And so I went to the Public Health Department--that was under Reagan--I said, "Look, wouldn't you like to know what the profit margins are, and wouldn't you like to get some reports as to how these profit margins and so forth are determined? Because maybe the state's paying too much for this." They got the state interested in this. I said, "Would you support the bill if I put it in?" and they said, "By all means." They were enthusiastic about it.

So I put in the bill, and I put it in very quietly. It had to go to the Public Health Committee in the senate. I got that bill out of the senate, and oh God, things really started popping all over the place, because they were sacrosanct. The doctors and medics were behind them, also.

I put it in and got it out of Public Health, and then had to go to senate Finance. And, of course, I knew unless I lobbied the bill personally that it would never go through, because their lobby was so strong. I knew who their lobbyists were; I knew everything. But nevertheless, I took it up before the senate Finance. I knew I didn't have a chance in hell to pass it. But the mere fact that it got out of one committee in the senate gave the pharmaceutical people something to think about. I was hoping it would have slowed them down on a few things. Just knowing what all the factors were and everthing made this possible. I didn't have to use any power or anything.

HICKE: Well, how did you do it?

DOLWIG: All by myself. One of my closest friends on the senate Finance Committee looked at me and he said, "Senator, is this

a personal bill?" I said by all means, it was entirely personal. But I had the public health director supporting the bill before the committee.

HICKE: And so, in connection with the idea of power, this was something that you were able to do on your own without calling in any chips or any . . .

DOLWIG: That's right.

MRS. D: Because you were saying that your father said that when you have to call in chips, it becomes a problem. You should be able to do things without calling in the chips.

DOLWIG: That's right.

Changes in President Pro Tem: Unseating Howard Way

HICKE: And that's where we were. The one place where you had to call in chips was to unseat Howard Way?

DOLWIG: No, no. That was just knowing where to go and what to do.

MRS. D: Because everything was at a complete standstill. They were saying, "When are you coming back? When are you coming back?" Well, the doctor had said when we left Tokyo, "Senator, there is no way you can go back to the legislature right now. You need at least two weeks of complete rest." Which is why we decided then to go to Tahiti, because we were in Tokyo, and it was on our way.

Everybody was saying, "When are you coming back? You've got to do something," because they knew the senator was the only one who could unseat Howard Way without causing a big problem. He was a Republican. I mean, you don't go in and kick out a Republican. So they waited, and when the senator returned he was the one who worked out the strategy to unseat Way and replace him with Schrade.

Jesse Unruh; Using Power

HICKE: Can you tell me about Jesse Unruh?

DOLWIG: Well, Jesse and I worked together on many, many things. Not only that, if Jesse had a bill that was reasonable at all. . . . Because I was on so many committees, many times you would have to get me out of one committee and get me into the

other committee in order to vote. Jesse called on me a number of times when he figured he needed my vote. If it was reasonable, I would vote for it. But Jesse put in a bill on finance, wasn't it?

MRS. D: Campaign finances.

DOLWIG: Campaign finances, and it was a tough bill. But it was one hell of a bill. What he did was very smart, because he got a lot of good publicity on it and. . . . You tell your part, because that's the part I never knew about.

MRS. D: You see, I worked at the legislature; I was director of radio and T.V. So I knew everybody's secrets and they didn't know of Senator and my relationship. They were all going, "Ha-ha-ha," and they were all watching and saying, "Oh, we're really getting the headlines on this one, we're really doing it. We're making all kinds of marks with the public, and Dolwig's the one who's going to get it, because he's going to kill it in his committee. He's the one who's going to end up looking like the bad guy, and we're going to end up like the heroes, and isn't it wonderful?" They were all laughing. Obviously I never told the senator because things that were told to me in my office stayed in my office.

DOLWIG: Well, I didn't know about that, but Burns came to me and he said, "Gee, what do you think we ought to do with that Unruh bill?" And I said, "It's very simple what Jesse's doing. He's playing it very quiet, and he figures we're going to kill it and that it's the senate that will get the blame for it." Because it was quite an issue. He got a lot of publicity on that. So we quietly decided that we were going to pass the bill and not permit Jesse to amend it at all. [Laughter] That's one thing I think I should perhaps have told Jesse about: what was in the offing. But he never came to either Hugh Burns or myself and let us know what he was doing; so we figured we had no responsibility along that line.

When it came before the committee, from the way that members were talking, it sounded as if the bill was going to pass. Jesse got concerned, and he says, "Oh, my God." So he started to offer amendments, which was very smart, right then and there. I ruled on every one of the amendments that they

were not germane. We finally passed the bill as it was. And we figured, "Well, the governor's going to have to veto this. Jesse's got enough power."

HICKE: And what happened?

DOLWIG: I don't remember.

MRS. D: Something happened to the bill, because it got vetoed, it wasn't signed, it didn't go into law. They had to maneuver it from their end. What was so funny was the way that they had laid this whole thing out. They were going to get all the mileage out of it. Senator was going to get all the criticism; they were going to be the heroes, he was going to be the bad guy. Instead he said, "Fine, I think it's great. I think you should report that to the public. Absolutely. Do it."

HICKE: Kill them with kindness.

MRS. D: Right.

DOLWIG: So you see, all this is not cut and dried. There is a lot of maneuvering. There are some very interesting things happening. Of course, Jesse was one of the smartest guys that's ever been up here. He was smart.

HICKE: But you mentioned last week, you thought he didn't know how to use power.

DOLWIG: No, he didn't, he didn't. And he hurt himself immeasurably when he locked out the Republican assembly members because there's where he didn't know how to use power. Of course, it's perfectly understandable, because with Jesse's background, he came from a poor background. And you know that he became number two man in the whole state of California. You've got to give him credit for that; that's pretty damn good. But in the process, he didn't learn to use power once he had it. He knew how to claw to the point to get the power. And he did. He had it. No question about it.

MRS. D: Don't you think though, Senator, that happens a lot of times when people don't have a background, that they're great at climbing up a mountain, but once they get there, they don't know what to do?

DOLWIG: That's right.

HICKE: Do you have any examples of what he did or didn't do in the use of power?

DOLWIG: Well, of course, that's the outstanding example.

MRS. D: That's right. That one's pretty well known.

DOLWIG: No, otherwise, he had a lot of—what do you call it?

HICKE: Moxie?

DOLWIG: Not moxie. Balance. He had a lot of balance, otherwise. But you see, when the going really got tough, he should have known how to use that power because he had known power in that assembly. He didn't have to do it the way he did it. This is the example of it. He could have handled that very easily without going to the extremes that he did.

HICKE: Did it have something to do with wanting the publicity?

DOLWIG: No, no. He got bad publicity. In fact, my own personal opinion is that's the thing that defeated him for governor.

MRS. D: Don't you think, though, that he was kind of a. . . . Daley, what's his name from Chicago?

HICKE: Mayor [Richard J.] Daley?

MRS. D: Yes. Wasn't he from that old ilk of how you run politics? In a lot of ways, Jesse ran that, I think, like they did Chicago.

DOLWIG: Well . . .

MRS. D: Am I pushing you?

DOLWIG: No, no. It wasn't exactly a Daley situation, because by this time . . .

MRS. D: But it was absolute control.

DOLWIG: . . . politics in the state of California had changed materially. In the early days it was run by three newspapers, and then it was run by about four senators, and they were rural senators, and then . . .

HICKE: Who were they?

DOLWIG: Well, a senator from Riverside and a senator from Merced and two others.

HICKE: OK.

MRS. D: One from Oakland?

DOLWIG: No, well, this power came from the Oakland Tribune.

HICKE: Okay, and then after those four senators, you were starting to say. . . . ?

DOLWIG: Well, then the politics in this state started to change because the state became more diverse, and the power was more dispersed as compared to those days. I remember as an

assemblyman, my early period, boy, that senate was adamant. For instance, I was very much concerned in building up our recreational facilities from the standpoint that we had evidence of juvenile delinquency; you know, the kids could go camping and all those things. I had some bills in my early sessions, and those senators killed those bills just like that, because their position was this was no place the government had any business in. And that was it. The same way on mental health: I didn't get anyplace at first when I was in the assembly. At all. Because for those senators, this was no concern of theirs.

HICKE: Was this when it was called "the old guard"?

DOLWIG: Yes, [Senator George] Hatfield was the leader of them. Senator Hatfield was the power in that senate for years. At one time he ws the U.S. attorney; then he went to the senate. But he was a very powerful man.

IV MORE ISSUES IN THE SENATE

Foster City

HICKE: Another question: last week we just touched on the development of Foster City. I wonder if you could elaborate on that. What kind of legislation did it require, and who were the opposition and the proponents?

DOLWIG: In San Mateo we had that whole bayshore, which was wetlands. You had an area there which was maybe a half a mile of just nothing but marshes, and you had tin cans and you had wildfowl and everything, and one of the ecological people called . . .

HICKE: Sierra Club?

DOLWIG: Yes, the Sierra Club and all those clubs . . .

MRS. D: The ecologists . . .

HICKE: Did it belong to Leslie . . .

[End Tape 3, Side A]

[Begin Tape 3, Side B]

HICKE: We were just saying the marshlands belonged to Leslie Salt Company, and you were telling me about the . . .

DOLWIG: The Foster organization was from, I think, Oklahoma. They came into the county and they wanted to develop into residential and commercial areas and they wanted to fill in certain areas.

HICKE: They came to see you?

DOLWIG: Well, they came to me because I was the senator from that area, and they wanted to see what I would handle. It required some special legislation in order to make that possible, because, I think, the question of who owned the tidelands--Leslie Salt didn't. . . . The state had some marshland there, too.

HICKE: That's why it would require the legislation?

DOLWIG: Yes.

HICKE: Because of the ownership question?

DOLWIG: Yes. That's if I remember right.

HICKE: It's been a long time.

DOLWIG: It's been a long time. I'd have to see whether I couldn't get. . . . [Pause]

HICKE: Apart from the records, what I really want to get are your recollections.

DOLWIG: They came to me and they indicated what their plans were. They had some very good planning people, and it sounded really very good, and not only that, it would be a real plus to the county because they would develop these marshlands. I wasnot impressed with the Sierra Club's viewpoint on this thing, because I personally made a tour of that whole area of San Mateo County, of the bay. God, it was a sad sight, because people were dumping stuff there and nobody was taking care of it. And I certainly agreed with them that this was a development that was related to San Mateo economically in every way. And so I said, "Yes, I'll put in the legislation," which I did. And of course, the Sierra Club and various other clubs fought it hard, tooth and nail. It took a lot of work to get the necessary legislation passed so that they could go ahead and proceed with the project. Well, as it now stands, it's quite a project.

HICKE: Indeed it is; it's a beautiful area.

DOLWIG: I've afterwards talked to many people who've lived there, and they are very happy about it, and they're happy with the facilities, and they had very good planning. I also handled the result of that. I handled legislation for Redwood Shores, and on the same basis: that it had been a real plus to the county.

HICKE: What were the problems with the bay fill? Was that the main . . .

DOLWIG: Well, there were certain areas that had to be filled in order to carry out the plan.

HICKE: Was that the main objection of the environmentalists?

DOLWIG: No, the main objection that I understood was that these were wetlands, and they ought to remain as wetlands for, you know, whatever. Wildlife there was being sustained by reason of it.

Citizen Legislatures

HICKE: I see. Okay. Just as a sort of a follow-up question to that and the rest of your experience, one of the other interviewers was telling me that she has heard people say that in the last ten years in the legislature, there's less response to constituents and more is done, say, by political pull and haul than perhaps was true. Did you find a change in that over the years?

DOLWIG: Yes, I found a decided change, and that change came with the increased salaries of the legislature. I've always . . .

HICKE: Senators and assemblymen?

DOLWIG: That's right. As the salaries increased, they became less and less responsive to the public. I opposed any increases. When I first ran in the assembly, we got paid a hundred dollars a month. People now get . . .

MRS. D: They got better legislation then.

DOLWIG: I always took the position, and I still take the position, that the people benefit the most when they have citizen legislatures. On a national basis I've only found one other man . . .

MRS. D: Howard Baker.

DOLWIG: . . . Senator Howard Baker, that also has come out publicly and decried the loss of the citizen legislatures. There's a

real reason for that. When we had a citizen legisture, we had a better cross section within the senate and within the assembly.

HICKE: You mean of economic groups or political groups or . . .

DOLWIG: No, people . . .

MRS. D: From different work, or walks of life. They were attorneys, farmers, businessmen, bankers, doctors, that kind of thing.

DOLWIG: For instance, I was a young attorney, and I had promised myself I would go into the assembly for two terms and that's all. I would become known, I would get some publicity, and I would go back into the practice of law. Well, it didn't happen that way. The reason, of course, is I got into all kinds of problems and situations.

But the reason that a citizen's legislature would do a better job is a very definite one. I'll tell you, this business of saying if you give legislators enough money, it's then going to make them honest, is a fallacy. They're either honest or they're not honest. Giving them the higher salary is not going to make that difference. Not only that . . .

MRS. D: Because a job . . .

HICKE: When you're a citizen legislator, you're not there because it's a job; you're not getting $36,000 a year. What this has done is it's changed the whole political spectrum, not only in the state legislature but in congress; that is, you are getting government by special interests.

MRS. D: Do you understand?

HICKE: I do, but I'm just trying to figure out how that ties in with the professionalization of the legislature.

DOLWIG: All right, let me give you the basic thing about politics. The basic thing is that you're no good to yourself, you're no good to your country, you're no good to your state, you're no good to anybody if you don't get reelected.

Now, what do you have to do to get reelected? You've got to get enough people to vote for you, don't you? All right, what has now happened is with high salaries and everything, it's become a job, and what it means. . . . When I first went in the legislature, I could practice law and be in the legislature. Now they put all those restrictions on and you can't do that; so you have instituted those

restrictions as to what you can do. You are now a legislator, now getting enough money.

Now the question is, "This is my job. This is my livelihood. This is my future. What do I do?" You then sit down and you figure out every special interest in your district. And not only that, if you're smart, you will then figure out what you need to do to get their attention and what you can do for them in order to tie them down to you. And once you've got them, you've got them. By putting together all the special interest within your district, you're bound to get reelected time after time.

HICKE: You're saying that a citizen legislator is more of a disinterested . . .

DOLWIG: That's right.

MRS. D: Independent.

DOLWIG: For my first two terms in there, I figured, "What the hell, I'm going to do what I find is right, what I see on the basis of all the facts that is right. And if my constituents feel that I'm wrong, then let them get rid of me." You know, you have an independent viewpoint there; you don't go to your office every morning and say, "Well, wait a minute, am I taking care of this group? Am I taking care of that group?"

You've got to take care of your religious groups first; that may surprise you. Take care of your lawyers, take care of your doctors, take care of your working people through the unions and so forth. You take care of the unions. You take care of your ecologists and all of those people. You can do it and not be inconsistent at all. But you are then having government by special interests, and that's exactly what you've got as far as the federal government is concerned and also as far as our state governments are concerned. And the reason for it is the high salaries that are being paid all along the line. You've done away with the citizen legislatures, and Howard Baker and I agree on that 100 percent.

HICKE: That's really an interesting bit of political history.

DOLWIG: And that's true; I'm talking from experience.

MRS. D: And that is exactly why when Senator decided that he wasn't going to run again. . . . Oh, I remember the date so perfectly; he walked in, he was so upset and so distraught,

and he came in, sat on the sofa, and he said, "That's it; there's no longer any responsibility. They don't give a damn about the people, and I will not be a part of it." And that was it, and he didn't run again.

DOLWIG: Listen, I'll debate that with anybody. I'll give them chapter and verse. But you see, the basis for the whole thing is that fallacy which catches on so easily, and that is, "Give them enough money and they'll be independent, so that you don't have to worry about them," and that's not true. A man is either honest or he's dishonest.

Governors Earl Warren, Goodwin Knight, Ronald Reagan

HICKE: What about the governors? You've told me a little bit about Pat Brown; do you have anything more to say?

DOLWIG: Do you want an evaluation of governors?

HICKE: Sure, maybe a comparison of his style with Reagan's.

DOLWIG: Well, let's start out with Warren. Warren was a good governor. And I say that despite the fact that I never really saw eye-to-eye with Warren, because he was under control by the Oakland Tribune, and because of the problem of the southern crossing. And not only that, but it was the Warren people that aced me out of the attorney general's post. The interesting thing is, they brought in a man to run against me in the primaries. They got him elected and then they withdrew their support for him in the general election and he lost. But nevertheless, Warren was the kind of governor that if he gave you his word on something, you could rely on it. I've been in his office and I would say, "All right, governor, what about this program? I need to know if you support it," and if he said, "Yes," you could rely on it. Who was next?

HICKE: Knight, Goodwin Knight.

DOLWIG: Goodwin Knight. [Laughter] You couldn't trust Goodwin Knight for ten minutes. I've been in his office and he'd say, "Senator. We're for this. We're 100 percent for this, absolutely. I'll do whatever I can on this thing." And fifteen minutes later, it would come out that he had taken a completely different stand with somebody else.

MRS. D: Depending on who was in the office.

DOLWIG: You couldn't rely on good ol' Goodie at all. And I say that despite the fact that I'm a Republican. Brown, God bless his soul. . . . You see, I knew Pat Brown when we were young lawyers in San Francisco. We've always had a very close friendship, but I told you on two occasions I ran my campaign against Brown, not against my opponent. Pat you couldn't rely on either. Pat was much better than Goodie Knight. But Reagan was the most solid of all of them. If he told you that he was part of the program, that was it, and he would go. You could rely on it without any question. That's my evaluation of the governors.

HICKE: Thank you.

MRS. D: What governor, do you think, did the most for the state of California? Truly, you know, as far as legislation is concerned.

DOLWIG: Well, I think Warren did. The reason for it was the state was changing so much at that time, getting out of the early stages. And then, lots of problems. And Warren surrounded himself with some very good people, even though I didn't agree with him about a lot of things. But he tried to get good people and got some good advice.

All-year-round School Program

HICKE: OK, to get back to some of your legislation, what about the all-year-round school program that you worked on?

DOLWIG: That program had its inception in my county, because I was chairman of the Joint Committee on Education. We began to go into many of the problems of our schools at that time. One of the things that kept cropping up all the time was: here we had a plant and we've got millions, hundreds of millions, of dollars that we have invested in school classrooms, and we're only using them nine months out of the year. From a business standpoint, how many businesses could operate that way?

Having been a teacher, I realized there was going to be a lot of opposition as far as the teachers were concerned. So I did a pilot program in my own county, San Mateo County,

and I threw the thing out, and I got the board of supervisors to appoint a commission on year-round schools. I did it more or less as a flyer. I wanted to find out where the opposition was going to be, what the arguments were, and what it was going to take to do this. Well, on the basis of my experience there, I found that teachers were the most adamant against it. Of course, they brought in the parent-teacher's groups and so forth. So there was just general opposition to this thing.

HICKE: The parents were against it too?

DOLWIG: Well, the teachers talked them into it, you know, because here is a vacation. What are we going to do with our kids? and all that stuff. Not only that, I went back into it and found out that this three-months vacation period was because of our early agricultural period, when kids had to stay on the farm . . .

HICKE: They were needed to detassle the corn and so forth.

DOLWIG: That's right. And there was really no reason for this. I don't remember whether I had any hearings on it in the Joint Education Committee, but I had done enough research, and about the time I got started, I found out what the opposition was; so I put in the bill. I don't remember how many years it took; it must have taken me at least five years in order to get that legislation passed, but I finally got it passed.

HICKE: Enabling legislation or just to try it?

DOLWIG: No, no. I passed legislation providing for a twelve-months school and made it optional as far as the local districts were concerned. And there had been some publicity. I can't find my file; I had some of it in that file, I'm sure: how many school districts in the state were already on a full-time basis.

HICKE: Oh, is that right?

MRS. D. In fact, it's nationwide now, Senator, because remember we cut out an article not too long ago in the USA Today.

DOLWIG: Yes, 406 schools nationwide are on a full-time basis [with an enrollment of 384,880 students. They have shown that these

students may achieve better test scores than youngsters who take long summer breaks according to a new survey].[1]

HICKE: Well, I know San Mateo isn't one of them.

DOLWIG: Oh no.

HICKE: We moved there after you left office but . . .

DOLWIG: The opposition there was just too strong.

HICKE: I think it's a marvelous idea.

DOLWIG: Well, it is. I don't remember the details, but in those districts that adopted the twelve months, they managed their vacations very well. The teachers finally agreed in those districts that it works out well. But you know, anytime they can make a change in the status quo, you get a lot of opposition. I knew it was going to be there. To this day, I still don't know how I got that bill passed.

HICKE: Well, the teachers lose out on a lot of vacation time that way, don't they? Or how did that work?

DOLWIG: Well, ostensibly that wasn't the reason that they. . . . [Laughter] But yes, that was the . . .

MRS. D: I think the thing that they keep complaining about--that's what I hear your daughter, Tam, saying too. . . . He has a daughter who's a teacher, and she doesn't like this. She likes blocks of time, and the way it's set up now, you know, they get two weeks vacation here and another two weeks down the line. She likes to have three months to go do her thing. But the way you had it set up was actually much better, because the teacher gets a little bit of a break, you know, so she's fresher than when she's working with her students. Because I think they get kind of run down when they go the nine months and then they. . . .

HICKE: If there weren't this historical precedent for a three-month vacation then nobody would ever . . .

MRS. D: Nobody would ever think anything about it. Do you get three months' vacation?

HICKE: No. [Laughter]

MRS. D: I don't either.

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1. Mrs. Dolwig added the preceding bracketed material during review of the draft transcript.

DOLWIG: No, it's catching on, it really is.

HICKE: That's very interesting.

MRS. D: Would it be of interest to you for us to see if we could find some of those articles?

HICKE: I would love to have copies of any of those articles. Maybe one or two.

[Discussions deleted]

Railroad Crossing Legislation

MRS. D: Senator, I think when you get a chance, you have to go into that railroad crossing thing that you did, which I think is wonderful, and it certainly is . . .

DOLWIG: Oh, yes.

MRS. D: . . . But go ahead with what you're doing.

HICKE: Are we through with the schools?

MRS. D: I'll get something to you on it.

HICKE: Thank you.

DOLWIG: I'll try and find that file or find that publicity to that thing.

HICKE: Yes, I would like a copy of that to use.

MRS. D: I think it would flesh it out and make it much more interesting to you. But this goes back to being responsive to your constituents. Do you remember what I'm talking about, darling?

DOLWIG: Yes, I remember. A very well-known couple was killed at a railroad crossing in Millbrae or South San Francisco, and there was a lot of publicity about it, and somebody said about it, "Something ought to be done about this. This is an unprotected crossing."

So I got an interim committee in the assembly on railroads, grades, and separations. We held hearings throughout the state, and of course, the railroads had always a terrific opposition to anything like that, because it meant that they would have to bear some of the burden. However, I went right ahead and had those hearings, and we developed sufficient information and got enough people interested as far as highways were concerned, and as far as the railroads were concerned, and as far as the municipalities were

concerned and the counties were concerned. That took a lot of doing. I don't remember the details but I spent a lot of time on that.

And out of those hearings passed a bill that required that all crossings had to be protected with either protection devices, or if it was a highway, a grade separation, or if it was a railroad, an overhead crossing, and consequently we just saved hundreds and hundreds and hundreds of lives.

HICKE: Do you have an idea of when this was?

DOLWIG: I think is was in 1953.

HICKE: And before that, there was no requirement?

DOLWIG: There was no requirement. This was an unprotected crossing. These people were. . . . A train hit them and that was it.

HICKE: Well, that was an outstanding piece of legislation.

MRS. D: Isn't that wonderful? Because he fought everybody, and he had to coordinate the entire thing to make it possible. You know, I say sometimes that every person from California one time during the day should say, "Thank you, Senator Dolwig," for something he has done.

DOLWIG: Well, that was a real program. That really was.

Legislative Staffing

HICKE: That brings up another question I had: one of the things that Jesse Unruh did, I think, was to get increased staffing for members of the legislature. Was this helpful?

DOLWIG: It's good but it's being overdone. The job that Jesse did was very good and it was very necessary, because as the problems increased in the state, it was more important that we get more staffing. The only thing is, they've gone a little bit overboard on it. But what he did was very, very good, very good. And it was necessary.

HICKE: It sounds like something like that would have been an enormous help in the railroad crossing legislation.

DOLWIG: Well, we always had adequate help as far as our comittees were concerned. I utilized interim committees extensively as far as the issues were concerned. As an example, as part of the southern crossing fight, which was trans-bay crossing and tideland reclamation committee, I found out that the state of

California did not have an inventory of the tidelands that they own. Now that was incredible to me, and it was incredible to many of us. The tidelands that they owned varied extensively, and not only that, but there's a lot of oil on them, and they were very pertinent. Finally I made the state get an inventory of the tidelands.

Long Beach Tidelands

DOLWIG: Now that leads into another thing. As a result of the work I did on my tidelands committee, which was also the southern crossing committee, the tidelands thing was important because I got into the Long Beach situation. If you've been down to Long Beach, you know all of the oil wells that they have there. When I went into this thing, I found out that Long Beach got all of the revenues from those tidelands.

HICKE: Just the city?

DOLWIG: Just the city, and finally my eyes were opened and I began to realize why Long Beach has such a big lobbying effort in the legislation.

HICKE: They could afford it.

DOLWIG: They could afford it, yes. They did have some powerful lobbyists.

[End Tape 3, Side B]

[Begin Tape 4, Side A]

HICKE: We were just talking about the Long Beach lobbying effort and the . . .

DOLWIG: Yes. Finally it was decided that after all, these were state tidelands, and there was no apparent reason that Long Beach should be getting all of the revenues. I'll tell you, this is a very interesting thing, because on this one I lost my Republicans. It was the Democrats that really helped me pass this bill. I put in a bill to exchange the formulas and divide it for a certain percentage of the money to go to the state. That was a terrrific fight, and I got more help fro the Democrats than I got from the Republicans.

HICKE: Is that right?

DOLWIG: I don't know why, but they liked the bill. I saved $847 million for the State of California with the additional revenue that we got. And this was a tough one, because they had a powerful lobby, and they'd been getting those revenues for years. That was one that I started from scratch and finally made it work.

I got into the Los Angeles Times situation. I was in there because there was a tie-up between the Long Beach papers and the Los Angeles Times. That's a lot of power there. The Los Angeles Times opposition, of course, stemmed from my Long Beach bill, but then it really became worse from that when I opposed the Brown Water Plan.

HICKE: Yes, you told me about that last week.

DOLWIG: Someplace I'm going to have to find out the amount of acreage that is owned by these big corporations. And I tell you . . .

MRS. D: Remember I got files from them; I got everything from them.

HICKE: That would be really interesting if you come across it.

DOLWIG: There's a [Ralph] Nader report on the water problems in the state of California, and they outline this whole situation. They have the figures on the number of acres and everything.

HICKE: That's where it could be found?

MRS. D: Yes. I also got it from the L.A. Times. They gave me a bunch of their stuff, remember it?

DOLWIG: [Laughter] You were a spy.

Smog Control

HICKE: OK, I see in this pamphlet "smog control." Did you have something to do with that?

DOLWIG: Oh, yes. That's a result of my work on the southern crossing, which was the first transportation. . . . I became more and more convinced that, if we were going to solve the Bay Area problems, we needed this thing done on a Bay Area basis and not on a county-by-county basis. Anytime you get some power to be a larger entity, that has a power on a local level fighting against it.

HICKE: So you were interested in something like a regional . . .

DOLWIG: That's right. And I think I had an interim committee on the bridge: Bay Area Regional Development, that was what it was. And out of that, we passed a bill setting up the Bay Area Smog Control District. That took a lot of doing too. I don't remember that much.

MRS. D: Didn't you do a lot of things in L.A.? You said that you went down there with another legislator, and I know you were down there on committees. You told me this a long time ago. That was before there was a smog problem. If they had listened to you right in the beginning, they wouldn't have the problem down there for smog that they do now. There was a problem because of the inversion layer. You worked on that, darling. You were down there, and you did part of that work.

You said the Bay Area today would have a terrible problem, too. If it hadn't been for some of the work that you did, and that if they had started earlier in L.A., then the problem wouldn't be as serious as it is right now.

DOLWIG: That's because the restrictions were much stronger in the Bay Area than southern California.

MRS. D: In southern California, yes.

HICKE: And this went into effect in 1970, I think. Is that the right one?

MRS. D: Couldn't be 1970, darling, because this happened before we were together. What I'm telling you are stories that I have pulled out of him. We were together in 1970, and he didn't do any of that, so this had to be . . .

DOLWIG: "Controls became increasingly stringent each year after 1970."

HICKE: Oh, OK.

MRS. D: But the work that he did was probably in '40-something.

DOLWIG: "And autos which produce more smog than the legal limit cannot be sold in California." That's the essence of it. Right there.

Randolph Collier and Freeways

MRS. D: When were you working on the highway systems? You and Randy [Senator Randolph Collier] worked together. Wasn't Randy

involved in that thing in L.A.?

DOLWIG: Oh yes, he was the father of . . .

MRS. D: Yes, but you worked with him on that, darling.

HICKE: Randy Collier?

MRS. D: Collier. That had to be a long time ago.

DOLWIG: Randy and I worked on a lot of things together.

HICKE: Does anything specific come to mind?

DOLWIG: Well, of course, his primary concern was highways.

HICKE: Right.

DOLWIG: And I supported him. We were shoulder to shoulder on some very important fights, as far as highways were concerned. That wasn't very simple but, for instance, consider the freeway system in Los Angeles. It was his committee, of which I was a member, that set up that freeway system as a. . . . You know, of course, it was given to us by the Transportation Department, but there was a lot of local opposition to that whole system. [Inaudible] Because each time you got into one of the local areas, they said, "We don't want it. It takes too much land."

We had to overcome all of that opposition to institute the freeway system. If we hadn't pushed that freeway system through at that time, imagine the mess Los Angeles would be in. No, Collier did some very good work.

HICKE: Weren't there also problems earlier regarding the fact the north was getting more appropriation for highway money than the south? Back to your old north/south problem.

DOLWIG: Well, Collier had something to do with that. Yes, there was some flack about that.

HICKE: Were you involved in any of that?

DOLWIG: Yes. Sure. Because, you see, more and more we began to realize that Los Angeles controlled the assembly.

HICKE: After reapportionment?

DOLWIG: And not only that, the trend was very definitely going to continue. And so we were trying to counteract that as much as possible. We set up certain formulas that we tried to enact as safeguards. And of course, behind that whole thing again is your old water problem. That gets you to the division of the state.

The interesting thing, I think, is that I never used the argument during the campaign that the reason for dividing the state was to get the water problem on a contractual basis rather than on a political basis. I'm trying to figure out now why I never used that argument, but I never did.

HICKE: That's the logical conclusion, though, that I think is implicit in your legislation.

DOLWIG: Well, that's true, yes.

HICKE: Because that's the way California and Arizona worked out their problems.

DOLWIG: That's right. California and Arizona, and wherever you had governmental entities, they always got them worked out by contract, but not on a political basis.

HICKE: Well, to switch gears here once again, in 1969 there was legislation to renew BCDC legislation, extend the life of BCDC. Do you recall anything about that?

MRS. D: What's BCDC?

HICKE: Bay Conservation Development Commission. It was not crucial? That's just one of the things that I . . .

MRS. D: Want to get on that?

HICKE: Yes.

Alternative Medicine

MRS. D: Let's talk about alternative medicine. Let's talk about some of the legislation that you carried so people had freedom of choice. Let's talk about healing art, that you talked about so much. Go back to Dr. [ ] Hoxie. Wasn't that part of your problem?

DOLWIG: Yes, that's another one. That goes back to my youth when I was playing baseball and basketball. Whenever I had some injuries, my father took me to the chiropractor, and sometimes he took me to a doctor, and I found out that chiropractors--for sprains and all that--were much more effective than the medics. So I became imbued with the idea of alternative methods of healing. When I got into the legislature, the chiropractors had some problems, and I handled legislation for them. As a result of alternative medicine, I supported many people who claimed to have cancer

cures. One of them was Dr. [ ] Ivy. I don't know whether you ever heard of him.

HICKE: Yes.

DOLWIG: Well, I did everything I could to see if we couldn't get that adopted in the state of California. The CMA [California Medical Association] was too strong.

HICKE: I was just going to say, you took on the American Medical Association and the California . . .

DOLWIG: Oh yes, they were just too strong. And Hoxie? Who's Hoxie?

MRS. D: Dr. Hoxie was a doctor who had an alternative form of medicine and I think that in Detroit, one of the big families there was going to build a big clinic for him, and then the AMA came in and shushed it up. You were involved in that. You were involved with Dr. Ernest Krebs, on the laetril thing. They called Senator "Dr. Quack," too, you know. [Laughter] Because he was for healing art; whether it was all the holistics or the therapists, you tried to help them. Who were the ones that finally got their medical degree?

DOLWIG: I passed a bill giving professional status to. . . . Was it the physical therapists?

MRS. D: No, the physical therapist story in an interesting story. This is listening to your constituents or your wife, whichever comes first. This is a story about how you killed the bill and saved the physical therapists at that point.

HICKE: There was a bill on the floor to require anybody who went to physical therapists to have a doctor's prescription?

MRS. D: Right, and this was final passage on the senate floor, and you found out about it at 11:00 in the morning. It was set for a 2:00 P.M. vote.

DOLWIG: Well, what astounded me was that I talked to their lobbyist, and their lobbyist was in favor of the bill.

HICKE: Well, how do you explain that?

DOLWIG: She was . . .

MRS. D: Paid off.

HICKE: Oh.

DOLWIG: Doctors had bought her off. It was the only explanation you could give. Senator [Alfred E.] Alquist was the author of the bill, and I went to Alquist and I said, "Look, Al, this bill just cannot pass." And he said, "You're crazy." He

said, "I got it through the assembly. There's nothing wrong with it. Not only that, there are a lot of lobbyists from the physical therapists who are for it." And I said, "No way." I said, "Physical therapists are not for it." And he said, "You're crazy. Their lobbyist is for it." I said, "Al, don't make me go to a lot of publicity and everything else because," I said, "I'll break this thing wide open and somebody's going to get hurt." He didn't take up the bill; the bill died aborning. It was in final passage in the senate. I never knew about the bill until you called me.

MRS. D: It was three hours to passing.

HICKE: Now that's really fascinating.

DOLWIG: It's always been interesting. I've never had any dull moments, I'll tell you that.

HICKE: I believe that.

Dealing with the Media

HICKE: One of the questions that I might ask, you might both be interested in talking about: this is, how you deal with the media.

DOLWIG: Well, I always had the best relationship with the media for years and years. And the reason for it was, I forget which issue had come up, and I saved the job of some of these newspaper guys. But as the years went on, it was becoming tougher and tougher. I would call some of my newspapers, and I would say, "Look," I said, "if this thing is going to work out, there has got to be a communication between the media and your senator. Once you destroy that," I said, "you're losing an important part of government." And they agreed with me. And I said, "Look, for God's sake quit editorializing in your news items." Well, that put them on the defensive right away.

I had a lot of trouble the last five years because of the media. They got progressively worse. You know, innuendo, inferences. Of course, I was quite a target.

HICKE: Anyone who's done as much as you've done is bound to be a target.

DOLWIG: So I had no illusions about that, but I called them and said, "Look, this is all wrong." Of course, the Chronicle

always tolerated me because I did so much for San Francisco. The Examiner--I was one of their boys; I was part of the family. The Oakland Tribune. . . . Oh, I've got to show you a. . . . [papers rustling] Oh, here. I was at that point where the Oakland Tribune hated my guts, and when I ran for attorney general, they ran that editorial which I thought was rather interesting. [Hands over paper]

MRS. D: You were saying something about on your birthday, the senate passed a resolution. I don't remember what it was, but something was interesting that you said. I thought it was interesting when you said it at the time. What was in that resolution?

DOLWIG: It's on the wall there.

MRS. D: What did you do? You did something that they talked about.

DOLWIG: I don't remember.

MRS. D: Do you want me to go read it? It's your birthday one?

DOLWIG: I don't know, maybe it's one in here.

MRS. D: Must be in here because you just ran across it.

DOLWIG: I don't know but I think there's one on the wall. I think that's that first one that, I think, was on my first birthday.

HICKE: I like this quotation from the Tribune article that you gave me. "During the time, he has gained a reputation as a persistent and intense battler and a tough man to have against you on any floor committee fight or any other kind of skirmish . . . batting average is exceedingly high."

DOLWIG: Well, coming from the Oakland Tribune, I couldn't believe it.

HICKE: That's a nice tribute.

DOLWIG: Well, let's see. I was talking about the media. You know the background on the Oakland Tribune. The Los Angeles Times called me "more trouble than anybody else." They tried to get me indicted.

Robert Fairbanks was from the Los Angeles Times. Now I don't know what his mission was; he was a political reporter, and he uncovered everything that I did, the people I talked to. In my early days, when we could still practice law, I represented an insurance company in Los Angeles. [Inaudible] Never got paid for it. It was just one of those things I happened to get into. And then I put in a certain piece of legislation that was given to me by the state agencies, and I

never paid any attention to it. The state agency said, "You want it in there; it might create some problem with some people." And they said, "Just forget about it after you've introduced it." So I didn't pay any attention to it.

Well, they made a big issue out of that, and they tried to say that I'd broken the code of legal ethics and so forth. I happened to have a Legislative Counsel's opinion. You know, we have the Legislative Counsel. And at the time that I embarked on that representation, I thought there might be a question about it, so I got an opinion from him. And he said there's no problem.

Robert Fairbanks--I'll never forget that one day--said that he had the goods on me and the Los Angeles Times was going to turn over all this information to the district attorney and I was going to get indicted. I got through a committee hearing and the room was full of television people. I just got up and I said, "Gentlemen, what can I do for you?" Well, of course, they started to ask me all these questions and I answered all the questions. And I said, "Furthermore, there's this Legislative Counsel's opinion on file." So they all just looked at me. The most interesting thing is, those newspaper guys and television guys just melted away. [Laughter]

HICKE: That was the end of their story.

DOLWIG: Yes. But that Fairbanks wrote some very nasty stories. I have to believe that their main office had instructed him to give me as hard a time as he possibly could. And this was before my opposition to the Brown plan. But you see, it goes back to the Long Beach tidelands thing, because there was a family connection between this Long Beach paper and the Los Angeles Times--I forget--through marriage. And so those were my relationships with the main papers. As far as my local papers were concerned, I never had any problems.

MRS. D: Well, Senator, you did have trouble. Remember that one kid that was so bad. This was before my time, but remember, this kid was running just terrible things, and you went to him and said, "Why are you doing this? This is irresponsible and why are you. . . .?" Do you remember this story?

DOLWIG: Yes. Well, that's the one I think I told you about that he said, "Look, I'm not going to get anyplace by taking on just any legislator. It's got to be somebody with some standing. Otherwise, I'm. . . ."

HICKE: He wanted publicity for his story.

MRS. D: I've always thought it was very unfair, though, the way they can say whatever they want to about a legislator or anyone in public office, and you have no recourse unless you prove malice. And that's a very difficult thing to prove. By innuendo and the way that they do it, I thought that they destroyed a lot of people and I find that that's. . . . We're back to responsibility again, which I think is lacking in so many people. Senator, I was noticing that you worked on the revision of the banking code. Did you get into that?

DOLWIG: Oh, that's a long . . .

MRS. D: I didn't say it was recent, I just said did you get into it?

HICKE: It was in the late '40s or early '50s?

MRS. D: "In the early part of his senate career, he conducted hearings on a revision of the bank and . . ."

DOLWIG: Senate?

MRS. D: Senate. It says senate here. "The first since California statehood which resulted in modernizing banking law and made possible the state's eminent position in banking." And the reason you had the background was because your father was a banker and you. . . . Why don't you. . . .

DOLWIG: I had that background and I worked in his bank.

[Discussions deleted]

Best and Worst Aspects of Being a Legislator

HICKE: One of the things I was going to ask you was some of the best and worst aspects of being a state legislator. I suppose dealing with the media is one of the ones that you just talked about.

DOLWIG: Well, no. The worst aspects are that if you're going to get reelected, you're campaigning all the time. I just ran across [a journal of] some of my typical days and my God, I marvel at it now, because it's meeting after meeting, meeting after meeting, in place after place, especially when you've

had the background I've had. I was giving speeches all the time, and in addition to that I was keeping up a law practice and all of this legislative work, which just took an awful lot of time. That's the worst aspect of it. I'm sure I neglected my family at the time, because you just don't have time, you know, to do these things. That's the worst aspect of it.

HICKE: How about the best?

DOLWIG: Well, the best is just like. . . . My experience has been, I've never had a dull day.

MRS. D: I think that's tremendous satisfaction. We were driving over the bridge one day and I said--this was many years ago--"Oh great, they only charge fare one way." And Senator said, "Yes, I told them eighteen years ago when we were doing this that it was so ridiculous and they could save money and why should they have people charging both ways? Because if you go one way, you're probably going to go back the other way. You're not going to swim it."

HICKE: That was your idea? Oh, that's great. Well, are there any other highlights that you think we ought to hit?

DOLWIG: I'm trying to remember about the banking. I don't remember; I'd have to find the file on it. Maybe it's in the archives.

MRS. D: He was a member of the first consitutional revision committee, commission of statehood.

DOLWIG: You know, that was very interesting to me.

MRS. D: He was the senate representative on the blue ribbon study committee for workmen's compensation. We did that already, didn't we?

HICKE: We did talk about that.

MRS. D: "In the assembly, he was chairman of the assembly interim committee on youth welfare and conducted the first statewide study on the problems of youth. These studies developed the emphasis and the . . ."

[End Tape 4, Side A]

[Begin Tape 4, Side B]

MRS. D: ". . . senate career, he conducted hearings on a revision of the banking code, the first since California statehood, which resulted in modernizing bank laws and made possible the state's eminent position in banking."

HICKE: You were starting to say something about the state recreation commission?

DOLWIG: Out of that youth welfare [committee] came the state recreation.

HICKE: That's what you were telling me before.

MRS. D: That was when we had to fight in order to get those lands. Did he tell you about fighting all the people that wanted to take the waterfront lands and build condos and sell them for home owners?

DOLWIG: Yes, public access to the beaches.

HICKE: Yes. You did talk about that.

V. THE EUROVEST TRIAL

The Circumstances

HICKE: Well, I know that you decided in 1970 not to run again, and then you were very ill for a while after that.

DOLWIG: No, before that I was ill.

HICKE: Before that you were ill. Then in 1974, you told me that you had a stroke. And then after that you had some other difficulties descend upon you. I don't know if you want to take an opportunity to go on the historical record with any observations about that or not.

DOLWIG: Well, it just happens.

HICKE: I talked to George T. Davis, who was also a lawyer involved in the case, and he said that he thought the winds were just blowing the wrong direction, that it could have gone either way.

DOLWIG: Which was that?

MRS. D: She's talking about the trial, sweetheart. She's asking you, do you want to get involved in making any comments at all about what happened in the Eurovest [Ltd.] thing?

DOLWIG: Oh. I have a lot of enemies. The combination worked out in such a way that they finally got me.

MRS. D: You know what's really interesting, I don't want to get involved. . . . I don't want to get started on it, because I get very emotional about the injustice of this thing. You do know that he got his license back to practice law because it was shown that he was innocent?

HICKE: I'm glad you added that to the record.

MRS. D: But--oh, see, I have a hard time with this. I was going to make a statement, and I got involved, and I can't do it. There's so much pain involved with this. It was an unbelievably cruel and vicious thing that was done. The reason they got him was because of a conspiracy thing, which he had fought all the time he was in the legislature. Senator always fought it. He said, "The conspiracy law is one of the most evil laws on our planet." And it was only because they used conspiracy that they were able to grab him in a net. You see, just talking to somebody, you can be involved with conspiracy. You realize how insidious the law is. They don't prove anything. They even said when we went up for a review again from the ninth circuit. . . [Pause]

HICKE: Appeal?

MRS. D: An appeal, OK. They said, "The evidence against Dolwig is entirely circumstantial." There was no basis, there was no information at all, there was nothing. He never knew any of the people that were involved, because he was completely independent and did only what he was supposed to do as an escrow agent. The money was put into his account; there were written instructions from both sides. The people said, "We're asking you to put this in your account." And then the other parties said, "And we're asking you to withdraw." He had written evidence of everything that he did.

Had he done anything differently--and they said this in open stand--they would have had a case against him. They could have brought him up for not carrying out his duties as the escrow agent. He handled everything in a completely legal way. Not one penny was missing, and he was never involved in saying to anybody, "Put your money up," or "Don't put your money up." There were only two people that were

involved, as far as he was concerned, and yet they had twenty-seven people on the witness stand--people we never even heard of. I was with him during the entire thing so I know exactly what happened.

He never had to come to me and say, "You know I'm innocent," because I knew. I was there. I know what happened. I think it's a terrible thing--when you sit and you listen to the things that the senator has done--that they would do something to him.

Judge Samuel Conti; Godfrey Isaac

MRS. D: And the judge that. . . . I'm going to say it; I know that you're going to get mad at me, but I'm going to say it anyhow. . . . Judge [Samuel] Conti knew the reason we were trying to get in touch with Lucile Hosmer and some of the others was because. . . . Judge Conti was running for office. . . .

Jess[e] Unruh was the one who told me about this. I went to Jesse--this was before Senator went to prison--and I said, "Jesse, you've got to do something to help him." I said, "Senator is innocent." He said, "Of course. Listen, I know Dick Dolwig; you don't have to tell me." And I said, "Well, I am telling you, you know he's innocent, Jesse." And he said, "Listen, honey, you don't have a chance." He said, "When I heard that Conti was going to hear the case, I could have told you right then to save your money." It ruined us financially, absolutely ruined us to try to fight this whole thing.

He said, "You know, he's the son of a bitch that was running against [Assemblyman Jerome R.] Jerry Waldie." And I said, "Well, of course, I didn't know that, because that was before Senator and I were together." And he said, "Yes, and you know, Dick always liked Jerry." And it was true. Jerry Waldie was a good legislator, he was a Democrat, but he was a good legislator. And Senator was chairman of the Republican . . . [Pause]

DOLWIG: Campaign. . . .

MRS. D: . . . . campaign committee, so it was up to him to dole out the money. Lucile Hosmer had called him and said, "You know, Sam Conti's running for the assembly and he wants money for his campaign," and Senator said, "He's not one of our target areas." You know, "He's going up against Jerry Waldie, and it's not what we consider a target area." So he said, "I'll help him in any way," and she said, "Will you meet with him?" So Senator met with him and with some other lady, whose name I don't know because I wasn't there, and Senator said to Conti, "I'm sorry, I can't give you any money."

HICKE: You explained that a little bit when you were talking about your work in that area.

MRS. D: Yes, and Conti went, "Pow! You son of a bitch, I'll get you." And seventeen years later he heard the senator's case. He tried his case. And the trial transcript is filled with denial, denial, denial to. . . . I mean, the things in this case that were against his consitutional rights are just, they're flagrant! He allowed his clerk to talk to the jurors after they were sequestered. He refused to hear any objections we made. He overruled everything. He made Senator sit with David Kaplan, the guy who was really behind putting this whole thing together, who turned out to be very questionable--he made Senator sit at the table with him.

HICKE: So they looked associated.

MRS. D: The association, the association, it was always the association. Our attorney, who incidentally never questioned the prosecution's chief witness, never put a person on the stand, never put Senator on the stand, never put me on the stand, and never put one character witness on the stand, never did anything, and we found out . . .

HICKE: And you changed attorneys, didn't you?

MRS. D: That was later.

HICKE: [James Martin] MacInnis was your first attorney.

MRS. D: But MacInnis got sick. So we couldn't have him.

HICKE: So, it was the other one. . . .

DOLWIG: No, the aftermath is interesting, because I filed a lawsuit against Godfrey Isaac, my attorney.

HICKE: Oh, that's right.

DOLWIG: I filed a lawsuit for criminal malpractice, which is very hard to prove. And I think perhaps it's the only federal malpractice case that has been settled by the insurance company without even going to depositions.

HICKE: Is that right?

DOLWIG: And not only that, only a couple of months ago, I got an affidavit, and one of the people in Los Angeles said Isaac, my attorney, was paid $850,000 to see that I would get convicted. An affidavit. And my age, I don't want. . . . I've been in court so long now, I don't want to have to go to court again. The only thing I can do, I'm sure I can go to get a presidential pardon, but what does that mean?

MRS. D: The people that think that you're guilty are going to say, "Ah, the old bastard paid somebody off or he knew somebody." And the people that know him, know he didn't do it anyhow.

DOLWIG: But it would take me a year and a half to go through just part of the process. With that affidavit, I don't think that'd be any trouble.

HICKE: Yes.

DOLWIG: And there's nothing I can do, because I settled the malpractice case, and this affidavit turned up later on, and only by chance.

MRS. D: I have to ask you something. Would you prefer not to go into the record, Senator?

DOLWIG: I don't care.

HICKE: Well, I think it's a good idea, because scholars researching your life are going to find this trial, and here, now, they also will find what happened after the trial. So, if it's all right with you, I think it's. . . .

Imprisonment and Prison Reforms

MRS. D: When Senator went to prison. . . . And how he got there was pretty horrible. Nobody goes to prison the day before Christmas, but Conti sent him the day before Christmas to prison. When he got into prison, he was, of course, the Establishment, and we had already had death threats made on us. As a matter of fact, there were seven attempts made on his life and on mine. And he got in and, you know, being

Establishment, I lived in constant fear, and he was put in isolation for protection.

Finally he said to me one day, "I can't take it. I am not going to spend five years in isolation." He said, "I have got to be out with people. This is my life. I've got to be with people." He said, "I want you to know that if something happens, something happens. I just have to do it." And I said, "All right, Senator, go." So he did.

He was put in a cell with six other fellows, and there was a black man who started asking Senator questions about God and life. This relationship developed, and shortly thereafter. . . . There was an election at the prison for men to be on the inmates council and represent them before the warden. Senator came out one day--because I went every day to see him; I cooked food, and took it to him so that we could eat together--and he came out and said, "Well, you won't believe this." And I said, "What?" And he said, "I just found out I'm running for office again." [Laughter] And I said, "You're running for office!" And he said, "Yes, can you believe that?" And I said, "No, I can't."

He won by the biggest majority of anybody who had ever been there. That was one election he won without ever campaigning. The inmates had put up his name and elected him. He was responsible for a lot of reforms. I mean, he <u>really</u> caused a lot of reforms to take place. He was the editor of the newspaper and he had to take a lot of heat from Washington on some of his editorials. When we first went there, in order to get in, you had to get there a couple of hours early because they didn't have enough chairs. So you'd go really, really early so that you would be able to get in there quickly and save a chair so you could sit down and talk during your visiting time.

You'd stand right there alongside that ocean, and the waves--sometimes you'd be just sopping wet by the time you'd get in. There was no place that had any protection from the wind and rain; there was just no shelter. You stood outside waiting to get in. And then when you got in, every time they opened the door, the water would come in. So there was water all over the floor, and you sat there with water this deep,

with your feet in. Before Senator left, they had covered that whole thing.

There was one woman--she was pregnant, and she was standing in line, and I said, "Can't you just let her go inside?" And the guard said, "This isn't a country club we're running." They were really terrible, they were so nasty. So eventually they covered the whole thing in; they got chairs that you could sit on that were comfortable instead of the cold plastic ones.

The reforms that he made in there were just unbelievable. He arranged for us to get a microwave [oven] so that when we brought our food, we could warm it up and it wouldn't be cold. Just any number of things--I mean the reforms that he did and the people that he helped. I cannot tell you the number of women that would come up to me and they would say, "Oh, Mrs. Dolwig, your husband has helped my husband so much. He was always very difficult," or "He was always nasty to me; now he's so much more balanced and caring." Spiritually he worked with a lot of people and did a lot of things for them.

HICKE: That's really an inspiring story.

MRS. D: But it was. . . . [Pause]

HICKE: A terrible experience?

MRS. D: Terrible; it was really a terrible experience. It was interesting, because there was such a separation from people. The people with whom we had had a busy social life--the big, formal dinner party things--all of them suddenly dropped us.

They used to bring Christmas cards, when we first got married, in boxes. They would bring a box of Christmas cards every day. And all of a sudden that really changed. There weren't any boxes. And I said to Senator, "I cannot understand that it's the social, wealthy people that are dropping us." And Senator said, "You never know what's in other people's closets, and sometimes they're afraid." But that hurt a lot. It really hurt that some of the people that I thought were our friends backed away. But not any of the people with whom we had done business. They were right there.

HICKE: Did you go back to practicing law?

DOLWIG: Oh, yes.

MRS. D: We used to have protest marches every single Friday down in front of the courthouse. I'll show you something that you might find interesting. You want to stop that? [Interruption]

Background and Developments of the Case

HICKE: OK, you were going to tell me about the strike force. We were just looking at some pictures in the photo album of the demonstrations for the senator that took place in Los Angeles, San Francisco, Seattle, and Hawaii.

MRS. D: Do you want me to tell you about what happened the day I was carrying. . . . As I said, I did all the marches. . . .

DOLWIG: Well, go back to why this case was here in San Francisco.

MRS. D: OK. The strike force: as you know, Richard Nixon started the strike force to fight organized crime, because they had a very, very serious problem in New York state because the Mafia owned so many judges and prosecutors. The strike force was set up specifically to fight organized crime.

The strike force also was supposed to be a kind of elite prosecutor who had expertise in various fields. For example, there was a case that had to do with imported oriental rugs that were being smuggled into this country. They had prosecutors, members of the strike force, who were experts in oriental rugs. They were supposed to do things that they had real expertise in, and they were also supposed to go after the Mafia. They set them [strike forces] up in major cities around the country. They had never had—am I correct, Senator?—they'd never been able to get any cases here in San Francisco, and not one member of the strike force involved in your case had any expertise in business, or even seemed to know the responsibilities of an escrow agent. Was that it?

DOLWIG: They hadn't had any convictions.

MRS. D: They hadn't any convictions, that's right. They had had no convictions in San Francisco, and L.A. was also in a serious position because they just weren't getting any. They weren't doing anything, nothing. And so they said, "We're going to have to close down an office."

Although not any of the activity took place in San Francisco, they decided to try the case in San Francisco. So one day, we were at home and there's a knock at the door and I open the door to two men. One said, "I'm Robert Bumpers. We're from the FBI [Federal Bureau of Investigation]." I said, "Hello. Come on in. What can I do for you? Have a cup of coffee." And he said, "Do you know anything. . . .?" and he starts talking to us about Eurovest, and Senator said, "Oh, yes, I was an escrow agent for them, but I'm not involved with them anymore because there were some things happening that I wasn't pleased with." And they said, "Would you go into detail about it?" and Senator said, "No, I don't think that I really should, because I am an attorney, and I wouldn't want to. . . ." you know.

Bumpers said, "Well, I'll tell you something, Senator, the strike force is the one behind this. And they're looking for a big name." Senator said, "Looking for a big name? What are you talking about?" He said, "I just want to tell you that. They're looking for a big name." Well, we were so naive that that didn't bother us, there was no way we were involved, because we hadn't done anything.

Happened to find out, a man named Tom Kotoske, who was at that time head of the strike force in San Francisco, had just finished trying to put together a sting operation in Alaska, where he had gone after a public official and tried to show that he was involved. . . . I mean, the strike force went to great lengths setting up a whore house, selling liquor, and all kinds of things, trying to involve this politician up there.

DOLWIG: He was the former . . .

MRS. D: U.S. attorney?

DOLWIG: U.S. attorney.

MRS. D: Yes. So they brought it to court and the judge said, "This is ridiculous!" and he threw the whole case out. Well, Kotoske had just had his hands slapped. Right? So now he's got to really do something. He fought to get this case in San Francisco, where it would get the big publicity because of the senator's name.

I was protesting in Los Angeles and I was carrying a sign--this was before Senator went to prison--and it said, "Don't send an innocent man to prison." A man walked up to me and he said, "You're right; Dolwig shouldn't go to prison." And I thought, "Oh good, another friend," and he said, "He should have been shot," and he spit in my face. And do you know who that man was? Tom Kotoske.

We were really concerned, because we had had death threats that if we did anything to file against Conti we would be killed. When Senator had had that stroke, he didn't remember that he knew Conti. That's why we went through the trial with him as judge. It wasn't until I went to Jesse [Unruh] to help us, which was after the trial, that I found out the truth. I said to Senator, "Did you know that Sam Conti ran against Jerry Waldie?" And that's when Senator said, "Oh my God, of course." And then Senator remembered it, but he wanted corroboration to make sure that he remembered it exactly right.

That's when I went to see Michael C. Helmers, who was a very good friend of Conti's. He had called me the day Senator was sentenced, and he said, "I can't understand why Sam did that." He said, "I had lunch with Sam, and Sam told me he knew that the Senator was innocent." When I arrived at Michael's office I said, "Will you give me an affidavit regarding the conversation you had with Conti about Senator's innocence?" And he said, "Well, let's have lunch tomorrow and talk about it." So I said, "OK." I took my girlfriend, Phyllis Disney, with me because I wanted proof, I wanted a witness.

So the three of us were having lunch, and I said, "Michael, I really need your affidavit. You remember when you told me that you went and had lunch with Conti and Conti told you that the Senator was innocent?" I said, "I really need your affidavit now, because we are going to file an affidavit of prejudice. . . ."

DOLWIG: Recusal.

MRS. D: Yes. That's where you go in and you say, "This judge should have recused himself, because he knew the defendant and had had a personal relationship--you know, set down all the

facts. He pushed the table away, and he said, "You are crazy. Don't you know what you're getting involved in? You're a crazy woman; you're crazy." He goes running out of the Beverly Hilton Hotel and left the two of us sitting there.

I thought, "Crazy? No. I'm going to get this thing. Because with his affidavit, with the fact that Senator had refused him [Conti] the money [for his campaign], if we go to court, then they'll have to throw the whole case out. And I'm sure they would never try Senator again, because everybody knew that he was innocent."

I tried to get Michael on the phone, tried to talk to him, couldn't do it, just couldn't do it. So I sat out in the rain in his parking lot, and I waited the whole day until I finally saw him go in. It was on a Saturday. And I went zip in after him. I said, "Michael, I've got to talk to you. This is what I'm going to do. We've got it all set. I would love to have you put your affidavit with the affidavit of prejudice." And he said, "Don't. You're crazy. You're going to get killed. You just don't know who you're playing with." I said, "Then tell me. Tell me, who am I playing with? Michael, who's doing all of this stuff?" And I said, "And if you're afraid, put your affidavit in. That's a protection for you. They won't do anything to us"—Ha-ha—"if they think that we've got all this stuff down."

He said, "You crazy woman. They'll get you. They'll get the attorney. They'll get him just like they did Martha Mitchell. As soon as Senator gets into prison, they'll give him an injection, and they'll say, 'The man had a heart attack and he's dead.'" And he pushes me out the door.

Well, anyhow, we went ahead and filed the petition. We told the task force about the death threats. By this time, someone had already made their first attempt on me? Yes. They did the thing on my car. They loosened something so that my motor would drop out. It's called a big universal joint or something.

HICKE: At a high speed or something?

MRS. D: Yes. They took it out. I didn't know, and I backed into a can or something, there was some reason. . . . Anyhow, I

took my car to the garage and the guy said to me, "My God, somebody's been fooling around with your car." That was the first one.

When Senator went into prison, I mean, into county jail in San Francisco, his new attorney, who was just terrible—we didn't have Godfrey Isaac anymore, and that's a big nightmare, and I won't go into all of that—said to me, "You know, they're starting your husband on methadone." I said, "What?" And he said, "Just thought you'd like to know, they're giving him a methadone injection."

Well, I went absolutely crazy, because Senator has high blood pressure. He's so sensitive, I mean, he's very careful, doesn't even take aspirins because his body's extremely sensitive. With methadone, they'd kill him. "An injection? An injection of methadone?" I started screaming, ranting, raving, and causing a huge, big scene. Finally got through to Senator on the telephone at the jail, which I've always thought was mighty strange . . .

DOLWIG: Yes. I still to this day can't understand how you got me on the phone.

MRS. D: The attorney told me there was no way I could see the senator; because of the death threats he had been put in jail under an alias and he didn't know what his alias was. The alias turned out to be that of a drug addict. So that jailers were covered. That's why they said that they could give him a methadone injection: because he was a drug addict, and they were going to get him off of cocaine. I mean, the nightmares in this.

And then bringing him down to Terminal Island. . . . They took him down there in chains from San Francisco to Los Angeles. They moved him in <u>chains</u>! It took a whole day. When I called the San Francisco jail to see if he was all right, they wouldn't tell me whether he was even alive. They said he was no longer there, and they wouldn't tell me where he was. I went two days not knowing whether he was dead or alive.

HICKE: I'm speechless.

MRS. D: Oh, I've got so much information. I've got verification for everything that I tell you.

DOLWIG: Well, wait a minute. From my side of the story, when I first arrived at the San Francisco jail, they called me in and they said, "You're going to have a medical," and I said, "What's a medical?" And they said, "Just never mind; go down and get it done." And I said, "No, you're not going to inject me with that. You're just not going to do it. If you're going to do it, you're going to have to do it forcibly, and I'll have the goddamnedest lawsuit against you that you've ever imagined." The doctor was insistent upon it, and I said, "There is no way." Right at that point is when you reached me, which is unprecedented—for an outsider to reach a prisoner in jail. I can't understand how you got me.

MRS. D: When they put him in under an alias, of course, I didn't know anything. I thought I was going to get to see him. And they just whisked him off. So I said, "I want to see my husband." "No way can you see your husband," the attorney's telling me, "No way. I don't know what his name is. I don't know the alias. I don't know anything. Who the hell do you think you are, Mary Magdalene with her crying rag? You're not going to do it." So I was really worried that they were really going to try to kill him. So my girlfriend, Phyllis, who had been in on part of the conversation with Michael, and had heard the things about, you know, "Conti saying that Senator was innocent," she and I both typed up affidavits to substantiate . . .

DOLWIG: Because it was all hearsay.

MRS. D: . . . the death threats. We went over together to the strike force to see Robert Breakstone's prosecutor. And instead, who's there but Tom Kotoske? Kotoske said, "Come on in. What's this about death threats?" And I said, "Oh, absolutely, Mr. Kotoske." He grabbed it [the affidavit] out of my hand, and he looks like this, and he says, "Well, that's a lot of shit." And I said, "Those are affidavits. We've sworn to this. They're going to kill my husband if you don't protect him." And he said, "I don't care what they do to the son of a bitch. I hope they do kill him. We got him in prison and that's all we care about."

So I walked over to the door and I opened it and I stood in the doorway so that his secretary and everybody in the

building could hear me, and said, "You son of a bitch. If anything happens to my husand, I'm going to come back here with a goddamn gun and blow your brains out. And I want everybody to know that I'm the one who did it."

After my big scene, I didn't know what I was going to do. I'd blown everything, and I had no place to go, and I was so upset and so worried. I stepped out in the hall, and I saw one of the marshalls come by that had picked Senator up in the airport, and I grabbed him, and I said, "You've got to help me." I said, "Last night they tried to give him methadone. I know they're going to kill my husband. You have got to help me." So he said, "Mrs. Dolwig, I don't know what I can do. You know it's Christmas Eve." I said, "You've got to help me; you've got to do something." So he said, "Come on back here and let's talk and see if somebody'll help."

Well, at the marshall's office everybody was having a good time, and everybody was chatting, and laughing, and I was saying, "Will somebody please help me? You've got to help me. I don't know what my husband's name is. I have got to see him. He has got to get protection." Nobody was paying any attention to me, and they're saying, "Well, Mrs. Dolwig, there's nothing we can do. You don't even know the name." So I used all the four-letter words I could think of, and then I started making up four-letter words, and I was screaming them, you know, so that they'd think I was really crazy. Well, I really was crazy.

Finally, a man came over to me and he said, "If you'll calm down, I'll get a judge to get you in to see your husband. But <u>please</u> calm down." So I said, "All right." They got me a pass to get in to see him; a judge signed it for me. When I got in to see Senator, I sat there desperately writing down all the people's names that could come and visit him, because I knew I'd never be able to get back in again. I put all these people's names down so that <u>they</u> could come in to see him. I had to go back to L.A. The attorney had already said to me, "Don't you have any more money?" He looked at my wedding band and said, "Is that all you've got left? Well, you better go raise some money if you

ever intend to see your husband again." So I've had all this stuff happening. When I finally saw the senator through the dirty, thick glass, he looked like he was about to die with this horrible, gray face.

[Interruption]

MRS. D: You're talking about what happened to Kotoske? I mean, he was the one that was really kind of the brains behind the whole thing and really a very, very cruel man. I did the marches in Los Angeles on Fridays; every Friday I was there from 11:00 A.M. to 1:00 P.M. I caught everybody coming in and out of the building with all my handouts, and I became very friendly, and all of the attorneys, U.S. attorneys, got to know me, and knew the case. They would ask me how Senator was and say how sorry they felt and everything.

One of the U.S. attorneys was a very good friend of Kotoske's, and I told him about him spitting in my face, and he said, "Yes, that sounds like Tom. He'd do that." And I said, "Oh, what an evil man he is. But it's not for me to judge. I truly believe that what goes around, comes around. And someday he's going to be in a position where someone's going to do something against him."

[End Tape 4, Side B]

[Begin Tape 5, Side A]

MRS. D: He said, "Tom's going to retire," and I said, "Oh, God. I have to tell you I'm really happy he's going to retire; that means no one else is going to be the brunt of his antagonism and anger." And he said, "Yes, a whole bunch of us are going to go up there the first of August to a big retirement party."

About the third week in July, he came by and he said, "God, did you hear what happened?" And I said, "What?" And he said, "Tom," "Kotoske?" "Yes." He said, "Did you know that he was let go and is not going to be able to get any of his retirement?" I said, "You're kidding!" And he said,

"No," and I said, "I guess it really came around faster than I expected." Tom Kotoske, about a week and a half, two weeks before he was to have retired and gotten his full retirement, was fired.

DOLWIG: Now why that happened, we've never been able to find out.

HICKE: Oh, you don't know exactly how it happened?

MRS. D: No, but one of these days when I have a lot of time, I'd like to go back and look that up.

HICKE: I'm really glad we got your story here. Is there anything else that you think that we need to talk about?

MRS. D: One of the things that was very interesting was when we thought that he was finally going to be cleared. Senator filed. . . . Let's see, I don't know the legal terms. A lot of this Senator and I did because we had gone through. . . . I mean, there was nothing left for attorneys' fees.

Remember the thing that we filed asking that. . . . As long as we were alive, Conti always had jurisdiction over this case. Once a judge has it, he always has it. You filed an action here in Sacramento asking a judge here to take jurisdiction of the case. Do you remember what I'm talking about, darling? OK. And it looked like there was a judge here who, with all the evidence we had given him, would take jurisdiction. He wrote back, and this was his reply: he said, no, that he was not allowed to do it, because it was not in the right district. That what we would have to do is to ask for somebody in the original court to take jurisdiction. Which we did. And a judge took jurisdiction. Almost unheard of! He opened the case again. The judge said if we could prove that the senator was too ill to have stood trial, he would immediately act on it.

Senator was still. . . . You must remember, he had his stroke in August of 1974. David Kaplan had come to us in September and said, "I know that the Senator had this stroke, and the doctor said he would probably be 70 percent a vegetable, that he's not going to be able to really work full-time as an attorney anymore. We at Eurovest need someone who's very, very honest to be an escrow agent, just to handle funds from the borrower." The money was supposed to cover the cost of a letter of credit. And a letter of

credit at that time cost 1/12th of one percent. So if you were going to borrow six million dollars or whatever, you had to put up 1/12th of—or one percent of—that to cover the cost of the letter of credit. That was this money that went into Senator's account. So we said fine.

Senator still has. . . . If you'll notice, every once in a while—I don't mean to, but—I start to answer for him. It came from those times when he couldn't remember very simple things. When he went into that trial, Senator was a very sick man. He had the stroke the first of August in '74. This thing went to trial in August of '75. We had a hotel right next to the courthouse. Every opportunity he had he'd go and lie down.

He remembered very little. I mean, it was really bad. A couple of times I didn't think he was going to make it through the trial at all. And when I argued with the attorney, Godfrey Isaac, about why he hadn't put Senator on the stand, he'd say, "Because it would have killed him; he's too sick a man to go on trial." So. . . . Which didn't explain why he didn't put me on or anybody else. But we know now why he didn't.

So anyway, the judge that took jurisdiction said, "If you can bring me some proof that you were not well enough to have gone to trial, I will dismiss the case and I will clear your name."

HICKE: When is this that we're talking about?

MRS. D: This is now in '79. It was November, December, sometime in there. It was '79 because Senator was still in prison, but he was able to go up to San Francisco for the hearings. They gave him a pass to do it. Wasn't that how that went, sweetheart?

DOLWIG: No.

MRS. D: Well, if it wasn't, it was right after you got out.

DOLWIG: It was much later, darling.

MRS. D: Sweetheart, it couldn't have been much later because we had that accident in 1980 which almost killed us. So we went back to the files that we had when he had his stroke. We took them to a doctor who was a world-renowned, world-respected authority on what happens with stroke victims, the

type that Senator had. He thoroughly tested him, the whole thing. He came back with absolutely the most fantastic report you have ever read. Now this man has credentials, he has written books, he's been published in the New England medical journals, I mean, he goes all over the world . . .

DOLWIG: He's appeared before many courts.

MRS. D: I mean he was the ultimate, the best we could have possibly hoped for. It was exactly what the judge requested. We took it into the judge and knew that we had won. And do you know what the judge said? "You should have sued your attorney. He was the one who was wrong in letting you go to trial. This report doesn't mean anything, and I can't act on it." Somebody got to him between the time he said, "If you will give me this information,"—and we gave him everything that he wanted—to the time that he said, "I'm sorry, no. You should have taken it up with your attorney; you should have fired your attorney. Your attorney was wrong. He should have been sued. You should never have gone to trial."

Confirmation of Mistrial

HICKE: How did you finally get this affidavit?

MRS. D: Which one, darling? The one that proved that the . . .

HICKE: That you were innocent.

DOLWIG: That's a long story.

MRS. D: Friend of mine who's been in the law business . . .

DOLWIG: Capsulized, it was an attorney in Los Angeles. What was her name?

MRS. D: Gladys Root. Did you ever hear of Gladys Root?

DOLWIG: Gladys Root Towels.

MRS. D: She'd dead now.

DOLWIG: She's dead, but I knew her and I knew her investigator, Pearl Morris, how did we get to Pearl?

MRS. D: Because we were trying to find an attorney to represent us in the malpractice suit.

DOLWIG: Oh, yes. Pearl was his attorney, wasn't she?

MRS. D: No, he was doing some investigative work for Pearl, so that was why he happened to know Pearl.

DOLWIG: All right. He was the investigator for Gladys Root, and then he was an investigator for this attorney. He knew about my case, and he had talked to Isaac's secretary. She had just been fired by Isaac and was in Pearl's office. She was very upset, and he happened to mention my case, and she said, "Oh yes, I know all about that situation." She told him Isaac had gotten the $850,000.

MRS. D: No, it wasn't 850. You're confusing that with the Long Beach money. No, it was $475,000.

DOLWIG: All right, whatever it was. She deposited the money for him. So I said, "Can we get her?" By this time about two months had elapsed, and Isaac had hired her back. But I have the investigator's affidavit, which is not direct but hearsay.

HICKE: As I said, I'm speechless. But I guess I just really want to say that you've done so much for the state of California, and I really appreciate your taking the time to talk to us about it on the record. Thanks a lot.[1]

DOLWIG: Thank you.

MRS. D: It was our pleasure. You've been very, very kind.

[End of Interview]

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1. For more information, see accompanying papers in State Archives.