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***HISTORY OF THE COBB COUNTY BRANCH OF THE NAACP AND CIVIL RIGHTS
ACTIVITIES IN COBB COUNTY, GEORGIA***

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INTERVIEW WITH JOHN W. HAMMOND

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CONDUCTED BY JAY LUTZ

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Kennesaw State University Oral History Project
Cobb NAACP/Civil Rights Series, No. 32
Interview with John W. Hammond
Conducted by Jay Lutz
Monday, 19 October 2009
Location: Mr. Hammond's law offices, Marietta, Georgia

JL: I'm going to start off by thanking you for being a part of the project. Mr. Hammond was the councilman for Ward 5 Marietta from '81 to '90.

JH: I was elected to the Georgia General Assembly in 1990, so I served four years in the General Assembly after that.

JL: If we could start, if you could just tell me a little bit about your background, when you were born, where you're from?

JH: I was born in 1946 in Atlanta. I went to parochial school in downtown Atlanta at Sacred Heart School and then went to Marist when it was down on what was then Ivy Street in downtown Atlanta. It was adjacent to the Sacred Heart Church, which still stands today. I left the summer between my junior and senior year. My father had died in 1960, and in '63 my mother remarried. We moved to New Orleans. I finished my last year of school at the Christian Brothers School there—St. Paul's School—in 1964. Then I went to LSU, New Orleans, and I graduated in 1969. I had entered law school, but decided I needed a break, so I got a year sabbatical from the school. They had given me a grant to go to the law school at Washington & Lee. They said they would hold it for me, so I went to work in Washington for Congressman Hale Boggs from New Orleans who was the Democratic House Whip. I was there for two or three months, and then had been offered a job at the Whitney National Bank in New Orleans. I went to work at Whitney, then came back to start Washington & Lee Law School in the following fall. I graduated from Washington & Lee University Law School in 1973. I moved to Marietta. My sister and brother-in-law had already lived here, and my brother-in-law knew several of the attorneys. So I was offered a job out of law school with Greene, Smith and Traver [Darrell Greene, Jack Smith, and Warren Traver] and started practicing law in '73. I went out on my own about a year later—hung up my shingle. Then I decided in 1981 that I wanted to run for the city council. I had bought a home in 1975 and was interested in what was going on in the city. I had been in the Marietta Jaycees. I had met Philip Goldstein; as a matter of fact, he was in the Marietta Jaycees. He was just on the council at that point in time. But I had gotten interested in city politics and decided that I wanted to run for city council, and I did in 1981.

JL: Can I go back to 1975 with you about the redistricting case of Ward 5? You said you were interested in local politics. Can I just get your impression on what you thought of that case?

JH: Well, at that point in time, there was a concentrated effort and a very active effort in Marietta. Hugh Grogan was very active. I did not know him at that time, but as I recall

there was a lot of involvement in trying to have a ward that gave a majority black constituency. The NAACP and Hugh Grogan were successful in challenging the ward make up, and Ward 5 was created from that districting. He was elected as the first black councilman from that ward.

JL: When you decided to run for the seat, did the outcome of that case affect the way you wanted to run your election campaign?

JH: Actually, it didn't. I really didn't consider it in that regard because the ward was about 60 percent black and 40 percent white. It was the neighborhood that I lived in which was at one time called Cherokee Heights. It was one of the older neighborhoods that had been established in 1925. A lot of people that lived there had been in their homes for years and years and years. As a matter of fact, when I first moved in to my house, after I bought it, a worker from Marietta Board of Lights and Water was going to turn on the electricity. He said, "Who died?" I said, "What do you mean?" And he said, "Well, usually that's the only way the property transfers in Cherokee Heights." Actually, the family that I bought the house from had just grown too large for the house. As a matter of fact I found the house from one of the secretaries that worked with the law firm and lived around the corner on Seminole Drive. She knew I was interested, and she told me there was a house for sale. I actually contacted the real estate agent and looked at the house before the sign ever really went up on the house. The house needed a lot of work, but I said, "Okay, I'm young. I want to be a part of this. So I'll buy the house. I want it." So we closed on it, and that's how I got to be in the ward.

It never occurred to me that there was an incumbent representative on the council who was black in a majority black ward. I had spoken to him a lot. I had become involved through the Jaycees and others. I had contacts with several people in the black community, and they indicated to me they thought they wanted somebody new to represent them. So I thought, okay, well, why not me, because I'd always been interested in politics. My grandfather was secretary of the Georgia senate. My grandmother's first cousin was U.S. Senator Dick Russell. I had grown up hearing my adult relatives discussing politics. So it just was sort of a natural thing for me. My degree was in political science from LSU in New Orleans, so I just gravitated toward it. I approached it as I guess I would have any other ward. I walked door to door. At that time there were several public housing projects in the city, and there were people who were exposed to a criminal element that was going on. Because of drug sales and that sort of thing, there were a lot of people—especially the elderly people—who lived in those communities and were scared. I remember one lady telling me that she closed her blinds at night because she was afraid that a bullet might come through the window and that she might be shot. It really impressed me that we needed to do something about this. I walked the neighborhood and knocked on every door. I went to visit all of the churches in the community, where the people from Ward 5 went to church. I went to join the NAACP to see what I could do to help there. I became involved with a lot of members of the black community, and I became known, I guess, just walking through because it was something that hadn't been done that way before. I mean, it was something that many candidates usually didn't do. As a matter of fact, I was told when I was running that most of the

time there was a practice of hiring cabs to go pick up people and take them to the polls. For numerous reasons, one of which was I really couldn't afford to do that, I just said, "That's not the way I'm going to do it. I'm either going to be elected or I'm not going to be elected. I'll give a talk to the people and let them know they're going to vote for me because they want me to represent them." Of course, I did a good bit of criminal defense practice and court appointed practice, so I knew something about what the needs of the community and the things that happened in the community as a result of crime. I got to know a lot of the people either as defendants or as victims, so I made myself available, I guess. I became known, and it was a surprise in November of '81 when I was elected. Bob Flournoy was elected mayor, and I was elected councilman.

JL: Let me ask you about, do you remember the first time you met Hugh Grogan, and can you tell me a little bit about what you thought of Hugh?

JH: Well, I think the first time that I met Hugh was when I had announced that I was going to run. I had come to a city council meeting, and I announced, which was the way that most people did it back then. You would ask for some time just to make announcements at the general announcement part of the agenda, and I had announced it. I had met Hugh before that meeting, and the interesting thing was that after the election and until he passed away, Hugh Grogan and I were friends. We worked together on several civic and community things while I was in the General Assembly. Hugh and I would talk about things that the community needed. Even while I was on the council, Hugh would approach me, and I would work with him on things that needed to be done. I thought that it was my responsibility to represent my ward's constituents regardless of what color they were in the most effective way possible and in the way that they would want me to represent them. That's what I tried to do. The second time I ran, there were three black candidates who qualified to run against me. I was re-elected without a run-off, which, again, I must have gotten something right to have accomplished that.

JL: Now, you're in office after the '81 election and you're into 1990, so that's a pretty good longevity there. What do you think were some of the things that helped you stay in? Do you think it was like you had mentioned, going after crime in the Ward?

JH: Well, I tried to get a higher police presence. I tried to get more understand of what was going on in the ward and to give a focus to the community of Ward 5. Maybe in some ways the fact that I was a white councilman in a majority black ward, I don't know if I'd say I got more credibility, but I could present a different image. I moved for things like making Martin Luther King, Jr. Day a holiday. Marietta was the first city in Cobb County to actually make Martin Luther King, Jr.'s birthday a holiday. Right up here on the street above me is Woods Park, which is right next to the old Zion Baptist Church. I helped create that park for the ward. M. J. Woods was a very well and highly respected teacher. He and his wife Kathryn were very much instrumental in fostering education for black children in an era where there were separated school systems. Hattie Wilson who lived over on Montgomery Street was very frank and bold in telling me what I needed to do and what I didn't need to do. She was well respected in the community, and we developed a long standing friendship. That is the Hattie Wilson of the library that is

named for Ms. Wilson. I maintained my contact with everybody in the community by going through the community and stopping and talking to folks. When I was driving through, I would stop and visit people or somebody would call me and they would have a problem and they'd need something done. I would actually do something. I would actually follow up and see that something was done, whether it was a blighted house in the community or a blighted lot, or whether the code enforcement needed to get a hold of—it was really representing the way I thought that everybody should be represented. I did the same thing for white constituency in Ward 5. It was just the way I thought that you were supposed to handle the job. If you didn't want to do that, then you shouldn't be offered to run.

JL: Okay, so you leave Ward 5 politics and you go the State Assembly.

JH: Yes, the General Assembly—the House of Representatives.

JL: What prompted that decision?

JH: Well, back in the 1980s, the school board in Marietta was appointed. Each ward had a representative that would be appointed to represent the city. It was a selection by the entire council, but basically the [choice was up to] the councilman or woman from that particular area. James Dodd was one of the people who was down running for council again who I had asked to be appointed to the school board from Ward 5. After eight years I suppose I could have been re-elected, but eight years is a long time to do any one thing, and I've always considered that an elected office is not a job. It's not a profession that you get into and you stay in forever and ever. You move in and move out and let someone else in because it's supposed to be representative. If you stay too long sometimes you don't open a space or you get people that would like to be more active and you squelch their enthusiasm about it. I just thought eight years—two terms—was a long time. While I was on the council I served on a lot of boards, both the private organizations and the public organizations. I had served on the board of the Chamber of Commerce. I had served on the Cobb County Municipal Association. I had served as president one year of that organization. I had served on the Marietta Museum Board. I had served on the board for the Theatre in the Square. I had served on the Cobb County Heart Association board. And it was just being involved in Kiwanis and all that. I had always been interested in seeing how things were happening in the community. So I just thought, okay, it's time to give up the space after eight years, and maybe I can do some good in the House of Representatives representing Marietta. At that time, Earl Ehrhart was the representative. We had five posts. Everybody was elected from a district, but it was a multi-post district. There were five posts in West Cobb, and the district stretched from Acworth to Mableton. I had sensed that there was a lot of discontentment with the representation that Earl had been involved in, and I had some encouragement from some of the people in the community to run both in Marietta and in Cobb County. So I thought, well, okay, this is as good a time as any to go ahead, and I can move on now. I've done what I can do on the council and now I'd like to take a hand at the state politics.

JL: At the state level did you have any issues that came about that were directly linked to Ward 5?

JH: Well, there were several issues that had to do with community development funding and that sort of thing. I was on the Judiciary Committee in the House, and I ended up being the secretary of that House committee. I also was on the House Reapportionment Committee—1991 was the year where we reapportioned all the districts in the House of Representatives. Of course, everything that had to do with Cobb County had to do with how everything was reapportioned and how you wanted to try to keep the representatives from the city representing the City of Marietta. It was too large to have a single member district, so there would be a majority of Marietta residents being represented by a district that was really considered Marietta's district. The other thing was that the Marietta school board was separate and autonomous from the Cobb County school board. There was a lot of movement. At that time, Dr. Tom [Thomas S.] Tocco was the superintendent of the Cobb County schools. There had grown up a lot of friction between the Cobb County school board and the Marietta school board. There were issues about funding. There were issues about whether or not individual, independent school systems were going to continue to survive. Marietta, Decatur, there were several [city] school systems that are independent [of the county] school systems, and their numbers have been reduced considerably by about a third since the 1990s. The Marietta system has grown as has Cobb County. Cobb County now has well over 100,000 students. Sometimes bigger is not better as far as the contact with the school superintendent and the school board and the community and the parents and students—the reaction time, the consequences—and I thought, we need to maintain this school system. I worked to try to keep Marietta School System fully funded and separate and of its own entity because of the historical nature of the system.

JL: Since you left politics, do you have any interest to go back into it?

JH: No. Again, that's twelve years total. When I was in the General Assembly, when you're a sole practitioner, whether you're a doctor or a CPA or a lawyer, when you are a small firm or a small business, you basically have to be out of the office. You really can't do a whole lot between the January beginning of the General Assembly and March. During 1991 we had the additional time spent because we had to have a special session for reapportionment. Before that we had to visit all around Georgia to have public input about reapportionment—for that whole year, as a matter of fact. Nineteen ninety-one was the year that my son was born. I was at the Capitol in the office when my wife called me and told me that I needed to be home—in September—and that was about the same time as the special session was winding up.

I had a huge stack in my office in the legislative office building, and somebody remarked one time, "Do you actually read all those things?" Because a lot of times people just use a synopsis of something. I thought, well, you really need to read and see if there's something in the bill that's being written that you're a part of that doesn't have unintended consequences. Sometimes I wish now in today's legislative goings on that we had more of a view towards preventing unattended consequences. In the House of

Representatives in the Judiciary Committee we met just about every day. We were one of the few committees that met just about every day. Sad to say, we ended up not passing out of committee many more bills than we actually passed out of committee. I learned a lot from some of the people that I served with. I got a great legal education by serving with some of the people on that committee that were extremely good, well qualified attorneys.

JL: Who were some of those people?

JH: Denmark Groover from Macon who had been in the legislature for eons. I remember one of the things that I learned from Denny was that as much as he knew the law, as long as he had been on the Judiciary Committee, one of the things that he taught me was never take for granted that you know what the law says or what a statute says. Every day the bills would come up, and Denny would go back into Chairman Thomas's office, which was adjacent to the hearing room and he'd pull the code. He would bring it out, and he would read what it said, not what he thought it said or what he remembered that it said, but he would read it to make sure that what he was recalling was actually what the law was that we were changing or amending or adding to. Roy Barnes was on that committee, and Larry Walker was on that committee, and there were so many people that are now doing other things. David Irwin and I served on the Reapportionment Committee. He didn't serve on Judiciary. He served on the adjunct, the other special judiciary committee, but he's now a Superior Court judge. Probably half of the members of the committee when I served on there ended up becoming Superior Court or State Court judges. It was a great education, but it took a lot of time—especially, if you are conscientious about doing that. And '91 was extremely hard because of the Reapportionment Committee and the Judiciary Committee. It wasn't as bad in 1992, '93, and '94 because the Reapportionment Committee backed off considerably. We were just doing clean up things at that point. The second time that I ran, after we had done the reapportionment, I was in a separate, smaller district. I was not in a post. It was District 20, Post 5 for the session of '91-'92. Then for the session of '93-'94, the election of 1992, it was District 32, which comprised pretty much the majority of the city of Marietta. So the constituency was smaller. It was a little bit different, but the committee assignments stayed the same, so when I was looking at Judiciary, it was basically for what was going to happen in the state more than anything else.

JL: Sure, it sounds like there was a lot of work.

JH: It was. It was very rewarding, but it was a lot of work. At that time there were several things that really came to the floor. That's when we passed what is called the Seven Deadly Sins Act into criminal law. We changed a lot of the way that the agencies were created and how they operated. We were trying to respond to the growing problems, you know, DUI legislation. The first year I was there was the vote on the lottery. That was an interesting experience as well.

JL: You mentioned Roy Barnes before. What was your relationship with him like?

JH: Roy and I had a good relationship. In the second term that I was elected I sat in the same seat that I'd had in the back row, and I sat with Roy Barnes on one side and Tom Cauthorn on the other side, who was a former Superior Court judge in Cobb. Tom Campbell, who was Republican, was sitting in front of me. There was a row where we were all Democrats, and there was a row of Republicans in front of us, and we all got along very, very well. Tom and I were in the same office suite over in the Legislative Office Building. Tom's now a Superior Court judge in Fulton County, very good attorney, very thoughtful in what he did. Roy had been in the Senate for a long time before I ever came on board. Then when he went to the House of Representatives we sat together. There were a lot of political things that he would give me his advice on, what he thought, how it might turn out, how things would happen, you know, not necessarily what you see on the surface, but how on down the line what it would mean and how it would affect people. It was very interesting.

JL: Let me ask you about your law practice now. What type of law do you specialize in?

JH: I'm still doing a lot of criminal defense work and a lot of domestic relations work. I do consumer protection. I represent people before the administrative boards, either representing people in cases made against them by the Department of Banking and Finance or the EPD [Environmental Protection Division], which is a sub-category of the Department of Natural Resources—emission control and that sort of thing. But about I guess a third to 40 percent of what I do is through criminal defense work. A lot of it is court appointed work. I've always enjoyed that. It's always been a great mental exercise because you're dealing directly with what the law says. It's more about persuasion. It's a matter of when you're doing general civil liability or torque litigation, you're doing a lot of discovery. You're doing a lot of nuances for this and nuances for that point of view. In criminal law people's freedom and their constitutional rights come involved more than any kind of civil litigation. I really enjoy that part of law. To me it's a little more cerebral than some other things you can do, like real estate law and that sort of practice—although I do still do from time to time real estate law. I did that when I first started practice. I did a lot of real estate law back then, but I've always gravitated towards defense work or domestic relations work or once in awhile adoptions and that sort of thing.

JL: How long have you maintained an office in Ward 5?

JH: Well, it's not always been in Ward 5. When I first started practicing I was in what used to be the Cobb Federal Building at 191 Lawrence Street. Then I moved over to Cole Street, right across the street from the cemetery. From there I moved up to 48 South Park Square, right on the Square. At that time when I first moved up there downstairs was the Sportsman. They sold sporting goods equipment. Then shortly after I moved in up there Eddie's Trick Shop moved down below my office. I was on the Square when the Square renovation was done, and I would look out onto the Square and see how the renovation of the Square was being accomplished. As a matter of fact, I caught the construction of a crooked sidewalk down there. One of the sidewalks was not square with what it should have been, and they had to move it. But from there I built this building and was part of

Ward 5. I've been over here since this building started construction in about '88 or '89. I moved my office permanently here in 1990, and I've been here for the last nineteen years in this office. This is for sure in the ward. People thought, you must be crazy moving over there in that residential area on Lemon Street. At that time, there were houses all along here. But the City expanded after that, and I ended up having the Municipal Court and Police Station across the street. Of course, the high rise [Dorsey Manor], the seniors' residential center, was always across the street, but now they've expanded that [with the Retreat at Dorsey Manor], so its' changed. It's been very convenient. Plus I'm around. Sometimes I go out of the office and people still walk up the street, "Hey John, how are you?" People remember.

JL: Sure, absolutely. Well, let me ask in closing, is there anything that I haven't touched on that you'd liked to be recorded on your oral history—anything that you've done that's especially important to you?

JH: Well, one of the most important things that I did—and it's not necessary Ward 5, but in a way it is—was something that I served on along with Tom Cauthorn when he was on the Superior Court bench, and a fellow by the name of Travis Duke who was from Mableton. Johnny Isakson and Lillian Darden served on the board as well. We were the first to go on the board for Open Gate. It was responsible for the creation of the Battered Children's Shelter, which is over on Fairground Street now. We ended up being able to create that facility for abused and battered kids who needed emergency shelter. We worked with DFCS [Division of Family and Children Services] and with Johnny Isakson in the General Assembly to coordinate things where we could get it to be built over there in connection with a DFCS office. Of all the things that I was involved in, that was one of the most important to me. I felt more rewarded by being able to be a part of that than about anything that I can think of. It's expanded now, so it's not called Open Gate now, but it's expanded now to where it takes in older children and battered women. We worked on the battered women's shelter at the YWCA, and I helped put that together. Those are the kind of things that I am most proud of being part of and being able to do that. Obviously that's a benefit to, not just the city, but to the ward.

JL: Mr. Hammond, thank you for being part of our project today.

JH: Thank you.

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