# Interview with Bill Roberts

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Interviewer: Mike Czaplicki



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Czaplicki: Today is Wednesday, October 6, 2010. My name is Mike Czaplicki. I work for the Abraham Lincoln Presidential Library in Springfield. I'm here today with Bill Roberts. Bill has had a very distinguished legal career across all levels of government. He's worked as a state's attorney, assistant U.S. attorney, and U.S. attorney, but we're mainly interested in him for the Governor Jim Edgar Oral History project and his time from 1995 to 1997 as Governor Edgar's chief counsel. How are you today, Bill?

Roberts: I'm fine, thank you.

Czaplicki: Thanks very much for agreeing to do this. We always like to start these things by beginning at the beginning. So I'll ask you: when and where were you born?

Roberts: I was born in Jacksonville, Illinois. My parents lived in Roodhouse, Illinois—R-o-o-d-h-o-u-s-e, not Roadhouse—and that's where I grew up. Lived in the same house for the eighteen years, plus college, plus law school, and still think of that as home. I have many fond memories of life in that small town.

Czaplicki: How long had your family been there? How did they come to settle there?

Roberts: My father's family was from Scott County, which adjoins Greene County, in which Roodhouse is located. My mother was probably a third-generation

resident of that community. As I understand it, Roodhouse at one time was a major railroad center. What later became the GM&O Railroad[1] had its roundhouse there where they serviced the engines, and it was a major railroad center. As the story goes, I think what would be my great-grandfather migrated to central Illinois to work on the railroad; my grandfather, my mother's father, owned a grocery in Roodhouse, and my mother and her sister grew up there. Both attended MacMurray College in Jacksonville. My father was a doctor.

Roodhouse, as I think back on it, was a thriving little community. Most of the storefronts were occupied. The railroad was the primary industry, although there was an envelope factory there that employed, as I recall, three shifts of workers twenty-four hours a day. I played football for the Roodhouse Railroaders; that was our high school nickname. The fight song, which still stirs the blood of all Railroaders, was "I've Been Working on the Railroad." (laughter) But, you know, it was a good place and a good time, growing up during the relative tranquility of the Eisenhower years.

Czaplicki: You were born in '42, is that right?

Roberts: Yeah.

Czaplicki: You said you had fond memories of the town. What was it that was so…

Roberts: It was a close-knit community. My father died when I was pretty young, so there were a lot of people who really took a hand in looking out for my well-being and assisting my mother. I have, again, pleasant memories of those people and what they did to try and help me make right decisions and go in the appropriate direction.

Czaplicki: So you played football. What other kinds of things did you do as a kid?

Roberts: We swam in the summer. There was a place called the Reservoir. Mr. Hunt owned the Reservoir. It was a large—it seemed large at the time, at least—body of water outside of town. It was this community park. The city, I suppose, leased it from Mr. Hunt. There was a bath house and a picnic area, and a lighted ball diamond.

Czaplicki: It was pretty fancy. (laughs)

Roberts: However, Mr. Hunt had cattle, and we swam on one side of this reservoir and Mr. Hunt watered his cattle on the other side, so probably wouldn't pass muster with today's health standards. But on a hot summer day it was sufficient. We rode bikes, played a lot of pickup baseball. Later on there were

[1] Roodhouse was part of the Chicago & Alton Railroad system, which the Gulf, Mobile & Ohio Railroad acquired in 1947. In 1972, the GM&O merged with the Illinois Central to form the Illinois Central Gulf Railroad.

organized teams; we played American Legion baseball. But most of my memories of baseball as a kid were, "Choose up sides and let's go over to Yeager's lot and play baseball." Beyond that, I don't know. There was a place called the Confectionery on the corner. In retrospect, the couple that ran it just had to be saints to put up with us. They had the soda fountain and light snacks and comic books and candy bars, and certainly geared for kids. But it was a wholesome place to hang out.

Czaplicki: I'm surprised they had comic books. Weren't those under attack during the Eisenhower years? (laughter)

Roberts: Well, I don't know. Donald Duck and Archie didn't trouble too many people.

Czaplicki: Were you involved much in school activities?

Roberts: Yeah, I was. I was president of the senior class. I like to think I was a pretty good football player, but in retrospect I probably was a marginal part of a very good football team. Track was my sport. I lettered four years in high school, and—

Czaplicki: What event?

Roberts: Started out running what today would be the 800 meters. By the time I got to college they moved me down to what would be the 400 today.

Czaplicki: Must have been pretty fast.

Roberts: I did okay. In college our mile relay team won the CCIW championship, the mile relay, twice.[2] Again, fond memories. I don't remember the ones I lost so much, (laughs) but I'm sure they were there. Yeah, I was active in school. I was in the speech and drama club. I don't think I did so well, but I was in the state speech contest. My quartet, again, of which I was likely a marginal part, won a medal in the state music contest.

Czaplicki: What instrument?

Roberts: Vocal. We had a cadre of very good teachers. One particular individual with whom I have continued to maintain fairly close contact was our English teacher—who also was assistant football coach, head basketball coach, and head track coach—a man named Alex McKnight. He made learning fun, and I think he inspired a number of us to maintain our interest in sports but also make sure the academic side of it wasn't slighted too much.

Czaplicki: When you became class president, was that a political office or was that an academic honor?

[2] College Conference of Illinois Wisconsin

Roberts: I don't know, it was—

Czaplicki: Did you have to run for it, basically?

Roberts: Yeah. Well, back then I hadn't given much thought to it. We had all the seniors in a room, and they said, "Okay, we got to elect class officers," so somebody said, "I'll nominate so-and-so," and somebody said, "I nominate Bill." They passed out papers, and I did vote for myself, which troubled me at the time. But I thought, Eh, I probably ought to do this. So I won the election. We just had our fiftieth class reunion this summer, and they copied pictures from our yearbook and had the four class officers on a diesel locomotive engine thing. We were standing on it—and once again, the Railroader thing.

Czaplicki: The key to the identity of that place.

Roberts: Yeah, it really was. It's sad to see what's happened to that community as with so many rural communities. I go there and it makes me very sad. Parts of the place are figuratively and literally falling in. Old landmarks have just fallen into the street and had to be swept away. But it was a thriving little… Had a movie theater, you know. Saturday night on the square, it was hard to find a parking place.

Czaplicki: Did it have its own newspaper?

Roberts: It had a weekly, the *Roodhouse Record*, which is now morphed into, along with other newspapers in the area, the *Greene Prairie Press*. Actually, one of my classmate's parents bought the newspaper when we were probably… They were from Springfield, and Mr. Shipton, Grover Shipton, bought the newspaper and moved Valerie, Kaye, and Kurt from Springfield to Roodhouse. Valerie was in my class. They ran the newspaper probably close to ten years, maybe more than that. At any rate, Paul Simon bought it, and it was part of the chain of newspapers that he had for several years.[3] I remember when I was in college—I don't know what office he held, he might have been lieutenant governor, he might have been treasurer——but I was writing a paper in my political science class at Illinois Wesleyan, and I needed to have an interview with the head of the Bureau of the Budget. I was very impressed that Mr. Simon was able to arrange that for me.

Czaplicki: Early clout. (laughs)

Roberts: Yeah, yeah. Probably never voted for him, but he was a good guy.

[3] In 1955, Shipton and his wife purchased the *Record* from Frank Merritt Jr. They sold the paper in 1962 to a group composed of state representatives Paul Simon (D-Troy), Alan Dixon (D-Belleville), and Carl Soderstrom (R-Streator), Simon's friend Elmer Fedder, and Simon's father Martin. Simon and Dixon soon became political luminaries in Illinois, peaking with their service in the U.S. Senate. Robert Hartley, *Paul Simon: The Political Journey of an Illinois Original* (Carbondale: Southern Illinois University Press, 2009), 88-90.

Czaplicki: That's what I was going to ask you. So it's interesting that you got drafted for your class presidency, kind of Stevenson style it sounds like—

Roberts: (laughs) Yeah.

Czaplicki: But how conscious were you of, say, the outside political world? These are the years of Eisenhower, but Stevenson is running for president a couple times.[4]

Roberts: We were very aware of it. At the time, Greene County was pretty predictably Democrat. My family was not, and my father… To suggest he was conservative, he was troubled when this liberal guy, Eisenhower, (laughter) got the nomination over Bob Taft. He was a Taft guy. But I remember his taking me to a political rally that year, '52; I would have been ten years old. Then I think we rode around in a caravan of cars throughout Greene County, doing whatever you do in a caravan. So yeah, I think I was pretty aware of politics.

Czaplicki: Did you have signs up on your cars, or was it just you were in the car—

Roberts: I think we were in the car, honking the horns. I don't know. There were a lot of buttons then, and you didn't have to buy them. There were just boxes of buttons and a lot of bumper stickers.

Czaplicki: Did your father go as a voter, or was he active in a local political organization?

Roberts: No, I don't think he was ever organizationally involved; he just thought of himself as a Republican and believed in what he thought the Republicans stood for.

Czaplicki: How about your mom? Did she ever talk much about her views?

Roberts: My mother's family I think were Democrats, but under my father's roof there was no living with Democrats, so my mother ultimately came around. And long after my father was gone, she was still pretty much voting straight Republican, although there was that fellow who came campaigning and got mud on her front porch. He was a Republican and he did not get her vote.

Czaplicki: Because of the mud?

Roberts: Didn't like that mud. You know, "If he's no more thoughtful than to muddy my porch…"

Czaplicki: Wow. All politics is local.

[4] Adlai Stevenson II served as governor of Illinois from 1949 to 1953, and was the Democratic candidate for president in 1952 and 1956.

Roberts: Yeah, it is. (laughter)

Czaplicki: That's interesting. I thought you were going to say that she just suppressed her—just didn't talk much about it, but she actually—

Roberts: No, I think she listened, and obviously an intelligent woman. (laughter)

Czaplicki: Did you guys have a TV growing up?

Roberts: Yes. Interesting story. We were not the first to have a TV. Our neighbors down the street, Mr. and Mrs. Worcester, had a TV. We went to the same church, and I knew them well. Of course, at that time it was impossible to hide the fact that one had a TV because you had these massive antennas sticking out. So obviously for people of my age at that time, the *Howdy Doody Show* was pretty important. I did turn up missing for several afternoons, and it seemed that Mr. Bluster had contrived a plot to get Clarabelle the Clown fired from the *Howdy Doody Show.* (Czaplicki laughs) It was pretty troubling to me, and I needed to know how things worked out. So finally about Thursday or Friday of that week, Mrs. Worcester called my mother and said, "Aline, you know, we really like Bill, but he's been down here every afternoon this week watching TV. It maybe is time for you to think of buying a television." (laughs) Shortly thereafter, we went over to Greenfield, where probably the only television dealer in Greene County was. They were called Wilton's, and they maybe were Philco dealers. At any rate, we came home with a TV. So yeah, we were not the first, but clearly not the last.

Czaplicki: Do you know what year that would have been?

Roberts: I can't really peg it to anything. My father died in 1955, so it would have been well before—probably late '40s, early '50s. I don't know. I know every evening John Cameron Swayze was on with the news.[5] Wrestling was popular on TV.

Czaplicki: Really?

Roberts: Yeah, yeah, from St. Louis. Roodhouse is not that far from St. Louis, so we were pretty much in the St. Louis market. I grew up reading the *St. Louis Globe-Democrat* and watching KSD Channel 5 and listening to KMOX and St. Louis stations.

Czaplicki: You watch the Kefauver hearings, any of that, conscious of that?[6]

[5] Swayze was NBC's news anchor from 1949 to 1956.

[6] From May 1950 to April 1951, Estes Kefauver (D-TN) chaired a special Senate investigation of organized crime, which proved extremely popular with the public. His committee held hearings in major cities around the U.S., some of which were televised and attracted large audiences. Kefauver became a household name, nearly winning the Democratic presidential nomination in 1952 and serving as Stevenson's running mate in 1956.

Roberts: Yeah, yeah, I remember that. It seemed a little boring to me, as I recall, but I remember that being on. A favorite memory is, as a kid, my father would take me on Friday nights to the movie theater, the State Theater, right down the street from where we lived. Then after that, I'd get to go to the Confectionery and have a chocolate milk and buy one comic book. It was a pretty big evening.

Czaplicki: That's a good night, huh?

Roberts: Yeah, it really was.

Czaplicki: One screen at the theater, two?

Roberts: One. Interesting—the State Theater—oh man, now I'm trying to think. They probably had thirty or better rows of seats, probably six on either side, maybe more than that.

Czaplicki: Were they the folding metal kind?

Roberts: Well, that's the point. The first ten or fifteen rows were upholstered, known as the soft seats; then you went on down and they were almost like single church pews, just plain wood. It cost fifteen cents to sit in the soft seats, twelve cents to sit in the hard seats. But it was known among the kids that if you didn't act up, even though you paid twelve cents, you could move up to three rows back into the soft seats. But if you acted up, you were either kicked out or moved back into the hard seats.

Czaplicki: Who would do the kicking out? Was it older kids that would do that?

Roberts: No, no, no, that was Mrs. Denny. Mr. and Mrs. Denny ran the theater, and they ran a pretty tight ship. (laughter)

Czaplicki: So what kind of doctor was your father?

Roberts: He was an osteopath. He was in general practice. It seemed that he had a thriving practice. I would go to his office on occasion with my dog.

Czaplicki: You had a dog?

Roberts: Yeah, a cocker spaniel. The dog roamed the town—ultimately was his near undoing. There were times when my mother would report being in Search's(?) IGA Grocery Store and going down the third aisle, and here would come Smokey looking for her. It was a different time. Smokey unfortunately couldn't stay out of the street and got hit by a car. It didn't kill him, but he was blind. I think I was probably in the third grade or fourth grade when he lost his sight, and he lived through my senior year in high school. So I spent much of my life with a blind dog. (laughs)

Czaplicki: After your father died, did your mom remarry?

Roberts: Nope, nope. She didn't. Devoted a lot of time to the upbringing of her son—perhaps, in the vision of the son, too much. (laughs)

Czaplicki: Did you have any brothers and sisters?

Roberts: No, I was an only child. Mother probably could have used several other children, I don't know. (laughs)

Czaplicki: Was she already working, or did she go to work at that point?

Roberts: By profession—she had a Master's degree—she was a teacher. She taught English and speech, although after I was born, she dropped out. And then as I was growing up, she was a substitute teacher. She did a lot of substitute teaching. But she did not go back to work. Fortunately my father had left her in a comfortable position, so she did continue to do her teaching, but she didn't really work outside the home other than that.

Czaplicki: You said your neighbors: you knew them from church?

Roberts: Um-hm.

Czaplicki: I assume church was a pretty important part of life growing up?

Roberts: Yeah, Mother was a pillar of the Methodist church. Yeah. I mean, I certainly got my share of church. (laughter) There was Sunday school, Sunday services, MYF on Sunday evening, and then for good measure there was often something on Wednesday night.

Czaplicki: MYF?

Roberts: Yeah, Methodist Youth Fellowship. So when I got to college, I figured for a while I had had enough of two things, church and dentists, (laughter) and I stopped seeing both of them for a while. I've since gone back to both.

Czaplicki: When you say you stopped going…

Roberts: I just didn't go to church. (laughs)

Czaplicki: But did it shape your views still?

Roberts: I don't know. I figured I had some credits built up.

Czaplicki: (laughs) Let's get you to college. You would have graduated high school in 1960?

Roberts: Yep.

Czaplicki: So what were you thinking about doing at that point?

Roberts: Oh, (pause) I don't know that I had any great plans as to what I was going to do. I think I was not a particularly mature high school graduate. I had thought at one time—I can't imagine this was my idea—but somewhere the thought of my being a pharmacist was introduced. Why, I don't know. Science has never been my strong suit. So I looked at a number of colleges of the same mold, generally. I went over to Greencastle [Indiana] and looked at DePauw, went up to Galesburg and looked at Knox, went over to look at Millikin [in Decatur], and just felt very comfortable at Illinois Wesleyan in Bloomington. So that's where I landed. I was a little scared of what I was facing, and I worked very hard my freshman year and made good grades. I was actually elected captain of the track team at the end of my freshman year, lettered, and initiated into the fraternity.

Czaplicki: What fraternity?

Roberts: Phi Gamma Delta. I was a FIJI.

Czaplicki: FIJI.

Roberts: And, you know, good news, bad news. Sophomore year came along: I didn't need to do anything, I knew everything. Talk about a classic sophomore slump. I had it. So I'm very devoted to my college, Illinois Wesleyan, because among other things, during that year they were clearly more interested in my staying in school than I was. And I did. I eked out enough grades to stay there, and by my junior year I was back on the right track. I was actually giving a speech to a group of Wesleyan people a few months ago, and I observed to them that I had a true liberal arts education. I was on every list the dean had: academic superiority, academic probation, social probation—

Czaplicki: Double-secret probation? (laughs)

Roberts: Yeah, I did it all. But fortunately, most of my years at Wesleyan were on the right side of that equation.

Czaplicki: What was campus life like at the time? You're not quite into what we think as the real, I guess, exciting years with campus activism. Was there stuff going on, on campus?

Roberts: Oh, you know, Dr. Martin Luther King came and spoke. Yeah, it was pretty… It was Bloomington in the mid-'60s. But again, it was a nurturing environment, good teachers. Again, a coach, my college track coach, really took me under his wing, and I think I learned a lot of lessons of life from him. Bob Keck. Owe him a lot.

Czaplicki: Keck? K-e-c-k?

Roberts: K-e-c-k, yeah. He's retired, long retired now, but still alive. I have mostly pleasant memories of life in Bloomington. I remember arriving there and determining how many people were from Chicago—holy cow. And me being a Cardinal fan, I thought, this is going to be a tough four years with all these Cub fans around here. Fortunately I discovered the South Siders, the Sox fans who didn't care any more for the Cubs than I did, and so a bond was forged at that time and made the time much more enjoyable.

Czaplicki: Was campus diverse? Was it integrated? Ethnically, racially, and I guess even class.

Roberts: I think they tried. We had a few people from other countries, a few ethnic minorities, but mostly I think the people were a lot like I was—a lot of kids from mid-America, just a lot of kids from central Illinois. And a lot of kids, actually, as it turned out, more from the suburbs than the city. I don't think we had too many people from the city. But back then I viewed Chicago as this monolith that ran from Wisconsin to Joliet and the lake to Rockford or something.

Czaplicki: Of course, when you arrived on campus, the Kennedy–Nixon campaign would have been in full swing. Was that a pretty big deal?

Roberts: It was, it was. Then later on—a lot of significant national events—the Cuban Missile Crisis, and we're sitting there, prime age to be drafted if we get into some war. That was a real splash of reality: This is for real. And then the final sad note. I was taking, as were all the members of my class, the Graduate Record Exam on a rainy, dreary Friday fall afternoon in 1963. We had broken for lunch, we had heard that President Kennedy had been shot, and came back in and saw the flag in the center of the campus had been lowered to half mast. I suspect the senior class of Illinois Wesleyan University didn't do so well on the Graduate Record Exam that day. The Kennedy–Nixon debate set a whole new—

Czaplicki: Did you watch that?

Roberts: I recall I did. Whether I really did or not—I seem to remember that I did. Oh, and one other important milestone: the Beatles on Ed Sullivan.[7] (laughter) So a lot of things happened in that four-year period.

Czaplicki: Would people talk much about it? Like when the missile crisis was going on, was that what everybody talked about, or was that just kind of fear in your head?

Roberts: No, I think we talked about it. I think we talked about it. I don't think there were many people who came from a terribly wealthy background, but many were, I think, comfortable and had lived a life that was pretty good up to that

[7] A popular evening variety show.

point. This missile thing just seemed surreal. It's hard to believe that it's possible we're going to start bombing each other. Of course the Cold War was afoot, obviously. My major was political science, and actually, after my senior year, I went on a joint educational venture sponsored by Wesleyan, a number of other schools, and put together through American University. I went all over Eastern Europe.

Czaplicki: Really?

Roberts: We flew in from Paris to Berlin, then went from West Berlin into East Berlin, and then we were behind the Iron Curtain for a month or so, in Hungary, Poland, Czechoslovakia.

Czaplicki: What year would this have been?

Roberts: Summer of '64.

Czaplicki: Right after graduation.

Roberts: Yeah. Actually, we left Moscow within a month of Nikita Khrushchev being deposed as the premier of the Soviet Union, the first bloodless coup. He in effect was sent to the country, (laughs) unlike their history of just shooting anybody that they didn't… Went to a youth sports camp at Sochi on the Black Sea, went to—

Czaplicki: They're trying to get the Olympics now, or they do have them.

Roberts: I think they have them, yeah.

Czaplicki: They have the winter—it's coming up.[8]

Roberts: Went to what was then called Leningrad, which was remarkably more European than the rest of Russia. We then were over in Uzbekistan—Tashkent and Samarkand. It was a remarkable trip.

Czaplicki: How long was it? Several weeks, it sounds like.

Roberts: I think it was about six or seven weeks. There were a couple of other kids from Wesleyan on this. There were probably thirty-five or forty of us all together.

Czaplicki: Did you have an opportunity to meet with Russian students while you were over there?

Roberts: Yeah, we did. That was one of the things that this youth sports camp… Of course, clearly it was a totalitarian society then, and probably the kids that we

[8] Sochi will host the 2014 Winter Olympics.

interacted with didn't get there accidentally; whereas ours was some sort of a—whoever's here is here. Good times in Budapest and in Yugoslavia, Belgrade. See, the Russians didn't mess with Tito very much.[9] He pretty much called his own game. Finally came out and went to Austria, went to Salzburg and Vienna, and then back to Paris and back to the United States. And then to law school, (laughs) so…

Czaplicki: Not bad for a kid from Roodhouse.

Roberts: Yeah, yeah.

Czaplicki: Did it seem very different to you, or did it seem similar? Any surprises on that trip?

Roberts: I guess the one impression that jumps out is, Boy, it's old. (laughs) Particularly the European… Prague and Budapest—it's just ancient. My first view of Red Square still leaves a vivid impression. It's overwhelming in its massiveness. You think of, at that time, the obligatory news coverage of the May Day parade and all the Russian brass standing on Lenin's tomb; St. Basil's Cathedral; and down at the end, that GUM Department Store—still very vivid memories of that. The Volga [River] flowing around behind the Kremlin. I just watched and looked and took away impressions, I guess.

Czaplicki: Did you get homesick?

Roberts: No. Although, interestingly, when we were coming back to Austria and the pilot said, "We have now cleared Soviet airspace," this spontaneous cheer went up on the airplane. It did feel like something was lifted because—you know, how much was real—you felt like you were being watched all the time. We stayed some nights in a hotel in Moscow, and they had the traditional babushka seated at a desk on every floor.[10] We imagined that all of our rooms were bugged. Now, why in the world the Soviet government would care what a twenty- or twenty-one-year-old kid from central Illinois has to say about anything, I don't know, but we surmised that.

Czaplicki: Well, one day you're going to end up as chief counsel to a governor, so…

Roberts: Yeah. (laughs)

Czaplicki: You never know.

Roberts: You never know, yeah.

Czaplicki: How did you get around inside that territory? Did you fly a lot, or were you taking trains?

[9] Josip Broz Tito, who served as the first president of Yugoslavia from 1953 to 1980.
[10] Russian for grandmother or old woman.

Roberts: We flew a lot. Going down to—it had to be the trip down to Uzbekistan—we were in this ratty old airplane, and I think their control tower… I may be mixing things, but I remember one place we landed, there was a guy on top of a large pillar of cement blocks with flags.

Czaplicki: A semaphore, waving in the air.

Roberts: I think. And we landed there. (laughs) But it was a great experience. I dutifully took photographs and had them then made into slides. Before I went to law school, the people in Roodhouse wanted to know about it, so I had my little speech all worked out and my three trays of pictures carefully lined out in the church basement. Some large woman came down the aisle, her butt hit the table, (laughs) and all of my pictures went on the floor. There wasn't time, so you just throw them back in, "Oh, let's see what this is."

Czaplicki: It became very impromptu.

Roberts: Yeah. It was much less formal than I had imagined.

Czaplicki: That must have gotten written up in the paper.

Roberts: Oh, I'm sure it did. I'm sure it did. Wrote an article for the Phi Gamma Delta magazine about my time in Russia. (laughs)

Czaplicki: Did that shape your views at all on foreign policy, nuclear weapons, or anything like that?

Roberts: Yeah, a lot of things that I suppose I hadn't thought about. For one thing, governing the Soviet Union: nearly an impossible task. My recollection is twelve time zones, five different alphabets, God knows how many languages, multiple religions. The only way that place could be made to work was a totalitarian iron hand, as we see now. Once the iron hand left, they're back to age-old hatreds and killing each other. But when they were all under the heel of the Russians, things seemed to go okay. Again, looking at the Russian people, my God, a longsuffering… Somebody's always beating them up.

Czaplicki: Yeah, World War II was very different for them.

Roberts: Yeah. They had to deal with the Germans on numerous occasions, the communists, the purges, Stalin. So I guess you come to appreciate them as people and recognize that they're just like we are.

Czaplicki: When you get back stateside, you've graduated.

Roberts: Off to law school, which I hadn't given much thought to.

Czaplicki: I was going to say, when did that develop?

Roberts: At some point I decided I wanted to go to law school. I didn't know what else I was going to do. So I took the LSAT.[11] Now, why in the world I didn't apply to the University of Illinois still is a mystery to me. I mean, I'd been going to—

Czaplicki: You didn't apply at all?

Roberts: I did not apply. I didn't even apply. (laughs) I'd been going to football games at the University of Illinois since I was six. But it never occurred to me I could get an education there, I guess. We did miss one part. The summer between my junior and senior years I spent in New York as an intern at the United Nations, which was a fairly broadening experience.

Czaplicki: And what did you do there?

Roberts: There were ten of us in this program underwritten, I think, by the National Council of Churches. I sometimes am a compulsive applicant, and I saw this opportunity to go to New York. They paid for everything. I didn't think I had a shot at it, but I did what was necessary, and I got through the written part. Then they had an interview, and lo and behold, I was one of ten recipients of this scholarship. So they gave us a place to live on East Forty-ninth between Second and Third. I think we supported NGOs, nongovernmental organizations, and worked with some of those people on various projects. We had free run of the U.N. Lunch in the delegates' dining room was always an experience. I mean, talk about—what is the biblical passage where they all started speaking different languages? But it's there. Colorful costumes, just… It was really an interesting experience. There were ten of us. We wandered all over New York.

Czaplicki: Were there any particular favorite hangout spots?

Roberts: Well, yeah. McSorley's Old Ale House down on the Lower East Side.[12] They brew their own ale in the basement. It's one of the oldest pubs in America. I thought I liked it at the time, but I went back and later wondered, How in the world could you eat that stuff? But we'd get a plate of crackers, Liederkranz cheese, and raw onions. (laughs)

Czaplicki: Delightful.

Roberts: Aw, man. Yeah, that was an experience. Of course, going to the delis at 2:00 in the morning and getting a stack of pastrami or corned beef or something—there weren't a lot of delicatessens in Roodhouse, Illinois, so it was a real growing experience. And of course, unlike Illinois, people at that time in New

[11] Law School Admission Test
[12] Located at 15 East 7th Street.

York were allowed to drink at age eighteen, so I thought that was a pretty good deal.[13] I could go down to the corner tavern and have a beer.

Czaplicki: I didn't realize that.

Roberts: But I spent a fair amount of time up on Morningside Heights at Columbia, using their library, so I applied to Columbia Law School. Mercifully, I didn't get in. (laughs)

Czaplicki: Mercifully?

Roberts: No, I just think what life would have been then. I don't know. I wouldn't have been a good fit at Columbia, I don't think. So, at any rate, I didn't get in, and I didn't have to worry about that.

Czaplicki: Did you check out Times Square at all?

Roberts: Oh, all the time.

Czaplicki: It's a bit different now.

Roberts: Yeah, but it was almost like a carnival. You know, the Staten Island Ferry going out to the Statue of Liberty. We just roamed all over.

Czaplicki: The Third Avenue subway was still elevated then, right? Those tracks were still there?[14]

Roberts: I don't think so. Maybe at some point, but not along where I was, Midtown. But that summer sort of flew by, and then back in Bloomington. Then we get to law school and—

Czaplicki: Oh, you came back.

Roberts: I came back.

Czaplicki: That's interesting. You were in New York, then you were in Eastern Europe and Russia doing all this international stuff, but you come back to Illinois.

Roberts: Yeah, yeah.

Czaplicki: What drew you back?

Roberts: Oh, I don't know. Well, after the U.N. was a pretty pragmatic decision: I had another year of college. I don't know. Home, I suppose, more than anything. I was excited about going to Russia and Eastern Europe and doing all that stuff.

[13] From 1961 to 1973, the Illinois drinking age was 21. Between 1973 and 1980 the age was reduced to 19 for beer and wine.
[14] The Third Avenue elevated tracks closed in 1955.

And I got back about two or three weeks before law school started, didn't have a place to live, hadn't really given much thought as to what this was going to be. So I wound up living in a graduate student dorm on the campus.

Czaplicki: And this is Wash U. [Washington University] in St. Louis.

Roberts: Yeah. And with six really different guys—the five of them, and I was the sixth. My roommate, Harvey Greenwald—Harvey was a Ph.D. candidate in some sort of exotic math. He was an MIT grad. But we could talk baseball. He knew baseball pretty well, and so did I. And then Harvey—a head for numbers, remarkable, just wheels are spinning all the time—so Harvey and I became bridge players. "Me and Davy Crockett killt a b'ar," (laughs) you know what I mean?[15] Harvey was very good and I wasn't, but we won a lot, to the point the dean or the registrar of the law school suggested I either needed to become a full-time law student or a full-time bridge player. (laughter) So that ended my bridge—

Czaplicki: Your fame had spread.

Roberts: Yeah. Oh, do you watch that show—*Big Bang Theory*? Do you ever watch that?

Czaplicki: Um-hm.

Roberts: Well, I knew those guys.

Czaplicki: Sheldon? (laughter)

Roberts: There was Harvey and Rich and… They weren't quite as off-the-wall as those guys, but they were all math majors, science majors, super intellects—not always the most socially adept guys in the world. But that was really an experience, living with those guys for a year.

Czaplicki: How'd you find that house? Was there an ad in the paper or because it was the dorm, you got thrown together?

Roberts: Yeah, it was just, I need a room: So here's your room, here's Harvey. (laughs) Oh, it was just a pretty interesting group. But by the end of the first year I had found my own group of people, and we wound up leasing a house or an apartment away from the law school the last two years.

Czaplicki: How'd you like law school courses and what you were learning?

Roberts: There were parts of it I thought were fine. I mean, I was there to learn stuff. Sometimes I was aware of that. (Czaplicki laughs) A lot of good friends. After

[15] Reference to the song "Ballad of Davy Crockett," created for Disney's popular 1950s television miniseries *Davy Crockett*. Roberts is saying that in their bridge partnership, he played sidekick to Greenwald's Crockett.

a semester of law school they teach you a method of thinking, a method of analysis. You have to think in those boxes: What are the facts? What is the issue? What is the precedent available to guide you on how you get to the solution, and then what is your solution? So I think I would be incapable of looking at a problem any other way. I had some professors with whom I was very close, some less so. Generally I found law school to be a lot less warm, perhaps colder than college had been. I didn't care for their desire to intimidate people. I didn't really see a need for that.

Czaplicki: So they had a certain culture there?

Roberts: Um-hm. (pause) I mean, it's a fine school. I graduated from it. (laughs)

Czaplicki: Were there any areas of law at the time that you felt more strongly attracted to than others, or were you still just open to where you might go once you got out?

Roberts: Actually, as you might guess, I gravitated toward international law. In their lexicon, "rank"— you're first in the class. I think I ranked one class, and that was Laws of Communist Nations. (laughter) I just blew them out on that one. But it at some point occurred to me that there wasn't… I didn't see much of a future in international law.

Czaplicki: I read somewhere—it was probably your alumni profile at Wesleyan—you started a Legal Aid Society there? Or it was the very first one, was that the case?

Roberts: I think so, I think so. Well, we were looking for real-world involvement, enough of this academic stuff. So I was president of—they called it January in(?)—it was the student body. I was president of the student body. We were looking for opportunities to deal with real people with real problems, so we talked to the Legal Aid Society of St. Louis. And of course they allowed us to work with them. I think maybe even at some point we got some credit for that. I don't remember.

Czaplicki: Of course, at this time student politics are heating up around the country. Did you have a lot of activist classmates, activist lawyers? Did you feel yourself getting drawn into those kind of debates, whether civil rights or the student movement?

Roberts: This was the same Washington University where they had burned down the ROTC barracks. It was a pretty liberal campus, and I didn't come from that background. The first year in the dorm was pretty interesting because you had fertile minds talking about stuff. I still was laboring under the thought that, Okay, we're in Vietnam; our government says we should be there, it's what we're supposed to do. So these guys are preaching, We got to get out; this is awful, it's a terrible thing; what are we doing there? So when I probably should have been reading contracts and torts and real property, I got some

books and I'm going to prove these guys wrong and I'm going to study this stuff. Well, the more I read about it, the more I really believed that they were right. What in the world were we doing there? Did we learn nothing from the French experience, the fall of the French at Dien Bien Phu?[16] I mean, it's…

Czaplicki: You might not recall particular titles, but were you reading more academic-type literature, or were just reading sort of current polemics that were out there?

Roberts: Certainly history. Probably pros and cons. I don't remember that much about it.

Czaplicki: That's interesting.

Roberts: I think I became less vociferous in my argument that our government was right.

Czaplicki: Now, was military service something on the table for you at that point?

Roberts: Of course. It was for everybody.

Czaplicki: I wasn't sure when the graduate school deferments ended, and things like that.[17]

Roberts: Yeah, every year there was some new wrinkle. I was fortunate, having grown up in a town where relatively few people sought deferments. Not a lot of my classmates went to college. So I was deferred through four years at Wesleyan. One year you had to have a certain grade point average; the other year there was a national standardized test that you had to get some grade on.[18] I don't know, every year there was something different. I graduated from law school, and I still wasn't too old for them. This was '67, '68, and that was Tet, so they wanted warm bodies.[19] I made contact with JAG [Judge Advocate General's Corps] and sought to determine what kind of opportunities were there. There were opportunities, but they wanted a six-year commitment, and I was not prepared to make a six… Same with flight school. Glad that didn't work out;

[16] Jim Edgar and others in his circle describe similarly conflicted feelings about the war. See: Jim Edgar, interview by Mark DePue, May 22, 2009, 78; Brent Manning, interview by Mark DePue, February 18, 2010, 6-7; Arnold Kanter, interview by Mike Czaplicki, December 17, 2009, 13-14; Jim Reilly, interview by Mark DePue, August 10, 2009, 5-6; Tony Sunderman, interview by Mark DePue, May 21, 2009, 17-18; and Kirk Brown, interview by Mike Czaplicki, December 22, 2009, 16-17. Unless otherwise indicated, all interviews cited in the notes were conducted as part of the Jim Edgar Oral History Project, Abraham Lincoln Presidential Library, Springfield, IL.

[17] Graduate school deferments ended in 1967, unless a student was already enrolled in graduate school. College deferments ended in 1971.

[18] Probably referring to the Selective Service Qualifying Test given in 1966 and 1967, which was used to reclassify poor-scoring college students as draft eligible. Christian Appy, *Working-class War: American Combat Soldiers and Vietnam* (Chapel Hill: University of North Carolina Press, 1993), 35.

[19] Tet was a major 1968 offensive by the People's Army of Vietnam against the U.S., Republic of Vietnam, and allied forces.

I'd probably be part of the ecology of Southeast Asia right now. So I'm thinking, Well, in my young life, I have thus far pretty much landed on my feet. I guess I will just wait to be drafted. I'm literally sitting at home in my mother's house waiting to be drafted.

The area where I grew up by this time had become a very large consolidated school district, and they had all of the sixth-graders on one campus, out in the country. They started without a reading and English teacher. So they called me. My mother was a teacher, my family—they were all teachers. He said, "We need somebody to teach. I know you got a degree, I know you know English. Would you consider teaching for us?" Said, "Yeah." (laughs) So it was an interesting year. My best friend growing up at that time was the head football and track coach at what would have been our high school. It was consolidated now. I got to coach football and track, and teach sixth-graders how to spell and read, and did that till I was too old.

Czaplicki: And that came with a deferment, too, I think, if you taught school?

Roberts: Yeah, absolutely. Yeah, absolutely. Then I became an assistant U.S. attorney when I was too old for the government to want me anymore. (laughter)

Czaplicki: What year was that? You started teaching in '67, that fall.

Roberts: Yeah, '67. I only taught for a year. I became an AUSA in the fall of '68.

Czaplicki: How did that come about?

Roberts: I had been an intern in the U.S. attorney's office in Springfield between my second and third years of law school, and I'd maintained contact with Dick Eagleton, who was the U.S. attorney. Once I graduated, was available, Dick hired me back. A real break. I mean, I owe Dick a lot. Here's a little irony: Dick is now of counsel with Hinshaw and Culbertson in Peoria. (laughs)

Czaplicki: And that's the firm we're sitting at today.

Roberts: Yeah. (laughs)

Czaplicki: I was going to ask you. At the time, for the U.S. attorney districts in Illinois, was there a Northern and a Southern District? Because the Central District isn't created till '79 or '78.

Roberts: For many years, there was a Northern and Southern District, Chicago being the seat of the Northern and Springfield the Southern. At some point, as I understand it, Uncle Joe Cannon, who was Speaker of the House—I believe he was from Danville—had a friend who he wanted to be a federal judge, but there were no slots available. So they created a third district in Illinois that they called the Eastern District, and it angled from Danville, Charleston, sort of cattywampus down, excluding Madison County but including St. Clair

County and then everything south. When I was an AUSA, I was in the Southern District. Somewhere in the '80s, '70s maybe, they did the right thing and made it Northern, Central, Southern.

Czaplicki: Yeah, I think'79 is when they made the Central District. We'll get to that, but in '68, you're in the Southern District, Assistant USA.

Roberts: Yeah, I'm an AUSA in the Southern District, trying cases, learning how to be a lawyer. Good time. Nice job.

Czaplicki: Do you start off working on appeals; is that the pathway?

Roberts: Well, not so much. Yeah, of course you got to write briefs, but we only had like six or seven lawyers in the whole—maybe it was a little more than that. So it was pretty much integrated. Yeah, took the thing all the way through.[20] But I second-chaired a lot of cases with some very good lawyers and got to try some of my own. I thought it really helped me hone my professional skills as a trial lawyer. I remember once a very fine law firm in Springfield offered me a job. We're talking: "So what do you want to be?" I said, "I want to be a trial lawyer." And they said, "Well, you know, we have trials when we have to, but we don't make money on trials, and we prefer to resolve these things." I said, "Well, thank you very much. I'm a trial lawyer," and went back to work for the U.S. attorney. Then, somewhere, a guy who's been my close friend for a long time, Ben Miller—

Czaplicki: Ben?

Roberts: Miller. Ben went on to a very distinguished career as a judge, winding up as chief judge of the Illinois Supreme Court. But Ben and I were friends in Springfield. A couple of young guys then. Ben had gotten pretty involved in politics, and he made me aware of this opportunity. I'd been an assistant U.S. attorney for about four years at this point. They were looking for a downstate coordinator for the committee to reelect the president, the '72 Nixon campaign. My mother thought I was **absolutely nuts**, giving up this good federal job to go work on some political campaign, but I did.

Czaplicki: And you had to by law, correct?

Roberts: Yeah, I quit my job and I coordinated, I think it was eighty-seven counties, probably roughly what we'd say south of I-80 today. I coordinated the activities in those counties. I might not have gotten up quite that far, I don't know, but I was certainly all over the state, recruiting people to do various jobs. I think everybody in the world knew Nixon was going to win that race but Nixon. Of all of our counties, we only lost one. We carried Madison and St. Clair; we lost Jackson County, Carbondale. Also, it was an interesting

[20] Compare this experience to another of Edgar's chief counsels, Arnie Kanter, who began his career as an AUSA in the Northern District. Kanter, December 17, 2009, 16-20.

vantage point to watch the campaign between Dan Walker and Governor [Richard] Ogilvie. Dan was busy walking across the state—

Czaplicki: That was the walking tour?

Roberts: Yeah. And Ogilvie was saddled with the recognition by the populace that he had pushed this income tax, and it probably took him down. It was close, as I recall, but in what was a landslide for Nixon, the Republican governor lost.

Czaplicki: That seems like a pretty big jump, because you weren't doing much in organized politics before this, correct?

Roberts: No, but—

Czaplicki: And suddenly you're the coordinator for the whole downstate, this presidential campaign.

Roberts: Yeah, yeah.

Czaplicki: Did you have a lot of contact with the Ogilvie people through this work?

Roberts: I think the Ogilvie people and the Nixon people didn't get along too well. I didn't start until, June, July, August, and there was a structure in place. There were already people doing stuff, but they just put me on the road and said, Go. We need a lights-on coordinator, we need a polling coordinator, we need all this stuff. I'd go to these counties and meet with the county chairman and say, "Give me names," and I'd go talk to these people and had this checklist of things we had to do in each county. It was very well organized.

Czaplicki: So were you persuading more, or were you vetting more, making sure they got the right people?

Roberts: I think persuading, or, in some instances, doing the best you can. Maybe you're going to lose X county, or maybe you don't have the best person in the world, but there are only five thousand people in the county anyway, so… Obviously we concentrated on McLean, Sangamon, Champaign, Adams, Madison, St. Clair. Probably some others. Livingston. But where the population was. But we had troops in every county. And of course it was a huge victory. Then I was set to go back to the U.S. attorney's office.

Czaplicki: Before I get you there, can I just ask you: you couldn't vote yet, but I assume you would have voted for Nixon in '60?

Roberts: Oh, absolutely.

Czaplicki: Goldwater would have been the first?

Roberts: Interesting. When I was in New York in'63, one of my best friends was a guy who was a student at Berea College in Kentucky, probably about a hundred and eighty degrees away from me. But he was trying to win me, and never got it done, teaching me protest signs of the coal mines: "It's dark as a dungeon down in the mines, where the rain never falls and the sun never shines. Dangers are doubles and pleasures are few…" But at any rate, while he was spewing forth his liberal doctrine I was carrying around *The Conscience of a Conservative*.[21] (laughter) I don't know that I ever read it, but I had it.

Czaplicki: That would have been the first presidential campaign you could vote in, right?

Roberts: I suppose. You had to be twenty-one? Yeah.

Czaplicki: And then in '68 I assume Eugene McCarthy didn't attract you, despite your readings?

Roberts: No, no, not at all. (sighs) What a year that was, with the assassination of Martin Luther King, Jr., and then the assassination of Bobby Kennedy. I mean, that was just—those were stunning. (pause) But at any rate, we got Nixon elected for awhile. Then another good friend, Joe Cavanaugh, was elected state's attorney of Sangamon County, and Joe asked me to be his first assistant. I said, "Joe, are you sure you want to do this? I've got four years' experience as a lawyer." He said, "Yeah, I know who you are."

Czaplicki: This is state's attorney?

Roberts: Yeah. The county prosecutor.

Czaplicki: I had you down as U.S. attorney for some reason.

Roberts: Huh?

Czaplicki: I had you down as U.S. attorney at—

Roberts: Okay, it went from assistant U.S. attorney to first assistant state's attorney to state's attorney to U.S. attorney, to Hinshaw to counsel-to-the-governor to Hinshaw.

Czaplicki: Right, got it.

Roberts: December of 1972, Joe Cavanaugh and I arrived at the state's attorney's office. We worked together for seven years, until Joe became a judge. I was appointed to take his place in '79 and ran for election in '80, reelected in '84, and appointed to the U.S. attorney's office in '86.

[21] Merle Travis recorded "Dark as a Dungeon" in 1946. *The Conscience of a Conservative* was written by Arizona senator Barry Goldwater in 1960, helping him gain the national recognition he needed to win the Republican presidential nomination in 1964.

Czaplicki: '86. So before talking about state's attorney, why exactly did you jump at this Nixon opportunity?

Roberts: I don't know. It seemed like a good idea at the time.

Czaplicki: Because it was there. (laughs)

Roberts: Yeah, really, it was something different. I certainly enjoyed what I was doing at the U.S. attorney's office, obviously. I wanted to go back there. But—

Czaplicki: Were you looking to make political contacts there?

Roberts: Probably. I don't know that it was all that well defined. I'd been watching things in Springfield for a while at that point, and I don't know that I completely grasped the importance of those relationships, but certainly some of it. And my friend Ben was a persuasive guy, and he urged me to do this. I can see why my mother thought I was nuts. (laughter) You're not going to get paid very much, you're giving up a job where you could stay forever. Maybe that's—I didn't want to stay forever.

Czaplicki: What was the social life like at this point? Are you workaholic all the time, did you have much leisure time?

Roberts: I worked a lot. I had leisure time. At that point there was a large table—I'm going to get a glass of water.

Czaplicki: Go ahead. I'll pause this for a second.

(pause in recording)

Czaplicki: All right, we're back from our brief pause for a water break.

Roberts: There was this large table in the back room of Norb Andy's Tavern in Springfield, which was at the time—

Czaplicki: How do you spell the name?

Roberts: Norb, N-o-r-b, Andy, A-n-d-y-s.

Czaplicki: Two separate words?

Roberts: Yeah.

Czaplicki: Norb Andy's.

Roberts: Norbert Anderson owned the saloon, and so it was called Norb Andy's Tavern. It was sort of like *Cheers*.[22] You go in there, and I can see it today. Every one of these guys had their own—Earl and Gordon and Bill, John, you know, Joe—they all had their seats at the bar. Tom and Bob were the bartenders, and Cookie the cook and Peggy the waitress. But it was where lawyers went to wait out verdicts, and…

Czaplicki: Where was it located?

Roberts: On Capitol Avenue between Fifth and Sixth, on the south side of the street. But it was an institution. The reporters—Gene Callahan was always in there and Kenny Watson; both wrote for the Springfield papers.[23] A lot of politicians would hang out in there. To a single guy, it was sort of home. The lawyers had this big table in the back room where, particularly on Friday, everybody would show up and just throw money on the table, and Peggy kept us pretty well watered. It was a great learning experience. Most of these guys were either judges or state practitioners, and of course I'd never been over there, always been in the federal system. Listening to them talk about their stories and about their complaints and about their victories and defeats… It was an excellent training course in civility and just how to get along in that system.

Czaplicki: They have all different kinds of political viewpoints?

Roberts: Everything, everything. It was a rare Friday night that there wasn't some sports argument. In fact, back on a shelf near where our table was, they had the *Encyclopedia of Sports*, which was the…

Czaplicki: Settled many an argument?

Roberts: Yeah. What they say is the law. And certainly there was social life there. I was a single guy, and there was other social life beyond drinking with the guys.

Czaplicki: Where would that take place?

Roberts: What, my social life?

Czaplicki: Yeah, where would you meet people?

Roberts: There was a place called the Warehouse which had live music and was a magnet for people. I think it had a three o'clock license.

Czaplicki: Always nice.

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[22] A popular television comedy set in a fictional Boston bar, the tagline of which was, "Where everybody knows your name."

[23] For a biographical portrait of Callahan, who worked as a political reporter from 1961 to 1967, see Kathleen Best, "Mr. Nice Guy Goes to Washington," *Illinois Issues* (November 1994): 17-20, http://www.lib.niu.edu/1994/ii941117.html.

Roberts: Well, till the next morning. (Czaplicki laughs) There was certainly room for adequate social life in Springfield at that time. Where were we?

Czaplicki: You're starting as first assistant state's attorney. What kind of work did you focus on? Was it very different from what you had been doing as an assistant U.S. attorney, same types of cases just from the state side?

Roberts: No. More violent crime. We didn't deal with that much violent crime in the U.S. attorney's office; it was more sophisticated stuff. Not always. But in the state's attorney's office we had murders and rapes and armed robberies and wound up trying a **lot** of murder cases. Both as first assistant and state's attorney, I don't know how many murder cases I tried, including a number of death penalty cases.

Czaplicki: That hadn't been suspended yet, right, when you started?

Roberts: No.

Czaplicki: What year is that, '76, do you think?

Roberts: I think '76, '77, it came—

Czaplicki: Oh, that's when it comes back, right.[24]

Roberts: —it came back. We didn't have that many, particularly on Joe's watch, but when I became state's attorney, I was running for office and the people wanted to know: We have a death penalty in Illinois. Only the state's attorney can seek the death penalty. Will you seek it? And the response was, "Yes, if I think the facts merit the death penalty, I will seek it." Well, we had some facts that I thought merited a death penalty. We had a quadruple homicide. We had a kidnapping/rape/murder. What became fairly famous, the Good Samaritan case, which was so publicized that we had to go over to Champaign County to try the case.

Actually, one that just reappeared in the papers last week. These two young guys killed the one fellow's adoptive parents, mostly because, apparently, they wouldn't let them have the car. The one kid held the father while the other guy stabbed him to death, and they beat the mother to death with a crowbar and joked when they hit her in the head, her false teeth went flying out, and they said, "Got good distance on that drive." So at any rate, I sought the death penalty. I didn't get it on those two. Actually, I think one of them was too young, but the other one was twenty. The older one, on whom I sought the death penalty, was out a little while and wound up killing some

[24] In 1972, the U.S. Supreme Court ruled the death penalty, as then practiced, unconstitutional. In 1976, the Court clarified the grounds on which the death penalty would be constitutional, paving the way for its reinstatement in the states. Illinois reinstated the death penalty in 1977. *Furman v. Georgia*, 408 U.S. 238 (1972); *Gregg v. Georgia*, 428 U.S. 153 (1976).

woman over by Jacksonville. But that's the kind of stuff we dealt with—pretty tough stuff.

Czaplicki: Were you prepared for that coming in, or was that something you had to…

Roberts: I had to learn. I wasn't prepared for it. We lost a case. I say "we" lost it—probably I was more responsible for losing it than my boss was. I had these ideas about how some things ought to be done, and as it turned out, they weren't particularly good ideas. For example, I suggested we ought to have a sequestered jury. Well, this is like a two-month trial, six weeks, two months. Who in the world is going to want to be on a jury that's going to go a month or more, where you're locked up in a motel with eleven other people you don't know. Most people will do what they need to do and say what they need to say to not be on a jury like that. So that was a stupid thing. Trying them together was not the wisest thing. But I learned a lot, right? After that case, I—

Czaplicki: And these were decisions that you got to make.

Roberts: Uh-huh, and I learned from those. I think, as with most people, I learn more from my mistakes than I do my successes. I'm sure I did lose other murder cases, but I don't remember one after that. It was pretty traumatic. The guy who was killed, a lawyer named Fred Pefferly who was a friend of mine; I used to drink beer with him at Norb Andy's. It was a very complex situation. But we became pretty good at trying cases.

Czaplicki: I'm not sure what procedures are in place these days, but back then was there any type of—we know from cop shows that there are counselors on hand for police to talk to when they deal with things like this. Was there something like that for attorneys, or was it just kind of, do it on your own, do what you need?

Roberts: It was evolving. I think this was the time of LEAA, Law Enforcement Assistance Administration, grants. The National College of District Attorneys was founded and for a number of years operated at the University of Houston in Houston, Texas, in the summer, in their law school. I went to that school; I went to their career prosecutor school. It was a month long. Get to go to Houston in July. (laughs)

Czaplicki: Lucky you. (laughs)

Roberts: But then I went back and taught there probably for four or five years. I also taught at their executive prosecutor course. And then at the Illinois State's Attorneys Association, we put together a training program with NITA, the National Institute of Trial Advocacy. So yeah, there was help, and we learned as we went, and I think at the end of the day had pretty good results. I think people had confidence in what we were doing.

Czaplicki: That's just interesting because when you talk about law school, you talk about this Legal Aid clinic just to get some practical experience, and then within five or six years you suddenly have this burden. It's quite a jump. So at some point you get an opportunity to become state's attorney yourself.

Roberts: Yeah. I mentioned Dick Eagleton, someone to whom I owe a great deal in taking a chance on me. Certainly Joe Cavanaugh would be in that category, too. I mean, to give me the opportunity he did was a break for me.

Czaplicki: He became a judge, you said?

Roberts: He became a judge.

Czaplicki: In '79?

Roberts: I was appointed state's attorney by the county board and then ran for election in the fall of 1980. Now, this was during a fairly turbulent time in Springfield. It was the ERA wars. This was really an interesting time. NOW and the ERA supporters would show up in green shirts, Phyllis Schlafly and Stop ERA would show up in red shirts, and there was this back-and-forth battle.[25] And it got very heated. But somewhere along the way—I hadn't been state's attorney very long, probably appointed in November of '79, so it would have been the spring of '80—I'm about to run for election, and this woman by the name of Wanda Brandstetter goes up and talks to a freshman legislator by the name of Nord Swanstrom from someplace in the Quad Cities area.

She winds up talking to him and then writes on her business card, "The offer is a thousand dollars and work on your election for your vote for ERA." (Czaplicki laughs) I mean, a bribery contract. Swanstrom then took the card to the Speaker of the House of Representatives, George Ryan. George read the law, or his counsel read the law, and it said in that situation you either had to turn it over to the director of State Police, who was Dan Webb, or the state's attorney of Sangamon County—me. He knew Webb better than he knew me, so he called Webb. The State Police investigated and turned the thing over to the new state's attorney of Sangamon County. We really tried to resolve the thing. I mean, it was clearly against the law to do what she was doing. I think I would have accepted some far lesser plea of guilty, because here's a woman—I think she had a Ph.D., I think by all accounts a good person—just got wrought up in this fight for what she believed.

Czaplicki: And she intended it as a serious contract.

Roberts: I think, You help me and I'll help you. But Brandstetter was represented by a lady who went on to become fairly famous as a judge in Chicago, Sheila

[25] Illinois was the scene of a major contest over ratifying the Equal Rights Amendment. The National Organization for Women and Schlafly's Stop ERA were two of the most prominent organizations that descended on the state capitol to argue their case.

Murphy, her [Murphy's] brother John, and Mike Costello, who was attorney in Springfield, although Mike wasn't given much of a role. We tried the case. I tried it with my assistant, Stuart Shiffman. Stuart went on to become a judge in Sangamon County. It was Stuart who actually came up with the cross-examination, but I was doing the cross examining. The question was something to the effect, If he hadn't done what you wanted him to, would you have given him the money anyway? Well, if the answer to that was yes, then the next question was "Did you?" and she didn't; or if the answer was no, pretty clearly it was a *quid pro quo* where she wanted to bribe the guy. Jeanne Scott was the state court judge, a circuit court judge. So I asked the question. And Brandstetter said, "Do I have to answer that, Your Honor?" She said, "Answer the question." "Ask it again." So I asked it again. She said, "You're asking me to incriminate myself. Judge?" "Answer the question." "I don't remember the question." I asked the question five times. I have no recollection of what the answer was, (Czaplicki laughs) but it certainly was a pivotal point in that trial. She was convicted of a felony. I don't feel good about that, yet I had a job to do, and I did it. That was one of those, Ah, those ERA wars were something.

Another time, there were two different groups. One, they chained themselves to the statue in the center of the state house in Springfield, and they went on a hunger strike. I think there were eight or nine people, and one of them was, as I recall—whether she wasn't in good health to begin with, I don't remember—becoming more frail from the lack of food. Then we (laughs) have to consider in the state's attorney's office, Okay, if this woman loses consciousness, do we have to appoint a guardian for her? You know, issues like that. Fortunately, sanity prevailed and the hunger strike ended.

Then another time, this [group]—they called themselves the Group of Second-Class Citizens or something—got some animal blood from a slaughterhouse and threw it all over the governor's office and on the American flag. So they had to be charged. It might have been criminal damage. It might have been a felony. But ultimately they pled guilty to something and did some jail time. But the Equal Rights Amendment brought some interesting times to Springfield.

Czaplicki: Of course, Governor Edgar was Secretary of State Edgar when this happened. He's talked with us a bit about his decision-making and how to handle some of these situations, and in some cases not wanting to arrest them.[26] I think in the case of some of the hunger strikers, he talked about how he put them in—I can't remember the name of the building, but he put them in a building that was still technically the Capitol, because it was on the Capitol grounds, but it wasn't the Capitol itself, and they were miffed. But he did mention the blood and at that point, "Arrest them."

[26] For Edgar's account of the ERA protests, see Jim Edgar, May 28, 2009, 158-161, and June 15, 2009, 368-371. Both interviews by Mark DePue.

Roberts: Yeah. Those who would be outraged were outraged, and that was most people. And not only okay, you throw it on the glass window, so what, but they threw it all over the American flag and the Illinois flag. Part of the negotiation was they thought these flags ought to be sent to the Smithsonian. Well, that was the last thing in the world the state officials wanted. So once the case was wrapped up, somehow those flags got burned.

Czaplicki: Really?

Roberts: Honorably. Yeah.

Czaplicki: Interesting. By the state?

Roberts: Oh, yeah. You know—(laughs)

Czaplicki: George Fleischli's fireplace? (laughs)

Roberts: I don't know. Well, it would be George's people or Dave Watkins, who was the chief of the Secretary of State Police at that time.

Czaplicki: Did your office coordinate much with Edgar's office at that point—

Roberts: Yeah.

Czaplicki: —or did you just wait to get a phone call and say, Well, we arrested people?

Roberts: Yeah, we talked. Phil Howe was his general counsel, and Phil and I talked a lot. (laughs) They had a real problem with—you know on the east side of the Capitol where the steps go up to the Lincoln statue and then on up? That became a—(laughs) Drunks would periodically run into the sidewalk and break it up, and it was fairly expensive. I don't know what the substance was, but they'd have to replace it. So I coordinated with them a lot, and we were friends. We did some securities prosecutions somewhere way back.[27] There's a picture of the sheriff of Sangamon County, the chief of police of Springfield, and me, I think with Jim Edgar, talking about something.

Czaplicki: And so you guys—

Roberts: We knew each other. I mean, he was my constituent. Lived in Springfield. When I became U.S. attorney, he was the senior constitutional officer that showed up and spoke at my… So we were friends. I mean, we knew each other.

Czaplicki: And you knew each other before the ERA fights.

Roberts: Yeah.

[27] The Illinois secretary of state has a much broader set of responsibilities than most other secretaries of state in the U.S., including responsibility for regulating the securities industry in the state.

Czaplicki: That's interesting, because it's one of those things where you read in the paper that X protestors showed up, they did this, they were arrested, they were taken, charges were filed. But you always wonder, well, behind that story, how much are you talking to each other and do you talk even before they show up, what are we going to do if they come?

Roberts: Yeah. Well, we certainly went to school on the smoke-in. (laughs) Which, I think, the lesson of that was to counsel restraint.

Czaplicki: Oh, what we were talking about earlier before we started the tape.

Roberts: But the Equal Rights Amendment wars really generated some business for the state's attorney's office.

Czaplicki: So what were your thoughts about that, about protest and when speech turns to action?

Roberts: (pause) The right to petition the government to seek what you think is appropriate is about as fundamental a constitutional right as there is. So as long as it was done in an orderly, lawful fashion, it was—as a political science major, it was fascinating to watch how the Stop ERA people managed their side. Phyllis Schlafly and her people would bring cookies; I don't know if they brought milk, but they would bring cookies to the legislators. And the parallel of a fairly strident group doing one way and these other—in their own hearts, I think equally strident—doing a much softer version, and they just sort of outflanked them. During that trial, on several mornings I got calls at home from Mrs. Schlafly to give me advice on what I might—it was unsolicited, but, you know, I talked to her, I listened to her. (laughter)

Czaplicki: What kind of advice?

Roberts: Oh, I don't remember.

Czaplicki: Finer legal points?

Roberts: Phyllis is a lawyer, and actually a Wash U grad, and—

Czaplicki: Really?

Roberts: Yeah.

Czaplicki: You weren't classmates, were you?

Roberts: No, no. I think she went later. But suggestions of, You might ask this, or, You might consider that. It was all very civil and—

Czaplicki: And you were in the phone book, I assume?

Roberts: Yeah. Always.

Czaplicki: I imagine people were talking about this at Norb Andy's? This must have been a…

Roberts: Oh, yeah. I mean, it was just an interesting time, to really be part of that history. I don't know at the time that I really recognized that's what it was. It was, These people have apparently violated the law. We have a duty to do something about it. Now, what is an appropriate response?

Czaplicki: Back to your legal method, facts of the case.

Roberts: Yeah, yeah, try to think it through, and what's—you know, you don't want to use a sledgehammer, but…

Czaplicki: Did you get the sense that a lot of people, say, within state government or even within your own office supported the Equal Rights Amendment and it was more the tactics that were being found objectionable?

Roberts: Probably. On one level, what's wrong with saying men and women shall be treated equally? Certainly the emotion that came with it was… As I recall, there were very large crowds out on the lawn, and fortunately I don't remember much physical violence between the two groups. At least we didn't have that.

Czaplicki: Was the trial that you talked about well attended?

Roberts: Oh, yeah. Oh, yeah. (laughs) It was sort of funny. There must have been five or six television crews. One night, we were working a little later. This was in the days of the fairly large TV cameras recording. We're coming out of the courtroom, and they're all backing down the hallway, and the very back guy fell down, and then there was this mass of humanity. (laughter)

Czaplicki: You mentioned before that you were appointed state's attorney, that's how you get this, but then you have to run in 1980, and you have to run again in 1984.

Roberts: Yeah, yeah.

Czaplicki: So running for state's attorney: you've been involved in some politics, but the way you've described it, you were either drafted or it was just more informal, social. How different was that game, having to run for office on your own? How was it similar or different than, say, Edgar running for state representative?

Roberts: Oh, it's pretty much the same calculus, I think. At this point, Okay, my boss is an elected public official, and therefore if I'm to have my job, he needs to be elected. I was very involved in Joe's campaigns, in thinking through what

kind of budget, how much money do we need to raise—getting to that by how much TV time do we want, how much radio time, how many signs, what kind of mailings? You try to figure all this out. By this time I had worked with a lot of candidates on different things. And again, taking the lessons, going back to '72 in the Nixon campaign, I understood the mechanics of a political campaign pretty well.

Czaplicki: It looks like you just remembered something right there.

Roberts: Yeah. So after the '72 campaign, this guy Jim Thompson decides he's going to run for governor. And I don't know whether that was '74 or '76. I don't—

Czaplicki: Seventy-six, I think.

Roberts: Seventy-six, okay.

Czaplicki: He has a two-year term, and then they change it.

Roberts: Yeah, yeah, yeah, when he ran against [Michael] Bakalis.[28] Okay. So he decides he's going to run for governor, and his campaign manager and good friend, Jim Fletcher, is running the campaign. Parenthetically, Fletch is now of counsel to Hinshaw and Culbertson.

Czaplicki: Wasn't he in the U.S. attorney's office in the Northern District?

Roberts: No. So Fletch comes to me and says, "We're putting together a campaign for this guy Thompson to run for governor, and John Caldwell"—who was Senator Percy's administrative aid in Springfield—"says that we need you on the campaign staff." Probably not the most astute decision of my life. I said, "Well, do you think he'd have a chance of beating Mike Howlett?" (laughter) And I said, "Who've you got on the campaign staff?" He said, "So far it's me and a guy named Jim Skilbeck," who later was the primary flack for Thompson during the early years. I've still got the letter, Fletch and I laugh about it; they offered me a job, and in what may not have been the smartest decision—ah, it turned out fine—I elected to go with Big Joe Cavanaugh rather than Big Jim Thompson. (laughs) But I did understand the political business fairly well. Putting it into practice for myself—a sidebar. We got into chili cooking. You got a county of a hundred and fifty, a hundred and seventy-five thousand people, so you want to be where the people are. At that time, chili cook-offs were a big thing in Springfield, in Sangamon County. So Joe DeFrates, the chili man, who had twice won the International Chili Championship and founded Chilli Man Chili—I don't know if you ever ran into that in Springfield.

Czaplicki: Never.

[28] Thompson ran against secretary of state Michael Howlett in 1976 and state comptroller Michael Bakalis in 1978.

Roberts: Joe was sort of the godfather of chili cooks. And Joe was my friend.

Czaplicki: What was his last name?

Roberts: DeFrates, D-e-f-r-a-t-e-s, Joe DeFrates. He's dead now. But I said, "Joe, I want to meet these people that come." He said, "Okay. Get a recipe and cook some chili, and I'll put you right here up front, and you'll meet everybody that comes into this." It was in what they called the Food-A-Rama pavilion at the state fairgrounds. So some of my friends and I got together and we found a few recipes, and we made chili. It was awful. But I saw an awful lot of people, I shook hands. Later, then, throughout the winter they'd come over to my house and we'd drink beer and practice, and—

Czaplicki: Perfect the recipe?

Roberts: Yeah, actually got to be pretty good, to the point we got I think, fourth in the Illinois state championship, and we got third in the Missouri state championship, out of like 120 cooks.

Czaplicki: Taking this out of state! (laughs)

Roberts: Yeah, yeah, going on the road. And I thought, Man, I'm this close to greatness. I started tinkering with it, and it was never any good after that. I don't think we ever won anything later.

Czaplicki: As a side note, I saw a reference to the International Chili Society?

Roberts: Yeah, yeah, that was—

Czaplicki: That all had its beginnings because you were running for office?

Roberts: Yeah. Mike, I'm probably going to have to—

Czaplicki: Yeah, we're almost at two hours here, so we can—

Roberts: I need to be somewhere pretty shortly.

Czaplicki: All right, we'll draw this to an end, and then I think we'll have a second session. We'll finish off, talk a little about U.S. attorney years, and then we'll do the two big issues under Edgar, if that works for you.

Roberts: Yeah.

Czaplicki: Anything else you'd want to talk about or mention in closing about your time up through state's attorney?

Roberts: I feel like I've been very lucky, very fortunate to be in the right place. Had good mentors, people who looked out for me, people who took a chance and gave me the opportunity that maybe not everyone would have given someone.

I feel very blessed to have had those opportunities. And I had fun doing it, all the way. Not that there weren't some tough times and tough decisions and difficult situations, but I enjoyed what I was doing. I enjoyed my work.

Czaplicki: All right. Thanks very much, and we'll pick it up again in a couple weeks.

Roberts: Great.

(end of interview #1 #2 continues)

# Interview with Bill Roberts

# ISG-A-L-2010-045.02

Interview # 2: April 11, 2011

Interviewer: Mike Czaplicki



Czaplicki: Today is Monday, April 11, 2011. I'm Mike Czaplicki; I work for the Abraham Lincoln Presidential Library in Springfield, Illinois. I'm here in Springfield today with Bill Roberts, who worked for Gov. Jim Edgar as his chief counsel for some important issues that arose mid-term in the Edgar administration. We began this interview back in October, and he's been generous enough to sit down and finish it off today. So, how are you doing, Bill?

Roberts: I'm fine, Mike. Thank you.

Czaplicki: We did your upbringing and your early career and your state's attorney's years. Today we're going to talk about you working with the Department of Justice and your work as a U.S. attorney for the Central District of Illinois, and then we'll go into your years working for Jim Edgar, and then some follow-up stuff at the end.

In 1986 the big opportunity comes up: Bob Michel, Republican of Peoria, ranking Republican in the Illinois congressional delegation, taps you to be the next U.S. attorney for the Central District. So I had a couple questions about this. One, I thought that was interesting because I always thought U.S. senators handled that sort of patronage.

Roberts: Normally they do. It typically is the senior U.S. senator of the party of the president in the White House, but in this case both of the Illinois senators at that time were Democrats, so it fell to the ranking member of the Illinois congressional delegation, which was Bob Michel.

Czaplicki: He also nominated Anton Valukas for the Northern District, is that correct?

Roberts: He did, he did, and then subsequently Fred Foreman.

Czaplicki: So there isn't really an election then, but there's still politics involved. I was wondering if you'd speak to some of the politics behind that, how it came about that you in particular got that nomination, and maybe a little about Congressman Michel himself, his views, since he's pretty important then in shaping the legal culture in Illinois at this time.

Roberts: As you likely know, U.S. attorneys are appointed for a term certain, a four-year period. Frequently they hold over. But in this instance, the incumbent U.S. attorney had been appointed and I think reappointed, and was still in office and did want to stay another period. This was difficult because he had been a friend of mine. We'd worked together when he was U.S. attorney and I was state's attorney. But as you'll recall, I started out my legal career in the U.S. attorney's office and I always had this desire to go back, felt that my experience in the state's attorney's office as well as the foundation in the federal prosecutor's office would serve me well. So I applied and fortunately had the support of the local law enforcement community—sheriffs, chiefs of police. I'd been fairly active in the Illinois State's Attorneys Association, and a number of the state's attorneys appointed me. And I had a lot of help from the various members of the National District Attorneys Association throughout the country.

Czaplicki: Would these people just be calling on your behalf?

Roberts: Calling. They had a lot of letters—whatever they could do, were listed as resources or references. You never know what carries the day, but Congressman Michel selected me, ultimately the Justice Department accepted that, and I was confirmed by the Senate and became U.S. attorney. I was sworn in on election day, 1986, ironically, the day the Republicans lost the Senate.

It's sort of an interesting story. When I went out to the Justice Department to meet the various department heads, I received a call from the attorney general's office and asked if I could come down and talk to them. I did, and they said, "You get along with Bob Michel pretty well." And I said, "Well, I'm told I do." They said, "We're having some problems right now with Congressman Michel. He's very important to us. We'd like to remedy that. We'd like for you to go talk to Congressman Michel and see if you can build a bridge for us." So I said, "Okay, if you ask, I will." They put me in a limousine and drove me down to the Capitol. They had previously made an appointment with Bob, and I went in his office, and we talked a while about what the problem was. Then he would go on the floor. I can see from the minority leader's office.[29] He would go into the chambers and do something

[29] Born in 1923, Robert H. Michel (R-Peoria) served as an infantryman in Europe during World War II, an experience that left him highly decorated and disabled. Three years after his discharge, he began work as administrative assistant to U.S. Rep. Harold H. Velde; when Velde retired, Michel won his seat in the 1956

and then come back. We talked probably for a couple of hours. A lot of the problem was, I think, that when Ed Meese was at the White House, he and Bob Michel had a fine working relationship. But when Ed went to the Justice Department, very interestingly to me, there seemed to be more layers of insulation, and the congressman was having trouble getting through to the attorney general.[30] So I wrapped up my meeting with Bob and was then driven back to the Justice Department. I met with the very highest people in the department and said, "This is what I've learned." The next morning, Ed Meese rounded up all of his liaisons and took them up to Capitol Hill, took breakfast up to Bob Michel's office, and I think peace was achieved.

An interesting footnote to that: on that election day, November 1986, as far as I know, Atty. Gen. Ed Meese came to the swearing-in ceremony of one U.S. attorney, and that was me. He came to my swearing-in and stayed for a reception we had at the Old State Capitol, and then for a private dinner that some friends of mine had. Spent the evening with us and then went back to Washington. So just an interesting chapter.

Czaplicki: Yeah, that's a good story, and one good turn deserves another, I guess. So you're still in Springfield, though—

Roberts: Right.

Czaplicki: —as the U.S. attorney in the Central District. But did that change in your role and the level of government change how you were able to act in Springfield? For example, how engaged politically were you allowed to be, and what sort of limits did you face in what you could do?

Roberts: Obviously I was under the Hatch Act, and although clearly a political appointee, I was pretty much removed from politics. Certainly allowed to vote and give advice to my friends, but I was pretty much on the sidelines politically during that period of time.[31]

Czaplicki: What were the major issues that you focused on as U.S. attorney? Do you come in with an agenda in the same way that, say, a governor might, or a congressman, or the things you want to achieve?

Roberts: To some degree, at least I thought I was going to, but as I learned, my agenda and the agenda of the Justice Department… Let's say their agenda took precedence over mine. So we did what the Justice Department wanted us to do, although one of the things I had promised Congressman Michel was that I

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election. He represented Illinois for the next thirty-eight years, serving as minority whip from 1975 to 1980 and minority leader from 1981 to 1994. "Highlights in the Career of Robert H. Michel," The Dirksen Congressional Center, Pekin, IL, http://www.dirksencenter.org/print_michel_bio.htm.

[30] Edwin Meese III served as an important White House advisor to President Reagan, holding Cabinet-level rank as well as a place on the National Security Council, before serving as attorney general from 1985 to 1988.

[31] Originally passed in 1939, the Hatch Act is the primary federal law regulating the partisan political activities of employees in the federal executive, as well as in state and local positions funded by federal money.

would really look carefully for outstanding prosecutors and try to bring them to the U.S. attorney's office. That was one of the real fun parts of the job. Having had some outstanding lawyers working with us in the state's attorney's office in Springfield, as well as getting to know those around the Central District, around the many counties in Central Illinois, I had a pretty good idea who the good guys were, good guys and gals, and went about hiring them. A number of people with whom I had worked in the Sangamon County office, several people from the Peoria County state's attorney's office, the McLean County state's attorney's office, and I think Champaign. We tried to build these relationships and put together what I perceived at the time, and still do, as a real all-star team that worked very well together.

We moved rapidly. We tried to avoid mega-page indictments. Part of the problem that we saw with the first Blagojevich trial, was the indictment was so complex, lawyers didn't even know what it said. So we tried to pick out our two, three, or four best shots, write them as articulately as we could, so the average juror could have a shot at understanding what we were saying, and run with it. I think we were pretty successful in what we did. We also devoted a lot of time and resources to protecting the integrity of programs that are designed and meant to assist those who really need assistance.

Czaplicki: Something like Medicaid, for instance?

Roberts: Medicaid, pensions. We really went to war with those who would defraud these programs and developed a strong working relationship with the many administrative agencies—HHS, HUD, Transportation—the huge governmental agencies.[32] We developed a strong relationship with the inspector general community in Chicago; these guys developed really some outstanding cases. There was so much going on in Chicago they had trouble getting much grand jury time in the Northern District, so they came down to the Central District, and we had a good relationship with them.

Czaplicki: How would that work? Say the satellite office of the secretary of state in the Northern District, if something hinky was going on there, would that still fall to you because the main office is in Springfield, or would it—

Roberts: It could. Venue frequently could be in multiple locations, but anything having to do with government, Springfield being the seat of government, this was an obvious choice of venue. Beyond that, the ADM case started with us. An FBI agent from Decatur brought it over to—

Czaplicki: Archer Daniels Midland, right?

Roberts: Yeah, yeah.

[32] U.S. Departments of Health and Human Services (HHS) and Housing and Urban Development (HUD).

Czaplicki: I don't remember exactly what the—I remember reading about it in the papers.

Roberts: Actually, they did a movie, *The Informant!*. It was a very complex case involving lysine, the purchase of lysine, and it—you ought to read the book, though, or see the movie. It's pretty entertaining. It started with us. We had lots of cases and I think had a good record. We built the office. I think the office grew substantially during our period of time. I'm proud of what we did.

Czaplicki: I have a note here about an Operation White Shirt?

Roberts: Yeah. We worked with the Department of Corrections. I think it was primarily out of Pontiac Penitentiary, where a number of higher-up prison guards were bringing dope into the penitentiary, and a number of people were indicted and subsequently convicted. It seems like we always had "Operation something."

Czaplicki: (laughs) Yeah, who titles these investigations? Is that your call?

Roberts: We had one tongue-in-cheek, although it was a very successful investigation and prosecution, called—you may recall, oh, back years ago in the Northern District, the judicial scandal—which went under the title of Operation Greylord.[33]

Czaplicki: Greylord, yeah.

Roberts: In this instance, one of my assistants, I think Lee Smith, coined this name. Grain companies were being defrauded of significant amounts of money. So we undertook the operation called Operation Greylord. (laughter)

Czaplicki: And the courts groaned, right?

Roberts: Yeah. (laughs) I don't know, we always had Operation something, it seems.

Czaplicki: Now, when Congressman Michel wanted you to get the best and the brightest to bring into your office, was he only thinking about career prosecuting staff, or did he also have an eye to future political talent? Because oftentimes it seems like some of our political leaders end up coming out of the U.S. attorney's office; it's often a jumping board.

Roberts: He never really talked to me about that. It was, "Go do the job as best you can. We want to be proud of that office, and we want you to do a good job."

Czaplicki: You must have been doing well, because in '91 or '92, I'm not sure which year, you move up the federal ladder a little bit. It sounds like an important

[33] Operation Greylord was a significant federal investigation into judicial corruption in Cook County during the 1980s, which resulted in the indictment of 92 people—"17 judges, 48 lawyers, 8 policemen, 10 deputy sheriffs, 8 court officials, and 1 state legislator." Federal Bureau of Investigation, Investigations of Public Corruption" (March 15, 2004), http://www.fbi.gov/news/stories/2004/march/greylord_031504.

position: the Department of Justice, U.S. Attorney General's Advisory Committee of U.S. Attorneys. William Barr is now the U.S. attorney general, succeeding Dick Thornburgh. Could you describe what the advisory committee does and tell us how you happened to end up in that role?

Roberts: When I came on board as U.S. attorney, my friend Dan Webb, former U.S. attorney for the Northern District, said, "Bill, you ought to try to get on that Attorney General's Advisory Committee. That's where the action is." So I had my eyes open. The Attorney General's Advisory Committee is composed of fifteen U.S. attorneys from around the country who meet—I don't remember if we met monthly or quarterly or bimonthly—I think probably six or eight times a year. But we'd go to Washington and actually spend a couple of days with the attorney general, talking through issues that our members, the ninety-three U.S. attorneys, would raise. Then likewise, we would be the conduit of information and programs from the Justice Department out to the field. We had a number of subcommittees who did good things, and we had an office management committee—we certainly always had a narcotics [subcommittee].

But at any rate, at some point I was appointed a member of the Attorney General's Advisory Committee and did some work on that. Then at one point, I was summoned to probably the deputy attorney general's office, and I thought, Oh, what have I done? They asked me if I would consider being chairman-elect of the Attorney General's Advisory Committee. I was honored. And they said, "We want to change it. Actually, when you come on board, although you will still be the U.S. attorney in Springfield, we want you to spend a significant amount of time in Washington." So they put me in an office on the fifth floor of the Justice Department, in the attorney general's suite of offices. But a handsome office. Golly, the ceiling was probably two or three times as high as the ceiling in here.

Czaplicki: I think you're looking at about a twelve-foot ceiling here.

Roberts: Yeah, you could get off a jump shot in there, I think. They got an apartment for me in the neighborhood of the department, back behind the FBI building, in that area. And it was just a remarkable experience. We'd start each morning in senior staff with the attorney general, the deputy attorney general, and assistant attorney general, determining what had happened overnight, what crises we would be dealing with, what congressional committee was subpoenaing whom to testify about what. It was a fascinating experience. I was there and sort of waited with the attorney general while the Noriega jury was out. We also made the decision collectively as to whether to go ahead with the federal prosecution of the Rodney King defendants.[34]

[34] Manuel Noriega, the military dictator of Panama before his removal from power following the 1989 U.S. invasion, was convicted in 1992 of drug trafficking, racketeering and money laundering. In 1992, despite video evidence of Los Angeles police officers beating Rodney King during a traffic stop, a California jury failed to

Czaplicki: The police officers?

Roberts: Yeah, the police officers. So it was a remarkable vantage point from which to view the government.

Czaplicki: What were those deliberations like? Was there a debate, or was it your sense that most people wanted to move this [the Rodney King case] to the federal level?

Roberts: I think we felt that the strong feeling in the country was that justice had not been done, that there was jury nullification. The attorney general decided this was the right thing to do, so the department went forward with it.

Czaplicki: So who else would be involved at this time? Ken Starr has a role, doesn't he?[35]

Roberts: Ken Starr was the solicitor general.

Czaplicki: Robert Mueller, I thought, was—

Roberts: Bob Mueller was head of the criminal division.

Czaplicki: Oh, so he wasn't at the FBI? Okay.

Roberts: Bill Sessions was head of the FBI at the time.

Czaplicki: That's right.

Roberts: What else? Wayne Budd was the—the pecking order, I forget—either deputy or the assistant; he was the number three guy. George Terwilliger, who was in my rookie class of U.S. attorneys, was the deputy. Tom Corbett, who is now the governor of Pennsylvania, was on the committee, as was Deborah Daniels, whose brother Mitch is now the governor of Indiana. A former member had been Frank Keating from Oklahoma, who was governor during the bombing.[36] Of course, Rudy Giuliani was a graduate of that.[37] And I'm sure there were others; I'm sure I'm missing some other people. But it was a high-level group.

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convict any of the four officers on trial. As a result, serious riots erupted in Los Angeles. Federal charges were brought against the four officers, two of whom were later convicted.

[35] Starr became a very visible figure in U.S. politics several years later when he served as the independent counsel investigating allegations of criminal activity by Pres. Bill Clinton while Clinton was governor of Arkansas. His investigation soon expanded to include allegations of malfeasance in the White House, and his investigation of Clinton's affair of Monica Lewinsky led to the impeachment of Clinton in 1998.

[36] Timothy McVeigh and Terry Nichols bombed the Murrah Federal Building in Oklahoma City on April 19, 1995.

[37] Giuliani served as associate attorney general from 1981 to 1983, before his appointment as U.S. attorney for the Southern District of New York. Building on the visibility he garnered from several high-profile investigations he conducted, he ran for mayor of New York City several times, winning in 1993. He served as mayor from 1994 to 2001, and later mounted an unsuccessful run for the Republican presidential nomination.

Czaplicki: How long, say the Rodney King—how long were those deliberations? Is that something where you had one meeting and you made the choice, or is that an ongoing—

Roberts: I don't know. It was an ongoing thing. As I recall, after the verdict came back, the discussion was there. I really don't remember the timing of it now, but it was something that was discussed, and ultimately the decision was made to go ahead and do that.

Czaplicki: Were there fears there might be other riots in response or a sense that it was pretty contained to Los Angeles?

Roberts: I don't know that there was a lot of talk about riots. I think the talk centered on the fact that, had justice been done here, and was there an opportunity to do the right thing? And it seemed like there was.

Czaplicki: Another case I have here is that Barr appointed you to the Banca Nazionale del Lavoro—

Roberts: Right.

Czaplicki: They had an Atlanta office, this Italian bank, and they were apparently…

Roberts: The question was what happened to five billion dollars during the Bush I administration. This guy Christopher Drogoul moved all this money through this bank in Atlanta and was then charged.[38] This investigation went on and on, and at some point the attorney general appointed me as—I don't remember what I was called; I think I was called chairman of it, but that doesn't make a lot of sense. I was in charge of the investigation. Dealing with the intelligence agencies was a trip. (laughs) Dealing with the CIA and the…

Czaplicki: NSA maybe helping?[39]

Roberts: NSA, yeah. There were perhaps a dozen of them who had information. Of course, because we were in federal court and because someone had been charged with a crime, under the federal discovery laws, we, the government, had to turn over in discovery everything we had that was arguably relevant to this investigation. Getting the intelligence agencies to do that was not easy.

Czaplicki: It's a similar issue now, right, with a lot of the terror trials?

Roberts: Yeah. I don't remember when the Wen Ho Lee case came down, but at some point, the government, as I recall—I wasn't involved in that decision—elected to—

[38] As manager of the Atlanta branch, Drogoul funneled unauthorized loans for agricultural exports to Iraq, loans the Iraq government diverted to buy weapons. Stanley W. Cloud et al., "Lone Wolf Or a Pack of Lies?" *Time,* October 26, 1992. Bush I refers to president George H. W. Bush.
[39] Central Intelligence Agency and National Security Agency.

Czaplicki: This was the theft of materials from Los Alamos, is that right?

Roberts: —Yeah. Elected to drop the case rather than have to go forward with the discovery.

Czaplicki: What do you think of that? Were you frustrated at the time, or was it the kind of thing where you said, Oh, I understand?

Roberts: It's one government, and it's the law. As we see currently, these are very complex issues, and tried our best to sort them out. (coughs) Excuse me.

Czaplicki: Did you get the sense that coming out of that case—was there talk of information sharing or ways to get better cooperation, or was it just kind of, case came and went?

Roberts: Well, (sigh) I didn't get to play the hand out in that one.

Czaplicki: Because that was late, that was October '92 you were named—

Roberts: Yeah, that was October, and as you know, George H.W. Bush was not reelected, which meant that my tenure as U.S. attorney was going to be shortened. It's the nature of the business. So I think shortly after President Clinton took office, I submitted my resignation from that aspect of it. I remained U.S. attorney till, I think sometime in April, when Web Hubbell fired all of us.[40] (laughs)

Czaplicki: Is that an unspoken rule of the job? If somebody new was elected, would people turn in their resignations—

Roberts: It depends.

Czaplicki: —or was that just your personal feeling?

Roberts: It depends. At the end of the day, we're political appointees, and it's certainly within the prerogative of the incoming administration to do what they want. Some are more humane in handling it than others.

Czaplicki: Is there much of a transition before you go and the next person comes in?

Roberts: Typically, yeah. I think my first assistant, Byron Cudmore, probably served as acting U.S. attorney then for more than a year. I'm reasonably certain of that. And that was the case in most instances, because they have to go through a process of identifying a new U.S. attorney, doing a background check, being confirmed by the Senate—getting the same thing I went through, and that

[40] Clinton, had appointed Hubbell chief justice of the Arkansas Supreme Court while governor of Arkansas, and nominated Hubbell as associate attorney general at the start of his presidency. Hubbell served until March 1994, when he resigned in the face of an investigation into his evasion of federal income taxes.

takes time. Frequently, a first assistant or a criminal chief or a senior prosecutor will take the reins for a period of time.

Czaplicki: So I'm going afield here, just following the things you're saying that make me think of—so why the outcry with Bush II, George W. Bush, and Alberto Gonzales? Was there a difference, do you think, in the way they handled that?

Roberts: I didn't see it. I think if I go look at my charter or my appointment documents, I believe it says I serve at the pleasure of the president, and if the president doesn't please, so be it. (laughs)

Czaplicki: So what did you do when you came back to Illinois, then, in '93?

Roberts: I came to Hinshaw and Culbertson. A number of my friends were with this law firm. I had an opportunity to be a judge. My close friend Ben Miller was at that time on the Supreme Court, as I recall, and I think would have been pleased to appoint me to a judicial vacancy. We talked about it. But I decided I didn't want to do that. So I came to Hinshaw not really particularly knowing what I was going to do but thinking, I guess it's time to give this a try. So I did, and I was starting to build a pretty decent book of business. I remember telling my then- and now-boss, Don Mrozek, who is chairman of the firm, that I work hard, I'm told I'm a good lawyer, I know a lot of people, and I have no business. So if you want me under those circumstances, here I am; if not, I'll go do something else. But fortunately they did, and I found a home. As I said, I was starting to build a decent book of business, and then the political world reared its ugly head again. (laughs) Not its ugly head, its familiar head, actually.

Czaplicki: Had you thought about teaching at all, because you had that stint, that brief stint in high school?

Roberts: I thought about it a little bit, but not much.

Czaplicki: "Politics reared its head"—are you referencing the Gaming Board appointment here or something else?

Roberts: Yeah, the Gaming Board. Forgot about that. Governor Edgar asked me to be on the Gaming Board. Gaming in Illinois was just really getting its legs at that point. I was on the board when we awarded what then was the tenth license. It went to Elgin.

Czaplicki: And that was the last one—

Roberts: That was the last one before one of the boats lost its license, and then the new license came up. That was a very interesting experience, and I had some interaction with Governor Edgar's office during that period of time. I had, of course, known Jim Edgar. He was a constituent of mine (laughs) when I was state's attorney.

Czaplicki: Did you ever go to his door campaigning?

Roberts: I don't think so, but I'm sure I worked that neighborhood. It was a pretty good Republican neighborhood. And Jim Edgar did speak at my installation as U.S. attorney. So I don't know that I would call us close friends, but we knew each other.

Czaplicki: Do you remember when you first met him? Was he already secretary of state, or did you know him when he was a state rep or legislative liaison?

Roberts: No, I think it was probably right when he was appointed secretary of state. He hired a number of my friends, or they worked for Secretary of State Edgar, and they were putting together a fundraiser. I remember that fundraiser. I think it was the first one. It was at what then was known as the Forum Thirty in Springfield, the—

Czaplicki: Forum Thirty?

Roberts: Yeah, the Forum Thirty. That's now the Hilton. It's the thirty-story hotel over there. They had a fundraiser, and I remember going to it. I remember thinking, They really don't have very much food here. (laughter) I don't remember if they had any beer or wine or not. I don't remember that. I think I've heard stories subsequently that somebody finally prevailed on Jim Edgar that you've got to have something to drink at these things.

Czaplicki: Yeah, he's somebody who wouldn't have shown up at the local watering holes.

Roberts: No.

Czaplicki: In the last interview, we talked about Norb Andy's.

Roberts: No, you wouldn't see him at Norb Andy's or G.H. Prince(??).

Czaplicki: But people would talk about him? Would he be the kind of name that might come up there, just in the course of talking about what's going on?

Roberts: Politics being the favored indoor sport in Springfield, of course. I mean, Jim Edgar was a rising star. I think people in Springfield knew him.

Czaplicki: He was young.

Roberts: Yeah, he was. When he was appointed by Governor Thompson for secretary of state, I'm sure in Chicago there was a lot of head-scratching, like, who? But Jim Thompson knew what he was doing.

Czaplicki: Do you recall any of the perceptions, initially, when that appointment got made, just sort of how people down here viewed it?

Roberts: I think this is central Illinois, and I think the people in Sangamon County were happy to see a native son of this neck of the woods be appointed to one of the constitutional offices.

Czaplicki: Where was [Alan] Dixon from, do you remember?

Roberts: Belleville.

Czaplicki: Over by St. Louis?

Roberts: Yeah, yeah.

Czaplicki: So what were your impressions of Edgar as you got to know him?

Roberts: Two or three things come to mind. A real student of government, just really worked to—and did—understand the theory and practice of government. There were times I wondered, how in the world was this man drawn to politics? Oh, you watch—you mentioned Alan Dixon, or you watch Jim Thompson at the state fair parade, for example. Thompson obviously loved every minute of it, walking down the road to the fairground, shaking hands, kissing babies, waving, going down the giant slide—obviously just loved it.[41] (laughter) I suspect Jim Edgar has never been down the giant slide at the fairgrounds. I don't know that, but—

Czaplicki: We didn't ask him; I don't know.

Roberts: But he obviously loved government and understood it, and that's what he was doing there.

Czaplicki: So you view him kind of more, not technocrat, but more into the nuts and bolts of governing rather than the political side?

Roberts: Yeah. I mean—

Czaplicki: And that had been his background up to then; he was the legislative assistant.

Roberts: Yeah. I think he and Jim Thompson are two very different people. Both bring their strengths, and they have different strengths.

Czaplicki: So how long were you on the Gaming Board?

Roberts: Let me think. Probably a year and a half or two years, give or take. I don't remember. I had to, of course, leave the Gaming Board when I became chief counsel. I'm thinking close to a couple years.

[41] On Edgar as a student of government, see Al Grosboll, July 23, 2009, and Gene Reineke, June 4, 2010. For discussion of the difference in personal style between Edgar and Thompson, see Jim Edgar, May 29, 2009, 216, and June 10, 2009, 315-316; Carter Hendren, April 28, 2009, and May 7, 2009; Joan Walters, August 13, 2009; Mike McCormick, July 22, 2010. All interviews by Mark DePue.

Czaplicki: Because ’95, you come on board.

Roberts: Yeah.

Czaplicki: Did you replace Jim Montana or Elena Kezelis?

Roberts: Jim Montana. Elena was my assistant. Actually, I recommended to Governor Edgar that Elena replace me, and she did. She is an excellent lawyer, a good person.

Czaplicki: But that’s at the end… (laughter) So here you are being named. I’m trying to think of the way to frame this. Presumably you had some awareness of the dealings within his administration, the lay of the land. Did you have contacts in the administration that you talked with regularly? Would you just talk to the governor prior to your appointment?

Roberts: Oh, prior to my appointment? I knew Mike Lawrence. Mike was a reporter during much of the time I was in public life, when I was state’s attorney in Sangamon County or for much of the time I was U.S. attorney, so I had known Mike for a long time. There were others, just a number of people. Al Grosboll I had known for a long time; Janis Cellini is an old friend. I’m sure I’m missing many people. But there were a lot of people who worked for Governor Edgar and Secretary of State Edgar who had been friends. Again, this is Springfield, so you watch what’s going on in government. I had an appreciation.

I remember talking to Brenda, to Mrs. Edgar, one early fall afternoon. I was walking back from lunch and ran into—I believe she was with Mike. It was in the race against Neil Hartigan, which really was nip and tuck. Brenda said, “What do you think, Bill?” And I said, “I think it’s going to be okay.” Whether that was real thinking or wishful thinking, I don’t know, because it was a very close race, but it was very well handled by Jim Edgar and his team. I mean, they won a difficult race.[42]

Czaplicki: Did you ever wish you could have been involved in those campaigns? Because you’re in the attorney’s office, you’re under Hatch. That’s one of those legendary races, right, one of the classic campaigns in Illinois history—

Roberts: Yeah, yeah.

Czaplicki: —and you were on the sidelines.

Roberts: Having done it both at the national level and the state level and the local level, I watched. I mean, I was very happy where I was. I don’t think that thought ever occurred to me, that I wish I was in the fray, because really, to do it right,

[42] For his reflections on this classic campaign, see Jim Edgar, interview by Mark DePue, September 2, 2009, 445-515.

it's hard work. It's early morning and late nights and a lot of travel and a lot of inconvenience and discomfort.

Czaplicki: Then how did the talks happen? How was it that you actually came to enter the administration as chief counsel? Did Edgar just approach you? Were there feelers put out first through your mutual friends?

Roberts: As I recall, that's exactly what happened. I don't remember who approached me and said, "You know Jim Montana is leaving. We're going to be looking for a new chief counsel. Your name has come up. Are you interested?" That sort of blindsided me. You know, most of the other things I had done, I had my eye on, I knew where I was hopefully headed. This one sort of came out of left field: "Well, let me think about that." And it was a difficult decision. I talked with my wife; I talked with the chairman of the law firm and some other people in the firm who had become close advisors. One thing I knew for sure is that no political job lasts forever. I think one of JFK's guys, I don't remember which one, wrote the book *No Final Victories,* but everything in politics is temporary.[43] I'm at an age at that time where I'm thinking, Okay, this might be neat, but what am I going to do next? So I had to talk with the people at the law firm and make sure that if I wanted to come back I could come back and that they would have me back. So we got things worked out. Then I met with Mike, and I don't remember who else, to do the woodshedding, and had to 'fess up to any skeletons.

Czaplicki: Did they ask for financial records and all that stuff?

Roberts: I don't remember if it was that… Of course, at that time (laughs) they wouldn't have been very interesting; up to that point, most of my life had been in government anyway, so there weren't a lot of Swiss bank accounts. Mike and I talked a lot, and I met with the governor. At some point they asked me to take the job, and I agreed. Oh, I do remember in the woodshedding—I for many years drove a Chevy station wagon, and I got—

Czaplicki: Fake wooden side panels? (laughter)

Roberts: Yes. Particularly in the state's attorney's days, and even as U.S. attorney I think I had the station wagon. I got into private practice, and I was making a little more money, so we bought a Mercedes. I really liked that car, and, you know, "If I've got to give up the Mercedes now, I don't think I'm going to do this." He said, "That's okay; that union's never supported me much anyway." (laughter)

Czaplicki: Did you say yes immediately, or did you think about it for a night?

[43] Lawrence O'Brien served as postmaster general during President Lyndon Johnson's second term, as well as chairman of the Democratic National Committee from 1968 to 1969 and 1970-1972. Lawrence O'Brien, *No Final Victories: A Life in Politics From John F. Kennedy to Watergate* (Garden City, NY: Doubleday, 1974).

Roberts: No, we both had to think about it. Most of the chief counsel over the years had come from Chicago, as Arnie [Kantor] had and as Jim [Montana] had. We talked through a lot, what are the duties, and most of the things I felt comfortable with. And they had a very capable staff. You mentioned Elena, and Bill Ghesquiere. We had people very knowledgeable about bonds, which was something for which we were responsible. We at some point made the deal, and then on Labor Day of 1995, I came on as chief counsel to the governor. And my agreement was that I would stay for two years, and I stayed precisely for two years, (laughter) left Labor Day 1997.

Czaplicki: So what exactly does the chief counsel do? What's your role in Illinois government? What are your responsibilities, say, to the state, and then also particularly to the governor? Are you the governor's attorney, or does he retain an additional person to serve as his personal lawyer?

Roberts: On many levels you are the governor's lawyer, although, as we got into with some of the investigations that went on—none of which had anything to do with Jim Edgar, but certainly we saw in other administrations—I am a lawyer for the state; I am a lawyer for the governor's office. I have a confidential relationship with those with whom I work, and particularly the governor, but I don't have an attorney–client privilege should an investigative agency subpoena me and ask me to say, "What did the governor tell you?" I don't have the privilege. So later on, we got into some investigations where Governor Edgar and I talked through this, and he did have a privately retained attorney who could talk to me, and I could talk to him. But it was just best that the governor split that concept.

Czaplicki: What kind of things might one have to do in your day-to-day? Did you have any formal policy responsibilities? You mentioned bonds before. Is that just vetting as to legality and language behind the bonds?

Roberts: That, and selection of attorneys—bond counsel, attorney for the issuer, attorney for the state—as well as what bond houses would be involved, who would be the bond runner. Our office was right in the middle of all of that. Now, in cooperation with Joan Walters, who was budget director. So often these bonds were through her department. That was one of many things. I mean, there would always be a hot potato. Something would happen overnight. There were always questions of, what can we do? How far can we go? What should we say? You know, a lot of—

(talking in background, pause in recording)

Czaplicki: All right, so we're back after a break for a fire alarm, (laughter) a fire drill—not a drill, actually—but here we are, and we'll continue onward with you arriving as chief counsel for Governor Edgar in 1995. Arnie Kanter said that when he came on, he had a lot of say in staffing the office since he was the first guy there. Now you're coming in, and the Edgar administration is well

underway; it's in its second term already. Did you have much of an opportunity to shape the staff, or was the bureaucracy pretty much as you found it when you arrived?

Roberts: No, things were pretty well set. I think one of our lawyers left, and I had the opportunity in consultation with a lot of people to hire someone else. But we didn't have a large staff anyway in the governor's counsel's office—maybe five or six lawyers total—so things were pretty well set by the time I got there.

Czaplicki: And is that something you were thinking about when you were thinking about taking the job, who was there, who you'd be working with?

Roberts: Actually, it was. Obviously couldn't make it a condition, but one of the things into which I inquired was whether Bill Ghesquiere was going to stick around. Bill has since become a very good friend, but just was the mainstay of the office, and as I have often told him, "You truly have forgotten more than most people know." He was just encyclopedic in his knowledge of things about the government. He was one of several lawyers around the different agencies. Shawn Denney in the attorney general's office was another. Steve Seiple at CMS. These were people who had been there for years and just really knew their craft very well. So I was told Bill was going to stay, and that was a good thing.

Czaplicki: What was his background?

Roberts: I know he went to Fenwick High School in Chicago because he was a Fenwick Friar. I don't know that I recall where he went to law school. I think he was chief counsel at IDOT for a while. I think he came very early with the Thompson administration and was with government all that time. He certainly was just a godsend for a new person on the job.[44]

Czaplicki: Back to your duties for a second. You were talking about dealing with whatever the hot potato was, passing on these other issues. How involved would your office be with drafting legislation, like if the legislative liaisons were working on something or one of the agencies had something that they'd like to see put forward. Would they bring something like that to your office for review; would you loan people out to advise?

Roberts: There were times when they would talk to us, but generally the Legislative Reference Bureau did that, and they were far better than I was at doing those things. Sometimes we were called upon to discuss concepts, but most of the drafting was left to the people who drafted legislation. You were asking about the typical day. It always started with the clips, and—

Czaplicki: Newspaper clippings?

[44] Kanter, Edgar's first chief counsel, shared this view of Ghesquiere's value. Arnold Kanter, interview by Mike Czaplicki, December 29, 2009, 74-76.

Roberts: Yeah. As I learned in Washington before that, the day always starts with the clips of all the relevant newspapers.

Czaplicki: Who does that? Would Mike Lawrence's office preparing that?

Roberts: I'm sure the press office did it. Every senior staffer would start the morning with the clips on your desk, and of course, trends would shape up. I think we had our senior staff meetings on Tuesday mornings—but it might have been Monday mornings—where all the senior staff got together and talked over what was going on, what initiatives were underway, what problems were on the horizon.

Czaplicki: In the Edgar administration.

Roberts: In the Edgar administration, yeah. The governor occasionally joined us, but usually it was just senior staff.

Czaplicki: He wasn't known as an early riser. About how early would you start your day with these clips? 7:00 a.m.?

Roberts: I don't think I was a 7:00 a.m. person. Maybe 8:00.

Czaplicki: At this point you have pretty extensive experience across all levels of government, but now you're back and you're in state government. Was that a dramatic transition from the work you'd been doing for the U.S. attorney's office or even state's attorney?

Roberts: It was different than being a prosecutor. There was, I guess, more policy involved, policy judgment. And of course, in the prosecutor's office, you have to use judgment. You make a judgment as to the quantum of evidence necessary to prove something, is it there; how will this person appear as a witness; how is the jury likely to perceive this set of facts? So you make judgments, but they're in a more limited range, I think. In the governor's office, you're always called upon to make judgments and try and perceive how that which you or a colleague is attempting to do, or is thinking about doing, will be perceived by this vast audience who is responsible for hiring or not hiring our boss every four years. Having come from, to some degree, the political realm, it wasn't difficult for me to recognize that at the end of the day, in my perception, there was only one hero and that was Jim Edgar. Jim Edgar was the boss; we were there to support his policies, his views, and to assist him as best we can.

Czaplicki: On that score, thinking back to the U.S. attorney's office, how important are politics, or observing politics? Is it important to sort of keep an eye on what's going on, in the state house or in the governor's office or various issues out there in the community, or is it strictly do the law?

Roberts: It's a lot easier in the prosecutor's office. I mean, you got to know what's going on, but the law's the law. Now, some cases don't get prosecuted. The old items in the newspaper that used to list the antiquated crimes—spitting on a sidewalk. I suspect there's still plenty of those in the statute books in Illinois and elsewhere. But pretty much, the law is the law. You get a set of facts, and are the elements of wrongdoing there? If they are, then you've probably got a case. If not, then you do make that judgment. But the range of matters that have to be considered in the governor's office are far greater.

Czaplicki: You mentioned hot potatoes, so I'm curious if you could elaborate more on what would constitute a hot potato, or can you think of any policy measures where people felt they were pushing the boundary a little bit?

Roberts: I guess the one thing that really comes to mind is the attempt of the Edgar administration, with the support of Speaker Madigan, to impose educational reform, to change the school funding formula. Interestingly, I had a role in that. Speaker Madigan and I at some point had become reasonably good friends. We had flown back from Chicago on the state plane one evening, and we were talking about something and hadn't finished the conversation. I asked the Speaker if, when I finished my business in the governor's office, I could come up and talk some more. He said, "Sure. Why don't we just go to dinner?" So we went to dinner. And in the dinner, he said, "You know, I would like for you, Bill, to go back to the governor and tell him I am ready to carry the ball on educational reform. I want you to let him know that." So I go back to the governor the next day and tell him this, and [he said] "Where'd you have dinner?" (laughter)

Czaplicki: Where did you have dinner?

Roberts: Actually, we were at the Sangamo Club. He said, "How much wine were you drinking?" (laughter)

Czaplicki: To good to be true, to his ears?

Roberts: Yeah. Then Governor Edgar and Speaker Madigan got together, and with the Democrats' support and a few courageous Republicans, got the vote out of the House. The vote may well have been there in the Senate, but President Pate Philip would not call the vote. You've probably talked with others about this.[45] But that whole time was a hot potato. I don't remember; I'm not coming up with instances of things. But you can rest assured, if something showed up in the *[Chicago] Sun-Times* and the *[State] Journal-Register* and the *Alton Evening Telegraph* saying the same thing in the morning clips, there would be calls made. But nothing is really jumping to mind right now.

[45] On Edgar's push for education funding reform, see Jim Edgar, September 2, 2010, 848-880; Al Grosboll, October 22, 2009; Reineke, June 4, 2010; and Mike Lawrence, July 2, 2009. All interviews by Mark DePue.

Czaplicki: This would have been the school reform involving the property tax swap plan that he was talking about?

Roberts: Yeah.

Czaplicki: Because I know there were a few different ones floating around.

Roberts: It would have been ’96, I think.

Czaplicki: Now, Madigan in that case is going to use you as an emissary to Governor Edgar. Would the governor employ you in that role to other leaders?

Roberts: Actually, more with Senator Philip than Speaker Madigan.

Czaplicki: Really?

Roberts: I knew Senator Philip fairly well and felt at ease in the president’s chambers, so I was sometimes dispatched to go talk to Senator Philip.

Czaplicki: Part of what I was thinking about earlier when I was asking about whether or not you ever wished you had been in the fight during the 1990 campaign: you’re now entering this office, and there is this preexisting staff, preexisting department heads, a culture—a trusted circle in many ways—and some of these people came out of that campaign. What was it like to walk into that? Was it tough getting acclimated right away?

Roberts: It was, it was. These people all knew each other. Many of them went back to the secretary of state days. So, there were some who didn’t know me. Many of them did know me, and that was helpful. My political credentials were never suspect, and that was a positive. But it was trying to fit in with the team that had been there for a while, and I had to tread cautiously—and did. I recognized I didn’t know what the duration of the Edgar administration was, but I knew I wasn’t there for the duration. I was there to do a job, to do the best I could to help the governor, and to move on.

Czaplicki: In terms of other staffers that you were encountering, were there any people you felt a particular affinity with fairly quickly, or any areas that were just always a misalignment for you?

Roberts: As I told you, Bill Ghesquiere was enormously helpful. I didn’t know Elena Kezelis; she really became a very important part of our office. Diane Ford. Mark Warnsing was in the office. (laughs) It may still be ongoing, for all I know, but a particular Indian tribe wanted to make the case that actually, based on treaties and research, it owned a significant portion of east central Illinois, I believe including Jim Edgar’s mother’s home. (laughter) So periodically, we would meet with this Indian chief and his attorney, but Mark handled those things.

Czaplicki: How about beyond the counsel staff: Edgar's chief of staff or other divisional heads?

Roberts: Mike Lawrence, who we talked about earlier; I had known Mike. I guess there was a natural affinity for Howard Peters. We both sort of came from the criminal justice side, and his office was next to mine.

Czaplicki: And thinking about his timing, didn't he take over at Pontiac after that investigation, somewhere in that window?[46]

Roberts: I don't know for sure. I know certainly his background was the Department of Corrections. Of course, his senior assistant, Nancy DeMarco, was the wife of my good friend, the sheriff of Sangamon County, Bill DeMarco. I'd known them for a long time. I'm trying to think who else. But there were a lot of people that I didn't know, some who had come from Eastern with Jim Edgar. I think Steve Schnorf comes from the Charleston area. I hadn't known Andy Foster at all. Joan, I really didn't know. But I think as long as you played ball and listened and tried to make valid points, there wasn't any problem with acceptance.

Czaplicki: Did you deal with Bob Kustra much? I was thinking about education reform.

Roberts: Hardly ever.

Czaplicki: So there were a lot of issues, a lot of hot potatoes, but two big ones, right? One was the MSI scandal, the other, death penalty cases, which is attracting increasing attention over this period. I guess I'd take them in order, unless you have a preference, and we can always come back and talk about anything that we gloss over. MSI is convoluted, but as briefly as I can: Management Services of Illinois, co-owned by Michael Martin and William Ladd, had a contract in the early nineties with the Department of Public Aid to weed out people on Medicaid rolls who were ineligible and should have been getting private insurance. Through false cost estimates and billing for work done by state employees, they ended up overbilling several million dollars, allegedly aided by two Public Aid workers, Curtis Fleming and Ron Lowder. It also becomes a scandal not just because of these workers, but down the road there's allegations of a "lobster list"—food and benefits supposedly paid to other people in the Edgar administration. In May 1995, Mike Lawrence was made aware of this because he received an anonymous letter, which he immediately turned over to the state police. I was curious when you became aware of the problem in '95.

Roberts: (laughs) Well.

[46] For Peters's description of his service as the warden of the maximum-security prison at Pontiac, see Howard Peters, interview by Mark DePue, December 21, 2009, 45-49.

Czaplicki: If this was something talked about in your talks to join or if this was a hot potato.

Roberts: Not really, not really. I think in retrospect, the impending MSI investigation might have had something to do with my being hired. No one ever told me that. As we discussed, I joined the governor's staff on September 1, 1995. The afternoon of my first day in office, which I guess would have been a Tuesday, then–Director of State Police Terry Gainer and then–Deputy Director of State Police Gene Marlin—who happened to live across the street from me in Springfield—showed up in my office with the MSI investigation and placed it on my desk. So MSI really arrived at the Edgar administration the day I did.[47]

Czaplicki: Wow. It's not really a hot potato; it's kind of a loaded baked… (laughs)

Roberts: Right. It was a very difficult time, even though Jim Edgar and his staff really had nothing to do with it. It was never really traced up the ladder beyond the mid-level people. But the U.S. attorney's office for the Central District of Illinois, my old office, was particularly aggressive in pursuing this. It seems like they must have subpoenaed everybody in government, I don't know, to come to the grand jury. These were people who are honest people, who come to work, who give the government an honest day's work for their pay, do the best job they can—all of a sudden they're in the limelight of being subpoenaed in a criminal investigation. So that fall and the next spring, I did a lot of hand-holding with people and explaining to them what is likely to happen, what is a grand jury, how does a grand jury work, can I have a lawyer with me, can you come with me, are you my lawyer—just lots of things. It was a long time, and ultimately I think the Edgar administration was exonerated. It seemed that a couple of people got their moral compass skewed. Maybe it was a reflection on the way business was generally practiced in the state house then. But it was a difficult time.

Czaplicki: How did you feel, being on the other side of the table, as it were? As you said, you were a federal prosecutor; now you're here. In Sherry Struck's interview, for instance, she had some interesting comments about experiencing the investigation, what it's like to be on the end of that federal probe.[48] And they're not targeting you, but as you say, you're doing the hand-holding and these are some of your—were there former colleagues of yours involved in this?

Roberts: Sure, sure. They all were. (laughs)

Czaplicki: So what was that like?

Roberts: Well, it was not comfortable. I mean, at one point somebody suggested, "Maybe we better subpoena Gainer and Roberts." Why? It makes no sense at

[47] September 1, 1995, was a Friday.
[48] Sherry Struck, interview by Mark DePue, November 3, 2010.

all. No element of MSI had occurred during the time that either Terry Gainer or Bill Roberts were even in government.

Czaplicki: But down the road, when they start getting Martin on tape and he's making all kinds of allegations, I thought that was one of them.

Roberts: I don't recall. But having been one of the good guys (laughs) and now having these people throwing these subpoenas around like paper airplanes, it was not a fun time. But—

Czaplicki: Did—I don't want to cut you off.

Roberts: No, no. It's just one of those—but you've got to tell yourself and others that this will pass. Look, at the end of the day, the truth is the truth, and nobody here did anything wrong.

Czaplicki: During that period, did it change your interactions with your former colleagues? Were you not talking to them as much of necessity, or did you just talk about the weather instead?

Roberts: (pause) I don't know that we would have had that much interaction anyway. Some of the people who had worked with and for me in the state's attorney's office, there would be social interaction from time to time. But it was a difficult time, there's no question.

Czaplicki: I don't know what kind of rules you're under in a situation like this, but when they are casting the subpoena net broadly, is that something you could call one of them up and say, "What are you doing?"

Roberts: Probably—

Czaplicki: Did you want to call them up and say that? (laughs)

Roberts: Well, I wondered, What in the world are you doing? But as you have no doubt heard from others, and somewhere the point was made to me, particularly in an office like that, before you do anything, you got to think, How will this read on the front page of the *Tribune*? "Edgar Lawyer Tries to Influence Prosecutors"—this is the judgment we talked about, and the judgment was, as much as I'd like to, just stay away from it, Bill.

Czaplicki: How did the Edgar administration organize around this problem? For instance, eventually Fleming turns informant. Curtis Fleming is a Public Aid officer who is an informant. Once his indictment comes down, he's released from Public Aid. Is that the kind of thing that just worked in normal channels—Public Aid just said, "Okay, we have an ill here; you need to step aside"—or was there almost like an internal task force so that everything about MSI would pass through them?

Roberts: I don't think there was any formal task force. I mean, Terry Gainer and Gene Reineke and I probably knew everything that was going on.

Czaplicki: Gene's the chief of staff at this time, right?

Roberts: Yeah, and a very good one, by the way. I did not know him before I came there, but I came to admire him, appreciate him. I don't recall that there was any specific task force to deal with it, but certainly we tried to stay on top of what was going on. This was the beginning of what today, in the legal profession and in litigation, is a huge issue, the so-called e-discovery, electronic discovery. The government laid subpoenas on CMS to preserve any communications, any e-mails. The sophistication was not that great then, and as I recall there was an automatic program where after six months, or some period of time, the tapes were written over or destroyed. And here we had a duty to preserve all this stuff. Getting that done was a challenge, working with CMS to make sure e-mails were, not intentionally destroyed, but not inadvertently or as a matter of course destroyed.

Czaplicki: Right. Like cockpit voice recorders, there's only so much memory, and they loop. As a side issue, I was wondering this about the death penalty, too, because I know there were a lot of petitions and e-mails flooding into Governor Edgar's office, asking him to do this or do that thing. What is the status of e-mails in the governor's office? Is it like the federal level, where it's considered a record that has to be preserved for safekeeping, or does it vary widely by state?

Roberts: I don't know. If you were to ask me then, I think they were treated like everything else at CMS, that it just… Again, this was a relatively early point, and even in the use of—it seems hard to believe now, but while we all had our computers and we communicated by e-mail, the thought of preserving those things or… I remember telling people on many occasions, "Don't write anything on your computer that's improvident about anything. 'Delete' does not mean delete." (laughter) If somebody wants to get something off the hard drive, they can. The only way to get it off the hard drive is to destroy the hard drive.

Czaplicki: I'm curious about morale in general during this time, and I don't know if it varied depending on revelations. In March '97, there's transcripts of Martin's that get filed in court, and that's one when he has the quote, "The governor's culpable in this thing." The press picks up on that and they start blasting it everywhere. And of course the governor himself is called to testify, and he was the first one in seventy-five years. How did that play in the office?

Roberts: It was tough. Although knowing Jim Edgar, as particularly the inner circle did, Jim Edgar is as honest as they come. But having somebody taking shots at the captain of the team is not a pleasant time.

Czaplicki: Would you get letters? Did the public ever target you or other staffers?

Roberts: I don't recall any.

Czaplicki: How about the actual nuts and bolts of getting ready for trial and things like that? How did you prep Edgar for testimony, or other staffers, even. In Edgar's case, he's so busy; how do you find the time to do this?

Roberts: I don't have any clear recollection of it, but I'm certain he cleared the decks and did what he had to do. I mean, this was very important.

Czaplicki: Is that something you would have assisted with, or you mentioned that he did end up retaining a personal attorney for this, right?

Roberts: Yeah. We talked about it. Although, as I recall, Tony Valukas represented him, and I think Tony Valukas and Bob Markowski prepared him. I don't have any specific recollection, but I'm **sure** he talked to me. I mean, he was going to the courtroom where I practiced for a long time, with a judge that I knew very well, as did he. I know the U.S. marshal's office was very cooperative with the governor's office in getting the governor in and out of the courthouse without having to go through droves of media.

Czaplicki: And other people, would you give them general advice, would you do a walk-through?

Roberts: I think mostly my advice was procedural, as to what's going to happen: Okay, it's going to play out this way. If you go into the grand jury, a grand jury is a group of twenty-three persons selected from the registered voters roll. They will be from any of the forty-eight counties in the Central District. The questioning will be done by an assistant U.S. attorney. There may be more than one of them. There will be a court reporter taking everything down. You'll be asked to stand, swear to tell the truth, sit down, and they'll ask you questions. Very few questions will be asked by the grand jurors. Maybe at the end, the grand jurors will ask a couple questions. The way you handle it is, you stand up, speak up, shut up. You listen carefully to the question. If you understand it, you answer it succinctly and stop. There's nothing wrong with an empty room. You don't have to keep rattling on. If you don't know the answer, you don't have to make something up; please don't. If you don't understand the question, please tell the questioner you don't understand it. That's the advice I still give people when they go testify. There's less mystery about the courtroom, of course, although in the courtroom you have to deal with cross-examination from the other side, and there are ways of dealing with that. I honestly don't remember how many of the senior people had to testify. I don't recall there were that many who testified in any trial. A lot of them got subpoenas to the grand jury.

Czaplicki: On that score, I was just curious if you had any thoughts about the concept or the device of conspiracy, because that seems to be something that gets used a lot in cases like this one.

Roberts: I'm not sure I understand your question.

Czaplicki: It seems like a really broad tool, as opposed to charging an individual, if you can charge conspiracy.

Roberts: It is.

Czaplicki: I'm partly interested in it because I'm curious if there's a relation between that term and then the other idea, which is unindicted co-conspirator, and what that even means. Because these terms come up and you read this in the paper, and it's never necessarily explained all that clearly.

Roberts: A conspiracy is an agreement of two or more people to do an act and take at least one step in furtherance of the commission of that act. The act doesn't have to succeed. Now, of course, it gets gray when the act or acts in furtherance of conspiracy are circumstantial in nature. You're right, it is gray. It's gray. When I was there, I don't know that we used the term "unindicted co-conspirator" that much. That always seemed to me to lack some degree of fairness. You're not saying this guy's a criminal, but you're throwing tar all over him. I don't know that we didn't, but I don't recall having ever branded anybody an unindicted co-conspirator.

Czaplicki: I guess part of that problem with that is it did come out down the road, because that was the thing that the press filed suit to get access to, people called as witnesses, and that seems to be when the term emerged. I think that was 2000 or something like that.[49]

Roberts: Yeah.

Czaplicki: Any other thoughts about MSI?

Roberts: At the end of the day, I think it turned out to be a couple of mid-level bureaucrats whose moral compass got skewed a bit, and convictions were had. My God, it was certainly a thorough investigation; I think they took it as far as it would go, and that was it. I think it's something that in looking at the footnotes of Jim Edgar's investigation, yeah, it was there. Did Jim Edgar have any responsibility for it? In my mind, no.

Czaplicki: All right. The other issue firing up about the same time, so I'm imagining your morning clippings—that must be a thick file—was the death penalty. Just a quick timeline of some key dates to situate this within. In 1962, James Dukes was executed in Illinois, and then he ends up being the last person executed

[49] Ray Long, "MSI Scandal Link to Aides of Edgar, Philip Revealed," *Chicago Tribune*, August 24, 2000.

until ’94, when John Wayne Gacy was executed. In 1972, the U.S. Supreme Court, *Furman v. Georgia*, ruled the death penalty as practiced then was unconstitutional. By 1976, *Gregg v. Georgia*, they clarified the grounds on which you can practice the death penalty. So in 1977, the Illinois General Assembly votes to reinstate it, and both Jim Edgar and George Ryan, who are state representatives, vote in favor of reinstating the death penalty. In ’78, Gacy’s arrested; in 1980, he’s sentenced to death. So this kind of foregrounds that.

But it shows up in both of Edgar’s gubernatorial campaigns; in both 1990 and ’94, the death penalty figures. In the case of Hartigan, Edgar was very critical of the length of death penalty appeals. He had some statement to the effect of, If we’re going to have these ten-year appeals, why even have the death penalty, which Hartigan tried to twist into, “Jim Edgar is against the death penalty.” He [Edgar] also called for the death penalty for drug “kingpins.” And in ’94, Gacy was executed, and Edgar made a lot about Netsch’s opposition to the death penalty: If you’re going to be governor but you oppose this and this is law of the land, how can you actually hold that position?[50] So all this is a way of saying, do you think election campaigns about the death penalty, something this important, do a disservice to the seriousness of the issue? Is there a way that it lends itself more to this debate about who’s soft on crime, who’s tough on crime, or does it really get to the heart of some of these issues about the death penalty?

Roberts: As that which you just discussed suggests, it is a very complex issue. There are many, many facets to it. Could we take time out? There’s a problem here—

Czaplicki: Yeah.

(pause in recording)

Czaplicki: All right. Back after a pause.

Roberts: As I was saying, the issue of the death penalty, the question of the death penalty, “the memory of man runneth not to the contrary.” I mean, this has been debated likely forever. It’s a complex question for which there is no, I think, right or wrong answer. As we talked last time, I’ve tried a number of death penalty cases. It’s not the most fun thing in the world to do, to sit in a room and try to explain to twelve people how they should vote to kill this guy who’s sitting as close as you and I. Having said that, it is a means for society to deal with criminality. Thus, if someone chooses to put him- or herself in the crucible of public opinion, I think it’s fair game. Now, is it manipulated? Of course it is. It’s the nature of politics: you try to cast your opponent—or some

[50] Jim Edgar, September 2, 2010, 885-886. On his use of crime as an issue against Dawn Clark Netsch, see Jim Edgar, interview by Mark DePue, June 18, 2010, 731-732.

do, at least—in the worst possible light. So, I mean, it's significant public policy.

The debate is not over with the vote that came out of the legislature recently.[51] Public opinions wax and wane. God forbid we have another John Gacy or Charlie Manson or somebody, but history teaches we likely will. What does society then think about the death penalty, when the only thing society can do is put this individual in prison forever and say, "Don't do this anymore." How will the public opinion polls look then? So I don't know, I don't know. It's like other issues. I really wish people running for office would talk about how are they going to balance the budget, how are they going to get rid of the huge debt, how are they going to live within their means, rather than these inflammatory and highly emotional issues. But ain't going to happen. (laughs)

Czaplicki: What do you think about some of the economic arguments about the death penalty? Some people argue that if you factor in all the appeal costs, it ends up costing more than if you had just given them a life sentence.

Roberts: Oh, I think it does. I think there's no question. There's no question.

Czaplicki: So then the question becomes, how sustainable is it as a punitive model when you have scores, tens or twenties of people?

Roberts: Yeah, yeah. Is the threat of the death penalty effective? I think it is. How many times have you seen defendants willing to plead guilty and admit the crime and spend the rest of their life in prison if you take the death penalty off the table? That happens. So is it a deterrent? I don't know. I don't know. It certainly deters <u>that</u> person from killing anybody else.

Czaplicki: Let's talk about a specific case, because you had a role to play in this one and it attracted a lot of attention, and that would be the case of Guinevere—I believe that is how you say it?

Roberts: It went as Gwen Garcia. I don't know if it was Gwen—I think Guinevere, likely.

Czaplicki: Okay, but you can call her Gwen. Gwen Garcia, January 4, 1996, pending execution. Amnesty International, Bianca Jagger and Dorothy Yeoman, filed a petition for clemency, even though Garcia did not want intervention and she did not seek an appeal. First of all, how did the issue of standing work in a case like that? Can outsiders come in? Was this actually a formal intervention, or was this just sort of a letter, a petition they sent to the governor?

Roberts: I don't think it had any legal standing. In fact, as you mentioned, I really don't recall that it was in any particular form other than imploring the governor not

[51] January 11, 2011, the Illinois Senate voted 32-25 to ban the death penalty, sending the bill to Gov. Pat Quinn.

to sign the—I guess it was called the death warrant, whatever the governor did—or to call off the execution. They were not the only ones; there were others out there.

Czaplicki: Right, but they were especially visible.

Roberts: Yeah, they were clearly visible. At that point, as was tradition and practice, the governor's counsel's office reviewed every death penalty case. Somebody would then sit down with the governor and talk with him about this case and whether the death penalty was the appropriate disposition.

Czaplicki: What was the window like for that, the internal time frame? Was that something you would do fairly soon before the date was coming, or is it on your radar months earlier?

Roberts: It's on your radar. I really don't remember what the window was, but there was time. I can't remember now the timing. I think that the Bianca Jagger petition came pretty late in the game.

Czaplicki: Yeah, it was early January, and her [Garcia's] date was set for middle of January.

Roberts: That's as I remember it. I don't remember who raised it initially; I think I did, but it could have been Howard Peters. We often worked later in the evening, and one evening I said, "Howard, I've been looking at that case, and that just doesn't seem like a death penalty case to me," recognizing that Howard had also spent a long time in various aspects of the criminal justice system. And he said, "I've been thinking the same thing." So we talked about it that evening, and we agreed to go talk to the governor and tell him that this looks like one where they may have gotten it wrong. As I recall, we did that. I think the governor said, yeah, this had bothered him too. I'm unclear as to what happened then, but at some point the discussion focused: Should I commute the death penalty to life in prison?

Czaplicki: Is that his only option?

Roberts: At the time—subsequent governors have done otherwise—my counsel to the governor, and as I read the law, it's still accurate, was that you can commute it or you can carry it out. I think there is no legal framework for postponing, for delaying. We counseled the governor that we thought this might be a case where he ought to commute the sentence. At this point I think he asked me and my staff to take a thorough look at it, and we did. And as I recall, the governor was going out of town on the eve, or the eve of the eve—

Czaplicki: Palm Beach, Republican Governors Association.

Roberts: Yeah—of the execution. But the night before he left, he called me at home. I went over to the mansion, and we talked about it. Then he called me from the

airport, and ultimately he made the decision to commute the execution. I know he was not in Springfield or Chicago when that occurred. I know (laughs) because I announced it—

Czaplicki: Yeah, I was going to ask you that. Apparently you had to have a press conference to explain.

Roberts: Right. And somebody saw me on CNN or something—it said, "Illinois governor Jim Edgar"—and said, "Geez, Jim, you've shrunk." (laughter) But my friends from around the country said, "God, that looks a lot like Bill Roberts."

Czaplicki: He hadn't made the decision before he left? You had talked about it, but—

Roberts: Yeah, I believe that's the case.

Czaplicki: Do you recall if that was a long meeting, or longer than you might usually meet about something?

Roberts: Oh, there were several meetings. We talked a lot about it. He was very careful, he was very thoughtful. He wanted to know just why, at this point, I thought that it should not go forward. In my mind, the death penalty is for exceptionally heinous, brutal crimes and criminals. As I recall the facts of this case, this woman and an estranged man—be it husband, boyfriend, or something—were in a truck. I know there were intoxicants of some form involved, there was a gun, and the guy wound up dead.

Czaplicki: And I think she had a history of substance abuse as well as being abused herself.

Roberts: Yeah. So just having personally tried death penalty cases for quadruple homicides, for armed robbery, multiple rape, murder, contract killings, double homicides, double bludgeoning homicides—this just didn't rise to the quantum of badness that I thought it ought to. Ultimately the governor agreed, so he commuted the sentence.

Czaplicki: From Palm Beach.

Roberts: From Palm Beach.

Czaplicki: Autopen? Is that what they use for something like that?

Roberts: I think it was the autopen.

Czaplicki: I was wondering if that had the same standing for something like this as—I guess you can sign legislation.

Roberts: Well, I don't think (laughs)—the Department of Corrections isn't going to err on the side of challenging the autopen, I guess. So that was that one.

Czaplicki: And you held the press conference.

Roberts: Yeah.

Czaplicki: What was the atmosphere like? I know a lot of media came to the Governors Association to talk to the governor there, but was your press conference equally busy?

Roberts: I'm sure it was. It was in the Blue Room, I believe, although somehow I'm thinking it was in Chicago.[52] I don't recall. It was pretty matter-of-fact, that today Governor Edgar's made the decision to commute the sentence of Gwen Garcia. Then I think he was besieged in Palm Beach.

Czaplicki: Do you think gender had anything to do with it?

Roberts: (pause) From her perspective, it didn't hurt that she was a woman. I don't know. To me, I just looked at the crime and the other crimes that I had seen, and this just wasn't… I mean, this could have been intentional, it could have been inadvertent, it could have been accidental, but it was anything but, in my mind, a clearly calculated murder, and it certainly wasn't the multiple or heinous and brutal kinds of things that we had seen. The governor does always like to tell the story of my meeting with Bianca Jagger.[53]

Czaplicki: How important was her intervention in the grand scheme of things?

Roberts: Eh, not at all. It really wasn't. (laughs)

Czaplicki: But personally…

Roberts: It was interesting. She called the governor's office and wanted to talk to somebody, and Governor Edgar said, "I don't talk to those people. You go talk to them." So I called her. For a long time, my wife kept the message slip on our refrigerator door: (laughter) Bill, call Bianca Jagger at such-and-such. She said, "Why don't you come over to the hotel and meet me?" I said, "Okay, there's a lobby there. We'll meet in the lobby of the hotel," and we did.

Czaplicki: This is in Springfield?

Roberts: Yeah, it was at what was then the Renaissance Hotel, now the President Abraham Lincoln, I guess. But we had a very civil discussion. She was

[52] The Blue Room is the state house press corps' suite of offices, which is well-equipped for holding press conferences. Mike Lawrence, interview by Mark DePue, March 4, 2009.

[53] Jagger, a leading human rights activist and a celebrity in her own right, was the former wife of Mick Jagger, lead singer of the Rolling Stones.

generally opposed to the death penalty. I thanked her for her views. We probably talked for fifteen or twenty minutes. But actually, that had nothing to do with anything.

Czaplicki: Were there any pleas that did, from the opponents?

Roberts: No, I really don't think so. I think the fact that a lot of people were interested in it meant that it was something somebody ought to take a look at, but in my mind, it was trying to say, what is a death penalty case? And I don't think this was a death penalty case.

Czaplicki: You already had qualms just from your own review that you would have done anyway.

Roberts: Yeah, yeah.

Czaplicki: Beyond this particular case, just death penalty in general—because you're reviewing other cases, ones that you're not commuting—was this an issue that you were constantly talking to the governor about? Was it something that he discussed with the staff at large? Would it be the subject of a meeting or one of your morning reviews or anything like that, or even informally?

Roberts: I don't remember how many other death penalties we had. I just don't recall.

Czaplicki: I know by '95, you executed the fifth person since reinstating, but I'm not sure the total number that were done. But that would have been before you. May of '95 was the fifth.

Roberts: Yeah, I don't know that we had any others. We might have had one other, but I don't think so. I don't think we did. I'm virtually certain we didn't, during the two years I was there. I know the governor (pause) really agonized over that decision, as a governor ought to. It was just a very emotional thing. You try to balance everything and try to do the right thing.[54] But I don't recall—I don't think there were others when I was governor's counsel.

Czaplicki: Do you recall if there was anybody within the administration who was particularly opposed to the death penalty? Because he attracted a diverse group of—

Roberts: No, I don't remember anybody speaking up one way or another.

Czaplicki: Back to the autopen for a second. Is this something that you could have made a phone call to stop, or was there a document?

Roberts: I think there has to be a document.

[54] For Edgar's account of Garcia's commutation and his general attitude toward the death penalty, see Jim Edgar, September 2, 2010, 881-887, and Jim Edgar, interview by Mark DePue, November 18, 2010, 1032-1034.

Czaplicki: That makes sense. I don't think we asked him about it, so you sort of wonder what happens within these processes. You know, Hollywood would have you believe that a phone is answered somewhere, but…

Roberts: Yeah, yeah.

Czaplicki: How unusual is Illinois in giving the governor that power? Is it something most governors have? Is it something where a board or an independent commission tends to handle such decisions?

Roberts: I don't think so. I think it's the chief executive in most states, although I really don't have much experience with that. I believe that to be the case.

Czaplicki: Do you think that's a reasonable burden to place on an individual, an elected official?

Roberts: (pause) I don't know how else you'd do it. I mean, there is a board, the Prisoner Review Board, that makes a recommendation.

Czaplicki: Yeah, I was thinking of something like that for an alternative.

Roberts: I don't know. I guess you run for the office of governor knowing that that's one of the things you're going to have to deal with.

Czaplicki: How did you feel about George Ryan's decision to put a moratorium on the death penalty?[55]

Roberts: Well, Bill Roberts, the former prosecutor, wrote a letter to George Ryan saying—

Czaplicki: Personal, or for publication?

Roberts: It wasn't for publication. I suppose it's over there someplace. But saying, "Look, I don't know about these other cases you're talking about, but I think I had three people on death row." I said, "There's no doubt in my mind, these people were convicted not beyond a reasonable doubt, but beyond any doubt. They were all exceptionally strong cases." It was a quadruple homicide, the so-called Good Samaritan murder—the armed robbery and multiple rape and shot her seventeen times, a guy who'd been out of prison for a week. I don't remember what the other one was. I tried all three of them, and I thought they were… Again, these aren't fun. It's not the kind of thing you'd go out and jump up and down and say, "Wahoo, I won a big one." But if we're to have a death penalty, and if the state's attorney in the county is the only one that can ask for it, then in my mind I did the right thing in asking for it in those cases because they were the exceptional, off-the-chart kind of criminality that merits the extreme punishment. If there is to be such.

[55] On January 31, 2000, Ryan, Edgar's successor as governor, declared a moratorium on executions.

Czaplicki: You've addressed this partly already, but just to try to pin it down a little bit more: do you think this is the kind of issue that is best addressed through traditional majoritarian-type rule—vote up or down, the populace thinks this and votes on it election, here's the referendum—or is this one of those cases where you have to think more about the individual rights or the overall morality at stake, or something that can't be addressed quite so neatly?

Roberts: As we talked twenty minutes ago, it cannot be addressed neatly. For every argument one side makes, the other side has an equally compelling argument. At this point I'm not sure if I were the king and I were to say we will or will not have a death penalty, I don't know what I would do. I don't kill things. I don't hunt. I'd much rather shoo flies out than swat them. But society has laws, and the law says that if someone commits an exceptionally heinous and brutal crime, then this is an appropriate penalty. There will never be unanimity of thought. I mean, right now I don't know that we could even get a majority opinion on anything.

Czaplicki: So how do you feel about Quinn's decision?[56]

Roberts: To do away with it?

Czaplicki: Um-hm.

Roberts: I don't think it was given very much thought. I think he did the right thing. When they passed the law (laughs) that applied to all but fifteen people on death row or something, he certainly did the right thing in commuting those. What an anomalous situation that would be, that we don't have any death penalty anymore, except we have to get rid of these guys because it's a different law, I'm sorry, them's the breaks.

Czaplicki: Something that came up when we talked to Governor Edgar: he had a lot of faith in the death penalty review process. One of his points was that he was struck that the strength of that review process was missing for a whole class of other crimes and sentences. I was wondering if you would share that assessment, if there's a broader issue of justice and review and appeal that's worth looking at or thinking more—not just death penalty specifically, but crime in general?

Roberts: Back in my days as a prosecutor, I argued probably something in excess of a hundred appeals cases, criminal county appeals cases, down in the Fourth District Court of Appeals. You know how the court's structured—you've got the trial level, the appellate level, and the Supreme Court. The appellate court must take anything that the guy—if they do it procedurally correct, you automatically go to the appellate court. The vast majority of these cases were

[56] Quinn signed the legislation abolishing the death penalty on March 9, 2011. Because the bill left the fifteen inmates remaining on death row in limbo, he commuted their sentences to life without parole. *Chicago Tribune*, March 9, 2011.

referred to the state appellate defender, who wrote these briefs. Sometimes we wrote the briefs—"we" being the prosecutor—sometimes the state's attorney's appellate prosecutor wrote the brief. But I almost always argued cases out of Sangamon County. Virtually none of them had issues, real, legal issues. I guess it's one hand giveth and one hand taketh away. Here we're talking about the problem with the death penalty is it's so expensive to get there, yet why is it expensive? It's expensive because we have this extraordinary review policy. So are we going to have that extraordinary review policy for a shoplifter or a drunk driver or a bank robber or a child pornographer?

The law's not all that complex. You look at criminal statutes, and generally there are three elements. You take someone's property value of more than 150 dollars with intent to permanently deprive, that's a felony. So is that my property? Did you take it? What's it worth? Did you intend to permanently deprive me of it? That may be a little more difficult, but not really. If you take my bicycle and keep it in your garage for three months, there's (laughs) some argument to be made that you weren't going to bring my bike back. So, I don't know. I don't know that the two really translate. I mean, I think for somebody anywhere in this country to get on the doorstep of the executioner's chambers, there has to have been a ton of review. Unless (laughs) you're in Texas or Florida, maybe. But even there I think it's a pretty thorough process.

Czaplicki: So what did you think of the *Tribune*'s theories and the work of that Northwestern legal team, the journalism students? Because despite a review process, they seemed to be turning up a few cases where things did slip through. Or would you argue that was part of the review?

Roberts: Well…

Czaplicki: Or if you get the rogue actor, if you get somebody like Jon Burge, right, the Chicago police lieutenant who's coercing confessions.

Roberts: Sure. There will be aberrations, but I don't begrudge anyone a thorough review in as many forms as are there. Although, of course, I don't know if it's the same Northwestern law professor, but you're probably reading the same stories I am now that he has taken liberties, his students have taken liberties.[57] They've been running around Sangamon County for better than a decade, and I don't know that they've found any case in Sangamon County that merited a

[57] David Protess, a journalism professor at Northwestern University, directed the Medill Innocence Project. The project's investigative work helped exonerate twelve men accused of murder; five of them were on death row. In 2009, Cook County state's attorney Anita Alvarez subpoenaed project records, citing allegations of improper journalistic practices, which sparked a multi-year legal battle. See Bryan Smith's articles in *Chicago Magazine*, "The Professor and the Prosecutor" (February 2010) and "What Happened Between David Protess and Medill?" (October 2011).

serious—they can take a serious look—but I don't think anything was ever close to being overturned.

Czaplicki: I'm going to put you on the spot here.

Roberts: Okay.

Czaplicki: You were talking about particularly heinous, exceptional crimes. What did you think when Edgar made a proposal like the one during the '90 campaign where he said, drug kingpins—we should expand the death penalty to them? Or he had a proposal in the Netsch campaign where, obviously targeting gang crimes, he wanted it for drive-by shootings, and if kids were under seventeen, whoever had either coerced or helped convinced them to go do this, they could be brought up. Would you agree with things like that, or is it something that you think should really be reserved?

Roberts: I don't know. I really don't recall the context. I was aware of his campaigns, of course, but I really don't even recall. I know I've heard him use the term "drug kingpin," but I don't remember the context or the proposals.

Czaplicki: I guess philosophically, then, is it something that you think would be better employed on a case-by-case basis, or are there certain classes of offenses you think you could apply to it?

Roberts: What, the death penalty?

Czaplicki: Um-hm.

Roberts: (pause) I think you've got to have the structure, you've got to have the rules, you've got to have the law. There were [offenses]—killing of a police officer, multiple homicides, death by arson. I think they expanded the police officer to probably firemen and schoolteachers and other protected classes. That's got to be the starting point. But then you need the human element involved. As much as I disliked it, I thought the system I had to operate under wasn't bad. You've got the structure, and the structure says if this occurred, the state's attorney can seek the death penalty. But then the state's attorney has to make the judgment as to whether he or she asks for it, because only he or she can do it. Then if they do, you've got the trial court, you've got the Illinois Supreme Court, you've got the U.S. Supreme Court, you've got the Northwestern Innocence Project, and you've got a governor. I don't know. I don't think too many mistakes have been made in executions in Illinois.

Czaplicki: Any other issues that you can think of from that time about the death penalty?

Roberts: No, not really. (pause) Again, getting back, it was a fact of life. It was the law. I mean, the prosecutor then, it was the law. In those cases I saw, if there was to be a law, if there was to be a death penalty, then it should apply to the facts, or at least the jury should have the opportunity to see if it should apply to the

facts. You know, killing four people over a drug deal gone bad. If that isn't a death penalty case, then there is no death penalty case.

Czaplicki: How about public pressure on you in this instance? I asked you about MSI and you said you didn't get much, but is this the kind of thing—you have a movement, there are people who are strongly opposed to it, and you do have an important role in the administration, it would seem, on this kind of case. It's going to be obvious that Edgar would talk to you about this. Did you ever feel any public pressure?

Roberts: Not really. I'm not sure many people understood the role that governor's counsel plays, which was really integral all the way through the Edgar administration and obviously the Ryan administration. It was the chief counsel's office that really analyzed it, talked to the governor. What do you think about the death penalty?

Czaplicki: (laughs) Well, I'm supposed to just be recording the history (Roberts laughs) and not injecting myself. Now maybe if I'm chief counsel one day, someone will want to know what I think about it. But I get torn on it. It is a very complicated issue. I mean, there's the personal vengeance side of me and there's the what's good public policy or what's most fair part of me.

Roberts: Yeah. You live with these people who have had a loved one taken from them by—you always hear the term "senseless act." I have yet to see a sensible murder. They would prefer to tie the person to a stake over there and put honey and ants on him or something. We don't allow vigilantes; we don't allow personal vengeance. Society steps in for the wronged person and attempts to rectify the wrong. But there's no way you can rectify. You can't bring that dead person back. I've had cases where people have been very liberal, very opposed to the death penalty. Yet when their loved one is murdered, all of a sudden they become death penalty advocates. What's the [expression], "A conservative is a liberal who's been mugged," or something like that.

Czaplicki: I've been mugged; I'm still liberal. (laughter) How about within your staff? Did you have—

Roberts: Oh, in the governor's?

Czaplicki: —long debates about this? Did you have opponents who worked on staff for you, or did most people share the view that you and Governor Edgar and Howard Peters had?

Roberts: I don't recall much discussion. I really don't recall anybody feeling… Our job was to try to give the governor the best advice we could. I wasn't really there as an advocate. I think coming from where we did, what Howard and I had to say on that particular issue was meaningful to Jim Edgar: "We think you ought to think hard about this one."

Czaplicki: A couple more issues. These will be a lot briefer, sort of one-offs, but while we have you here… I want to go back to bonds for a minute, because something occurred to me. You're helping decide what firms are getting to be underwriters for these things, and I know this is the era—you're post-*Rutan*—where the idea of "pinstripe patronage" emerges.[58] How much did politics factor in bond decisions? Was that something that you'd have a broader discussion about, or was your office insulated from that and you were able to call the shot as you saw it best?

Roberts: I honestly don't know that I recollect the politics of the bond lawyers. We had a woman named Kim Fowler(??) who was a bond lawyer, and she did an elaborate evaluation on many, many aspects of the firm's ability to do bond work. I mean, how many lawyers do you have, how many deals have you done? I think the chart maybe had as many as twelve or fifteen elements that she graded. After I left and I was back with Hinshaw, there was I time I would hope politics would enter. (laughs) It didn't, because at the time we just didn't have the bond lawyers to do it. I think had we had the technical expertise and there were two equal competitors, I'd like to think I might have had a pretty good shot. But was there any subjectivity in it? Human beings probably bring some subjectivity. But it was, in my mind, pretty much on the up and up, a pretty fair, technical evaluation.

Czaplicki: In 2005, Edgar, probably about as close as he ever came to getting back into the political game after he left office, was trying to make the decision whether or not he should run against Blagojevich.[59] And if I understand correctly, he talked to you.

Roberts: He did.

Czaplicki: You were one of the people he consulted with. Were you involved in his other decision points besides 2005, after he left office in '99? Obviously it's a personal conversation, but would you be willing to talk about your thinking about him running for governor?

Roberts: No, I don't recall having… None of us knew what he was going to do. He invited both the current staff and any of the former staff that was around over to the mansion, and I'm sure you talked to Lawrence and the governor. [Bill, by "mansion," do you mean the executive mansion, and so you were talking about Edgar's decision in 1997 on whether or not to run? Or do you mean his house in 2005(??)] There were two speeches. Yeah, he talked with me. The primary concern was, should he run, how would he handle his horses, which

[58] *Rutan v. Republican Party of Illinois*, 497 U.S. 62 (1990). By a 5-4 vote, the U.S. Supreme Court extended the rule of *Elrod v. Burns*, 427 U.S. 347 (1976) and *Branti v. Finkel*, 445 U.S. 507 (1980), determining "that promotions, transfers, and recalls after layoffs based on political affiliation or support are an impermissible infringement on the First Amendment rights of public employees." On pinstripe patronage, see Kanter, December 29, 2009, 86-89.

[59] Jim Edgar, November 18, 2010, 1063-1071.

race in Illinois under the aegis of a board appointed by the governor. We actually called upon an equine lawyer in my law firm (laughter) and determined that, not unlike a hundred acres of land, you can lease it for a given period of time to someone else, so we were comfortable in getting it out of the governor's hands.

Czaplicki: So not really a blind trust, but something like that.

Roberts: Right. I'm really sort of vacillating on how much beyond that I ought to discuss. Let me just say—I guess I can—personally, I felt that sure, I'd like to see Jim Edgar be governor again, from a whole variety of perspectives. But I couldn't see why in the world Jim Edgar would want to be governor again. The state was in a mess, fiscally and every other way. The old team was long gone. Some of them would probably come back, but it wasn't going to be anything—there was no longer a Howard Peters or a Gene Reineke or an Andy Foster or a Mike Lawrence or—on and on and on. And the world had changed a lot, too. The microscope under which people in public life operated, while it was difficult back then, it was worse now. So my thought was, I don't know why in the world anybody would want to do that. (laughs) I probably ought to leave it at that.

Czaplicki: Jumping ahead again. In 2009, I believe, you were counsel to the Minority Caucus of the Special Investigative Committee?

Roberts: Yep.

Czaplicki: Which was the committee that returned articles of impeachment against [then-governor] Rod Blagojevich. So what did you do for them, and what was that experience like?

Roberts: (laughs) Tom Cross, Minority Leader Cross, called me and asked me if I would serve as counsel to the Republican caucus in the impeachment proceedings and just give them advice on procedural matters on federal crimes, on anything they might need advice on. So I met with the caucus and people on the committee. It was, as you may recall, a large committee. I met with them every morning in the leader's office and then sat with their spokesperson, Jim Durkin, throughout the hearings. I'd confer with the Speaker's counsel and talk to Barbara Flynn Currie. I obviously knew these people. It was an interesting couple of weeks.

Czaplicki: As an investigative committee, then, it wasn't really investigating so much as just trying to come up with the appropriate resolution, the appropriate wording, what he could be charged with, or were they actually digging through records?

Roberts: I think they did it more with witnesses. They brought in Cindi Canary from some watchdog organization.[60] We got a retired FBI agent to discuss the niceties of federal wiretap law. I don't remember who else came. But evidence was adduced, although it wasn't exactly what a jury trial would be.

Czaplicki: Were you also helping them find witnesses like that and suggesting people that they should—

Roberts: Right, right. Jim, his brother Tom—who was a friend of mine, a former federal prosecutor in the Northern District—and I pretty much talked it through and talked with the Speaker's people as to how we might go about this. It was pretty good cooperation on that one.

Czaplicki: Well, I feel kind of bad because we're talking about MSI, which was dropped on your desk the first day, and the death penalty. Is there anything during your time as chief counsel that stands out to you as a particularly happy memory (laughter) or something you're particularly proud of that you might have done or that you were involved with in the administration?

Roberts: I'm just really proud to have been part of it. I am proud to tell people I was counsel to Jim Edgar, was governor's counsel. The response is almost universally very positive and warm, "I wish we had him back."

Two things involving turkey. (laughs) The governor, you know, had his heart problems. Sometimes on a trip back to Springfield from Chicago he would dispatch one of his aides to—I don't know where they went, but they would materialize at Meigs Field with turkey burgers. (laughter) I was not a great fan of turkey burgers, so one night I wasn't eating my turkey burger, and the governor looked over and said, "You going to eat that?" And I said, "I don't think so." He said, "Can I have it?" (laughter) So I gave the governor my turkey burger. Then another time, Sherry was always after him to take me to lunch—

Czaplicki: Sherry Struck, right?

Roberts: Yeah. So one day the governor took me to lunch at the Mansion View, which was then the restaurant across from the [governor's] mansion. Then as now, I'm always struggling to move my belt buckle back a notch or two, and I was then, so I order a modest lunch. We're sitting there—again, remembering this is Wednesday before Thanksgiving—and he says, "You know, you've got to be the only guy in the country eating a turkey sandwich on this day." (laughter) Even he wasn't having turkey then. Another thing that we didn't talk about was the Meigs Field battle. That was pretty interesting.[61]

[60] Canary is the executive director of Illinois Campaign for Political Reform.

[61] Meigs Field was a small airport built on the Chicago Park District's Northerly Island in Lake Michigan. With the airport's lease set to expire in 1996, Daley wanted to close the airport and build a park. Although the city

Czaplicki: Were you heavily involved in that?

Roberts: Yeah. I kept pushing the governor, urging him to let us do this, and—

Czaplicki: Do which, keep it open?

Roberts: To sue the mayor. (laughs)

Czaplicki: Did he have to be pushed?

Roberts: He didn't know, and I—

Czaplicki: That's what I was wondering. My impression from the outside is he was willing to spend the capital.

Roberts: He did, he did, although at some point they both decided, We're spending too much capital, and we negotiated the thing. That was an interesting time, too. (laughs)

Czaplicki: And why were you invested in keeping it open?

Roberts: I thought it was stupid to close Meigs Field, and also it was very inconvenient to me to—

Czaplicki: Is that where you would fly in when you'd come in?

Roberts: Yeah. Like tomorrow. I'm going to Chicago. I'll fly into O'Hare, then I've got an hour ride downtown; whereas at Meigs Field, you drop in and you're ten minutes from any place in Chicago.

Czaplicki: Anything else you want to get into the record?

Roberts: I don't know. I've probably talked enough.

Czaplicki: We appreciate you doing this for us.

Roberts: Well, you've really prepared. Much better prepared than I am. (laughs)

Czaplicki: You're not going to find this in a book, so you got to dig for it. Thanks very much.

Roberts: Thank you.

(end of interview #2)

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closed the airport for several months between 1996 and 1997, pressure from the general aviation community, business, and the state legislature forced the city to reopen the airport. In March 2003, Daley ordered the overnight destruction of the airport's runway. See Jim Edgar, interview by Mark DePue, September 9, 2010, 933-938, and Kirk Brown, interview by Mike Czaplicki, December 22, 2009, for Edgar's desire to keep Meigs Field open.