

Mr. GRAYSON. We have not talked, but Dean Kothe has asked if he could go first.

The CHAIRMAN. All right.

Dean, welcome. I know you have waited a long time. Your name has been spoken of often here, always positively, and so please begin your testimony, if you would.

Now again, gentlemen, I am going to ask you to keep your testimony relatively short, if we can, because you notice you will get a lot of chances to speak, because this panel has no reluctance to ask you questions.

Dean, please proceed.

TESTIMONY OF A PANEL CONSISTING OF STANLEY GRAYSON, VICE PRESIDENT, GOLDMAN SACHS LAW FIRM, NEW YORK, NY; CARLTON STEWART, STEWART LAW FIRM, ATLANTA, GA; JOHN N. DOGGETT III, MANAGEMENT CONSULTANT, AUSTIN, TX; AND CHARLES KOTHE, FORMER DEAN, ORAL ROBERTS UNIVERSITY LAW SCHOOL

Mr. KOTHE. Mr. Chairman and Senators, my name is Charles A. Kothe. I am of counsel to the firm of Clay, Walker—

Senator THURMOND. If you don't mind, I would get close to the microphone so we can hear you all over the room.

Mr. KOTHE. I am presently of counsel to the firm of Clay, Walker, Jackman, Dempson and Moller in Tulsa, Oklahoma.

During March of 1983 I was acting as the founding dean of the O.W. Coburn School of Law at Oral Roberts University (ORU). Being interested in our public relations and in our identity with the American Bar Association Accrediting Committee, I decided to have a program on civil rights. I had conducted many of them over the years.

I contacted the Equal Employment Opportunity Commission and talked to Clarence Thomas. I did not know him before that. He said he would come out to a seminar, and asked if he could bring a member of his staff, and I said of course. And so in April of 1983 we had a seminar on civil rights on our campus, and that is where I first met Anita Hill. In fact, the first time I talked with her, I recall, was at a luncheon at which Mr. Thomas was to be the featured speaker.

I learned at that time that she was from Oklahoma, and just out of the blue I said, "How would you like to come home and teach?" And she said, "I would like it."

And after the press conference that followed the luncheon, I told Chairman Thomas about my conversation and asked what he thought of it. He said, "Well, if that is what she would like to do, I would be all for it." And I said, "Well, do you think she would make a good teacher?" And I believe he said, "I think she would make a great teacher."

Following that, I arranged for her to be put in the process of filing applications which would go through our assistant dean. I wouldn't be involved in the paperwork until all of the recommendations were in. And sometime late in May I received her application, I believe, and all of the recommendations, and one from Chairman Thomas that was one of the most impressive, strongest

statements in support of a candidate for our faculty that we had ever received.

Based upon that and, I believe, a conversation also with Chairman Thomas, I recommended to our provost that we engage her as a member of our faculty. That doesn't just happen perfunctorily at ORU, to get on the faculty because the dean says so. No one gets on the faculty at that school unless Oral Roberts approves, and after Oral Roberts, the chairman of the Board of Regents. And that happened in her case, and sometime in June she was offered a position on our faculty to take effect in August of 1983.

In 1984 I resigned as dean, to become effective in June, and during that time as she and I became better acquainted and I learned of her working on special projects, I spoke to her about my interest in civil rights, which had started with the act of 1964, and indicated I would be interested in some special assignments. And through her I was put in touch with Chairman Thomas, and led ultimately to my appointment in April of 1984, or maybe it was April of 1985, to a special assistant to Clarence Thomas at the EEOC.

During that time I had a number of assignments, one among which was, I wrote the 33-page report on the success story of Clarence Thomas, which was basically the improvements that he made and the progress he had made at EEO, and she conferred with me about that.

The CHAIRMAN. I'm sorry. I didn't hear you. You were assigned to do what?

Mr. KOTHE. I was assigned to work with the various persons in the EEO on the progress that was made from previous administrations. Anita had been working on a history of the EEO, and I put together a 33-page report which I labeled "The Success Story of Clarence Thomas", outlining the progress that had been made over previous years.

In 1986 ORU law school was closed, and Anita went to OU. I didn't keep in as close a touch with her at that time.

In April of 1987 a speech was made by Clarence Thomas in Tulsa before a personnel group, that I believe was arranged by Anita. She and I and my wife sat at the table together, and Clarence Thomas was there at that dinner.

After he spoke, he stayed at my home, which he has on several other occasions. The next morning we had breakfast together, and she attended the breakfast, and it was one of joviality and just one of joy. After that, as I recall it, she volunteered to take him to the airport in her sports car, of which she was quite proud.

During that period we were in touch only by telephone, and in April or May of 1987 she sent me a white paper on a project that had been under discussion for a seminar which she described as developing an EEO program that really works. The featured subject of that was to be sexual harassment, and I was to, as she outlined in the program, to open the program on that subject.

We had talked about it, and all the time we ever talked about it, never once did she tell me or hint to me that she had had any personal experience of sexual harassment; never once in any of that time that that was under preparation, or in any other of the discussions we ever had when she was on our faculty, when she was in

my home, whenever we were together at any time, that Clarence Thomas was anything less than a genuinely fine person. In fact, she was very complimentary about him in every time we have ever talked together.

The last time she and I were together was in late 1987 or 1988, when we were both on the program for some personnel group in Tulsa. In discussing the preparation for that with her, I took what was generally my role of outlining the success story of Clarence Thomas. She took the technical part, and I think it had to do at that time with a case that involved pensions and civil rights.

And at that time, I believe Clarence Thomas had been married by that time, but in our discussions about him she was always very complimentary and I felt that she was fascinated by him. She spoke of him almost as a hero. She talked of him as a devoted father. She talked to me about his untiring energy. She never, ever, in all of our discourse, in all of those situations, ever said anything negative about him; and when we discussed the possibility of preparation for a seminar on sexual harassment, never said a word about her personal experience, or even her insights to any great degree.

In my experience with Clarence Thomas as a special assistant, I didn't have an office assigned, and frequently I would make my work station at the large conference table that he had in his office. Sitting there, I was able to observe him as he had discussions with some of the staff. Some of the employees would come, and other guests.

I traveled with this man for hours on end in automobiles, when we went through the swamps of Georgia together where he showed me where he was reared, and I have traveled with him by plane. I have been with him in business meetings, at banquets, at dinners in my home at least four times. We talked on to the end of the night in discussions of things that were of interest to both of us.

Never, ever in all of that time did I ever hear that man utter a profane word, never engage in any coarse conduct or loose talk. Always it was sincere, many times religious. We were both reading together, you might say at the same time together, the books by Rabbi Kushner, the one, "Why Bad Things Happen to Good People", and I suppose that is almost prophetic, and the other, "Who Needs God?" In fact, as we last talked about the one, "Who Needs God?" he built a sermon on that that he later gave in the pulpit at the church where he was married.

The last time I was with Clarence Thomas, he was our speaker at the Oklahoma Bar Association prayer breakfast, and on that occasion he told the story of his life and his spiritual experience, at the close of which he gave a prayer that brought tears to my eyes and many others there. That day we heard a man of God talk.

I have been with this man. He is a man of strength. He is a man of character. He is a man of high moral standing, and I tell you that it is not possible that he could be linked with the kinds of things that have alleged against him here. If it were true, it is the greatest Jekyll and Hyde story in the history of mankind. This is a good man, a man I have known, and a man I respect, and a man I think is worthy of a position on the U.S. Supreme Court.

The CHAIRMAN. Thank you very much.