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Interview with
Craig A. Washington
July 18, 1976

Place of Interview: Houston, Texas

Interviewer: Dr. Ronald E. Marcello

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Oral History Collection

Craig A. Washington

Interviewer: Dr. Ronald E. Marcello

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Dr. Marcello: This is Ron Marcello interviewing Representative Craig A. Washington for the North Texas State University Oral History Collection. The interview is taking place on July 18, 1975, in Houston, Texas. I am interviewing Mr. Washington in order to get his reminiscences and experiences and impressions while he was a member of the Sixty-fourth Texas Legislature.

Now Mr. Washington, since this is the first time that you've participated in our program, why don't you start by giving me a very brief biographical sketch of yourself. In other words, tell me where you were born, when you were born, your education--things of that nature. Just be very brief and general.

Mr. Washington: Okay, Dr. Marcello. My name is Craig Anthony Washington. I was born on October 12, 1941, in Longview, Texas. That's in Gregg County. I was born to the marriage of Roy Alfred Washington and Azalea Merle Stone Washington. Shortly after my birth, I moved to . . . well, I tell the story that I was conceived in Houston and born in Longview. During those days it was the custom in our

community that if a mother and her daughter, at the time that she was with child, was away and they could be together it was the custom . . . my mother, as she told me later, took the train up to Longview. She and my father were married in Houston. So when her time was near, she and I went to Longview, and I was born there.

At about the age of two weeks we came back to Houston, and I grew up here in the Houston school system. We moved out to a suburban community called Galena Park, and I completed my junior high and high school education there. I graduated from high school there in 1958.

I left that fall to attend Prairie View A & M College then. It's a university now. I attended Prairie View off and on from 1958 to 1966, which, I guess, made me probably the longest-running undergraduate in the history of the school. I graduated in 1968 with a degree of bachelor of science in biology.

I started law school, which is a long story on how I got into law school from biology, in the fall of '66. I graduated from Prairie View in August of '66, and I started at Texas Southern University Law School in September, '66. I graduated in June of '69 from the T.S.U. Law School.

Marcello: When did you get interested in politics? Or when did you decide that you wanted to get into politics?

Washington: I guess about a couple of weeks before I filed for election after I graduated. I frankly must admit that prior to the time that I became actively involved in politics, I dabbled in it a little. I think I got involved in the Humphrey campaign. When was that--'68 maybe? That's about all.

I was kind of turned off by politics. Prior to the time that I ran I frankly can't say that I knew what the Texas Legislature did, if anything. I had no concern about it, didn't read about it in the paper, didn't keep up with it.

I saw Mickey Leland one night at a local bar. He brought me the news that the Legislative Redistricting Board had just created single member districts for Houston, for Harris County. He suggested that I run because I had been involved in, you know, some "macho" community kind of things, vanguard kind of fights for folks and stuff. He thought that I would do well to run for the Legislature and attempt to be of service to the people in a formal, you know, public official kind of capacity.

I thought about it awhile--a couple of days--and I decided that it was something that I might want to get involved with. So I filed and ran. I got elected.

Marcello: Now you were coming in in the wave of the Sharpstown business.

Washington: Right.

Marcello: Did that in any way affect your campaign, do you feel?

Washington: Not much. I attempted to articulate my notions about honesty and openness in the government. Of course, my community was as much concerned about what was happening in the wake of Sharpstown as any other, I suppose, but they were not directly affected by what had happened. Having been served by multi-member districts before then, there was not the ability to identify directly with the members of the Legislature, you know, and people in government. Although I did campaign and articulate based upon reform and I am technically a reform member of the reform group that went in in '73, it wasn't an issue in my race because there was no identification with the Sixty-second Legislature or anything that happened in Sharpstown. I guess my opponent was just as capable of articulating the same reform kind of concerns as was I.

Marcello: What sort of a district do you represent, that is, in terms of the types of issues and the sorts of things in which your constituents are interested?

Washington: Well, I think that welfare and health care and general problems of the poor would be the largest single issue--

especially now. I think that people are becoming more aware of their rights and more knowledgeable about the relationship of the government to them, and not only their responsibility to the government but the government's responsibility that flows back to them. As they become awakened in this regard, then they expect more of the government.

On the vanguard of that, you know, most of the people . . . I have a cross-section of the black community. I have what's called the black River Oaks Community, and that's called Timber Crest area, where you have the seventy, eighty, hundred thousand and up homes. Most of the doctors and lawyers and successful professional people live in that part of my district. It goes from that extreme back to perhaps some of the poorest people in this country, surely in this state and in this county and city. Then you have all sorts of extremes in between. I have a high density population of students. I have the University of Houston and Texas Southern University in my district, and, necessarily they are surrounded by large apartment complexes of students. We don't have much industry. We have many people who work in industry.

But I'd say on the whole the primary concern . . . what I was about to say is the rich people don't

worry so much about issues and so forth. You know, they are, of course, concerned about the larger issues that they might be affected by indirectly. But the people who need the most, that I attempt to help the most, and those that are more acutely aware of what's happening around them in terms of what the Legislature can and can't do are the people who otherwise can't help themselves. The people who can help themselves tend to do so. The people who cannot tend to either do without or find those who can help them.

Marcello: This more or less, I think, leads into my next question then. Where would you place yourself on the political spectrum, that is, in terms of liberal, conservative, moderate, so forth?

Washington: None of those. I'm a maverick!

Marcello: (Chuckle) Would you care to explain what you mean when you say that you're a maverick?

Washington: Well, I happen to think that the government is for the people. I happen to think that a representative is exactly that--one who represents others. But on the other hand, there is a dichotomy that I recognize in that notion because I don't . . . I'm not a traditional politician. I'm a "convenient" Democrat because that's what I . . . you know, the party . . . I can't associate with the Republicans at all. On very few issues do I

associate with the Democrats because they're run by such conservative people in this state that I have very little in common with. I'm a Populist, I guess you could say. Mickey Leland and I, when we first ran, used the slogan that said, if I remember now, "A politician is a person who would do anything, at anytime, to anybody, for himself." We characterize ourselves as "persons who would do anything, at anytime, to anyone, for the people." We define that as a people-tician" rather than a politician--"people-tician" or something like that.

Anyway, I try to reach decisions and act according to what I believe is in the best interests of the people of the communities I serve without regard to whether it's politically feasible, without regard to whether it will assist or deter any future political ambitions I have. I've never done anything in politics or in my private life so that I could later use it as ammunition for furthering my own self.

I'm not . . . you know, I make it sound like I'm blowing my own horn, but I'm just not that kind of person. That's not where I'm at. My political advisors tell me that I'm stupid because I just happen to think, you know, that I'm not the greatest thing since peanut butter. There are a lot of the things that I could be doing that would further my own political ambitions and

would help me get reelected. But they're just things that I won't address myself to. There are a whole lot of things that I do . . . I don't like to put a whole lot of things on a list during campaign time that say, "This is what I've done for you." I think that, you know, if the people elect me, then they want me. And I would rather have them want me than for me to be elected for any other reason. That's the only reason that I want to serve, because I would think that the people wanted me to serve them. If they do there's no limits to which I'll go to try to serve them. But if it's just a game, then every vote that you cast when you're down there you're worried about whether 51 per cent of the people in your district want that done whether it's right or not. Then the end becomes the means, and the means becomes the end. You campaign to get reelected. You use as cannon fodder those votes you had the last time that are ostensibly the things they wanted done. I frankly wouldn't give a damn whether the people in my district wanted it done or not. If I thought it was the right thing to do, I'm going to do it.

I think that's where the rubber meets the road at the polls. If they don't like what I'm doing, then they ought to replace me, whether it's right or not. I can't

project myself to say, well, you know, it's politically . . . well, the doctor issue for one thing. You know, I fought hard against medical malpractice limitations.

Marcello: Insurance?

Washington: Right. I didn't think it was right. I didn't think it was in the best interest of the people. Well, I've got a hundred black doctors out there in my district, and, you know, they can have at me and they can have this job for that matter because to the day I die I'll believe I did what was right. It doesn't matter to me. I'm at peace with myself because I don't worry about whether, you know . . . the politically feasible thing to do when it really come down to it was to vote with the doctors, get their money the next campaign time, and go up there and get reelected. Get reelected and then mess over all the little people down here that are really getting screwed by the doctors. But they don't know, and they don't care. You know, you can get up there and come up with some good political bullshit that'd make it sound good to them, and they'd go along with it. You're getting the money from the doctors, so you're juggling both ends. But I just can't do that, you know. I thought that they were going to get nailed to the wall by the doctors whether it's these doctors or not, and I just wasn't going to let it happen if I could help it.

But my advisors said it was not the politically expedient thing to do, but I hope that I never do what's politically expedient because then I don't need to be up there. Then you just live from campaign to campaign, and then you go back when the Legislature meets and you sit around. Every vote you take is cold and calculated--not upon whether it's right or wrong, good or bad, but on whether it's politically expedient. So you compile a good record. You send out a bunch of newsletters telling everybody what a great . . . I've never sent out a newsletter. I never have . . . telling everybody what a great guy you are at the taxpayers expense, and then you get reelected for two more years to do what? To go back and compile that record and send out those newsletters. Where does it end? That's why I think I'm a maverick (chuckle).

Marcello: Okay, so the first Legislature that you served in was the Sixty-third . . .

Washington: Right.

Marcello: . . . which was the reform Legislature with Price Daniel, Jr., as speaker.

Washington: Right.

Marcello: What sort of a speaker was Price Daniel? Give me an evaluation of Daniel's speakership while you served in the Legislature.

Washington: Very evenhanded. I'd say that in light of . . . he was, of course, tempered like everyone else as a result of Sharpstown and what was happening in the courts and what was happening all over regarding Sharpstown. Price is a very fair-minded individual but naive in certain respects in my opinion. Maybe I'm getting too callous or getting too hard about the system. I can separate quite distinctly operating in a political vein among my colleagues, but I wouldn't use that cunning and those devices on people who are not schooled in politics. It's like a boxer going out on the street and having a fight with a fourteen-year-old kid. You know, it's just not a fair fight. So, you know . . . but I know how to deal. I know how to in-fight when it's necessary on that end. So I think that Price's biggest problem was . . . well, I don't know whether it is now, but he didn't understand that you can't be liked and respected at the same time. You've got to choose one or the other. If he did understand that, then he chose the one opposite my choice. I choose to be respected. I don't think that politics is a popularity contest, although it sometimes very often is.

Marcello: You're saying in effect, then, that he probably wasn't hard-nosed enough. He tried to be a friend to all men, and it doesn't work.

Washington: Right. If you burn the candle at both ends, then somebody has got to pay. You're playing both ends against the middle. You can't be a darling of the liberals and the conservatives and the moderates and all of the factions you've got there. You know, you can be fair, but you can't have all those people love you, and you can't love all those people. We're not up there about the business of loving each other.

Marcello: Did you go into the Legislature, that is, into that Sixty-third Session, with a certain naiveté, or did you more or less know what to expect when you got in there?

Washington: I had an awful lot of naiveté. I was naiveté personified, probably. I thought that things would be my way, you know. I thought that I had the answers, as I'm sure everyone else did, and that I was going to lead us out of the wilderness and, you know, do great things for the people of the State of Texas.

Early on I realized that there's wisdom in having a collective representative body, you know, because if everybody thought just like me the people would be wasting 149 sets of legislative salaries and offices and equipment and secretaries and everything-- all the accouterments that go with being a member. If we all thought alike we wouldn't need 150. Just

one could do it, you know. So I learned to live with . . . then when you look at it along the spectrum, to me it's beautiful because everybody . . . just about everyone in the State of Texas has someone there who can represent their interests--from Attila the Hun to the Communist Party if those are the extremes. You know, somebody is there. Maybe it's not the person elected from their representative district, but somebody somewhere can articulate their concerns and their needs and their point of view or at least approach it and understand it.

Marcello: Now during that Sixty-third Session the Black Caucus was also formed, was it not?

Washington: Right.

Marcello: Talk a little about the formation of the Black Caucus. How did it get started? What part did you play? Who was important in it?

Washington: Well, I understand . . . I don't know. I'm kind of an intravert by nature. You know, people laugh at me when I say that because it's kind of hard to be an intravert and a politician at the same time. But if I could have my rathers, most of the time I'd rather just be left alone, you know. I do what I think is right, and I give 100 per cent of myself, and then I like to just be left alone. I'm not a social animal. I don't like to

go to drinking parties with the lobbyists and all of that kind of stuff. I'd rather go to lunch by myself. Sometimes I go and get me a hamburger. I'd rather eat my own food with my own money than feel like I'm obligated to somebody for a little old steak or something like that.

Anyway, back on your point, I guess in looking back on it there were a bunch of things involved. There was a meeting in Dallas at Eddie Bernice Johnson's house right after the general election. I was not a participant. I was practicing law at the time and getting ready for my first session and trying to store up as many nuts as I could like a good squirrel because I knew there was going to be some lean days down there. I was practicing a little law. They met . . . I think Mickey and Eddie Bernice, G. J. Sutton, Senfronia Thompson, and maybe Ragsdale. I don't know whether Hudson was there or not. I doubt if . . . yes, maybe Hudson was there. Maybe Anthony Hall was there. Maybe all of them were there except me. I remember that I hadn't met . . . the reason that I mentioned that part about being intraverted is that they met two or three times before the Legislature convened, and I had not met many of them except I knew Mickey from a long time ago at T.S.U. I met Anthony during the campaign, and

I met Senfronia during the campaign. I knew Sam Hudson from law school. But politically I hadn't met G. J. or Ragsdale or Eddie Bernice--and I hadn't seen Sam in a long time--until the Legislature convened. They had several meetings, and I'm told that, you know, they kind of got the ball rolling and the idea of getting a caucus going similar to the congressional Black Caucus at that time.

I guess Eddie Bernice and Mickey were prime movers in getting the notion going and kindling a fire to it. Early on after the session started--I believe the first week of the session--we got together down at the Sheraton Creston Hotel in someone's room. They had already made all of the decisions by then. They'd already elected officers and stuff. I started to contest . . . you know, such a small group. You get hung off in those kind of things. I personally was of the opinion that we couldn't take those kind of official acts until we were sworn in as members. Any action that they took prior to that would be nullified. You know, but why hassle it. I didn't want to be chairman of the Caucus. I didn't want any position in it. I just wanted to call to their attention that what I thought they were doing needed to have been ratified after they were sworn in because they weren't members

of the Legislature until the--what was it--the 9th of January or whatever.

Since then . . . you know, after that we just kind of rocked along as a group--more like a study group than anything else. We'd come together on issues of general concern to the community, try to respond to inquiries from parts of the state that were not represented by a black member or in effect a member who even thought the same way that the black people did and who can address their concern. I guess we just kind of fizzled until the Prairie View investigation came along. That was the first official press conference, I think, announcing our position. That was the first official act that the Caucus took and the first official pronouncement that there was, in fact, more than just a bunch of niggers walking around talking to each other. They were a Caucus with a name and with offices and so forth.

Marcello: How much did that Black Caucus accomplish during the Sixty-third Legislature?

Washington: I think the accomplishments of the Caucus then and now are immeasurable. I think that you can't look affirmatively at legislation because it's not designed in that kind of vein. It doesn't fit in that kind of body that would be responsive to those kind of concerns primarily because of the lack of strength in numbers.

Moreover, I think the real importance is to determine what legislation, what issues, what concerns would have been addressed if the Black Caucus were not present. I tend to think that the changes are in the hearts and minds of the members of the Legislature. I think that's where the accomplishments are. Minds are beginning to just change slowly. We haven't changed a lot of rednecks and probably never will. But to be able to direct the thinking and concern of another member who probably would never look at an issue from that vantage point is an accomplishment in my opinion.

Marcello: This brings up another interesting point, I think. You were elected to that Sixty-third Legislature. There hadn't been very many blacks in that Legislature before you.

Washington: Right.

Marcello: What sort of reception did you and your fellow black representatives receive at the hands of the other members of the Legislature? Were there any problems at all here?

Washington: I can't remember any. If there were, you know, there might have been some problems that they kept to themselves. But there was nothing that was demonstrated or articulated to me.

Marcello: Okay, let me ask you some background questions now in moving into the Sixty-fourth Legislature. During the

Constitutional Convention where the Legislature sat as a body, the contest for the House speakership probably started, or at least it came out into the open quite a bit during this Constitutional Convention. The candidates were Fred Head, Carl Parker, Billy Clayton. Clayton, I guess, remained low key as compared to the others. Talk a little bit about that contest for the House speakership and what effect it had during the Constitutional Convention. I think it's important to talk about that speakership race because it does play somewhat of a role in understanding the Sixty-fourth Legislature.

Washington: Yes, well, we got a lot of undertones near the end of the Sixty-third Session, although Price didn't put up with much of that from the speaker candidates. I think several of them had announced by the end of the Sixty-third Session, regular session.

Of course, by the time we went back for that little special session in December, the issues were really hot, you know, and the in-fighting was much more pronounced, and it blossomed during the Constitutional Convention. I think it was significant that all of the speaker candidates were on the Legislative Committee for a number of reasons. I'm second-guessing Price. I imagine they were on there . . . on second-guessing them,

I don't know whether they put themselves on or how they got on the committee. They were either there to watch each other or to, you know, involve them in something that was of relatively minor importance and low key enough to keep their participation from becoming another issue in the speaker's campaign, and therefore to keep, as much as is possible, speaker politics out of the Constitutional Convention.

I think that, you know, from the onset there was a good deal of rivalry between Head and Parker that lasted throughout most of the campaign. I frankly think that they were each other's undoing. I think the fact that . . . Parker in my opinion was very vicious in the manner in which he approached . . . particularly liberals. I hate to use those labels. They're there but for convenience.

Marcello: In what way did you figure the he was rather vicious?

Washington: Well, you know, in little ugly things that he would do and say--sometimes directed at Fred himself, sometimes just chiseling away at some of Fred's people, a constant pressuring of certain people that they thought, I guess, were amenable to pressure to attempt to get them to switch over from Head to Parker, and little ugly things that they say in going along with that, you know, some of which were . . . I guess it

was just in the spirit of competitiveness and other things that I considered to be in poor taste.

I frankly think that Carl Parker's a bully. I think he tried to bully his way to the speaker's podium and that he probably more than any other person was his own undoing. People don't like his manner. Many people were not willing to express themselves that way, but most people don't like him. Some of those members are afraid of him.

I think that probably . . . that and then Fred's retaliating . . . I'm not saying that he was just sitting and not counter-punching. I'm sure he took the offensive some in attacks upon Parker in an attempt to persuade members of each other's camp to come over. You know, if either of those had capitulated to the other, then whichever would have been the benefactor of that would have been speaker.

I think they just reduced each other's campaigns to a shambles. When it got down close to the end, there were, you know, about fifteen or twenty of us . . . I frankly had to tell Parker early on that I would never support him if I were the only person that didn't vote for him and didn't support him. I wouldn't. And if anything ever happened to Fred's candidacy . . . although up until Fred came to me one morning over here

next door, and we had breakfast, and he told me that he was getting out, I had no thought except but what he would win. But I knew I wasn't going to Parker, so I had two choices: to stay out of the race or consider the other formidable candidate in the race.

Marcello: Why did you decide to go with Billy Clayton, who remained low key during this whole period, did he not?

Washington: Well, yes, he did. I think I only had one conversation with Bill . . . two. Once during the convention he stopped and invited me to lunch. I did as I usually did--get me a sandwich from the "greasy spoon" and go up to my office and eat. I'm uncomfortable . . . I don't like crowds. I don't like anybody attempting to pressure me. I don't like lobbying either for a legislation or for speaker votes. You know, I'm just . . . it's not that pressure bothers me. You know, I'm going to do what I'm going to do. It makes me uncomfortable to think that some other guy's on the hot spot, so he's trying to get me to do something that I'm either going to do without all of that or I'm not going to do regardless of all of that.

So he invited me to lunch one day. I saw him one day here in Houston. He came to town, and we had lunch down at the Lamar Hotel--he and Joe Wyatt.

I guess the only other time I saw him was when I flew to Austin right before the Labor Day weekend. I sat down and talked to him.

The reason I decided to go with him . . . after it became apparent to some of us that were real close to Fred--I guess you could say, his lieutenants--that he wasn't going to be able to make it, the alternatives available were Parker, Finney, and Clayton. I don't think any other . . . there was two or three other people in the race that probably didn't have ten votes between them. So with myself and a few close friends, we decided that we could make the difference. The last thing that was expected was for some liberals to go over to Clayton, who was a conservative candidate, you know, the West Texas water darling and all of these other things, and a Mutscher man. But Parker was also a Mutscher man. He never joined the "Dirty Thirty." Although a lot of people thought he was a member, he wasn't. He was carrying Gus Mutscher's dirty water.

Marcello: I've heard some people say, in fact, that Parker was actually a pipeline between the "Dirty Thirty" and Mutscher. In other words, everything that went on in the meetings of the "Dirty Thirty" was relayed by Parker to Mutscher.

Washington: Right. Well, it got to the point, I'm told--I wasn't there then, of course--they called him "Charlie Tuna."

You know, you remember the commercials--the Star-Kist commercial? Well, Mutscher didn't want him and the "Dirty Thirty" didn't want him, so they started calling him "Charlie Tuna." "Sorry, Charlie. Star-Kist only wants the best tuna." Nobody wanted him, you know, because he was two-faced and he was playing both ends against the middle.

I sat down and I talked with Billy Wayne. I looked him eye-to-eye and man-to-man. All I ever asked of him was, "Would he be fair? Would he be fair and would it give me an opportunity to be heard on the concerns that I think I know best for my community?" I ain't got nothing against him being from Dime Box or Springlake or wherever. You know, I could care less. He's got his ox to gore and his fight to fight and I've got mine. I wanted him to be fair, and if his leadership called for him to make a decision concerning matters regarding cities or poor people, colleges and universities--things about which I had an interest and hopefully some expertise--then I hoped he would listen to me. He looked me eye-to-eye, man-to-man, and told me he would. That's all that I needed.

I never signed a pledge card. I think that if I can take a man at his word, he can take me at mine.

I told him I was going to vote for him for speaker. I told him I didn't think I would ever regret it. I did vote for him, and I have never regretted it.

Marcello: Now did this conversation take place during that meeting in Austin?

Washington: Right.

Marcello: Okay, not this is when he invited, what, three of you up to Austin to talk about this sort of thing?

Washington: Mickey Leland, Ben Reyes, and myself.

Marcello: Describe what went on at that meeting. Well, you've talked a little bit about it, but what else went on at that meeting?

Washington: Well, you know, we went out to his place. He has a house out northwest of Austin, I guess it is. I'd never been out there. I was in town for some purpose. I've forgotten . . . that meeting was not my purpose for going to Austin. I think, as I recall, Benny and Mickey were already in Austin. I may have been there for . . . I was up there to try to get the House Administration Committee to do some renovation work on my office. That same day, I had an accident on the way back. It was August 31, 1974.

Mickey called me up and said, "Billy wants to see you out at his . . . he wants to know if we can get together out at his house." I said, "Sure." So I

finished my work in my office an hour or so later. We drove out there in several cars, went in, had a couple of drinks, and sat around and started talking. He said he needed our help in the speaker's race. He wanted to talk to us about the possibility of us considering him as a worthy candidate for speaker.

So, you know, we talked with him. Mickey and Benny were more specific in their concern. Mickey wanted to know what his stand was on health care legislation. Benny wanted to know what his stand was on services to the poor. You know, they are technicians. I'm not. I'm not a political technician. Benny Reyes is a walking resource on federal funds and federal programs and state programs. You can ask him about any concern, and if there's any kind of program in existence about it--OIC, you know, all of those names and stuff--he can rattle all of that stuff off. I don't know anything about any of that. You know, I deal in a different perspective. I think we compliment each other--the three of us. Benny wanted to know his feelings on certain programs like that and continuing those kind of programs and him not, again, using the speakership in an adverse way to that interest. Benny was, of course, concerned because he had either authored or co-authored a piece of legislation, I think,

either two or four years before then making it a requirement to teach bilingual education above the third grade, you know, which was something that necessarily would be of some great concern to Benny in terms of the politics of him supporting such a man for speaker.

Then we went off in a corner, huddled, and talked about it a little bit. We couldn't reach any decision and went back over and talked to them some more. You know, we just got down to basic questions. "Will you not run over folks with the gavel?" "Will you be fair?" "Will you not be a Mutscher?" We explained to him our legitimate concerns, not so much that we thought we were deserting our interests or our people because I frankly believe that, if nothing else, that's the one vote that I have the right and the duty to cast without regard to any constituents. There's no way you can poll your constituency on the selection of a speaker. As to selecting the presiding officer, that's totally and absolutely my function.

We talked some more privately and then, you know, got another drink, sat around and talked some more. Finally, Benny, Mickey, and I huddled up and said, "Hey, I think we ought to go with the cat, man." We did. We turned around and instead of saying, "Okay, we're going to support you," we said, "Congratulations, Mr. Speaker,"

and shook his hand. Then we went to work calling other folks.

I'd like to think in some small way that we made the difference. We went over . . . we brought . . . our friends . . . well, we didn't bring anybody because everybody had in their own mind and their own vote. But I think the fact that the three of us were in this camp was in some small way responsible for . . . I guess it ended up twenty or twenty-five so-called liberals.

Significantly, the true liberals in my opinion were with Clayton. The Cadillac liberals were with Parker, you know. The Cadillac liberals are the convenient liberals because the tide is flowing that way. He is not one who'll stand in the water, you know, up to his knees and fight for what he believes in, but he's one that'll stay until the water comes, and then he'll go. But the real . . . you know, Lane Denton and G. J. . . . of course, G. J. probably went for some other reason. G. J.'s a political animal. He understands what this game's all about, and he's not naive like Mickey and Benny and I. I mean, true believers, true believers, you know, rank-and-file, were with Billy Clayton. These were the people with impeccable liberal credentials.

That's why . . . you know, I don't think I would have cared whether I got any flak about it. I got some

here from some black organizations. I just told them to kiss off. That was my vote. No one has a right to question my credentials. I fought in the war, you know. I fought in the war. I've got the right to make my own decisions.

Marcello: Was there ever any promises of any chairmanships or anything of that sort thrown out at that time?

Washington: Absolutely not! Absolutely not, and never anytime between then to the day he made his appointments. I don't play those kind of politics, you know.

Carl Parker offered me a chairmanship. Well, he started off offering me a chairmanship. I called him Mr. Speaker in jest, and he called me Mr. Speaker Pro Tempore. Later on, I called him Mr. Speaker still in jest, and he called me Mr. Chairman, then later on Mr. Vice-Chairman, you know.

Never! Anyone who makes any such notion like that, that is, that I voted for Clayton in return for a chairmanship, does me a great disservice. I think that he was qualified to be selected speaker based upon merit. I think that whomever had been selected speaker would have had to consider me for the chairmanship of something.

Marcello: Okay, you mentioned awhile ago that you were most interested in Clayton being fair and hearing you--hearing you out.

Washington: Right.

Marcello: Did he fulfill this in your opinion throughout the Sixty-fourth Legislature--most of the time, let's say?

Washington: He most certainly did. I'm not a weak-kneed sister, and I'm not a cry baby. I think I can solve most of my own problems. There are members who traditionally and perennially go to the speaker's office with every little problem--wiping their nose and getting a pat on the back and getting . . . you know. I think that my legislation ought to rise or fall on its own merit. If it doesn't, then it shouldn't become the law. You know, I chaired Criminal Jurisprudence Committee. I bet you I had twenty bills in the committee. Those that came out of that committee came out on their own weight.

Surely, as chairman of the committee I could have gotten my bills out. I was on the Calendar Committee. I could have gotten my bills up on the calendar. If they were not meritorious enough . . . when my bills were heard, they went to subcommittee just like everyone else's. If the subcommittee thought there was any merit to the bill, let them report the bill back to the full committee, and let us consider it and vote on it. But I didn't twist any arms on my committee to get one of my bills out.

You know, I was interested in my bills. I had a marijuana bill in there, and I think that it ought to be the law. I think the grand jury reform bills I had ought to be the law. But I didn't go to the speaker, nor did I use any undue influence or exercise my will upon the members of my own committee.

The way that I operated in my committee is exactly what I asked the speaker in operating the House. I think that I owe the same obligation to the members of the committee as did the speaker to me. I think I fulfilled mine, and I think he fulfilled his.

Marcello: What would you say was the most important issue that the Criminal Jurisprudence Committee had to deal with during this Sixty-fourth Session?

Washington: Well . . .

Marcello: Can I make it any easier by saying, what were the two or three principal issues that the Criminal Jurisprudence Committee had to deal with?

Washington: Well, the general controversy . . . I think the so-called Rape Reform Bill was probably the most controversial and the one that got more hue and cry and hullabaloo. It wasn't that big a deal to me.

Marcello: What made it so controversial?

Washington: Well, it had so much bad shit in it. It effectively just destroyed the presumption of innocence. You are

presumed to be innocent unless a woman accuses you of rape. Rape, of course, is the most difficult crime to disprove. So if you start out by taking away the presumption of innocence, you'll never prove yourself not guilty of rape. I mean, it just took away all of the fiber and fabric of American jurisprudence as we know it. It was a broad-scale attack . . . just a broad-scale sideswipe at our system of jurisprudence. I didn't like the bill. I never should have let it out of committee.

Marcello: Who was the sponsor of this bill?

Washington: Oh, Kay Bailey, Sarah Weddington, and Betty Andujar. Betty Andujar was probably just misguided. Kay Bailey and Sarah Weddington did it for political reasons. It was fashionable. They never have had too much interest in women's issues and stuff. Some of those chicks really got worked up about it. They went along for . . . you know, it was a nice, juicy plum and they picked it up and ran with it.

Marcello: You mentioned your own bill concerning the marijuana laws. Would you care to expound upon that?

Washington: Yes. It finally got out of committee. It was too late in the session to get up on the calendar. It would have created three categories of misdemeanor. I frankly believe that there should be no laws governing the use

of marijuana in private consumption. I think we'll get there. I introduced the decriminalization bill two years ago. That was when I went up with my shining armor on and before I found out that you take it one step at a time. Since then I decided to chip away a little bit.

I was the author of the present law on drugs, period. The Controlled Substances Act, that's the law that now bears my signature. The marijuana provisions in the present law, as you know, from the smallest quantity to two ounces is a Class B misdemeanor, which is up to six months in jail and \$1,000 fine. From two ounces to four ounces is a Class A misdemeanor, and that's up to one year in the county jail and \$2,000 fine.

So rather than try to make a broad-scale attack and knock the whole thing down, I just spread the categories. From the smallest amount to two ounces is a Class C misdemeanor, which is a maximum \$200 fine. That's a city offense. It doesn't have to be . . . it's like a traffic ticket, you know--J.P. court offense. The only punishment allowable is up to \$200 fine--no imprisonment. From two to four ounces is a Class B. Class B is six months and \$1,000. Four to six ounces, then, would be your Class--up to one year and \$2,000. It probably would have passed the House if we

had gotten it up, but the Senate killed a similar version on the floor. It'll probably pass next time. We need to educate folks a little bit more.

Marcello: Okay, now one of the principal issues that came before that Legislature was school finance reform--a school finance bill. Of course, this all stems from the Rodriguez case. Now how much of an interest did you have in school finance reform and in implementing the Rodriguez decision?

Washington: I think the community as well as myself had a very great interest, although very little expertise on my part, in educating and financing. I understand that rudiments of what it requires, and I was supportive generally of all measures that attempted to solve the problem, which is the unequal distribution of the state wealth with respect to the financing of education.

I, of course, didn't sit on either of the committees. I tried to monitor as much as I could the two bills that dealt with the subject. One was in the Revenue and Taxation Committee. That was Wayne Peveto's bill of which I was a co-author. It had as its purpose the equalization of the collection of the financial resources. You've got two questions. You can't distribute it equitably until it's been collected

equitably because if it's collected inequitably then you make necessarily an inequitable distribution of the funds.

Marcello: Is this getting back to the fair market value of property and this sort of thing?

Washington: Right. Fair market value and get away from the percentage valuation concept. Rather than go on assessed valuation, go on a direct valuation of the property. Assessed valuation allows for the tax assessor-collector to value the property and then levy on that value. True market value requires that there be some indices of the value of the property either by recording at the time of transactional sales--the selling price--which gives you a picture of what a willing buyer and a willing seller would give and take for the property. But, also, then you take the taxation based upon that value rather than on some false value.

Marcello: What would somebody like Dolph Briscoe think of using this as a basis for collecting taxes? Here's a man who's a very, very large South Texas rancher.

Washington: Right. Old Dolph wouldn't fare too well, would he? So he gets by on assessed value now for, you know, what amounts to a pittance. But a large landholder like that would . . . it depends on what the taxable

ratio would be. He'd have to pay considerably more money than he's paying now. One of the real features and what we need to do is we ought to . . . you know, land is just one form of assets. It's a tangible asset that is most readily identifiable, but we have stocks and bonds and debentures and certificates of deposit and so forth. This is other wealth that is available for taxation and that ought to be rendered for taxation but . . . and, in fact, the constitution requires that they be now, but there's no way of getting at them. There's no way of finding them, so therefore there's no way of taxing them--what's in safe deposit boxes and so forth. I think that would lessen the obligation to over-tax the land.

Marcello: There were several education bills that came up during this session. TSTA had its bill; Representative Kubiak had his bill; Governor Briscoe had his bill. I think one of the features of the Briscoe approach was the so-called weighted pupil plan. How did you feel about his weighted pupil approach?

Washington: It was a monstrosity--the little bit I understood about education generally! The weighted pupil approach was a bandaid when corrective surgery was needed. You know, you can't put the weighted pupil on top of assessed valuation and make the answer the Rodriguez out of it.

It was a stopgap measure at best. The best feature of it is to allow for more money to be made available immediately. But it didn't solve the problem that exists in our present system of school financing. It didn't attempt to solve the problem; it attempted to forestall the inevitable, and that is a wholesale revision of our present method of assessing, collecting, and distributing tax dollars.

Marcello: But on the other hand, there was the TSTA-sponsored bill which, among other things, called for a relatively large increase in teacher salaries. I think this turned many people off, did it not, because it really didn't address itself to the Rodriguez decision at all? The money that would be spent to implement that Rodriguez decision would certainly be lessened quite a bit.

Washington: Right. It did turn off a lot of folks.

Marcello: I'm sure there had to be a lot of demagoguing on that.

Washington: On both sides, yes. You know, the TSTA is a viable lobbying group that can help you in a political race, and those that were aligned with them wanted to make sure that the word went out all over the state that they voted with the teachers. Most times it comes down to a choice between the teachers and the kids.

Marcello: I think it was kind of interesting on one of the votes on that bill because at one point I think the House

had run up the total education package to about 1.7 billion dollars. A great many people had voted for that huge teacher pay raise that TSTA wanted, and then they started tacking all sorts of things on to make sure that that bill would never be voted out.

Washington: That's called "loading the bill." You vote for all of those good amendments one by one, and then you look at the whole deal and it's not fiscally conservative to put that kind of burden on the people. So you turn around and say, "Well, I made my record. I was in favor of the old bill and the old teacher raise, but I couldn't vote for the 1.7 billion dollar package. I had to turn around and vote against it." You sweetened the pot so much with that, you know.

Marcello: And, of course, all this time you had to keep in mind that Briscoe said there would be no new taxes, and the Legislative Budget Board was saying, "You only have so much money to spend for education."

Washington: Right. Which meant that we either would have been in a special session and starting over with a new bill. After he vetoed that one of . . . we didn't have time to write a tax bill.

Marcello: Okay, now do you think that the education bill that came out of that Legislature does perhaps turn the corner? Now obviously anybody who looks could say

that it didn't go all the way toward implementing that Rodriguez decision, but has the corner been turned, do you feel?

Washington: No. You can't turn the corner until you get equal and uniform taxation. That step necessarily must come first. No matter how equitably you distribute the money, it cannot be equitable in the true sense of the word until it has been derived from the sources from each according to his ability and then divided among each according to his needs. That sounds like a communist slogan, doesn't it?

Marcello: What has been done about this fair market value process? Is it simply going to be studied?

Washington: Yes, again. The Legislative Property Tax Committee is doing some more work on that. Wayne Peveto's bill passed the House, and they killed it in the Senate. But, you know, that wasn't an answer to all of the problems, but the significance of his bill was that it gave some additional ammunition to the use of the present constitutional provision. The problem as the tax assessors and collectors find it to be now, as they articulate it, is that the constitution allows the taxation of property other than the intangibles. But there's no mechanism. There's no recording process that allows them access to the information upon which

they would levy the tax, upon which they would know who owns the stocks and debentures, where they are, how much they're worth, and then tax them. So this bill would have opened that door. The Senate killed it.

So once we get that door open, then they get in and tax and get all the money in one pot. Then they, you know, say, "Well, the guy that owns the \$100,000 house as well as the guy who rents an apartment and has \$100,000 worth of stocks have both given their fair share to support public education. Now where are the little kids?"

Marcello: Okay, now another issue that came out during that Sixty-fourth Legislature was the whole business concerning the establishment of the Public Utilities Commission. Were you in favor of establishing such a commission?

Washington: Yes, very much so.

Marcello: For what reason?

Washington: Well, I think it's ridiculous for it to cost more to call Texarkana, Texas, than Texarkana, Arkansas. I think that government has an obligation to regulate utilities so that we may know whether their rates are fairly and equitably based upon a reasonable return of a margin of profit over expenses because what they offer is necessarily in the public interest.

Marcello: Were you in favor of seeing an elected commission, or did you want to see an appointed commission?

Washington: An appointed commission's alright.

Marcello: This, of course, is what ultimately came out of that bill, and this commission will be appointed, of course, by Governor Briscoe.

Washington: Who was opposed to any commission at all.

Marcello: It will be interesting to see what sort of a commission he does appoint since he was opposed to a public utilities commission.

Washington: Yes.

Marcello: Now did you receive very much pressure or were you approached very often by lobbyists from any of the utilities during the debates and what have you on this public utilities legislation?

Washington: Citizen's groups that were in favor of a strong commission were about the only people that contacted me. You know, I'm pretty sure that my vote was written off fairly early because I campaigned in favor of utility regulation this last time.

Marcello: Well, of course, Speaker Clayton was opposed to utility regulation, too, and evidently this is reflected certainly in his appointment of Tom Uher as chairman of State Affairs, which is where that bill went.

Washington: But the House bill was better than the Senate bill.

- Marcello: Much better than the Senate bill, of course, and certainly much stronger.
- Washington: Yes, and I think that's another example of Clayton's fairness. You know, he could have . . . he probably could have killed the bill.
- Marcello: Okay, now another issue that was rather important-- actually, it didn't take too long to get it through the Legislature--was the constitution. You know, the Legislature met as a constitutional convention. It didn't come out with a document. Obviously, most of the work had been done, however. How was it that the Legislature was able to so quickly come out with a constitution during the Sixty-fourth Session?
- Washington: They were tired of looking at it. They passed the buck on to the folks. Same document--most of the same people. I think, you know, from work and pressure . . . well, for one thing, when you're not sitting down as one body, then the vote requirements are different in order to get the matter submitted. Resolution by the voters, I think, probably had some bearing on his it turned out.
- Marcello: Were legislators receiving very much flak as a result of not coming up with a constitution during the convention?
- Washington: Some of them took a lot of heat. I didn't have any problems. I explained, you know, the pros and the cons.

When it came down to that one vote it was mine, and I think I did the right thing. I didn't have any problem or any heat, but I understand some of the members really got burned.

Marcello: Okay, I think we can close this interview, Mr. Washington, by asking you if there is any particular issue or legislation or so on that you would like to get a part of the record at this time?

Washington: Well, I think you hit all of the major issues. All of the major issues have been touched upon, the highlights of the session.

Marcello: One last question. You've been through two state Legislatures. You've seen Governor Briscoe in operation during this period. How would you assess or evaluate the two administrations of Governor Briscoe?

Washington: Bowl of pabulum!

Marcello: To use Frances Farenthold's words?

Washington: She was correct. You know, I think it's a sad commentary on either government in this country or government in this state when we'll be satisfied with having a leader not on what he does but on what he doesn't do. Maybe Sharpstown did that to us. As long as he doesn't get into trouble and as long as he doesn't do anything illegal, then that's enough for him to get by on. No affirmative, aggressive leadership. You know, just sit dead in the water. So it's not what you do that counts. It's what you don't do. Sad day!