

Civil Rights Pioneer, Federal Judge, Biopic Subject, and Alumnus of the Year

Thelton Henderson, '55, J.D. '62

Now an esteemed and controversial federal judge, Thelton Henderson came to Cal from Los Angeles on a football scholarship. The law was not on his mind. Even academics were not necessarily in the forefront. He was a standout on the gridiron and the basketball court, encouraged to attend Berkeley by his football coach and his counselor at Jefferson High, both UC alumni. "All I knew about Cal was that they had a good football team in those days," Henderson has reminisced. "I had not the foggiest idea that it was an excellent academic institution."

Circumstances alter plans. A leg injury suffered during a game scotched his ambition of becoming a professional athlete. He majored in political science, graduated in 1955, and went on to law school at Boalt, with only one other African American in his class. He received his law degree in 1962.

Race had been a factor, but not a major focus in his life. He had experienced first-hand discrimination as a student, when some apartment owners wouldn't rent to him. Henderson has said that Berkeley "is known as the liberal bastion now, but it wasn't all that liberal then, in terms of housing." He would see worse, and soon. His Boalt graduation wasn't long over when the Justice Department's civil rights division hired him and sent him to observe the administration of justice in the Deep South. In the early '60s, as the Civil Rights Movement simmered to a boil, it wasn't a pretty sight, nor was it safe. But it left strong impressions. He saw the law perverted by undisguised racists on the bench whose sole purpose was to preserve Jim Crow policies and segregation, and he saw other judges, especially on the Federal Fifth Circuit, who despite their own Southern roots upheld the law and ruled fairly.

Returning to the Bay Area, Henderson opened a practice in East Palo Alto, which grew popular, and began a flourishing relationship with the law school at nearby Stanford University. Stanford hired him as assistant dean of the law school, where he taught and helped increase minority enrollment for eight years (through that school's first minority recruiting program). He returned to private practice in 1977, as co-founder of a law firm in San Francisco. President Jimmy Carter appointed Henderson to the federal bench, the U.S. District of Northern California, in 1980. He became Chief Judge in 1990, the first African American to

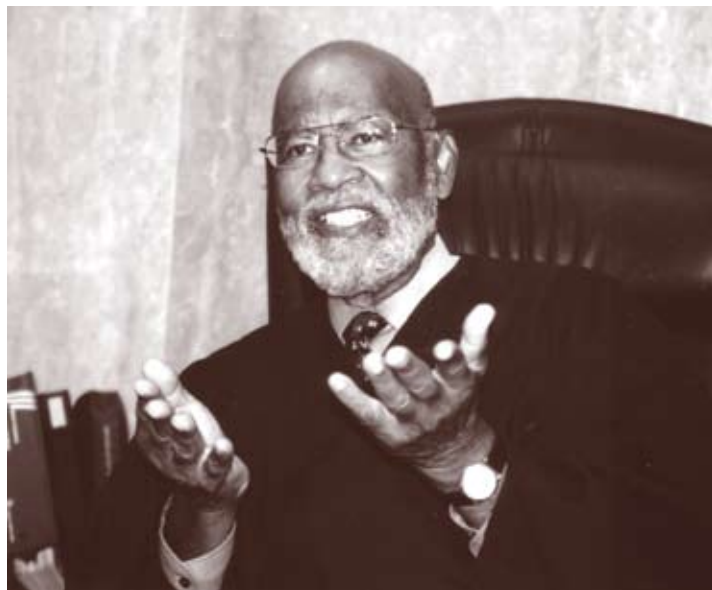


Photo: Abby Ginzberg/www.souljustice.org

hold that position, and in 1998 became Senior U.S. District Judge. The district covers 15 Northern California counties, hearing cases in its courtrooms in Eureka, Oakland, San Jose, and its headquarters in San Francisco.

In his judicial roles, Henderson has carved a distinct path, gaining ever more respect on the way — along with clusters of vehement critics.

His legal decisions have covered a wide, sometimes explosive, waterfront, protecting, among others, dolphins threatened by tuna nets, prison inmates subjected to substandard medical care, and Vietnam veterans exposed to Agent Orange. In 1997, he struck down Proposition 209, the ballot measure that banned affirmative action in public contracts, hiring, and college admissions in California. Subsequent calls for his impeachment came to naught, but his decision was overturned in 1998 by an appeals court.

A documentary movie on his life — *Soul of Justice: Thelton Henderson's American Journey* — by Albany filmmaker Abby Ginzberg, was released in late 2005.

Henderson has received many honors, the most recent of which is selection as 2008 Alumnus of the Year by the California Alumni Association. — *Dick Cortén*

The alumni association this year is recognizing what may be a record number of Berkeley alumni with graduate degrees. They include, besides Henderson: leading Parkinson's researcher **Caroline Tanner** Ph.D. '98; geologist/ecologist and advisor to U.S. presidents **Lee Merriam Talbot** '52, M.A. '63, Ph.D. '63; radiologist and MRI pioneer **Lawrence Crooks** '71, M.S. '73, Ph.D. '79 (Excellence in Achievement Awards); **Anthony Smith** '92, M.A. '93, Ph.D. '02, deputy superintendent for instruction, innovation, and social justice, San Francisco Unified School District (Mark Bingham Award); and **Richard Bahme** '40, M.S. '47, Ph.D. '49 (Excellence in Service Award).