FRANK J. KELLEY

Interviewed by

Leon Cohan

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P.O. Box 4684
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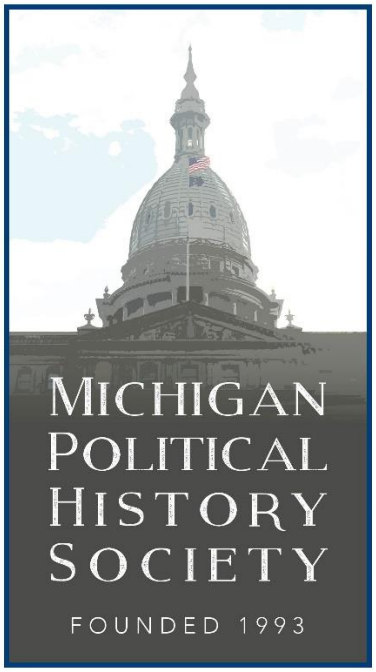

The Michigan Political History Society is pleased to present this presentation today of the life and times of Frank Kelly. 37 years, Attorney General of the State of Michigan. The interview will be conducted by Leon Cohan who served as Frank Kelly's deputy for many years.

Leon Cohan: Before we talk about the attorney general years Frank, why don't you give us an idea about your personal background, where you came from. The circumstances that brought you to the Attorney General's office.

Frank Kelley: I came Detroit originally, I was born in Detroit December 31st, 1924. When Detroit was the motor capital of the world you might say. Ironically, the day I was born the Detroit News carried a story, it was New Year's Eve of '24, that Detroit is the richest city in the United States and perhaps the world. It had the highest per capita incomes of any place in the world, more home ownership, more of the attributes of wealth than any place else in the world. It's most interesting, so I was born and raised in Detroit during the Roaring 20's, the Golden Years.

Frank Kelley: Then of course during the Depression my father was a second generation American, his father and mother had both come from County Mayo, Ireland back in the 1880's and my father was born in Detroit in the 1893. My grandfather died in an industrial accident in his early 40s' and his mother, my grandmother died of what they call childbirth fever in birthing one of their children. Ironically, childbirth fever was nothing but the failure of physicians or midwives to sterilize or wash their hands. Louis Pasteur in France was begging doctors to wash their hands because he'd discovered bacteria. The doctors thought what does this Frenchman know? Similar to the way things are today. So my father and his brother and sisters were orphaned. My father was nine years old when he lost his mother and father, so he had to hustle and sell newspapers in the city of Detroit in front of City Hall. He was ten years old, but he grew up and he became a successful business man. I was born, as I said, in '24.

Frank Kelley: My father had an interest in politics, so much so that in 1948 when Truman was to be nominated on his own after succeeding Franklin Delano Roosevelt upon his death, 1948 he had to be nominated on his own. It was the first televised convention in Philadelphia, my father headed up the Michigan delegation. He had white hair just like I do, and on black and white television in those days he showed up quite a bit as the head of the delegation. I was a senior in law school, I can remember my dad standing up at this convention under the Klieg lights in Philadelphia, saying Michigan casts its 22 votes for the great Commodore Harry S. Truman. So on and so forth, so it was kind of an exciting night for my father. He later got to know Truman and campaigned a little bit with him. I had that kind of a background where politics was a part of the family.

Frank Kelley: Among the Irish in those days and perhaps to some extent even to this day public service was always considered a high calling, higher than commerce or higher than business if you can be successful as a public servant. My father

always said it was because Ireland was discriminated against for 500 years and you couldn't hold public office. You weren't allowed to vote, a lot of other deprivations, which made the Irish yearn for public service. So when they got to this country that's why so many of them got into it. I know I talked to the Kennedy's one time, and their father Joe Kennedy used to preach to them about how valuable public service was and what a great contribution to mankind it was.

Frank Kelley: My father always talked that way, so he wanted me to be a lawyer, but he wanted me to be a public lawyer. Ironically, one year I became a lawyer my father had a heart attack suddenly and passed away. I remember his ambitions for me and I tried to fulfill them.

Leon Cohan: Where did you go to school Frank?

Frank Kelley: I went to the University of Detroit, which was the place where all young Catholic boys and girls went back in those days. That was the university, and I went there and I got my two degrees there.

Leon Cohan: What did you do after you got out of law school?

Frank Kelley: When I got out of law school, I said my father was still alive, I worked for three lawyers in the old Dime Bank Building which was right across from what would be City Hall, I think there's a skating rink there right now. The building still stands. I worked for three lawyers for about a year and a half. Then I wanted to be a trial lawyer. I got this idea that if I wanted to be a trial lawyer I can only do it one of two ways. I can get a job at the prosecutor's office and work over in the recorder's courthouse, where all the criminal cases were. That's where most trial lawyers are developed, or I could go out to the country. Take up a country law practice and try to learn to be a lawyer up in the country.

Frank Kelley: I opted for the country routine, because I read a book about it of a small town lawyer at the turn of the century in America who led an idyllic life being a trial lawyer in mid America. My father didn't like the idea, but then with his sudden passing the road was cleared for me. Before he died my dad said to my mother tell Frank it's okay to go to Alpena, which I wanted to go to practice law. So I went to Alpena and I set up a law practice with a classmate. My partner and I were the only Democratic lawyers in the county of about 20 lawyers, but we did very well practicing law there.

Leon Cohan: Were you in politics all during this time?

Frank Kelley: I tried to be active. At the time when I moved to northeastern Michigan it was a primarily Republican area. I came from a solid Democratic area, so I was very diplomatic. I did go to the party conventions. I was a delegate, and if someone asked me I told them I was a Democrat. I didn't run for office up there because I thought it would be rather futile so I didn't do it. I was there about a year and a

half and the city council came in and the mayor all of them are Republicans, I'm sure. They asked me to be city attorney, and I said to them "well why would you want me to be city attorney? I'm a Democrat, you're all Republican gentlemen." They said well we watch you, put it this way Frank. He said you take care of the law and we'll take care of the politics. I said well if you have that much trust in me I'll do it. So I was city attorney for the next seven years until I got appointed Attorney General.

Frank Kelley: Believe it or not that tolerant act by that group of Republicans to make me city attorney, I always remembered it. Years later when I worked with you in the capital I always remembered you don't judge a book by its cover and don't be too political. Remember there's good people on both sides of the aisle.

Leon Cohan: What were the circumstances that led to your appointment as Attorney General?

Frank Kelley: It was very interesting. John Swainson was elected governor in 1960 when John F Kennedy was elected president. John had the role of taking the place of G. Mennen Williams who had been a Democratic icon here in Michigan. Having been elected more times than any other governor. Six times, unfortunately I should say there are only two year terms. So twelve years G. Mennen Williams ran six times for governor and got elected every time. In 1960 he tried to run for president of the United States and it didn't work out. So John Swainson who was his lieutenant governor ran for governor in 60 when Kennedy was elected. During his term, the Republican party felt that by gosh we haven't had control of the governor's office in 12 years now. We got this new young governor, maybe if we sniff enough at him we might be able to get the governorship back.

Frank Kelley: They began attacking poor John Swainson right off the bat when he was governor. They especially his appointments, whenever he'd appoint somebody to a judge they'd say oh he appointed an unqualified person. This is terrible, terrible, terrible. This went on for about eight or ten months. Then the Attorney General at the time, Paul Adams, wanted to be on the Supreme Court so sure enough somebody retired from the Supreme Court and Swainson made Paul Adams, then Attorney General a member of the Supreme Court. Creating a vacancy, then Swainson got together with all his leaders and his advisors. They said everyone of our appointments is getting criticized, what's wrong? They said well let's avoid all that criticism, I'm gonna set up a committee and we're gonna pick 20 lawyers from around the state in that committee. That committee will interview and pare down the lawyers, and they'll come up with a final three recommendations. Those final three or four will be interviewed by the governor and appointed. That way nobody can criticize the appointment to Attorney General.

Frank Kelley: That turned out to be lucky for me because they had to get names from all over the state. Sure enough the picked my name out of hat from Alpena, Michigan and it was in December of 1961. I'm sitting in my little country law office in Alpena, I get a call from Zolton Ferency who was at that time Governor

Swainson's executive secretary. He said Frank Kelly, I said yes. He said I'm telling you something in confidence, you've been selected as a member of 20 people who's name is being considered for appointment to Attorney General of Michigan. You're not to say a word about it and you keep it under your hat. We'll notify you if you survive the cut next week. Ten days or so later I'd forgotten about it. I get a call, Mr. Kelly, yeah. You've survived the cut it's down to ten now. We don't want you to say anything, but if it gets down to five or six we'll let you know.

Frank Kelley: I forgot about it and I thought it was nice to be honored, but I thought it was just going to be sophistry. Lo and behold the day after Christmas, 1961 I get a call. Mr. Kelly, yeah. So you're coming down to Lansing, you're one of four/five finalists. You're to be interviewed by the governor and a committee for the possible appointment of the office of Attorney General. That's when I came down to Lansing, on the 27th two days after Christmas. I brought my wife down, and I was interviewed by the governor and his panel of two national committee men. I think it was Mildred Jeffrey, Neil Stabler, leaders of the party.

Leon Cohan: What kind of questions did they ask you?

Frank Kelley: Oh they were about as business like as they could be without being too political. What is your background, what is your attitude toward the law? How do you view the role of Attorney General, kind of the routine. Actually what they were doing is probably looking to see if there was anything really bad about me. So that's what I think. I didn't know how I did in the interview, but it happened and I went through the interview. I left that night and I stayed at the Jack Tar Hotel over here, the next morning I got up and I'm in the coffee shop and a friend of mine from law school is having breakfast with my wife and I. We all agreed that it was nice to be asked to be Attorney General, but I'll never get it. It was nice to be considered and maybe I'll become a judge or something by virtue of the governor later on. I said I'll probably get a call from the governor, because two days from now is my birthday on New Year Eve's. He'll probably call me to congratulate me.

Frank Kelley: Sure enough a bellboy came into the coffee shop, said Mr. Kelly telephone. I go to the telephone I say that's him. I said good morning Governor Swainson. He said, so you're going back to Alpena, I said yes. He said would you mind stopping by the house on the way back, your birthday's coming up isn't it? We'll have a drink to your birthday, I said okay governor fine. I come back, you're absolutely right. We're gonna have a drink to my birthday and I'm going back to Alpena to live happily ever after.

Frank Kelley: My wife and I go out to the, they didn't have a governor's mansion in those days, they had a house rented for the governor. We went out there, I'll never forget he came to the door himself. It was a large house and my wife and I walked into the living room and the governor took us into the center of the living room. He snapped his fingers and in came a woman with three glasses of champagne. I said well here comes my birthday toast. The governor took a class

of champagne gave it my wife, gave one to me, one to him, and he said I wanna drink a toast to the next Attorney General of Michigan. I almost collapsed right there on the spot. That's how it happened, but it's democratic with a small "d" as you could get.

Leon Cohan: Did Governor Swainson give you any ideas of what he expected from you as Attorney General?

Frank Kelley: No, and one beautiful thing I thought about only in America. Nobody from the party, nobody from the governor's office, nobody ever tried to tell me what to do or how to do it, or who to appoint, or ask me to hire certain people. That never happened, they gave me complete and total judgment. I always respected that, and I thought it was a good thing. I think the public should know that. When people get these high posts they're pretty much on their own and they're allowed to exercise their own integrity and their own judgment. By the same token if they make a mistake, you made the mistake. But he let me go, here I was City Attorney of Alpena one day and chief lawyer for Michigan the next year. I was on my own. That's when I met you.

Leon Cohan: What were the first issues you faced Frank?

Frank Kelley: Well first issue was who's gonna be deputy attorney general, and on January 1st or 2nd I think it was I flew down from Alpena to take the office officially. Who met me at the airport but you, and you had just been made deputy attorney general by Paul Adams just a few months before. I think you were what at the time, 35? 34? You were younger than I was, and I thought I was young at 36. You picked me up at the airport and I'm sure you were uncertain as to what I was gonna do about the deputy. I think I was with you a couple hours and told you that you're gonna be the deputy. That took care of that, and you and I were together like brothers for about the next dozen years.

Leon Cohan: That's right, that's right. You came to the office, what did you confront? What were the first issues that you confronted?

Frank Kelley: The first major issue I had, there was an interracial murder case in Detroit. This was in 1962 January, Detroit was having some problems but nothing came to the surface in the area of racial harmony. There had been a murder in Palmer Park, called the O'Dell Murder Case. What had happened was a young white man and a young black man met, they were with a group of their own groups. They met in Palmer Park one Spring evening. There was an altercation and one black boy, one white boy got into an argument and fell down wrestling and fighting. They fell into the bushes and a couple minutes later the white boy came out of the bushes and the black boy lay in the bushes dying from knife wounds.

Frank Kelley: The prosecutor in Detroit had refused to issue a warrant, claiming there wasn't enough evidence one way or the other. The different leaderships called on me,

what you gonna do about it, what are you gonna do about? Unfortunately, I had Herb Beatty who was the head of the criminal division at the attorney general's office. Herb Beatty was the one who George Scott played in Anatomy of a Murder. If anybody remembers that movie, Anatomy of a Murder, great story. George C. Scott played Herb Beatty, the state Attorney General in that movie. Herb had 25 years experience. I said Herb you go to Detroit, you come back and you tell me what you can recommend. He went down to Detroit and he came back and said Frank that's a homicide. You should do something. I said okay. I issued a warrant and of course that was the first time in 50 years that an Attorney General had ever taken a case away from a prosecutor. It became a notorious case, and it did excite both the black and white communities.

Frank Kelley: Ironically, when we went to trial down there we were the local officials in Wayne County, and it's not much of a tribute to them, but they kind of drew the wagon trains in a circle. We guys from Lansing weren't gonna get very far in that prosecution. Sure enough they brought back a judge from retirement, or who was about to retire, who had a record of being very difficult with regard to racial harmony.

Frank Kelley: Then when we went to pick a jury, here we were in Wayne County. The only available jury panel they give us was all white. There wasn't one African American person on the whole jury panel. So we picked a jury panel. Then actually in the course of the trial, they allowed the prosecuting attorney of Wayne County to take the stand and give his opinion as to whether the defendant was guilty or innocent. It's unprecedented in American court, and the judge let it in. Needless to say we lost the case, but I learned two lessons. I said it's okay to be courageous and I said if I had to do it over again I would do it. But don't expect that justice will triumph every time you do. That was a very notorious case.

Leon Cohan: Wasn't the State Constitutional Convention going on that year?

Frank Kelley: There was a Constitutional Convention going on and one of the things that came up was the possible make up of the legislature, and the proportionate factors in the legislature. I think I'd only been in office four or five months, and a notorious case was started by Gus Scholle, the state AFL-CIO leader. He was a very literate and very articulate labor leader, and a social activist. He brought a case called Scholle vs. Hare, the Secretary of State. His claim was that the Michigan Legislature, particularly the senate, was unconstitutionally apportioned. In other words one area that Michigan would have 250 thousand people and one senator, another area upstate would have 75 thousand people and a senator. He thought that was unequal proportion, and violated the Equal Protection Clause of the United States Constitution.

Frank Kelley: As well it should have, so they told me about this case and I said well you better look into it. My lawyers looked into it and they came back and said you know that Gus Scholle is right, this proportion is very unconstitutional. So then I issued an opinion to the chairman of the Constitutional Convention, asked me for an

opinion on that issue. I couldn't just get up in the morning and say I'm gonna issue an opinion. An Attorney General has to have an opinion requested by a member of government. I was requested and I issued the opinion, that yes the Michigan Senate was unconstitutionally reapportioned and violated the Constitution. They had no right to be sitting, and all hell broke loose. The legislature went crazy, they wanted to impeach me. Here I'd been in office for six months and it was a very notorious time.

Leon Cohan: Do you remember our going to New England to argue a case before the Justice of the United States Supreme Court on that issue?

Frank Kelley: I think we were trying to get a stay, that the courts were going to do something that was against the interest of the plaintiffs in the case. What we had to do, we wanted to get a stay from the United States Supreme Court to allow more time for pleading. Something like that, but when the Supreme Court is out of session the only way you can get a stay, is you have to go to the regional Supreme Court Justice. For example, in our area it was Potter Stewart, and other areas of the country you go to a different justice. Potter Stewart was on summer vacation in New Hampshire. Governor Swainson asked me to fly to New Hampshire where he was in a fishing village, and argue as to why he should give a stay in this particular proceedings to help us have time in the reapportionment case.

Frank Kelley: I remember they sent a state plane up to get me. I was up with the governor at the house on Mackinac Island. The plane was 24 years old. It was an old World War Two Beach Craft, I mean it was old. It picked me up and I think he even brought you up from Detroit. You were on the plane and he brought Eugene Krasicky, my solicitor general at the time. We flew over the vast wastelands of Canada in this slow, 180 mile an hour airplane to New Hampshire. It was a moonlight night and I could look down sometimes the moonlight would reflect. I could see wild moose running around and we were flying this airplane. It was scary.

Frank Kelley: When we finally got over to New Hampshire we got to the air field where we supposed to land, and the old Yankee at the air field said our lights aren't working. I don't think you can land here. I'll tell you what I'll do, I'll turn on my headlights on the car and if you'll just follow from the left of that you can land on the field. Well the pilot had enough sense to not take those directions because he had left wrong. He meant to say right. Had we landed we would of hit about 6 telephone poles. So the pilot said we're not landing here. We went and landed in Vermont about 20 miles away at another airport. When we landed I think we had a cup of gas left, and all of us were nervous wrecks I remember that.

Leon Cohan: Frank, how did that matter before Potter Stewart resolve?

Frank Kelley: Well with all that trouble flying all night so on and so forth, we went in and we argued the case. He was there in hunting boots and a flannel jacket. We were in a little court room above a post office in New Hampshire. We made our motion,

but it was denied. We had to fly all the way back home past Canada. That case I was successful in eventually, Scholle vs. Hare, that was joined with another case called Baker vs. Carr which argued before the Supreme Court a year later. They quoted my opinion in the case and it was held. Not only in Michigan senate but legislative bodies all over the country were unconstitutionally apportioned and eventually within two years, made them reapportion every legislative-type body from the townships to the legislature and congress throughout the whole United States. It was a landmark case.

Leon Cohan: Right. That's what resulted in what they call one man, one vote.

Frank Kelley: One man, one vote.

Leon Cohan: One person, one vote.

Frank Kelley: One person, one vote. And that's what we were supposed to get, and we did.

Leon Cohan: Did you make any changes in the organization of the Attorney General's office?

Frank Kelley: No. I inherited a staff of senior attorneys. You were not a senior, you were 34, you were my deputy. But we did, as you remember, we had Mary [Mall 00:00:34], and different other attorneys there that were all in their mid-50's at that time. They had Herb Beatty, that had 20 years of experience in public law in the Office of Attorney General. I didn't care about their politics. I was just like the Mayor in Alpena. I called them all in, and I assumed a lot of them were republican appointees from years ago. I said, "Fellas, I want one thing. You take care of the law, I'll take care of the politics." So I never disturbed any of that senior staff. I never let anybody go, I kept everybody.

Frank Kelley: But as the staff expanded, I started to hire young graduates right out of law school. I had about 89 lawyers when I started. And then, of course, 37 years later, I had 300, which sounds like a lot, but it really wasn't because there were law firms in Michigan almost as big as mine. I had tremendous responsible. People don't have any idea what the responsibilities of Attorney General are.

Leon Cohan: Tell us what an opinion of the Attorney General is and how it's developed.

Frank Kelley: An opinion of the Attorney General is based on the fact that on a day-to-day basis, government, just like an individual corporation or business, has to know what to do properly. Well, the government has to do, "How do we operate legally?" Whenever they have a snag and whether something's legal or not or what the law means, they have a right. Members of the government have a right to ask the Attorney General, a chief lawyer for the state, for his or her formal opinion as, "What does the law mean in answer to this question?" And that's how the formal opinions of Attorney General come by. Attorney General needs to issue maybe 100 opinions a year, and they're bound in a book, and they're in every law library. The opinion of the Attorney General is binding on

the state of Michigan on all of its officers. So, as a result, it's binding on the state. But it is not a dictatorship, so if you attack an opinion of an Attorney General, it's presumptive law unless a court of record in a particular county overrules the opinion. If a circuit judge says the Attorney General's wrong and this is the law, then in that county, the opinion is overruled. Then if it's appealed, and the Court of Appeals overrules it, then it's overruled for the whole state.

Frank Kelley: But in the time I was Attorney General 37 years, I don't think I had more than one or two of the thousand opinions I issued ever overruled by a court.

Leon Cohan: What kind of new programs did you institute during your period as Attorney General?

Frank Kelley: Well, I think first of all, people have to understand at the Attorney General's office, you are attorney for the government. You're the attorney for the governor, all the state agencies, and all state employees. You have to defend all the statutes, laws and the constitution of the state. In addition to that, you have to supervise the prosecuting attorneys of the state, and you also have to act as the people's lawyer. When and if a constitutional question comes up of concern to the public, you should intervene, protect the public. Those were all my duties.

Frank Kelley: So in order to do that, I felt that the Attorney Generals prior to me had not taken enough initiative in various areas. And so I became the first Attorney General to setup a consumer protection activity. First with a couple of lawyers, and then I setup a division with Maxine Virtue, a famous woman lawyer. Was the first Attorney General in the United States to have a full-time Consumer Protection Unit. That was a time when Ralph Nader was in high school, so you can imagine it was considered rather radical.

Frank Kelley: Then I setup the first organized unit of any state Attorney General in the United States, and we had the best records. We kept records on organized crime and did prosecutions in that area.

Frank Kelley: I was the first one to setup an environmental task force. First Attorney General in the United States to actually start suits on the environment with a team of lawyers who were assigned to it. Every day, that's all they worked on.

Frank Kelley: Those were new programs that I started. We became more active. I also would intervene in utility cases which Attorney Generals hadn't done very often. I did it all the time saying when the utilities came in for rate increases, I would intervene and say, "Prove it. Prove that you need this money." And if you couldn't prove it to the satisfaction of Public Service Commission, then I wanted the rates cut, or I want rebates, or so on. Of course, I got the undying wrath of public utilities for doing that, but the people liked those actions, and over the

years, most of the time I won, and did save millions and millions of dollars of rate increases. Those things are popular.

Frank Kelley: Also, I intervened in insurances cases. For example, Blue Cross Blue Shield was a state agency, and I used to always intervene if Blue Cross, in my judgment, were issuing rates that were too high for senior citizens, I would intervene in those cases. And sometimes I got those rates cut. So I was what you call an activist Attorney General.

Leon Cohan: You had to deal with several governors, Frank. Tell us about those relationships.

Frank Kelley: It was really interesting because, prior to my tenure, the average Attorney General served two years. Governors used to only last about one or two terms. But the first thing they would do after a after a year or so, they got sick and tired of each other, and the governor would appoint the Attorney General to the Supreme Court or to a judgeship or someplace, and that would be the end of it.

Frank Kelley: Ironically, after I was Attorney General for one year, I was up for election in that first year, and my governor who appointed me was defeated, John Swainson, and George Romney became governor. And here a democratic Attorney General got elected with a republican governor. That was the first time that had happened. There had been times before when there was a democratic governor and a republican Attorney General, but not this way. That was unique, and we had to make adjustments in order to get along.

Leon Cohan: How many governors did you serve with?

Frank Kelley: On that basis, I served six years with Governor Romney, and I've won three elections with him. There was election at '62, '64, and '66. And one election, we each won by a million a piece. In other words, a million people crossed over to vote for one or the other of us. We each had a million vote plurality.

Frank Kelley: After Governor Romney resigned to run for President, his Lieutenant Governor Bill Milliken became governor, and I as a democrat was re-elected with him as a republican several terms. He served for 14 years as governor. I was Attorney General for him for 14 years. Then after Milliken decided not to run again, I was Attorney General for Governor Blanchard, first democrat. Democrat and democrat. We served together for eight years.

Frank Kelley: Then after that, I was Attorney General for John Engler for two terms, for eight years, and then I resigned. And he served one more term after I left. So all together, I was 37 years. Twenty-seven years of them were with republican governors.

Leon Cohan: Give us a birdseye view of the differences of dealing with these individual Governors.

Frank Kelley: Well, you can well imagine, there were five different personalities and five different cultural backgrounds, five different philosophies, five different approaches to problems. John Swainson was a highly-decorated war veteran from World War II, lost both of his legs in France and was very conscientious, very liberal today's standards. He'd be considered liberal progressive type of governor, like Jack Kennedy was as President. Kennedy was considered a young progressive President, and John Swainson was young progressive governor. He didn't get a chance to prove himself because he got defeated after his first term. But he and I got along very well both philosophically and socially.

Frank Kelley: Then along came George Romney who was a republican, and I didn't know whether I'd be able to work with him or not. But turns out, he was a moderate republican, and he was only conservative on business matters and fiscal matters. But on civil rights and social issues, he was a progressive man. But his problem was, or I should say the problem between us was, he thought that the Attorney General was just like a corporate lawyer. When he was President of American Motors, he had a lawyer. He'd call a lawyer in and say, "You do this, you do that, you do this. You're my lawyer." He thought the Attorney General was just his lawyer and had to take orders from him. We had an awful time. You'll remember, you were my deputy trying to explain to Governor Romney that it doesn't work that way in government. The Attorney General has independent duties. He's your lawyer, but he's also a lawyer for the legislature and all the state employees, and he has an independent view of the law. If you're right, he'll agree with you. But if you're not right, Governor, he doesn't have to agree with you, and he certainly doesn't have to do your bidding.

Frank Kelley: We had an awful time for about two years until finally when we had an argument one day, it ended in such a furor that two days later I went back after the next election, and I said, "Governor," I said, "You got elected yesterday by a big plurality and so did I. I think the people of Michigan want us to work together, don't you?" He said, "You're right, Frank." He says, "Let's make peace." I said, "Fine, I'll get my Deputy, Leon Cohan, and you get your person," I think it was Bob Danhof, "Why don't they draw up some rules and procedures here that you and I can abide by. And sure enough you did. You drew up what was known as the Peace of Lansing. Governor Romney signed it. After the first two years, for the next four years, we got along very well.

Leon Cohan: What about the Governors after Romney?

Frank Kelley: After George Romney, in other words, after the first two stormy years, we got along very well and had no problems. Then came Governor Milliken. Milliken came from a political family. His grandfather had been a Senator in the Michigan State Senate. His father had been a Senator in the Michigan State Senate from Traverse City area. There were three generations of Yale. His grandfather went to Yale, his father went to Yale, and Bill went to Yale. They were what they called Ripon Republicans. Ripon society which meant rather moderate, liberal, eastern republican, and he was of that group. So he was very progressive. He was conservative on business matters, but on most other things, he was quite

progressive. He knew how the government worked. He'd been a Senator before and been Lieutenant Governor. So we didn't have the problems of explaining the relationship with Attorney General.

Frank Kelley: Governor Milliken and I got along on a personal basis and on a legal basis very well. We never had a disagreeable word. We worked together on the PBB crisis. That was a time when they had all the cattle in Michigan were subject to the possible disease of PBB, and many thousands of cattle did get the disease. It was a national scandal. We didn't know what we were gonna do. We had 50 to 60,000 carcasses of dead animals. What were we gonna do about it? They were gonna use that politically against the governor, but he and I worked together on it. One of the ideas that the bureaucrats came up with was to send all the cattle to Ohio and bury them. I heard about it, and I ran over to the governor's office, I said, "Bill," I says, "are they crazy?" I said, "Can you imagine the political issue? If we shipped those cattle on a train, the governor of Ohio, every politician in Ohio would be standing there, 'You shall not enter Ohio.'" I said, "We'll look foolish in the eyes of the public." I said, "We can build a burial place. PBB is not contagious. It's inert, it doesn't run to anybody else. But to make sure, we'll put in a clay pit up in Mio, we got plenty of acreage up there. We can bury 75,000 cattle up there. We'll bury them up there." He said, "That's right. We'll do it." And that's what we did.

Frank Kelley: We did it, and it was unpopular with some people. But the general public never said anything. But you know you always get the noise from the vociferous minority. We were burning effigy. Every day in Mio, there was an effigy of Frank Kelley, they would burn scarecrows with our names on it, they'd burn us every day. And everybody's, "Oh, my God, what a terrible political mistake they made." The following election, both Governor Milliken and I carried the county of Mio. It helped the prosperity up there. Who knows.

Leon Cohan: Then came Jim Blanchard.

Frank Kelley: Then after Milliken, we got along very well. Then came my protégé. I hired Jim Blanchard when he graduated from the University of Minnesota. He had a job in the Secretary of State's office for a few months. Aching to get on my staff, he came in and interviewed me, and I gave him a job. He was very politically oriented. Very quick-witted. Something like you were when you were young. I took a liking to him, and I helped develop his career.

Frank Kelley: After he was with me a few years, he wanted to run for congress. I said, "It's a good idea." So I encouraged him and introduced him to various people in leadership positions in the party that would help him in his run for congress. He ran for congress down in Oakland county, I think it was part Macomb. But anyway, he got elected to congress as a young man. I think he was in his 30's. He served three terms down there. He made himself famous because he was very instrumental in helping the Chrysler bail-out. That got him national publicity. Based on that, after three terms, he ran for governor, and he became a democratic governor and my protégé. Obviously, we got a long very well, and

he was governor for eight years. He worked in the office so he knew how it worked. If we had a problem, he knew that it wasn't personal. Sometimes I had to rule against him on a matter, and they'd have to correct it, but we got along very well.

Frank Kelley: Then he was succeeded by John Engler. John Engler beat him when he went for a third term, John Engler won. He was an entirely different personality. John Engler was the first modern truly conservative governor Michigan has had. He was truly a philosophical conservative. Very much pro free enterprise, in favor of diminishing government's authority, and a free market type person. Those were his true beliefs, his true values. But I went to him and I told him about my experiences with these other governors, and I said, "We have to work at getting along with each other." I said, "One thing you'll find that if you work with me on a confidential basis, which you will, you'll never have a leak from anything that ever happened between you and the Office of Attorney General. But I daresay that within a year, in all your other departments, you're gonna have leaks and problems and embarrassing moments. You'll never have one with us." And he said, "Fine."

Frank Kelley: Well, at the end of the year, I was right. Not only had we had no problems, but we defended him on several important cases and won them for him. So at the end of a year, Governor Engler, the conservative republican, thew a party for my staff and me in which he personally got up and congratulated us for being one of the best departments he had in government.

Frank Kelley: So even though we were contrasting philosophically, we got a long on a social basis. And we didn't always agree. For example, he tried to get a bill passed to have to have your picture on a license in order to get to vote. And I said, "This smacks of poll tax and return to the pre-civil war days." I said, "Come on!" And I publicly blasted it, and I said it was unconstitutional. So we didn't always agree on things, but it was never personal.

Leon Cohan: There were many major events in the nation and in the state that occurred during your tenure as Attorney General. The rise in Detroit in 1967. What role did you play in that?

Frank Kelley: Well, the Attorney General, as the chief lawyer for the state, whenever the governor wants to declare an emergency and call out the National Guard, the papers have to be drafted. It's the Attorney General who drafts the papers for emergency for the governor. So I had to draft all the papers for the emergency for the governor. So what happened, as the riots broke out and they had been going on for about eight or 10 hours, and you and I were here in Lansing. Governor Romney was already in Detroit at police headquarters, and we were to draft up an initial state of emergency document, which we drafted. It wasn't martial law, but just state of emergency, sufficient to call out the guard, but it wasn't martial law yet. And we had these documents, and said we gotta get them to Detroit. Well, we didn't have faxes in those days. So they came up with an idea we'll send them. State Police helicopter and sending the Attorney

General and his Deputy down to the governor with the state of emergency papers. I'll never forget, you and I got on a helicopter out here at the football field by the State Police Headquarters in East Lansing, not knowing that on the helicopter were 2,000 pounds of highly explosive ammunition on this helicopter. We got on it, and we fly down to Detroit.

Frank Kelley: And as we're flying down to Detroit, as soon as we got over Detroit, there were shots fired at the helicopter. But we didn't know that if it'd hit one of those loads of gun powder, we'd have been in oblivion. But we landed there, I'll never forget, we were put into a special state police car with troopers with riot guns, and they put you and I in the back seat, and troopers sat on top of us, and we went 80 miles an hour from the city airport down to the headquarters where the governor was and presented the papers to the governor so he could sign them. And then the National Guard came out.

Leon Cohan: You were Attorney General during the tenure of several Presidents. Did you have any interrelations with any of the Presidents at that time?

Frank Kelley: Yes. Back in the old days, there was a tradition that the National Association of Attorney General's officers, that would mean the President, the Vice President, and the Treasurer, Secretary Treasurer, three of them. The tradition was that once a year when they met at their national convention in Washington, they would go over to the White House and meet in the Oval White House with the President. So I met with President Kennedy on at least one occasion before the assassination. Then I met with Lyndon Johnson in the Oval Office. As a matter of fact, you were with me when we met with Lyndon Johnson on our annual meeting, and it was the morning of Tet Offensive when they were trying to kill, I forget, they were trying to kill ... there was a bunker, somebody they were trying to kill.

Leon Cohan: Well, they had attacked American troops all over the country.

Frank Kelley: And they attacked the American Embassy and they were trying to kill the American Ambassador. It was a major crisis, and this is the morning that I'm supposed to go in with two other Attorney Generals and meet with the President. So I said to the President's secretary that we realized what's going on here, and certainly you can postpone this meeting. Lyndon Johnson came out to the office and addressed me and addressed the other Attorney Generals, he said, "Gentleman," He said, "You represent law and order in the cities and the communities of America, and we're fighting to try install some semblance of order and law in this country over there in Asia." He said, "if we can't have law and order in American streets to talk about it, then there's not much purpose to anything. You come in here, we'll have our meeting, and I'll take care of this other matter afterwards." And sure enough, we went in and met with Lyndon Johnson, and he explained about the Tet Offensive, but then we talked about the problems we had in America, what we needed in the way of additional help to law enforcement throughout the United States, and he listened very

carefully. We were there for a half hour, and then he went back to the crisis at the Tet Offensive.

Leon Cohan: Frank, you've been known as the premier politician in this state for decades. Tell us about your political campaigns.

Frank Kelley: The first campaign, of course you can imagine, here I am a city attorney of Alpena, and I've gotta run statewide in nine months. Well, I'd already declared the Michigan Senate unconstitutional. I'd made lots of enemies there. I had the interracial murder case of Detroit. But, ironically, all of those things that I did made my name well-known, and people took sides. Fortunately, the majority took sides on my side. But then I had to conduct this campaign. I didn't know much about it. So I came up with the idea of having, "How you gonna get your signs noticed where other people's signs aren't noticed?" So I came up with this idea of a rocket. We were talking about maybe getting to the moon, and the Russians will beat us. So I had a big rocket designed with Kelley on it, red, white and blue letters of a big rocket. And I had billboards, signs about this big like this big, and I got the fireman, the firefighter's union. No better people on ladders than firemen, right? So the firefighters said, "We're gonna endorse you. Not only are we gonna endorse you," I said, "Well, will you put up my signs?" "Oh, sure, we'll put up your signs." And all I did is buy coffee and donuts for about 400 Detroit firemen. They put my signs all over three counties and Detroit.

Frank Kelley: And then I went ahead and bought billboards with the rockets about a half a block long with the name Kelley on it, and it created quite a stir. And I managed to survive that election. I won by 150,000 votes.

Leon Cohan: What was your most difficult campaign?

Frank Kelley: Well, the most sorrowful campaign was the last one that you and I were in, and that's when I ran for United States Senator in 1972 against Robert Griffin, the incumbent Senator, it the only election I ever lost was. He had already beaten G. Mennen Williams six years before. I was supposed to take on Senator Griffin and beat him. Well, ironically, I use that word a lot, but there's a lot of irony in life. In the polls in July of 1971, or maybe it was April of '71, the polls showed me about 18 points ahead. I mean I was really riding high in those days. And low and behold, the republicans were trying to figure out what issue could they come up with possibly to beat Frank Kelley in the following election. Well, the sure came up with one, and it evolved. And that was the busing issue. And ironically, in the busing case, it was an obscure case in which certain people in Detroit had claimed the Detroit school system had discriminated against black children. Well, I didn't believe it, and I never saw any evidence that they ever did, but it was a case. But nobody ever paid any attention to it. But some political activist in Oakland County and others, took it up and said, "Oh my gosh. As a result of this case, we're going to have cross district busing in order to assure racial harmony in schools that are going to take black children from Detroit and bus them to the suburbs and white children from the suburbs and bus them into Detroit." Well, in the discordant society of the time, that was

probably the worst possible suggestion that you could have. And my opponents jumped on that and said that the Democrats are in favor of cross-district busing, which we never were, but they just said we were. And the reason why it wasn't true was that I was the defendant in the case. They had sued the state of Michigan, the governor, and the attorney general and the City of Detroit for discrimination. So I had to defend against the accusations that the state or the city had discriminated against black students in Detroit.

Frank Kelley: And after I lost the election on a busing issue, highly emotional, I remember one newspaper who was never my favorite, had a headline: A Vote For Kelley Is A Vote For Busing. It was that kind of animosity. Well, I went from 18 points ahead to dead even, and I lost that election by, I don't know, less than a hundred thousand votes, but I also had the misfortune to be running with George McGovern that year. I ran 500,000 votes ahead of McGovern and still lost the election. Had it not been for busing, I would've been a United States senator, but whether or not I would have liked it or not is problematical. But it's the only election I ever lost.

Frank Kelley: But you were with me that a long night. And it was funny because in the early returns to Detroit showed Frank Kelley going to be the next senator. I was winning. And guess who called me from out of state, my field operative, to tell me that as the votes come in from out of state, Frank, you're not going to win. You're going to lose. It was Jim Blanchard. He had the job of calling me at my suite in Detroit to tell me, "You're going to lose the senatorship."

Leon Cohan: Tell us about your relations with the media.

Frank Kelley: Well, both you and I had a feeling, early on, that in public life you have to get along with the media. And the one thing, two things you can't do. First of all, you got to get along with them whether you like the particular person or not, you have to get along with him. And number two, never lie to them. The only way you can earn their respect is if you're 100% candid and honest. You may not have to tell them everything, but if you tell them something, tell them the truth. And we operated on that basis and we went to great lengths to let as much as we could possibly, let all the press know what we were doing and we never issued a press release unless it had some solid hard news in it. We didn't issue fluff pieces.

Frank Kelley: And we got a reputation of making hard news and good news. If you got a press release from our office, you had a story, there was something you could write. We didn't just write stories about who was the Cherry Queen or something like that. And thanks to you and I working together, we developed a good relationship with the press and that was definitely difficult because editorially, most of the newspapers in the state and to this day, especially in those days, or in person, pretty much Republican. And I was a democratic office holder. I could have been killed editorially if I didn't get along with the working press. And fortunately we did get along with the working press. And they would tell their editorials, Frank Kelley and Leon Cohan are not bad fellows and are honest and

they tried to tell you the truth. So I think that was one of our saving graces, that we were able to get along with the press early on, as two young public lawyers.

Leon Cohan: Frank, dealing with the media but also dealing with other politicians, what about the issue of civility over the years?

Frank Kelley: Well as I said, and the problem with George Romney, we went to great lengths to promote civility and we did, we had to issue that document, which we both agreed to and he signed because we wanted to be civil. We thought it was the way to be, that civility was important. You had to have mutual respect for each other. You can agree but democracy, democracy, the idea of a democracy is based on the idea of compromise. You cannot have a democracy unless somebody compromises. Our founding fathers understood that. The Federalist Papers, you couldn't get people farther apart than Alexander Hamilton and Thomas Jefferson. There were ideologically miles apart, but they weren't going to engage in fisticuffs or physical animosity. They knew in a democracy, compromises had to be made. Hamilton made compromises. Jefferson made compromises. Washington made compromises. They all did. That's the way democracy works.

Frank Kelley: The will of the majority within constitutional frameworks, without hurting the minority. It's got to prevail. You've got to compromise. And in order to do that, you've got to be civil towards each other. Like in England with the parliamentary system, the learned opposition and the loyal opposition, very differential to each other. They may shout once in a while, but they always use terms of civility and we always tried to do that. And we went to great lengths that we had a civil relationship with the governors and all our department heads. We never, I don't think I ever had a major uncivil moment with any of the department heads at State, and with Governor Romney, we developed a cordial relationship eventually. Certainly had a cordial relationship with great respect in, for example, if the governor was asked an embarrassing question about me, publicly, say, "Well, Frank Kelley is about to do this. Do you agree with that?"

Frank Kelley: Well, the governor would say, "I'm not going to comment on that. I will speak to Mr. Kelley and I'll find out what the situation is. He was civil about it and would never let me be blindsided, nor would I let him be blindsided. And my relationship with the Governor Engler, philosophically, we're 180 degrees apart, philosophically, politically, not socially. But I got along with him and if he wanted to do something and it was legal, I would fight for his right to do it even though I disagreed with it. And he knew that. And so at the end of eight years when I left as attorney general, resigned, served my term and left office, he gave me a beautiful silver service and to show his appreciation, he appointed me as a member of the Mackinaw Island Park Commission, which is very nice employment, which I still have.

Frank Kelley: And no matter what your rights, but I'll tell you, civility has been leaving the political scene and we have an ugly situation developing in this country. Some people, unfortunately some national pundits, are now comparing the national

political attitude towards the attitude before the civil war, and that's indeed unfortunate. You can't have a democracy without compromise and civility, just can't have it.

Leon Cohan: You were chosen by your fellow attorneys general as President of the National Association of Attorney General. Tell us about that role and what you did.

Frank Kelley: There were all 50 attorney generals belonged to an outfit called the National Association of Attorneys General, and that was the group, we met a couple times a year in different parts of the country and we got to know each other. There's only 50 of us and we had a very close pollster relationship and most of the time it'd be about 35 Democrats, 15 Republicans, and we made a rule. When I first got in the group, I said, "Let's leave partisan politics at the border. When we leave the state, let's just work together for the good of American justice and American law." And we did for many, many years. That's broken down now. It doesn't work that way. There's a Republican caucus of the National Association of Attorney Generals, there's a Democratic caucus of the National Association, and it's mean spirited. We never had that all the time I was attorney general. And we were a good active force for pushing things in the public interest in our respective states.

Frank Kelley: And many of us, many of the people I met there became my good friends. Walter Mondale became senator from, he was a young attorney general in Minnesota. He became, as you know, Vice President and Senator from Minnesota. Young Hubert Humphrey Jr. served with me. He ran for governor of Minnesota a couple of times. There's the gentleman from Missouri, the Ralston Purina fortune, I can't think of his name right now, but many of them became United States senators, many attorney generals. And to this day I have friends in the Senate and the Congress that were former attorney generals. Bill Clinton is a former attorney general.

Leon Cohan: That's right, of Arkansas. You've been in politics and public life for most of your adult life. All of your adult life, really. What would you say to a young person coming along about that kind of life?

Frank Kelley: Well, I was taught, as you were, that public service is a high calling. That in a free society, in a free society or a democracy where people are freely elected and have all these rights, that to be in public service and do something for mankind and to do something for your fellow man, it was probably the most purposeful and useful life that a person could lead. If you can leave a mark saying that you, he or she did this or did that for his or her fellow man, now you can do it in private life. But most of it is done in public life. If you can do that, it's a great satisfaction. And I was always motivated by that.

Frank Kelley: And if I was ever, when I, for example, if I won a case in court, like when I started that tobacco case, nobody had ever collected against tobacco companies for what we felt was a threat to the health of millions of Americans. And I started that case along with 13 other attorney generals and we finally got

all of the attorney generals of the United States, it was the first time we ever got a successful judgment against them. The largest settlement ever made in America, billions of dollars. We've actually saved lives and we've got programs going to get people to stop smoking, and so actually hundreds of thousands of people in this country don't smoke that were smoking prior to that victory. Where else can you do something like that and make a mark and do something?

Frank Kelley: So I say to young people, don't be troubled by the lack of civility and the constant bickering that you see in public life today. There's still a room for leaders. I'm impressed with this young new senator from Illinois. What's his name? He's got an African name, born in Africa, but just to get elected senator to Illinois. He speaks with a sense of mediation and diplomacy and I think he'll be a great leader. I think that, well, and you can testify. We can all testify. Those of us who had good careers in public life can all testify that they wouldn't have changed that experience or anything. That it's been a rewarding experience and personally gratifying.

Frank Kelley: I would recommend to each person, you don't have to spend all your life, but some part of your life engaged in public service, doing something for your community and your fellow man.

Leon Cohan: Frank, you've met many, many interesting people during your tenure as attorney general. Tell us something about them and some of the most interesting experiences.

Frank Kelley: Well, maybe it's because of my background, with being Irish American and so on, and coming from a family that believes in public service. But the most impressive person that I ever met and related to was John F. Kennedy. And I had occasion to spend quite a bit of time with him, because in 1962, in that election where I was just appointed attorney general and I had a run, and my governor had a run against George Romney, and George Romney was a couple of points ahead in the polls and Swainson's people and John himself wanted the newly elected president, John F. Kennedy, to come in and help him campaign, a week or so before the election. I was told by people later in Kennedy's office, that they said, Swainson's not going to win in all probability, he's behind in the polls. We recommend that you don't go down there, Mr. President, we'd better spend our time elsewhere. We have better chance for victory.

Frank Kelley: And John F. Kennedy said to his people, person who told me, said, "Look it. John Swainson lost both his legs in World War II. He's a veteran, he's in trouble, and I'm going to help him." And he said, "The heck with the advice." And he came to town and he spent the whole day, got there about 8:00 in the morning. And so they picked me to campaign with the governor for most of the day, first of all, because I was looking fairly good in the polls and I was Irish American and I related to that. They'd have others come in for a couple of hours, but I was with them for the whole day and I got to visit with him. And that was the last time that he was in Michigan alive. And there's a plaque in the old Sheraton Cadillac

Hotel downtown that says that "President Kennedy visited here in October of 1962," whatever it was. His last time he ever visited the State of Michigan.

Frank Kelley: Well, during that day we were up in the Sheraton Hotel, during the campaign because of John Swainson's legs. We had to pause midday so he could rest and take a nap. And we were in the presidential suite at the Sheraton, and John Swainson, the governor and President Kennedy, myself, two secret servicemen. That's all that was in the suite. And they would let the governor sleep for a half hour and they had a big buffet table. And I sat there and talked to President Kennedy for about a half hour and it was very impressive.

Leon Cohan: We had an a very interesting meeting with his brother Robert Kennedy, when Bobby Kennedy was the attorney general.

Frank Kelley: That was interesting because you and I, I think it was attorney general for about six weeks. And here I am the new, so I'm going to go down and get advice from Bobby Kennedy who had been attorney general of the United States for six months and he had less experiences as a lawyer than I had. He'd only been out of law school a couple of years. At least I had been a lawyer nine or 10 years. But we did go down there and we went into this cavernous office. This room is fairly big, but the attorney general's office of the United States for some reason or other, it's as big as a tennis court, the office, with 16 foot ceilings and Bobby Kennedy was not a big man, but he had a desk about 12 feet wide and there he's sitting behind this desk in a white shirt and we walked in there and it looked like, everything was over blown, and you and I sat with them and talked for about a half hour.

Frank Kelley: And I remember one of the things he told me, I said, "You should use your office as a bully pulpit." He said, "You should be an activist attorney general." So I intended to be an activist attorney general. He said, "You should be an activist attorney general. I said, "Okay general, I'll be an activist attorney general." But that's when we met with him.

Leon Cohan: Remember what he had on the walls of his office? The drawings of his children.

Frank Kelley: Oh, yeah. He had the kindergarten drawings of all his kids. That's the first time I ever went into a high official's office and it looked like my wife's kitchen, that you have on the ice box. All of the kindergarten paintings and stuff of his various children. You could tell he was a strong family man.

Leon Cohan: And what he told his secretary as we were leaving. Do you remember that?

Frank Kelley: I don't recall.

Leon Cohan: He said, "Get my mother on the phone."

Frank Kelley: Oh yes. Yeah, he had that Boston accent. He said, "Get my mother on the phone." And then he talked to Rose, he wanted to talk to his mother.

Leon Cohan: How did you relax during all these years, Frank?

Frank Kelley: Well, I learned early on, I was thrown into a campaign pretty much after I started. I remember, I still have a vision of being asleep in a motel someplace in western Michigan, 4:30 in the morning. And John Swainson came across the floor on his knees, because both of his legs were off and he didn't have his artificial legs on. And he came across, crippled as he was on his stumps, he came across the room on his stumps and shook me and woke me up and said, "Come on Irishman, we've got to get to the plant gates in a half hour."

Frank Kelley: And then I saw him amble off on his stumps and walk out of the room. And I've never lost my respect for that man and I had respect before, but I had even more respect after that. And I thought to myself, "My God, you've got to be tough to be in this business. You got to be in shape." And as you know, I enrolled at the YMCA over here and my father died too young, from my standpoint. My father died of a heart attack at 63 and I didn't want to do it. So I used to, as you know, go over to the Y about five times a week and swim and work out. And that began in 1962, and I've been doing it ever since. Matter of fact, when I leave here, I'll probably swim today. I've been doing it for 40 years, and that's why I think I hopefully in a couple of few weeks I'll have a eightieth birthday.

Leon Cohan: Aren't you a big movie fan too?

Frank Kelley: Well, both of us are movie buffs because we like literary things, and we like the theater. I know you do, you like the theater, legitimate theater, and you like classical music. But I've always liked the theater, and one of the things I used to do as attorney general, I was attorney for the Movie Commission. So that meant that every year I would go to Hollywood, because I was working on getting a movie to come to Michigan, and I'd go out there and I'd meet with all the movie producers and I'd be in there making my pitch to why they should make a movie in Michigan. We got Die Hard 2 to come and shoot here. I get different movies to come here, so the trips were well worthwhile, because they spent millions if they shot the movie here. So I'd be trying to sell these producers and a lot of these producers were young American kids, a lot of them from Michigan, and I'm trying to sell movies and there they want to talk politics with me.

Frank Kelley: I find out everybody in show business loves politics. That's their second love. And so we got along very well. Show business people and politicians get along very well together because they like the glamour of both activities, I guess. There's a certain amount of excitement in show business and there can be a lot of excitement in public life.

Leon Cohan: Talk to us about fundraising and how that's changed over the years.

Frank Kelley: Well, it certainly has become a lot more expensive. As you know, we used to go out, we used to have fundraisers in somebody's basement, where you go out with $36, and maybe have 10 of those going on a night, and all told you'll raise $360. I think in my first campaign I spent about, maybe $30,000, $35,000, and that was in November of 1962. And for that I got a little bit of television, not much. I got quite a bit of radio. I got all my billboards up, and I got my expenses and my car during the campaign, and maybe $25,000, $30,000. My last campaign, which was in September, October, November of '94, I spent $780,000 and the last five days, I remember, they said, "It's looking bad for your partner, Dick Austin, in the polls."

Frank Kelley: They were running a commercial 24 hours a day saying that Dick Austin, the Secretary of State, and Frank Kelley, were too old for office. Well, unfortunately, Dick was 79 years old at the time. I think 78. I was only what? 70. So I'm comparatively young. They were trying to say we're too old, too old, too old. So my campaign people came to me and said, "You better go on TV and just make sure we have a margin of victory here. We don't want to lose this by a point or something." So I said, "Well, we'll go up for five days. Yeah, we'll go up for five days. We'll cover 80% of the market for five days." This is in '94. I said, "How much are you going to be?" $500,000. And that was all the money that I had. It took me four years to raise that money. That was everything I raised in four years, was spent in five days.

Frank Kelley: Today, I'm thinking next year, there'll be a campaign for attorney general. I would estimate that each candidate will spend anywhere from a million and a half to $2 million. It's getting absolutely unconscionable. We've got to find out a better way to finance campaigns. And it's so ridiculous because 90% of the money goes to television anyway. And what kind of television? Is it some kind of television that enlightens the people? No, it goes for those damnable negative ads, which poison the body politic and inform nobody, inform no one of anything and poison everybody's mind. I think one of the reasons young people are turned off of politics in America is they've seen millions of commercials saying what a bad person the other person of politics is. Everybody in politics is bad, according to those commercials.

Frank Kelley: But I don't know. We're going to have to find a new way to finance American campaigns because the average person, I don't think the average person can run for high office anymore. It's probably impossible.

Leon Cohan: Frank, as you look back on all your years in politics and public life, what message do you have for people who come after you?

Frank Kelley: Well, as I said, I've had a very rewarding life. I've appreciated the support of the people. I tried to help people on my life, but I received great rewards out of it. You talk about going to the White House and visiting the President, being in the Oval Office. I've had dinner at the White House with more than one President. I've campaigned and been an intimate contact with several presidents. I have known them before they were presidents. I knew Bill Clinton when he was a

young attorney general from Arkansas. Those are good men and I see them develop around me. I knew Walter Mondale and he was a good friend, still is. And it's just a wonderful existence and this is a great country. It gives opportunity to everybody. And I think young people should respect government more than they do. And I don't think the media are doing a very good job of selling our democracy in a way that they should.