

Cruz Reynoso, California's First Latino California Supreme Court Justice

BY MARIA LA GANGA, GUSTAVO ARELLANO AND LEILA MILLER



CRUZ REYNOSO, a son of migrant workers who labored in the fields as a child and went on to become the first Latino state Supreme Court justice in California history, has died.

Reynoso passed away May 7 at an elder care facility in Oroville, according to his son, Len ReidReynoso. The cause of death was unknown. Reynoso was 90.

In a legal career that spanned more than half a century and took him from his first job in El Centro to Sacramento, the soft-spoken family man helped shape and protect the first statewide, federally funded legal aid program in the country and guided young minority students toward the law.

As an early director of California Rural Legal Assistance, Reynoso shepherded the organization's efforts to ensure farmworkers' access to sanitation facilities in the fields and to ban the use of the carcinogenic pesticide DDT.

"Many of the suits CRLA brought during his time fundamentally changed the law of this country," Robert Gnaizda, who worked with Reynoso at CRLA and co-founded the Greenlining Institute, said in an interview he gave to *The Times* before his death in 2020. "If you want to talk about Latino heroes — and there are a number — I'd say Cruz is at the top of the list."

But Reynoso, the son of Mexican immigrants, was probably best known for his career's briefest chapter — his controversial entry to and exit from the California high court.

When then-Gov. Edmund G. Brown Jr. appointed Reynoso to the state Supreme Court in 1981, he said that he did not choose his nominee for the lofty legal position because of Reynoso's Latino heritage.

Brown did acknowledge at the time that he was "not . . . unmindful of the need for government to represent the diversity of our state." But he called Reynoso "the most outstanding candidate I could nominate." Brown described Reynoso, who served on the state appeals court, as "a man of outstanding intellect, superior judicial performance, high integrity and . . . rare personal qualities."

Not everyone agreed. Although liberals and Latino groups lauded Reynoso's selection, law-and-order organizations, conservatives and George Deukmejian, who was then the state attorney general, attacked Brown's nominee.

During Reynoso's confirmation process, retired appellate Justice George E. Paras of Sacramento opposed Reynoso's nomination, calling him "a professional Mexican" who favored minorities and the poor and whose slowness in processing cases "bottlenecked" the court.

But Reynoso was confirmed by the Judicial Appointments Commission, and during his five years on the state

Supreme Court, he earned respect for his compassion. He wrote the court's opinion in a case that gave homeowners the precedent-setting right to sue airports for jet noise that constituted a "continuing nuisance."

And he penned the court's opinion in a case that ruled non-English-speaking defendants must be provided with interpreters at every phase of the criminal process. Residents of the Golden State "require that all persons tried in a California court understand what is happening about them," he wrote. "Who would have it otherwise?"

Reynoso had heatedly denied during the confirmation process that he would favor the poor, minorities or criminal defendants. And, during close questioning by Deukmejian, he said that he would enforce the death penalty.

The court was led by Chief Justice Rose Elizabeth Bird and was accused by critics of sidestepping the ultimate punishment. "I will follow the law," Reynoso said at the time. "And if your question is, 'Will I try to avoid the death penalty?' the answer is absolutely not."

But the Bird court reversed 64 of 68 capital cases it reviewed, and angry opponents of Bird launched a campaign to oust her from the court. In 1986, she, Reynoso and Justice Joseph Grodin were rejected by voters; they had been outspent by their opponents nearly 2 to 1 during the heated campaign.

Kevin Johnson, dean of the UC Davis School of Law, said that Reynoso was a "fervent supporter of an independent judiciary" and did not believe that justices should run political campaigns and raise money.

"He could have said, 'I'm different from Rose Bird. Look at my opinions,' and try to prevail by distancing himself," Johnson recalled. "He refused to get involved with the political process. Some people said he made a mistake.

"It was important to him to maintain his integrity and his belief in an independent judiciary," Johnson said. "He sacrificed his career on the California Supreme Court to that overarching principle."

Reynoso had a 30-acre spread in the agricultural Sacramento County town of Herald. ReidReynoso remembers the election night party in the Central Valley outpost as a hallmark of his father's gracious spirit.

"The night he lost, he said, 'Well, I know we lost, but look at the millions of people who voted for me,'" ReidReynoso recalled. "How grateful I am that I have that many people who care for what we're trying to do, have an ethical court and a free judiciary."

Reynoso returned to practicing and teaching law, first at UCLA and then at UC Davis. Civil rights were still his main focus, and he worked hard to diversify his profession.

In a 2010 documentary on his life and work by lawyer and filmmaker Abby Ginzberg, Reynoso talked about why it is important for all perspectives to be represented in the American justice system. And he referred to U.S. Supreme Court Justice Sonia Sotomayor, who was excoriated during her own confirmation hearings for a speech she made at UC Berkeley in 2001. “I would hope that a wise Latina woman with the richness of her experiences would more often than not reach a better conclusion than a white male who hasn’t lived that life,” Sotomayor said at the time.

The man who introduced her to the audience that day was Reynoso. In the documentary, “Cruz Reynoso: Sowing the Seeds of Justice,” he said of her comments: “To me, it was perfectly logical that a wise Latina judge who may have had different experiences than other folk would have something to add to the court. That’s the way judges learn from one another. I was the only person on the Supreme Court who ever worked as a farmworker.”

Born in Brea on May 2, 1931, Reynoso was one of 11 children and spent summers with his family working the fields of the San Joaquin Valley. He told Ginzberg that his mother dreamed he would quit school at 16 and work in the orange groves. “She would say, ‘Look how lazy my older boys turned out to be,’” Reynoso recounted. “‘Instead of being out there working, they’re still reading books.’”

Reynoso earned an associate’s degree from Fullerton College in 1951 and a bachelor’s degree from Pomona College in 1953. After two years in the Army, he entered UC Berkeley’s Boalt Hall School of Law and graduated in 1958.

Reynoso went on to serve as vice chairman of the U.S. Commission on Civil Rights; among the issues the commission broached during his tenure was the disenfranchisement of minority voters in Florida during the 2000 presidential election. He was awarded the Presidential Medal of Freedom that same year.

Although he has been described as “a Latino Thurgood Marshall,” Reynoso is most often remembered for his kindness and his common touch.

“If the word ‘humility’ in the dictionary had a picture next to it,” said José R. Padilla, executive director of California Rural Legal Assistance, “it would be Cruz Reynoso.” ★

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EDITOR’S NOTE: *The Supreme Court held a public memorial session honoring Justice Cruz Reynoso, on June 2, 2021, immediately following the court’s oral argument calendar on that date. Four guest speakers — former Justice Joseph R. Grodin, UC Davis School of Law Dean Kevin R. Johnson, Governor Gavin Newsom’s Judicial Appointments Secretary Luis Céspedes, and one of Reynoso’s children, Attorney Len Reid Reynoso — appeared live by video and gave remarks. A recording of the event will be posted at <https://www.courts.ca.gov/35333.htm>.*