

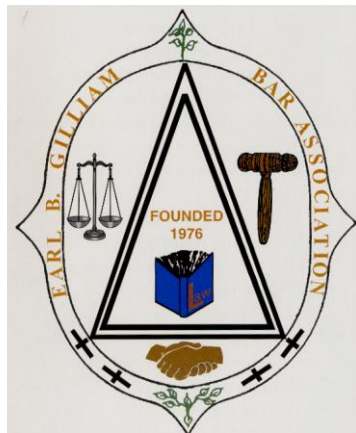
Pioneers, Warriors, Advocates: A History of San Diego's Black Legal Community, 1890-2010

by

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In association with the

Earl B. Gilliam



Bar Association

San Diego, California

The Pioneers

Initially, it must have seemed like a rare opportunity to establish a thriving legal practice in an underdeveloped city in faraway Southern California. After all, rail connections had been completed to the east and north and San Diego appeared to be on the verge of a population boom when Joseph Henry Stuart (1849-1910) arrived in 1890 via Kansas City, having earned his law degree at the University of South Carolina fifteen years prior. The *San Diego Union*, a staunchly Republican newspaper that routinely referred to African Americans using vile racial slurs, took notice when the ambitious 31-year-old registered with the bar announcing under the headline “A Colored Attorney Admitted”:

“San Diego yesterday had a colored attorney admitted to her bar membership in the admission of J. H. Stewart (sic) of South Carolina. Mr. Stewart (sic) has been in San Diego several months and was admitted on credentials from the supreme court of South Carolina.”

But despite some positive regional economic indicators and the presence of some determined and accomplished ex-slaves and their descendents, Stuart’s year-long stay



Joseph H. Stuart

ended because a legal career could not prosper serving a “colored” population of only 289, representing less than 1 percent of the city’s residents. And it was particularly difficult for a black attorney to launch a successful practice in this era of egregious racial segregation when he had to prove his competence even to his own people, working solo without the advantage of professional consultation, and probably forced to do more pro bono work than he would have liked. So Stuart, a social activist with a taste for politics, packed his bags and moved to Denver, Colorado, then with ten times the black population of San Diego, where eventually he was elected to that State Assembly and, in 1900, was privileged to sit at the table of honor with Booker T. Washington and Paul Laurence Dunbar when these celebrities visited the Mile-High City.

Well into the new century San Diego’s black community stood almost mute in the shadow of that urban behemoth to the north called Los Angeles and the sophisticated metropolis of San Francisco farther north. The nation’s black press seemed oblivious to newsworthy events here, ignoring the precedent setting court case of *Edward Anderson v. John C. Fisher* in 1897 that resulted when a black couple was denied their prepaid seats at a play in the Fisher Opera House; and Booker T. Washington’s 1903 escorted tour of the beachfront and downtown with the city’s more progressive white leaders that had local blacks brimming with pride. San Diego’s relatively small black population and generally less tolerant white citizenry discouraged black professionals who might otherwise have settled here. But during his visits W. E. B. Du Bois was not only struck by the area’s natural beauty, he also extolled the city’s black leaders as “pushing”. He undoubtedly was aware of their churches, social and fraternal organizations, political

clubs, and he gladly accepted their invitation to return in 1917 to help launch a chapter of the NAACP. Surprisingly, the founding of an enthusiastic San Diego chapter of UNIA, Marcus Garvey's back-to-Africa movement that rivaled Du Bois' NAACP, preceded the formation of a chapter of UNIA in Los Angeles.

The next we hear of an African American attorney in San Diego is in August 1927 in reference to "A. W. Hammond" in an article titled "Race Lawyer Achieves" in San Bernardino's *The Guardian*. He was reputed to have a multi-ethnic clientele owing in part to his command of several languages. After cross checking various lists and directories it was ascertained that, as was the case with "J. H. Steward" in the *San Diego Union*, the man's name had been mangled. In fact, his real name was Albert W. Holland, a black attorney from Philadelphia who had fought in the Philippines in 1899, married a woman in Northern California in 1924, practiced law in San Diego for two years, then left for parts unknown having had minimal influence in the city's black community.

By 1930 there were a mere 34 African American attorneys in California. Two years later former real estate agent and Kansas City native John Edgar Roundtree (1880-1961), age 52, a former president of the Terre Haute, Indian NAACP, arrived from Cleveland, Ohio after a brief stay in Los Angeles and, oddly enough, this Howard University alumnus decided to sink roots. The only black attorney anyone could recall until the late 1940s, Roundtree kept a low profile, first working in private practice, followed by an 18-year stint in the District Attorney's Office heading a unit investigating and prosecuting numerous men who failed to support their families. The best known of the deadbeat dads he brought to court was World Light-Heavyweight Boxing Champion Archie Moore who enjoyed reenacting his pugilistic triumphs to Roundtree's staff. A Kappa Alpha Psi member and an honorary trustee of Bethel Baptist Church, Roundtree returned to private practice in 1954. One might assume that his lengthy tenure and leadership position in the DA's Office---an extremely rare position for a black in an upscale white collar profession in the 1940s and early 1950s when there were no black



Charles H. Houston

elected officials---would have brought Roundtree some notoriety, but this always impeccably attired, dignified and honorable man remained virtually invisible. Perhaps the chief reason was that as an employee of the government he



W. E. B. Du Bois

could ill-afford to posture himself as a black community spokesman. Also, he may not have been completely on board with Du Bois' notion of the "Talented Tenth" that said educated "exceptional men" like him were obliged to help "save the race"; and he may not have fully accepted what the revered legal activist Charles Hamilton Houston, Dean of the Howard University School of Law, drilled into his students: ". . . (you are) either social engineers or a parasite on society." Roundtree, it seems, was most comfortable quietly performing his job as an attorney as competently as he could. Married but with no surviving offspring, he died at age 81.

In regards to inadequate counsel for those who were indigent and often innocent, between 1936 and 1940 Du Bois repeatedly lamented the paucity of black attorneys in America. Attributing the shortage to a perceived disparity in pay received by black and white attorneys which he believed discouraged blacks from entering the legal profession, he once complained that black attorneys were forced to “eke out a living by methods which do not appeal to self-respecting men.” What had been infrequent instances of San Diego blacks challenging racial discrimination became an almost regular occurrence in the 1940s. In the midst of World War II three black men sued the owners of a café on National Avenue for \$650 in damages when they were refused service. Later, the San Diego NAACP, lead by dentist Jack Kimbrough and with the assistance of black and white college students, devised an ingenious scheme to document racial discrimination in the city’s restaurants and consistently prevailed in the cases it brought in court. In the 1947 case of *United States v. Ingalls* that focused national attention on San Diego exposed how Dora L. Jones, a black female, was kept as a slave for thirty years by a white couple who had recently moved to Coronado. For hundreds of blacks who flocked downtown hoping to claim a court room seat this was the trial of the century that resulted in a conviction. All of the above cases were handled by white attorneys, but in the late 1940s the impact of black attorneys would start to be felt in the fight for civil rights.

The ideal of the legal activist-leader as conceived by Du Bois and Houston was realized in the person of the late Sherman W. Smith Sr. (1922-2003), another Howard man who discerned the advantages of joining forces with another new resident, Alpha L. Montgomery (1919-2004), and the state’s most effective mentor to aspiring black attorneys, John W. Bussey (1904-1969). These three gentlemen had come to respect each other’s abilities when earlier their paths had crossed in San Francisco. Together they formed the city’s first African American law firm in 1949: Bussey Montgomery & Smith, with offices on Imperial Avenue and Pacific Highway.



Sherman W. Smith

Smith quickly became a national board member of the NAACP. He ventured into the community to address various groups, including a meeting at San Diego State College in 1952 that was publicized in the campus newspaper, *The Aztec*. Relocating to Los Angeles in 1954, he was recognized for his outstanding work and, in 1966, was appointed Superior Court judge by Gov. Pat Brown. As judge he made headlines when he freed avant-garde comedian Lenny Bruce, and he heard many cases related to the 1965 Watts Riot. More significant, he was the first California judge to rule that constitutional rights of blacks and other minorities of color had been abridged because the use of voter registration rolls to pick jurors reduced their representation on juries, a decision which led to the use of DMV records to facilitate the selection process. Smith’s son, Sherman W. Smith Jr., followed in his footsteps and was appointed to the Los Angeles Superior Court in 1989, and his grandson, Sherman W. Smith III, is today an attorney in a prestigious Philadelphia firm.

Indeed, Montgomery and Bussey also exemplified the ideal of the legal activist-leader. Not content to enrich themselves and strut their professional status, they responded to the



John W. Bussey



Alpha L. Montgomery

call to be “race leaders” by involving themselves in efforts of racial uplift, educating the public, and defending the weak and exploited. Long before lending his name to the city’s first African American law firm, Bussey had fashioned an unassailable reputation as one of the best legal minds in the Bay Area and was the most sought after person by black law students cramming to pass the bar exam. Harvard educated Bussey was a legendary mentor and educator and in 1958 was made a San Francisco Municipal Court judge and later elevated to the Superior Court.

In the wake of the 1948 Supreme Court decision that outlawed restrictive covenants in property deeds, blacks seeking redress for housing discrimination retained experienced trial attorney Alpha Montgomery, a graduate of Fisk and Howard who, along with his partner Sherman Smith, was a reliable legal resource for the San Diego NAACP. The writer of Montgomery’s obituary in the *San Diego Union* called him a “crusader for civil rights” and recounted: “One of his successes, in the early 1950s, was in Valencia Park. Later, he provided the legal impetus that forced the San Diego, U.S. Grant and El Cortez hotels to rent rooms to blacks for meetings and social functions.” A co-founder of the San Diego Urban League in 1951, and a Republican, he was appointed by Presidents Eisenhower, Kennedy, and Johnson to confer with experts making recommendations on civil rights and equal employment opportunity. In 1979 Montgomery was appointed to the Superior Court and dealt mainly with probate matters. He retired from the bench in 1995 and died from complications from Alzheimer’s nine years later.

In 1953 Yale Law School graduate Charles L. Fielding (1926-1984) passed the California bar. A year later Robert A. Ward, an associate of Smith and Montgomery, passed the bar. Fielding, a war veteran, worked as both an insurance agent and an attorney with his office at 1560 Republic Street. Born in Chicago, he resided in Encanto. Ward and his socially prominent wife lived in La Jolla.

Notwithstanding the dramatic rise in the city’s black population in the post-war years (4,143 blacks in 1940 to 14,904 in 1950) there appeared to be little change in the perception of outsiders that San Diego was some sort of backwater, still a second cousin of Los Angeles. As proof, what had happened in the 1920s with the nationally distributed *Who’s Who in Colored America* happened again in 1948 with the publication

Negro Who's Who in California: not a single black in San Diego was profiled in these books! And pertaining to African Americans in the legal profession, a largely negative image persisted. In condemning the "Amos'n Andy" television sitcom in 1951 the NAACP charged: "Negro lawyers are shown as slippery cowards, ignorant of their profession and without ethics." But as the decade closed in stepped a towering figure who would leave a striking milestone on the legal landscape of Southern California.

Earl Ben Gilliam (1931-2001), born in New Mexico but raised in Southeast San Diego, is remembered as much for his warm, expansive personality and gregariousness as for his matchless accumulation of professional and civic awards. With a bachelor's degree from San Diego State, a law degree from Hastings College of Law, he was admitted to the bar in 1957 and began work in the San Diego DA's Office. From 1961 to 1963 Gilliam was in private practice operating from a "storefront" and volunteering a considerable amount of pro bono legal assistance. At age 38, and at a time when there were only five black attorneys in town, he was appointed to the Municipal Court in 1963, thereby becoming the first African American judge in the city and county of San Diego. In two more firsts for a black in this vicinity, in 1975 Gov.



Earl B. Gilliam

Jerry Brown placed Gilliam on the Superior Court and six years later President Jimmy Carter appointed him to the U.S. District Court for the Southern District of California with jurisdiction over San Diego and Imperial counties. As judge his most widely publicized cases were those involving Del Mar Mayor Nancy Hoover, a close associate of notorious Ponzi schemer J. David Dominelli in the early 1980s; and in 1992 the settlement of a lawsuit against National Health Laboratories for \$111 million, the result of an improper billing practice dubbed "automated chemistry." While making judicial history he found time to serve on the boards of the Boy's Club, YMCA, Salvation Army, UC-San Diego, and a host of others; and among his many honors were those from the San Diego County Bar Association, the California Association of Black Lawyers, the San Diego Trial Lawyers Association, and the National Bar Association. In 2003 the Earl B. Gilliam Bar Association (EBGBA), a group previously called the Association of Black Attorneys of San Diego County but renamed in his honor, memorialized Gilliam with a plaque in the San Diego Hall of Justice. In 2001 the Honorable Judge Earl B. Gilliam Luncheon and Golf Tournament was christened as an annual event. At the Thomas Jefferson School of Law, where Gilliam taught as an adjunct professor, The Honorable Earl B. Gilliam Moot Courtroom is used to hone the skills of future trial attorneys. An act of Congress in 2004 designated a new facility in Encanto the Earl B. Gilliam Post Office. The Criminal Justice Memorial Internet site of the San Diego County Bar Association eulogized the judge thusly:

"As a sentencing judge, he was known for his compassion, his dedication to trying to understand the individual in front of him, and his leniency for first-time offenders. He was respected for his ability to explain the sentence imposed to defendants and their families in a manner that kept

them from feeling bitter toward the criminal justice system. Judge Judith Keep related that Judge Gilliam ‘made everyone who appeared before him feel the warmth of his soul and the breadth of his humanity.’” (*San Diego Lawyer*, June 2001).”

The 1960s: A Quiet Time

Young black attorneys were hardly attracted to San Diego in the 1960s. Nonetheless, there were some benchmark accomplishments during the decade. Although they remained a small subset of the city’s black professionals, when a magazine-sponsored survey in 1965 of 153 black residents across the city asked, “Who has the most political power in the Negro community?” the response revealed the high regard with which Judges Gilliam and Montgomery were held, ranked fourth and ninth respectively on the list of influential leaders. Absent from the list was Montgomery’s partner, former police sergeant and homicide detective William Bert Ritchey (1908-1995) who traced his family roots to La Jolla. Ritchey had been a football star at USC and had long dreamed of a second career as an attorney. In 1964, after sixteen years of sporadic study he passed the bar and paired up with Montgomery. Years later he told a newspaper reporter: “I decided to practice in a black district where I have lived and worked most of my life. . . .where I could be helpful to people who most need help.” A past president of the Urban League and chairman of the San Diego Stadium Authority, Ritchey died of pneumonia at his home in El Cajon.



William Bert Ritchey



Edward C. Maddox

Taking a break from civil rights battles on behalf of the NAACP and the Urban League in Los Angeles, Edward C. Maddox (1918-1975) spent most of the decade in San Diego before returning to the City of Angeles. In the ‘50s he was part of the triumphant team of mostly black attorneys who forced Los Angeles to integrate its fire department and, ultimately, this precipitated the removal of the fire chief. By 1960 Maddox was the NAACP’s counsel for Southern California and began handling criminal cases with Alpha Montgomery. He spoke to the local ACLU in March 1961 concerning housing discrimination saying: “Mankind in modern times has arbitrarily seized upon color as a badge of inferiority. . . . In the United States a Negro must always be prepared to expect racial prejudice all his life and in all phases of his life.” Also while in San Diego, in 1964 he was picked to head the state’s Commission on Equal Opportunities in Education. Maddox left the city in 1969 to serve as acting director of Los Angeles Neighborhood Legal Services.



Williams

Fresh from battling to integrate schools and desegregate public transportation in Little Rock, Arkansas, former Little Rock NAACP president Thaddeus D. Williams (1923-1967) arrived in San Diego in 1961 and was quite active in civic affairs until his untimely death in 1967 at age 43. His partner in the short-lived firm of Williams and Goodwin was Luther A. Goodwin (1920-1982), a former Tuskegee Airman and jet pilot who, with his



Goodwin

activist wife, Joye, was involved in the civil rights movement in San Francisco before moving to the city in 1965.

In 1966 James D. Floyd made history as the first black graduate of the University of San Diego School of Law. He made history again in 1976 as the city's first black administrative law judge. Floyd also served on the City Planning Commission and the board of the Legal Aid Society. The decade of the 1960s ended with the arrival of the first black female attorney, Jacqueline S. Walker, forty years after Annie Coker became the first black female admitted to the bar in California. Walker, who earned her law degree at Wayne State University and passed the California bar exam in 1969 at age 43, began work directing the office at the San Diego ACLU. She next practiced criminal law and later worked for the California Unemployment Appeals Board.

The addition of Ritchey, Maddox, Floyd, Williams, Goodwin, and Walker to the pitifully short list of trained attorneys was not nearly enough to give any comfort to those blacks aggrieved and in desperate need legal advise. In 1967 the leaders of the San Diego Black Conference, Citizens of Concern, and the Southeast San Diego Citizens Patrol met to discuss police-community relations, specifically the disrespectful and unnecessarily violent treatment accorded African American suspects. After hearing complaints from the audience the conveners begged for donations to set up a legal defense fund. Said one of the militants: "We would establish a fund so that any black person, no matter who he is or what he did or is charged with doing, won't have to depend on court appointed attorneys."

The 1970s: A Flood of New Talent

In a complete turnaround from the 1960s, black attorneys were attracted here in the 1970s in greater numbers than at any time before or since. At least forty new faces were seen in the halls of justice during the decade, more than enough to give birth to an organization that would advance their professional interests, take a stance on legal matters affecting the African American community, and recognize and reward the good work of local attorneys, judges, law professors and their students. In her book, *Leading the Race*, Jacqueline Moore observed how as the century progressed black attorneys came to prominence and had a decided impact on the lives of black folk.

"They used the organizational skills they received in the fraternal

orders to organize civil rights campaigns. They also demonstrated the importance of knowledge of the law. . . . As younger lawyers moved into racial uplift efforts, the law profession gained increasing prestige in the black community.”

The founding of the Association of Black Attorneys of San Diego County (ABASDC) in 1976 announced a new major player among those groups speaking to, and for blacks, and with expertise in a critical area. Of those attorneys who arrived or passed the bar in the ‘70s nine would eventually be appointed or elected judges. In 1971 Delroy M. Richardson (1938-1984) was made corporate general counsel and secretary at San Diego Gas & Electric Company. In



Elizabeth Riggs

1977 Napoleon A. Jones Jr. was elected Judge of the San Diego Municipal Court. Elizabeth A. Riggs made history in 1979 when she was appointed Municipal Court Judge in El Cajon, the first black female to serve on a county trial court, and later rose to presiding judge. That same year Joe O. Littlejohn was elected to sit on the board of the San Diego Unified School District.

The 1980s: The Importance of Organization

The formation of ABADSC was crucial in setting a course of advocacy both in terms of enhancing the career aspirations of its members and in confronting a legal system that oftentimes did not work to the benefit of the city’s blacks. The 1980s opened with a victory for ABADSC which had sued the director of the government’s Defender Services to persuade it to “modify certain criteria used to select attorney groups to represent indigent defendants.” Speaking for the group and the plaintiffs Lloyd E. Tooks, an activist attorney with a reputation for taking on civil rights cases, and ABASDC president Dennis W. Dawson summarized the details of a settlement to the press. They explained that the new plan meant a “fairer chance” for minority attorneys seeking to land indigent defense contracts. The ongoing conflict with the DA’s Office over its lackluster record of hiring minority race attorneys remained a sore spot, but as one black insider, later a jurist, reminded: “. . . it is difficult finding qualified applicants who want to work in San Diego for a government agency when they can get hired at a firm in another city like Los Angeles, which has a bigger black population, at a much higher pay.” In 1982 ABASDC changed its name to the Earl B. Gilliam Bar Association (EBGBA) and increasingly found itself protesting acts of police brutality and harassment. Most notably EBGBA officers and members spoke out in the 1985 case of Sagon Penn who, in fear for his life, fought with policemen and killed one of them; and in August 1987 EBGBA brought together twelve community groups at the Neighborhood House to coordinate a response to perceived failures of the Police Review Board.



Lloyd E. Tooks



Dennis Dawson



Daniel Weber

Also in the '80s, EBGBA president Daniel Weber (1937-2002) helped lead the successful fight against city-wide elections which diluted black voting strength, forged stronger, collaborative relations with other black organizations, and continued his tireless crusade to get more blacks appointed to the bench. "That was his legacy," former EBGBA president Douglas Oden later recalled. In 1987 Thomas Gayton and Wes Pratt representing the EBGBA, and Marva Mohr-Davis on behalf of the National Conference of Black Lawyers, investigated a complaint of racial discrimination in employment at San Diego's U.S. District Court and exposed "a systematic pattern of discrimination" in the clerk's office which prompted denials by court officials.

By 1989 there were 85 black attorneys in San Diego, 52 male and 33 female. Judgeships conferred in the decade of the '80s were: Administrative Law Judges Ernestine D. Littlejohn in 1982, Kathy M. Gilmore, Veroneca Burgess in 1986, and Harold V. Rucker in 1987; Municipal Court Judges Joseph K. Davis in 1980 and Joe O. Littlejohn in 1981; and Superior Court Judges Napoleon A. Jones Jr. (1940-2009) in 1982 and Raymond Edwards Jr. in 1989. In 1987 Wes Pratt, running in the heavily minority District 4, was elected to the San Diego City Council. The black community was shocked and saddened to hear in 1984 of the tragic accidental death overseas of Judge Jones' teenage son, Napoleon A. Jones III, but were later glad to learn that in his son's memory the judge established a sizable college scholarship fund for inner city kids that continues to assist promising students.



Napoleon A. Jones

Despite aggressive advocacy by EBGBA and some additional judges the decade closed with a sobering article in the *San Diego Union* (September 29, 1989) that disclosed few blacks were applying for work in the city's major law firms, and that only 1 percent of the area's lawyers were African American compared to the national average of 3 percent. A future EBGBA president, Vickie E. Turner, then one of only three black partners in a major firm at the time commented: "I don't believe San Diego is a racist city overall, but the perception that it is still exists. Law firms here need to step up efforts to recruit black applicants....If reality were as bad as perception I wouldn't be a partner today." But Daniel Weber had a more sinister slant and was quoted as saying: "This is a very conservative, reactionary city. If you look at major law firms and government agencies across the board, there is a conspiracy to keep blacks out. The city's judicial system is permeated with racism." The newspaper article confirmed that of 156 attorneys in the DA's Office only five were black; of 120 attorneys in the state office of the Attorney General only two were black; only four of 75 attorneys in the U.S. Attorney's Office were black; and that there were no black attorneys on the staffs of the San Diego Court of Appeal and the San Diego Superior Court's research department.

The 1990s: A Matured Legal Community



Randy K. Jones

The 1990s witnessed some modest improvements. The decade got off to a good start with the inception of the Neighborhood Law School, an ingenious idea made real in 1990 by EBGBA president Randy K. Jones who in 1997 was elected president of the now 18,000-member strong National Bar Association, its third youngest leader. Jones envisioned a community-based institution that offered classes at minimal cost, taught by volunteer attorneys and judges as a public service, which informed people of their legal rights and responsibilities. He used his church in Emerald Hills as the venue for the school. Word spread, and soon several schools of this type sprang up in large cities across the nation.

As in decades past, as events of compelling significance to blacks arose the EBGBA reacted by holding timely forums that allowed people to air out their grievances; invited political candidates to debate the issues; and publicly questioning, prodding, and demanding reform of those entrusted to protect the welfare and rights of citizens. The most serious case of police misconduct occurred in July 1999 when, during a confrontation with two white policemen, former pro football player Demetrius DuBose was shot twelve times, with five bullets hitting him in the back. At a press conference EBGBA president H. J. Sims accused the police of overreacting and urged the police chief to fire the officers involved. "It should not have escalated to the point where (DuBose) was killed," echoed then NAACP president and prior EBGBA head Randa Trapp.



H. J. Sims



Regina A. Petty

The sensitive issue of police brutality refused to fade into the background as the new century approached but it did not overshadow some solid achievements by those in the city's black legal community. People stood up and cheered in 1994 when Stanford graduate Regina A. Petty, then a partner in the city's largest law firm, Gray Cary Ames & Frye, was elected the first African American president of the 6,200-member San Diego County Bar Association. In 1993 Dave Carothers became the first black male since the 1980s to be voted to partnership in one of the top law firms, McInnis Fitzgerald Rees Sharkey & McIntyre. Like his schoolmate, President Barack Obama, EBGBA president and Harvard Law *cum laude* graduate Daniel E. Eaton proved to be unusually gifted---an expert in employment law and a shareholder in the firm of Seltzer Caplan McMahon Vitek who swelled his résumé of impressive accomplishments in the '90s. In 1993 Eaton became chairman of the city's Ethics Advisory Board; in 1995 he was President of the San Diego Civil Service Commission; and, a well-published scholar, he taught law courses at area universities and began



Daniel E. Eaton



Keith G. Burt

appearing on local television stations as legal analyst. Keith G. Burt was named both California Prosecutor of the Year in 1994 and County Prosecutor of the Year in 1991 and in 1995. Promotions and gains on the bench were Administrative Law Judges Vallera Johnson in 1990 and Daniel Weber in 1992; Superior Court Judges Joe O. Littlejohn in 1994 and Leo Valentine Jr. in 1999; and U.S. District Court Judge Napoleon Jones Jr. in 1994.

A New Century: Confidently Pushing Forward

Never far from center stage, the recurring hot button issue of police use of lethal force was brought into focus when in May 2000 FBI statistics revealed that among major metropolitan areas San Diego ranked fourth in the rate of fatal police shootings (0.61 per 100,000 residents), a rate surpassing that of Los Angeles, Philadelphia, Chicago, and New York City. Outraged, acting in unison the EBGBA, NAACP, ACLU, and the La Raza Lawyers Association fired off a letter to the mayor, the police chief, and the city manager demanding to know why these disturbing FBI statistics were at variance with data presented by the city to the public earlier in the year. In October 2000 the EBGBA, NAACP, and the Urban League jointly filed a lawsuit against the city and the City Council over the composition of a commission charged to redraw City Council district boundaries, possibly to the detriment of the largely minority race population of District 4. Representing the three groups, twice-elected EBGBA president Doc Anthony Anderson argued that the court should intercede and issue an injunction, calling the selection process for commission members “an abuse of discretion.” A year prior to this Anderson had excoriated the city for having done a “dismal job” in hiring minorities and women, with almost no change in some job classifications over the past forty years.



Doc A. Anderson

The new millennium may have gotten off to an inauspicious beginning but there were some hopeful developments on the horizon. Among them was the inauguration of the junior mock-trial program and high school shadow program supervised by EBGBA president Rod Shelton; EBGBA sponsored community forums examining topics ranging from hate crimes to reauthorization of the Voting Rights Act; frolicking in Juneteenth beach parties and marching in the MLK Day Parade; and a memorial to Judge Gilliam whose long ordeal with paralysis and kidney failure ended in 2001. Every president of the NAACP in this new century has also been a former president of the EBGBA (Hon. Randa M. Trapp, Petrina M. Branch, Douglas A. Oden, and Lei-Chala I. Wilson). In addition to handling routine criminal cases and pro bono work, Brian E. Watkins acquired a reputation for representing high profile



Douglas A. Oden

sports and entertainment figures like pro football's Reggie Bush and rap music star Snoop Dogg. Beatrice L. Kemp was tapped general counsel at the San Diego Convention Center Corporation.



Janice P. Brown

In 2007 the *San Diego Daily Transcript* named Desa L. Burton, complex business litigation specialist in the firm of Fish & Richardson P.C., one of the "Top 30 Young Attorneys". Recognized as "Super Lawyers" in 2007 by *Super Lawyers* magazine for their outstanding practice in employment law were Janice P. Brown who owns the 7-lawyer firm Brown Law Group, and Daniel E. Eaton who currently serves as chairman of the Board of Overseers of the University of California at San Diego. The fall election



Andrew Jones

that ousted a highly controversial City Attorney ushered in opposition supporter Andrew Jones who was made the new Assistant City Attorney in December 2008.

On the shortlist of the area's most respected attorneys are two African American women valued as much for their extensive community involvement as they are heralded for their professional achievements. The Internet site of Vickie E. Turner, another past president of EBGBA and Lawyers Club of San Diego, and a partner at Wilson Petty Kosmo & Turner, reads, in part: "Ms. Turner has successfully defended manufacturers, distributors



Vickie E. Turner

and retailers in complex product liability claims throughout California, and in 12 other western states. She was defense counsel for Ford Motor Company in a product liability case that was named one of the Top 20 Defense Counsel Verdicts for 2003." Among her many commendations are her selection as one of the state's Top Women Litigators in 2005 by the *Los Angeles Daily Journal*; picked as one of San Diego's top 5 product liability defense attorneys by *Super Lawyers* magazine in 2007 and 2008; and being designated one of the Top 25 Outstanding Lawyers by *California Law Business*. It would be hard to find an attorney anywhere with a

comparable, near-astounding record of community service and activity in legal organizations as that of Lei-Chala I. Wilson, a public defender who has completed more than a 100 jury trials. Among her many recognitions are 2002 Outstanding Attorney Volunteer from Volunteers in Parole Inc., 2001 Diversity Award from the San Diego County Bar Association, and the 2000 Living Legacy Award and 2008 Bethune Woman of the Year Award from the National Council of Negro Women Inc.



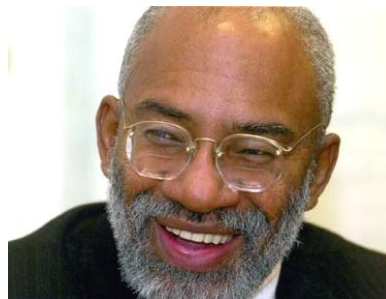
Lei-Chala I. Wilson

In 2007 data showed that although only 51 % of the county's residents were white, 66 % of local Superior Court judges were white, 5% were Latino (30% of residents), 3.9% Asian (10% of residents), and 3% were black (5% of residents). Adding to the tally of black judges here: Superior Court Judges Desiree Bruce-Lyle in 2001, Browder A. Willis III in 2001, Randa M. Trapp in 2003, Roderick W. Shelton in 2006, and Dwayne K. Moring in 2008; U.S. Judge Magistrate William McCurine, a Rhodes Scholar out of Dartmouth, in 2004; and U.S. District Court Judge John A. Houston in 2003. A rather hopeful development happened in February 2008 when Gov. Arnold Schwarzenegger appointed Sharon Majors-Lewis, a black deputy chief in the county DA's Office, as his judicial appointment secretary to help streamline the judicial appointment process.



Randa M. Trapp

Full-time law professors are a vital segment of the area's black legal community. Many practicing attorneys have taught part-time as adjunct professors but others not only "love the law" but have chosen to do teaching and research on a full-time basis. The most senior of the group of full-time professors is Roy L. Brooks, the Warren Distinguished Professor of Law at the University of San Diego, who since his arrival at USD in 1979 has written more than 20 books and hundreds of articles and papers. One of the most formidable legal minds in the country in the fields of civil procedure, civil rights and critical theory, the Yale alumnus reflected when shown a list of other black law professors in the area: "It (academe) is a very hard business in which to succeed if you are black. Having a mentor early in one's professional life is key. I have been blessed with many, both black and white." Brooks' black colleague in USD's law school is Mary Jo Wiggins, a full professor and associate dean, an expert in bankruptcy and insolvency. She has written journal articles and has contributed to *Collier on Bankruptcy*, the reputed "leading scholarly treatise" in her specialty.



Roy L. Brooks



Maurice R. Dyson

In the early 1980s Charles B. Sheppard taught business law at the San Diego campus of the Western State University College of Law, then moved to the school's Orange County campus where he works today. At California Western School of Law Andrea L. Johnson, a Howard and Harvard graduate, is Professor of Law and Director of the Telecommunication and Intellectual Property Law Center. She was on President Bill Clinton's Transition Team for Science, Space, and Technology. Her predecessor at Cal Western was Winkfield F. Twyman Jr., also a Harvard graduate, who in 1997 established The Lourine W. Twyman Endowment through which the law school awards scholarships to deserving student from underrepresented groups. There are currently four young tenured professors at the Thomas Jefferson School of Law: Kevin J. Greene (J.D., Yale), Maurice R. Dyson (J.D., Columbia), Eniola Akindemowo (Ph.D., University of London),

and Richard Winchester (J.D., Yale). All have published several scholarly articles and two have authored books.

Another small, yet consequential segment of the legal community is comprised of those who earned the law degree but do not practice law in the traditional sense, though they have found ways to take advantage of their legal training. For example, AIDS activist Boyd E. Graves; the late Adrienne Baker, who was assistant dean of academic achievement at California Western School of Law; Harvard-educated former EBGBA and NAACP president Petrina M. Branch; and Vickie Butcher, founder of Water for Children Africa. Others, like former City Council staffer Lea Fields-Bernard and Del Mar businesswoman Marina P. Grant, have either taken pause from lawyering or switched careers altogether.



Petrina M. Branch

A list of 172 names was compiled consisting of 86 males and 83 females. Of the 157 persons who passed the bar 75 (or 48%) did so in the 1970s and 1980s. The highest number of law degrees were obtained at the University of San Diego (26), followed by Western State University (19), California Western (13), UCLA (9), Howard University (8), Harvard University (6), Yale University (5), and Georgetown University (4). Interestingly, 24 attorneys attended predominantly black colleges and universities such as Morehouse, Hampton, Fisk, and Bethune-Cookman. Nearly half received their undergraduate degrees from schools in California. Today, of 101 practicing attorneys (i.e., excluding judges, professors, and inactive or non-members of the bar) 31 are solo practitioners, 31 work in partnered firms, and 39 are employed by the government.

In the spring of 2006 members of the EBGBA, including a number of past presidents, judges, professors, and law students, convened a summit to review their history, assess their actions over three decades, and plot the course for an effective future. They devised a long-term plan to attract new members, encourage mentoring and training sessions for attorneys and a legal education program in the African American community, and recommitted themselves to maintaining a close alliance with progressive organizations like the NAACP, the Urban League, and the ACLU. Those attending the summit, like Lei-Chala Wilson and Vickie Turner, seemed barely able to contain their enthusiasm and displayed the kind of energy, optimism, and fearless determination that must have ignited EBGBA founders thirty years ago and sustained the organization through some difficult times. Guided by a unique perspective rooted in the African American experience, their spirit endures and their inheritors have every intention to build upon what the association has accomplished so that it remains a dynamic force to be reckoned with in “America’s Finest City.”



Presidents

Association of Black Attorneys of San Diego County

1975 Hon. Elizabeth A. Riggs
1976 Hon. Napoleon Jones Jr.
1977 Delroy Richardson
1978 Hon. Joseph K. Davis
1979 Otis Jones
1980 Dennis Dawson
1981 Keith G. Burt
1982 Hon. Daniel Weber
1983 Robert M. Bennett
1984 Patricia Robinson

Earl B. Gilliam Bar Association Presidents

1985 Hon. Daniel Weber
1986 Hon. H. Wesley Pratt
1987 Mary Franklin
1988 Barbara Davis
1989 Thomas Gayton
1990 Hon. Randa M. Trapp
1991 Randy K. Jones
1992 Douglas Oden
1993 Daniel E. Eaton
1994 Janice P. Brown
1995 Vickie E. Turner
1996 Harold G. Murray
1997 Ben Johnson
1998 Lei-Chala I. Wilson
1999 Doc Anthony Anderson III
2000 H. J. Sims
2001 Sherry M. Thompson
2002 Marvin E. Mizell
2003 Hon. Roderick W. Shelton
2004 S. Maria Hannah
2005 Petrina M. Branch
2006 Lei-Chala I. Wilson
2007 Lei-Chala I. Wilson
2008 Tina M. Fryar-Jimerson
2009 Doc Anthony Anderson
2010 Antoinette Middleton
2011 Valoree Wortham

Representative Publications by Members of San Diego's Black Legal Community

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Updates

(This material was emailed to EBGBA members and others following the September 2009 release of the original report.)

Why The Desperate Need For Black Lawyers

Here is a poignant answer to the question, “Why for so long have black folk insisted that black lawyers represent them here and elsewhere?” It is found in the March 1925 issue of *The Crisis*, the magazine of the NAACP, and was written by an anonymous black person in San Diego who felt what so many others believed:

“This letter is to ask THE CRISIS to make known to the public that in this city with a population of 90,000 there is not a single colored attorney. This is unquestionably a great field for an attorney of the race. Will you kindly help us to secure a man, as the white attorneys are luke warm in defending colored people in cases of discrimination, in spite of the fact that we have a good civil rights law in this state.”

Legal Celebrities Came To San Diego

For San Diego’s blacks, the persistent refusal of the national black press to give them well-deserved recognition for their good works has long been a source of irritation. Homegrown talent and significant news regarding blacks occurring in the area did not appear to matter that much unless somehow there was a connection to something transpiring in the vicinity of that megalopolis to the north called Los Angeles. And more often than not, mentions of blacks in the *San Diego Union* was typically occasioned by crime or, inconsistently, some notable passing through---namely, Booker T. Washington in 1903, W.E.B. Du Bois in 1917, Jack Johnson in 1920, Congressman Oscar DePriest in 1931, Count Basie in 1939, Joe Louis and Duke Ellington in 1942, Jackie Robinson in 1951, Paul Robeson in 1955, Ralph Bunche in 1962, Martin Luther King Jr. in 1964. Among the mostly unnoticed distinguished visitors to San Diego have been some stellar lawyers and jurists. The first of these was James Weldon Johnson, better known for his poetry and prose (*God’s Trombones* and *Autobiography of an Ex-Colored Man*), who arrived in San Diego in the spring of 1919 working as an organizer for the NAACP. It isn’t generally known but Johnson was also a lawyer. In fact, he was the first African American to pass the Florida bar. Johnson toured the West Coast, stopping off in San Diego to encourage the members of the newly established chapter here. He wrote in his autobiography, *Along This Way* in 1933:



Johnson

“I talked from San Diego to Seattle. Many of the meetings were large and enthusiastic, but, on the whole, the trip was uneventful. It was, however, interesting to meet large numbers of worthwhile colored people; something I did not have the opportunity of doing on my visit to California fourteen years before. And now there were so many more of them.”

The next black legal luminary was the towering figure of the twentieth century, Charles Hamilton Houston. While this Harvard Phi Beta Kappa graduate was Dean of Howard University’s law school he was also the chief legal director of the NAACP and traveled extensively for the organization. Not long after he conceived the ingenious strategy of dismantling Jim Crow laws by discrediting the “separate but equal” doctrine upon which it was based, Houston swung through California in 1936 and reported back to headquarters, which summarized his trip to San Diego thusly:



Houston

“The San Diego, Calif., branch met October 25 in the Bethel Baptist church to hear an address by Charles H. Houston, legal representative of the N.A.A.C.P. The local organization, in its program, has endeavored to promote beter [sic] understanding between racial groups through education.”

As recounted in his autobiography, *Journey to Justice* (1996), famed former prosecutor and later defense attorney Johnnie Cochran lived in San Diego from 1948 to 1949 on Ocean View Blvd. At age 11 he was so inspired by a sermon that on his own he joined Bethel Baptist Church. He attended Logan Elementary which he described as “integrated and excellent, and I soon found my place at the top of the class.” He further recalled:



Cochran

“Daddy had assured us all that ‘the weather in San Diego is great.’ He was right about that, but the same could not be said about our living conditions. We moved into a tiny two-bedroom apartment on Ocean View Boulevard from which, despite its optimistic name, you could not see the sea Somehow, though, I never settled into San Diego. In those days, the odor of fish belched from the bayside canneries and hung over our neighborhood like a cloud. On the days when they weren’t processing their malodorous catch, the canneries emitted the

smell of sulfur. The streets were filled with sailors, big white men in whiter uniforms who, unlike the folks I'd met before, never smiled at small black boys, however friendly and polite they were.”

After just a one-year stay Cochran returned with his family to Los Angeles. Prior to the “O.J. Case” (the so-called “Trial of the Century”) he had won a wrongful death lawsuit against the Signal Hill police department in 1983 when a black college football player was found dead in a jail cell. Subsequently, he returned to San Diego and was honored at a convening of the California Association of Black Lawyers (CABL).



Johnson

In 1977 U.S. Supreme Court Justice Thurgood Marshall came to UC-San Diego to dedicate Warren College, named in honor of his predecessor on the high court, Justice Earl Warren. And circa 1978 Drew S. Days, later elevated to U.S. Solicitor General during the Clinton Administration, addressed the CABL at the U.S. Grant Hotel. When quizzed about other high profile blacks who came to the city we were informed by Dr. Shirley Weber, chairperson of San Diego State University's Africana Studies department who was married to the late Daniel Weber, an outstanding local attorney, she recalled a CABL invitation to the late Court of Appeal, Second Appellate District Justice Bernard Jefferson. She also remembered a CABL engagement and speech at the University of San Diego by the late A. Leon Higginbotham, Chief Justice of the Third Circuit Court of Appeals, Eastern District of Pennsylvania, close to when he wrote of the award-winning book, *In The Matter of Color: Race and the American Legal Process* (1978). The Webers graciously hosted a reception for Higginbotham at their home.



Days



Jefferson



Higginbotham

More recent, in the wake of the controversial confirmation hearings of U.S. Supreme Court Justice Clarence Thomas, on November 16, 1991, sexual harassment accuser Anita Hill, fresh from her appearance before the Senate committee investigating Thomas, her

**Hill**

“Honorable” Justice Clarence Thomas, came to the city to preside over a moot court competition at the University of San Diego.

former boss, spoke to a women’s in politics conference in San Diego. Without mentioning Thomas by name, Hill, today a law and women’s studies professor at Brandeis University, railed against sexual harassers in the workplace who intend to “reinforce a sense of inequality to keep women in their place,” to which she was greeted with a chant from the audience of “We Believe Anita.” Twelve years later, on March 18, 2003, Mr. “Long Dong Silver” himself, now the

**Thomas**

The First Case To Go National

The first instance of a local black attorney handling a case that got the attention of the national press was the divorce case of Hollywood character actor Frank Silvera in 1962. Silvera, a light-skinned African American, was able to avoid stereotypic black roles and enjoyed a long and varied career because he could pass himself off as Mexican, Native American, and assorted white ethnics. Among the popular movies in which he starred were *Mutiny on the Bounty*, *Viva Zapata*, *Hombre*, and *One-Eyed Jacks*. When his marriage went sour he retained San Diego’s only black law firm, Montgomery and Maddox. *Jet* magazine, dated February 1, 1962, reported the details of the break-up.

Actor Frank Silvera Files For Divorce

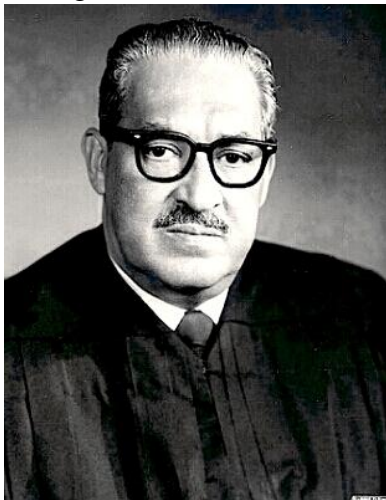
*The Frank Silveras*

Hollywood actor Frank Silvera has filed for divorce from his estranged wife, Anna on charges of desertion. Silvera’s court petition showed that the couple has been married 19 years. The divorce action was filed in Los Angeles by the San Diego law firm of Montgomery and Maddox. Mrs. Silvera is currently residing in Long Island, N. Y. They have two children. The divorce suit shows the couple holding liquid assets in excess of \$12,000, an automobile and real estate in Pasadena, Calif., and New York. Silvera offered his wife a settlement that would include equal distribution of the property, custody of the children (ages 7 and 13) and child support.

At the time, there were only five black attorneys practicing in the city. Locally, Alpha L. Montgomery was the best known of the group, but it is believed that his partner, Edward C. Maddox, who had previously distinguished himself for several years in Los Angeles, had a relationship with Silvera that persuaded the actor to choose the San Diego firm to represent him. Montgomery later became a Superior Court judge and Maddox returned to work in L.A.

How UC-San Diego's Marshall College Got Its Name

It didn't require angry student protests or a decree by the Chancellor of the University of California at San Diego to change the name of Third College to Thurgood Marshall College. In the late 1960s militant activist Angela Davis, then a graduate student in



Marshall

philosophy, was one of those who tried to develop a program for a new experimental college geared to minority race students. Third College was established in 1970 as one of three undergraduate colleges at the university, along with Revelle College and Muir College. Early on, minority students demanded that the college be named Lumumba-Zapata College in honor of the African and Mexican revolutionaries, but this didn't fly in the post-civil rights era during the long administrations of governors Ronald Regan and George Deukmejian, thus the name Third College remained for 23 years. The next serious attempt to re-name it occurred in 1990 when the push to have it called Martin Luther King College nearly succeeded, but the idea was nixed by the King's surviving family members who wanted to hold out for a university located in the South that would bear his name. But in January 1993 with the death of the legendary jurist Thurgood Marshall, who as an attorney won 29 of the 32 cases he argued before the Supreme Court including *Brown v. Board of Education*, an irresistible opportunity was presented, and thanks to the initial nomination by political science professor Peter Irons, director of the UCSD's Law and Society Program, the re-naming process easily won the approval of the UC Board of Regents. The christening ceremony on October 22, 1993 was attended by Children's Defense Fund president and Yale Law graduate Marian Wright Edelman.

Follow-Up On The Anderson Case

Mentioned in the September report was "The Anderson Case," San Diego's first lawsuit involving racial discrimination. The groundbreaking case was filed after black business Edward W. Anderson and his wife were refused main floor seating at the downtown Fisher Opera House in 1887, despite having pre-paid orchestra circle tickets for the event. Instead, the couple was offered seats in the balcony as was the custom at the time. Anderson's lower court victory which gave him a cash award of \$150 was reversed on

appeal but the fact of the challenge was a precedent for Southern California. Anderson continued his fight to secure the civil rights of fellow blacks and later helped to established the local chapter of the NAACP while his myriad business enterprises flourished, including a laundry, a trash collection company, and a hog farm in Coronado. In the 1920s he launched a mortuary later known as the Anderson-Ragsdale Mortuary. The photo below snapped in 1947 has the prosperous Mr. Anderson showing off his car next to his mortuary. He died in 1950.



Anderson

Note: To read the most comprehensive, illustrated history about African Americans in San Diego use this URL:

<http://legacy.signonsandiego.com/news/metro/images/080624ccdcstudy.pdf>

A New SDCBA Board Director

Starting his term in December 2009 as one of the 19 members on the Board of Directors of the San Diego County Bar Association Christopher Alexander, who for the past ten years has practiced in San Diego and is currently employed as a prosecutor in the United States Attorney's Office.



Alexander

North County Attorneys

Over the past two decades there have been several prominent black attorneys who practiced in North County and later moved from the region. Among them was Duane E.



Bennett

Bennett, currently Port Attorney for the San Diego Unified Port District, who in 2006 won a \$21.3 million jury award for his employer in a lease dispute with an aeronautical company. From 1998 to 2003 he was City Attorney for Oceanside under its first and only black mayor, Terry W. Johnson. Bennett was succeeded by another African American, Anita C. Willis, who was in the position for 20 months. Willis has also been City Attorney for Inglewood, City Attorney for Inglewood, California and is now in private practice in Los Angeles. Another standout attorney was Sheila Bryant-Tucker who practiced family law and for four years served on the board of the Tri-City Healthcare District, an elected position. She rose to the rank of Lieutenant Colonel in the U.S. Army Reserves and after leaving North County in 2005 was posted to desk jobs at the Pentagon in Washington, D.C, in Cuba at Guantanamo Bay, was a security/anti-corruption adviser in Iraq, and in 2008 became the first female commander of the 83rd Ordinance Battalion stationed in Japan.

Bennett, currently Port Attorney for the San Diego Unified Port District, who in 2006 won a \$21.3 million jury award for his employer in a lease dispute with an aeronautical company. From 1998 to 2003 he was City Attorney for Oceanside under its first and only black mayor, Terry W. Johnson. Bennett was succeeded by another African American, Anita C. Willis, who was in the position for 20 months. Willis has also been City Attorney for Inglewood, City Attorney for Inglewood, California and is now in private practice in Los Angeles.



Willis



Bryant-Tucker

Among the few black attorneys who presently reside in North County are Robert C. Pearman Jr. who earned his undergraduate degree in economic (*cum laude*) at the University of Pennsylvania's Wharton School of Business, and upon obtaining his law



Pearman

degree at Yale University relocated to Los Angeles where he was a member of the Assessment Appeals Board, Neighborhood Planning Board, and was HUD Approved Foreclosure Commissioner. Since 1995 he has been on the board of the National Housing Law Project, and from 2000 to 2003 was on the Executive Committee of the Public Law Section of the state bar. A legal scholar who has published in *California Lawyer*, *Public Law Journal*, *Real Property Law Reporter*, et al., according to his firm's Internet site (Robinson & Pearman LLP with offices in Los Angeles and Oceanside), he has been "Sole arbiter in a number of commercial and construction disputes since 2005." Since 2001 he has been a member of Oceanside's Transportation Commission. Another Long-time resident of the area is Administrative Law Judge Enaj C. Leotaud, who in the year 2000 was president of the California Association of Black Lawyers. Admitted to the bar in 1992, she works in the Oceanside office of the California Department of Social Services. And, of course, Judge Joe O. Littlejohn, elected to the Superior Court in 1994, retired from the bench in 2006 after hearing cases in Vista for eight years. He and his wife, Administrative Law Judge Ernestine D. Littlejohn, live in Escondido.



Weeks-Frey

In 2004 Cheryl Weeks-Frey was a reference librarian at the North County branch of the San Diego Public Law Library. Admitted to the bar in 1995, today she is branch manager of the impressive library and active in local organizations. Pamela L. Bradford, admitted to the bar in 1997, has maintained offices in Vista and Carlsbad practicing family law. In the year 2000 she began her term as Chapter President of the Lawyers Club of San Diego and has been active in the affairs of the North County Bar Association.



Bradford

The Interesting Career of Thaddeus D. Williams

In researching the history of San Diego's black medical community and Dr. Harold Burt an article was found in *Jet* magazine that told about a lawsuit filed in 1962 on behalf of four blacks challenging the segregated Bonita Golf Club. It mentioned that one of the four was co-plaintiff "Thad D. Williams," someone we had previously not heard of. Further investigation yielded the following:

Thaddeus Douglas Williams was born in Little Rock, Arkansas, finished Morehouse College and received his law degree at Lincoln Law College where he was class valedictorian. Admitted to the Arkansas Bar in 1950, in 1952, at age 25, he was President of the Little Rock NAACP and, with other black community leaders, began negotiating with the School Board to integrate the city's schools, something that met with considerable resistance. The desegregation effort gained new life in 1954 with the U.S. Supreme Court's decision *Brown v. Board of Education*. In 1955 Williams represented the NAACP and made preliminary proposals to integrate Central High School. The photo below is from *Jet* magazine, August 25, 1955, showing Williams off to the right addressing the Pulaski County School Board, seemingly unfazed by the presence of three attentive white men, members of a racist group called White America Incorporated.



You are probably familiar with what occurred two years later on September 4, 1957 when national attention was focused on the Little Rock 9. These brave black teenagers were prevented from entering Central High School by Gov. Orval Faubus and the Arkansas National Guard. Later, on September 24, federal troops slipped the black students in through a side door. One source puts Williams on the scene among the 19 blacks (outnumbered by 1,000 angry whites) who personally observed what happened at the school, some of whom were roughed up by the mob.

In 1961 Williams was still on the NAACP's board when four Freedom Riders arrived in Arkansas to test the effectiveness of the *Boynton v. Virginia* decision which supposedly desegregated interstate transportation. When the four were arrested Williams, acting as their attorney, cleverly managed to work out a deal with the judge to let them proceed on to Mississippi by bus instead of forcing them to return home as the judge had at first demanded.

For reasons yet to be revealed, later in 1961 Williams moved to San Diego and found a home in Point Loma. He practiced law in the black firm of Ward and Ward for two years before opening his own firm, Williams and Goodwin. He became President of the Southeast Chamber of Commerce, a trustee of Bethel Baptist Church, a director of the Boys Club of San Diego and Jobs Now, served on the legal redress committee of the San Diego NAACP, was a member of the San Diego Planning and Development Commission, the county bar association, and two trial lawyers associations. In a relative short time he had gained the reputation as a dynamic civic leader and his career was on the upswing, but in late October 1967 Williams was hospitalized with an undisclosed illness and died at age 43. He left behind a daughter (Celestine) and a stepson (Lonnie).

The Incomparable Mr. Goodwin

Additional research on his Williams' partner, the once mysterious Mr. Goodwin, has revealed the following about a man who, it turns out, lived a colorful and rather tumultuous life as both an attorney and family man.

Luther Ambrose Goodwin was born in Florida in 1920 and later relocated to Los Angeles where, at age five, he told playmates of little Joye Speights that he had met the girl he intended to marry. The predicted event occurred in 1944 after Luther and Joye had reunited as students at UCLA where he was on the track team and a friend of future baseball legend Jackie



Robinson. Luther's education was interrupted by World War II but, fortunately, he wound up in Alabama and completed training to become one of the celebrated Tuskegee airmen and flew B-52 bomber missions over Europe. In the group photo above 1Lt. Goodwin stands on the extreme left. His military career lasted through the Korean War in which he flew fighter jets.

Upon exiting the military he resumed his studies, eventually earning his law degree at the University of California's Hastings College of Law, and was admitted to the California bar in 1957. He soon earned the distinction as San Francisco's second African American Deputy District Attorney General, while Joye became a nurse and was deeply involved in community work and civil rights activism. But in 1964 Luther joined Joye in a protest demonstration at a Cadillac dealership that refused to hire minorities. Hundreds were arrested (see them with demonstrators in photo below), something which very much displeased the higher ups in the city administration and in the DAs office and prematurely ended his career in government.



A year later the pair reestablished themselves in San Diego County, residing in El Cajon. Luther partnered with Thaddeus Williams in 1966 to form Williams and Goodwin, specializing in criminal and civil litigation. Luther was a founding member of the San Diego ACLU and was a board member of the Family Service Association of America, while Joye was active in the Urban League and the NAACP. Following the death of Williams in 1967, Luther established the firm of Goodwin & Fisher which dissolved shortly after his son, Ralph, made national headlines when he participated in hijacking a TWA plane to Cuba in 1971. The incident persuaded Luther and Joye to leave the country for Africa with

their two daughters. For nearly a year they lived in Tanzania where Luther was appointed to head the underdeveloped nations department of natural resources. Then, in quick succession, more life altering tragedies struck: Luther went blind while in Tanzania; Ralph drowned in Cuba; and daughter Victoria died of cancer. The family returned to San Diego and moved into a home on Tooley Street. Though the family mainly had to depend on Joye for income, Luther found work as a legal advisor and worked closely with a long-time family friend, liberal Democratic Congressman George Brown Jr., who represented San Bernardino and Riverside.

Recent Publications

The following are recent publications by members of San Diego's black legal community.



Akindemowo

Roy L. Brooks (Prof. of Law, University of San Diego), *Racial Justice in the Age of Obama*. Princeton, NJ: Princeton University Press, 2010. 237 pages.

Eniola Akindemowo (Prof. of Law, Thomas Jefferson School of Law), "Contract, Deposit or E-Value? Reconsidering Stored Value Products For A Modernized Payment Framework," in *DePaul Business & Commercial Law Journal*. Winter 2009.



San Diego's "Trial of the Century"

In 1947, *United States v. Ingalls* was clearly the most talked about case of the era amongst the city's black populace---receiving far more news media coverage than the racial discrimination case involving businessman Edward W. Anderson and his wife in 1897; the case that resulted from the mysterious murder of Dr. A. Antonio DaCosta, the wealthiest black in the county in the early 1950s; or even the Sagon Penn police shooting case in the 1980s. It can also be argued that the social context of *United States v. Ingalls* set the stage for one of the most widely publicized criminal trials the area's history and probably the "trial of the twentieth century" for San Diego's black inhabitants. At the core of the case, the first major one of its kind since 1880 and the reason for all the attention and uneasiness, was the ugly reminder of the nation's long enslavement of African Americans.



Edward W. Anderson
1872-1953



Dr. A. Antonio DaCosta
1902-1950



Sagon Penn
1962-2002

The modern day enslavement of Dora L. Jones began circa 1917 when the young Alabama-born girl traveled north with her former teacher, Elizabeth Ingalls, who employed her as a housemaid. Four years later Mrs. Ingalls ceased paying Jones' wages and declared she was a "bad woman" who owed her services. From 4:30 a.m. to 10:00 p.m. Jones labored to please the white former missionary-turned-society dame. She not only cooked and cleaned and did the laundry, she also did gardening and washed the

family car daily, all for no pay whatsoever. Moreover, Jones was threatened with jail, told she was mentally defective, slapped and scratched in the face, denied visits from family and friends, and only allowed to speak to members of the Ingalls household. Things came to a head shortly after the family moved from Boston to Coronado, and the two sympathetic Ingalls daughters reported Jones' mistreatment to authorities. It was then that the U.S. Department of Justice investigated and indicted Mrs. Ingalls and her attorney husband, Alfred, under federal slavery statutes.



Dora L. Jones

The heartless couple sat through a trial that lasted 18 days and was covered in depth each day by the *San Diego Union* and the *Los Angeles Times* which called Jones a “20th century slave,” and was reported on repeatedly in *Time* magazine and the *New York Times*, among others. A serious confrontation with police guards was narrowly averted as hundreds of local blacks anxiously waited outside the courthouse, intent on rushing in to grab seats in the courtroom.



The defense attorney claimed that the anger Mrs. Ingalls directed at Jones, by then age 57, stemmed from an affair that Jones had had long ago with her first husband that ended with an abortion, and that Jones kept reminding her that she was “the better woman.” But testimony from the Ingalls sisters and Jones herself before an all-white jury persuaded it to convict Mrs. Ingalls, while Alfred was acquitted.

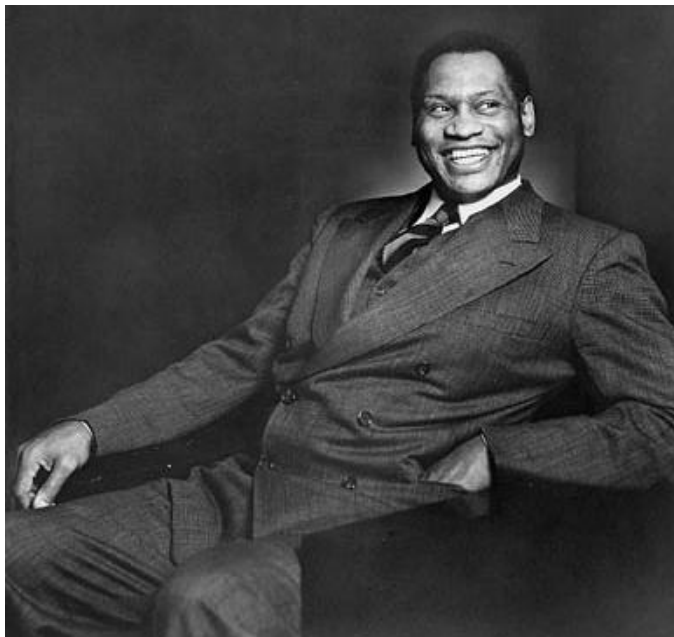
In imposing a 3-year suspended prison term and ordering her to pay Jones \$6,000 (roughly equivalent to \$30,000 in today’s currency), the judge opined that Mrs. Ingalls had “suffered national disgrace” and that he feared incarceration might have severe medical and psychiatric repercussions for the 62-year-old woman. Overly forgiving of her cruel actions, the judge nonetheless refused her motion for a new trial. Following the sensational event, Jones, who during the latter part of her involuntary servitude had been made to sleep in a car a distance away from the Ingalls home, was reunited with her brother in St. Louis (photo above).

In the wake of national publicity surrounding the Ingalls case---a case that surprised most because it occurred in California, not one of the southern states---a flurry of similar cases were prosecuted in the U.S. and there were recodifications of the criminal code, all because of an unfortunate black woman whose predicament was resolved in San Diego County.

More San Diego Black Lawyer Trivia

In a previous update there was a piece on several famous black attorneys who had visited or resided in San Diego for various reasons. Here are some more--most of whom are not generally known to have earned a law degree:

Paul Robeson, one of the greatest artist-Intellectuals this country has produced, got his law degree at Columbia University in 1923. He once worked at the prestigious New York law firm of Stotesbury and Miner. This former stellar athlete and radical political activist gave three concerts in San Diego (in 1943, 1951, and 1955).



Robeson

Interestingly, in 1950 during a period of anti-Communist hysteria, Robeson's photo, along with those of W.E.B. Du Bois and Langston Hughes, were "yanked" from an exhibit in the Museum of Man in Balboa Park after an article appeared in the *San Diego Union* insinuated the men were pro-Communists. Another heralded activist was the quirky conservative Republican James Meredith, who in 1962 made history as the first black to attend the University of Mississippi and, later, like Robeson, earned his law degree at Columbia University. The big surprise is that Meredith and his family lived quietly in San Diego from 1989 until 1991.

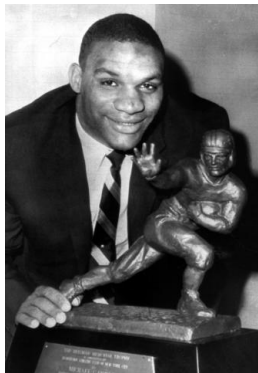


Meredith

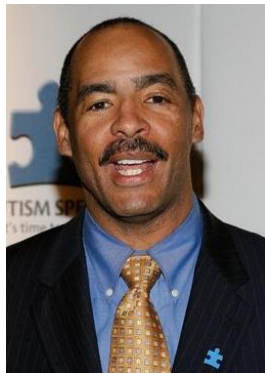
Los Angeles mayor Tom Bradley, who obtained his law degree at Southwestern University School of Law, spoke to a gathering of more than 100 minority-race attorneys in San Diego in 1993, one of his many visits to the city. Two local black celebrity athletes who also have law degrees are San Diego native Mike Garrett (Western State Law School, Class of '86), a former Heisman Trophy winner and currently Athletic Director at the University of Southern California who didn't take the bar exam but for a while worked in the D.A.'s office; and former San Diego Charger and long-time city resident Kellen Winslow Sr. (University of San Diego, Class of '93).



Bradley



Garrett



Winslow



The Gordys

And one last bit of more trivia: in 1979 one of the most lavish and star-studded wedding ceremonies of the decade was that of San Diego State University graduates Desiree D'Laura Thomas and Terry James Gordy, son of the Motown Records founder Berry Gordy, held at his Bel Air estate. Attendees included Marvin Gaye, Diana Ross, Lionel Richie, Jim Brown, Lynn Swann, Smokey Robinson, and Alex Haley. A few years later Desiree got her law degree at Southwestern University School of Law and became a prominent member of the region's black business community. She remains in Los Angeles practicing---what else?---entertainment law.

How Black Attorneys Helped Desegregate Local Golf Courses

The year was 1952, thirty-two years before Tiger Woods first wowed San Diegans in a junior golf tournament, when Ben Spiller, one of the rare black professional golfers of his time, blocked the start of the San Diego Open, stubbornly refusing to move off the first tee. The history-making incident was sparked when both Spiller and famed boxer and amateur golfer Joe Louis had come here assuming they were qualified to play in the tournament. Both were denied entrance. Louis convinced the quick-tempered Spiller to give up his one-man stand against the racist policies of the PGA, and the tournament resumed. Louis later recalled in what he described as "the biggest fight" in his life, phoned his friend, celebrated radio personality and syndicated columnist Walter Winchell, who focused national attention on the incident. Next, Louis spoke to sports reporters for the *San Diego Union* and met with others concerned, including the PGA president. The matter was temporarily resolved.



Spiller



Louis

On the national level, the PGA's Caucasians-only membership clause in its constitution that remained in force until 1961 often prevented qualified black golfers for entering tournaments. In reaction to racism on the fairways San Diego's African American golfers did what others in major cities were forced to do, namely, establish a group that promoted their interests. In San Diego this was the Paramount Golf Club formed in the 1941, eventually affiliated with the black umbrella group called the Western States Golf Association.

Not only had black golf enthusiasts been prevented from playing on publicly owned land like the city's Municipal Golf Course, they were routinely banned from private clubs as well. They usually played at the now defunct Emerald Hills Golf Course and, later, at the Cottonwood Country Golf Club in El Cajon. Blacks were humiliated at the Balboa Park course because they were only allowed to tee off at less desirable times, i.e., they played only after whites had used the prime hours. Furthermore, they could not enter tournaments in which whites competed. They were emboldened to challenge the system after NAACP attorney Franklin Williams' successful petitioning of the U.S Supreme Court in 1950 to slap down a Florida court's decision that

restricted the play of black at a Miami Springs course. Fed up with indignities they had long suffered here, in 1962 obstetrician Dr. Harold E.

Burt, architect Alonzo W. Bryant Jr., and veteran attorneys Thaddeus D. Williams and Robert A. Ward filed suit in Superior Court against the Bonita Golf Club and its directors when they were refused permission to play on the course (Cal10, *Burt v. Bonita Golf Club*;

San Diego Co. Super. Ct., #265 312). They asked for damages in the amount of \$31,000 under Calif. Civ. Code § 51. Led by Williams and Ward, the foursome was granted a permanent injunction prohibiting the Bonita Golf Club from "practicing discrimination. . . solely on the basis of race and color." The four weekend duffers also won an out-of-court settlement for damages which they kindly donated to the San Diego NAACP, and awarded court costs.



Burt



Williams

One prominent sports scholar has commented that the series of legal actions and protests by black golfers since the 1940s confirmed the growing sophistication and audacity of black middle class professionals. But most were not social crusaders. Certainly, the majority of black golfers were happiest whilst on the green tapping and swatting a white ball and yelling "Fore"!

Photo Gallery Additions



Aaron M. Dumas
Admitted to CA Bar: 2007
Undergrad: University of Texas-Austin
Law School: University of San Diego



LaToya S. Redd
(Redd Law Group, Chula Vista)



Michelle Allison
(Admission, Thomas Jefferson School of Law)



Charles C. Ragland
(Office of the California Attorney General)



Hon. Leo Valentine
(San Diego Superior Court)



Fahari Jeffers
(former union leader)



Euketa L. Oliver
(private practice, El Cajon)



Grace A. Usiyan
(private practice)



Nikki H. Love
 (Career Services, Thomas Jefferson School of Law)
 Admitted to CA Bar: 2004
 Undergrad: Cal Poly-Pomona
 Law School: Thomas Jefferson



Adrienne W. Baker
 (1963-2005)



Veronica Jackson
 (DLA Piper)

Lawyers List Additions

<u>Name</u>	<u>CA Bar Admission Year</u>	<u>Undergrad. & Law School</u>
Dumas Aaron M	07	U of Texas-Austin.....USD
Garrett Mike		USC.....WSU
Gayim Eyassu		Haile Selassie U....Uppsala U

Love Nikki H
Winslow Kellen B

04

Cal Poly-Pomona.....Thomas Jefferson
U of Missouri.....USD