

# JUSTICE CRUZ REYNOSO:

## *The People's Justice*

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One of the leading Chicano civil rights leaders of his generation, Cruz Reynoso has been said to be the Latino equivalent of the late U.S. Supreme Court Justice Thurgood Marshall, the first African American appointed to the U.S. Supreme Court. Needless to say, Reynoso is nothing less than an icon in the national legal community.<sup>1</sup>

From humble beginnings, Reynoso rose to greatness. Raised in a working-class neighborhood in Southern California, he attended segregated schools as a youth. With optimism and a zest for life, he persevered and pursued a higher education, first at a community college and later at Pomona College and the University of California, Berkeley School of Law. Young Reynoso served his country in the Counterintelligence Corps of the United States Army for two years.

Cruz Reynoso began his legal career in private law practice serving the Mexican-American community in El Centro, California, a remote, rural agricultural town near the U.S./Mexico border. Why El Centro, one might ask? Reynoso went there because he sensed that the Mexican-American

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<sup>1</sup> The documentary film, "Cruz Reynoso: Sowing the Seeds of Justice" (Ginzburg Video Productions, 2010) provides some of the highlights of Reynoso's illustrious career.

working-class community needed the help of a lawyer. He became that lawyer, not just for El Centro but for a generation of Latinos.

In the 1960s and the early 1970s, Cruz Reynoso led the fight for the rights of the rural poor, including but not limited to farm workers, as director of California Rural Legal Assistance (CRLA).<sup>2</sup> An innovative legal services organization, CRLA was at the vanguard of the national war on poverty. In making CRLA a national force, Reynoso earned a national, if not international, reputation. His fight for the rights of the poor did not go unchallenged and in fact faced determined opposition from the highest levels of the state government, including popular conservative Governor (later President) Ronald Reagan.

As is well known, Reynoso ultimately served as a distinguished jurist, first as an associate justice of the California Court of Appeal, Third Appellate District (1976–82) and later as an associate justice of the California Supreme Court (1982–87). A person of many “firsts,” Reynoso was the first Latino justice on the California Supreme Court, which alone would have sealed his place in history.<sup>3</sup> A contentious, highly controversial, and some might say “dirty,” campaign in the 1986 confirmation election led to the removal of Justice Reynoso, along with Associate Justice Joseph Grodin and Chief Justice Rose Bird, from that court.<sup>4</sup> Thinking it inconsistent with the ethical duties and obligations of a judge, Reynoso did not mount an election campaign.

In all of his professional activities, Cruz Reynoso has striven to promote the public good. Besides his work as an attorney and jurist, he has taken on important high-profile, public service assignments to ensure that the rights of minorities were protected. President Jimmy Carter appointed Reynoso to serve on the Select Commission on Immigration and Refugee Policy, which, after careful study, recommended reforms to the U.S. immigration laws.<sup>5</sup> The recommendations contributed to major immigration reform legislation passed by Congress in 1986.<sup>6</sup>

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<sup>2</sup> See Michael Bennett & Cruz Reynoso, *California Rural Legal Assistance (CRLA): Survival of a Poverty Law Practice*, 1 CHICANO L. REV. 1 (1972).

<sup>3</sup> See Cruz Reynoso, *Brief Remembrances: My Appointment and Service on the California Court of Appeal and Supreme Court, 1976–1987*, 13 BERKELEY LA RAZA L.J. 15 (2002).

<sup>4</sup> See Robert S. Thompson, *Judicial Retention Elections and Judicial Method: A Retrospective on the California Retention Election of 1986*, 61 S. CAL. L. REV. 2007 (1988).

<sup>5</sup> See, e.g., STAFF REPORT OF THE SELECT COMM'N ON IMMIGRATION AND REFUGEE POLICY (1981).

<sup>6</sup> See Immigration Reform and Control Act, Pub. L. 99-603, 100 Stat. 3445 (1986).

From 1993 to 2005, Reynoso served as a member of the U.S. Commission on Civil Rights, which investigates the most serious civil rights matters arising throughout the United States. During his tenure, the commission investigated alleged voting improprieties in Florida in the contested, and razor close, 2000 presidential election. The outcome of the presidential election — the election of President George W. Bush — turned on the vote in Florida. The commission's investigation and report raised awareness of the glaring voting rights issues raised by that state's election scheme.

Although never one to pursue personal ambition, much less awards and accolades, Reynoso has received too many awards and accolades to mention here. He has attained the highest available public recognition for his distinguished career. In 2000, President Bill Clinton awarded Reynoso the Presidential Medal of Freedom, the nation's highest civilian honor given to leaders who "have helped America to achieve freedom." In awarding the medal, President Clinton stated:

Cruz Reynoso is the son of Mexican immigrants who spent summers working with his family in the fields of the San Joaquin valley. As a child, he loved reading so much, his elementary school classmates called him *El Profe*, the Professor.

Later, some told him to put aside his dreams of college, saying bluntly, they will never let you in. But with faith in himself and the values of our country, Cruz Reynoso went on to college and to law school but never forgot his roots. He worked for the Equal Employment Opportunity Commission and led the pioneering California Rural Legal Assistance Program. In 1976 he was appointed Associate Justice of the California Court of Appeals and rose to become the first Latino to serve on the State's highest court.

Today, he continues to labor in the fields of justice, serving as Vice Chair of the U.S. Civil Rights Commission, opening new doors for Latino lawyers and teaching a new generation of students the world of law. Not long ago, the person his classmates once called *El Profe* was voted by his own students Professor of the Year.<sup>7</sup>

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<sup>7</sup> William J. Clinton, Remarks on Presidential Medal of Freedom (Aug. 9, 2000), available at <http://www.presidency.ucsb.edu/ws/?pid=1482>.

In addition to his civil rights and judicial work, Reynoso served as a distinguished law professor for many years. He initially served as a faculty member at the University of New Mexico Law School. After his time on the California Supreme Court, Reynoso returned to law teaching. He first went to UCLA School of Law. A few years later, Reynoso became the inaugural holder of the UC Davis School of Law's Boochever and Bird Chair for the Study and Teaching of Freedom and Equality.<sup>8</sup> I helped convince Reynoso to come to UC Davis and to be closer to his ranch south of Sacramento, where his wife Janeene continued to live while Cruz taught at UCLA.

It seems entirely appropriate that Cruz Reynoso ended his professional career at UC Davis School of Law (although he remains very busy in retirement, including serving as an investigator on a variety of civil rights matters). As a court of appeal justice, Justice Reynoso dissented from a majority opinion finding that the Law School's race-conscious affirmative action admissions plan was unconstitutional:

King Hall, the University of California at Davis School of Law, from whence this lawsuit emanates, was named in honor of Martin Luther King, Jr., a black minister. Through the moral force of his character and faith he inspired America to seek after justice, and he shared with America his dream of a true and abiding equality among all racial, ethnic and linguistic groups who call this land their own. We have paid homage to his ideals by naming a law school in his honor. But we honor his dream with greater warmth when we march that added step or two, as did he, toward the mountain top of equality. King Hall took that step.<sup>9</sup>

The California Supreme Court ultimately agreed with Justice Reynoso.

Besides the many professional achievements, Cruz Reynoso is one of the humblest and most decent people one could ever want to meet. Devoted to his family, community, and faith, he is all that we could aspire to want in a revered historical figure. He continues to attend meetings of the UC Davis

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<sup>8</sup> See Cruz Reynoso, <https://law.ucdavis.edu/faculty/reynoso>.

<sup>9</sup> DeRonde v. Regents of the Univ. of California, 102 Cal. App. 3d 221 (1980) (Reynoso, J., dissenting), *rev'd*, 28 Cal. 3d 875 (1981). Reynoso later wrote about the concept and importance of diversity in American law. See Cruz Reynoso, *Ethnic Diversity: Its Historical and Constitutional Roots*, 37 VILL. L. REV. 821 (1992).

La Raza Law Students Association and serves as a mentor and inspiration to law students. And, even in retirement, Cruz Reynoso serves as the social conscience of the UC Davis law faculty as well as the state and the nation. Unlike some who have fought tough battles for years in the trenches, he is not bitter but remains quick to laugh, talks philosophically about the challenging times in which we live, and maintains optimism about what the future holds for social justice in America.

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