

**Assembly Concurrent Resolution**

**No. 44**

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**Introduced by Assembly Member Dymally**

February 20, 2003

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Assembly Concurrent Resolution No. 44—Relative to Earl Warren.

LEGISLATIVE COUNSEL'S DIGEST

ACR 44, as introduced, Dymally. Earl Warren.

This measure would request that a bronze bas relief memorial be installed on the southwest front greensward of Capital Office Building No. 1, and dedicated to the memory of Chief Justice Earl Warren. This measure would also request the State Architect to install the California Capitol Historic Preservation Society's bas relief of former Governor Warren at the Earl Warren Walk.

Fiscal committee: yes.

1 WHEREAS, May 17, 2004, marks the 50th anniversary of the  
2 United States Supreme Court decision, *Brown v. Board of*  
3 *Education of Topeka* (1953) 347 U.S. 483, and it is deemed  
4 appropriate to establish a memorial to commemorate Earl Warren  
5 as former Chief Justice of the United States for writing the  
6 landmark decision that was unanimously adopted by the court as  
7 well as serving as an outstanding Governor of California; and  
8 WHEREAS, Earl Warren was born March 19, 1891, in Los  
9 Angeles, and was raised and educated in the public schools of  
10 Bakersfield while delivering newspapers, groceries, and blocks of  
11 ice during grade school. Later, in high school, at age 15, he worked  
12 12 hours a day, six days a week as a railway mechanic's helper and  
13 later a call boy who rounded up crews before the train departures,

1 and at age 17, as a brakeman on freight trains out of Bakersfield.  
2 All of these boyhood tasks made him keenly aware of labor  
3 conditions and railroad injuries; and

4 WHEREAS, Earl Warren saved his earnings and graduated  
5 from the University of California at Berkeley, earning a Bachelor  
6 of Law degree in 1912 and a Doctorate of Jurisprudence in 1914;  
7 and

8 WHEREAS, After a brief law practice and service in World War  
9 I, he served as an Assemblyman's assistant and clerk to the  
10 Assembly Judiciary Committee; and

11 WHEREAS, He served honorably as Deputy City Attorney for  
12 the City of Oakland from 1919 to 1920, Deputy District Attorney  
13 of Alameda County from 1920 to 1925, and Alameda County  
14 District Attorney for 14 years, from 1925 to 1939. During that  
15 time, no case that Warren ever tried was reversed by a higher court.  
16 He succeeded in cleaning up graft and corruption in local public  
17 offices, hospitals, and county jails, and illegal gambling. In 1930,  
18 he was reelected to a second term by the largest majority for a  
19 district attorney in Alameda County history; and

20 WHEREAS, Earl Warren earnestly introduced administrative  
21 reforms for the office, revitalizing it to the extent that a prominent  
22 national survey concluded that his office was the most efficient  
23 district attorney's office in the country and he was further declared  
24 in 1934 "the best District Attorney in the United States"; and

25 WHEREAS, In 1938 Earl Warren won the Republican,  
26 Progressive, and Democratic nominations for Attorney General,  
27 serving a four-year term from 1939 to 1943. He reorganized the  
28 office for more powerful responsibilities, helping establish legal  
29 aid associations and a public defender system, and winning  
30 \$7,000,000 for California Native Americans under the so-called  
31 "lost" 1851-52 treaties; and

32 WHEREAS, Earl Warren was elected president of the National  
33 Association of Attorneys General in 1940; and

34 WHEREAS, Earl Warren was elected Governor of California  
35 three times with unprecedented bipartisan support in 1942, 1946,  
36 and 1950. In January 1943, during the World War II years, Earl  
37 Warren led the state with calmness and tolerance, initiating  
38 modern and progressive programs that included raising pensions  
39 for old age assistance, reforming workers' compensation, and  
40 expanding unemployment insurance benefits for workers of small



1 businesses to include widows and children of killed workers. He  
2 provided more funds for poor school districts, constructed more  
3 schools and hospitals than any Governor in United States history,  
4 obtained more beaches and parks, established child care centers for  
5 employed mothers, and created what is now the Department of the  
6 Youth Authority in California, which was adopted by other states;  
7 and

8 WHEREAS, He continually urged the Legislature to create a  
9 Fair Employment Practices Commission, and enact legislation  
10 limiting exorbitant interest rates suffered by wage earners and the  
11 poor; and

12 WHEREAS, In 1945, he made valiant attempts to have the  
13 Legislature create a statewide mandatory health insurance  
14 program, which was criticized as “socialized medicine,” despite  
15 outlining his prepaid medical insurance proposal beforehand; and

16 WHEREAS, Earl Warren lived simply in the historic  
17 Governor’s Mansion at 15th and H Streets with his wife Nina and  
18 six children, Virginia, Earl, Jr., Dorothy, Nina, Elizabeth, and  
19 Robert, having his home number publicly listed in the telephone  
20 book. Their sole income was his state salaries but he never  
21 deviated from his duties to augment his modest state income; and

22 WHEREAS, Earl Warren was the last Governor in Sacramento  
23 to walk the town’s streets, usually from the Governor’s Mansion  
24 to the Capitol, generally diverging from his walk and wandering  
25 into a barbershop to wait for a haircut, talking to gardeners,  
26 greeting secretaries and elevator operators, and wearing a path on  
27 the greensward of State Office Building No. 1 when leaving his  
28 Capitol office to lunch at the Sutter Club or small ethnic cafes; and

29 WHEREAS, In 1948 he was the vice presidential candidate on  
30 the Republican ticket headed by Thomas E. Dewey; and

31 WHEREAS, On September 30, 1953, Dwight David  
32 Eisenhower, the 34th President of the United States announced  
33 that he was nominating Earl Warren to be the 14th Chief Justice of  
34 the United States Supreme Court, an interim appointment until the  
35 Senate could confirm the nominee; and

36 WHEREAS, Earl Warren resigned as Governor on October 4,  
37 1953, and took two solemn oaths of office on October 5 in the  
38 Supreme Court chamber, one before President Eisenhower; and

39 WHEREAS, On May 17, 1954, two months after Senate  
40 confirmation of his permanent appointment, Earl Warren wrote



1 the landmark opinion in *Brown v. Board of Education of Topeka*,  
2 holding that segregated public schools violated the 14th  
3 Amendment. “Separate educational facilities,” he wrote, “are  
4 inherently unequal.” That decision, which began a series of  
5 attacks on the Warren Court and later was extended to public  
6 transportation, recreation, and other public areas, has struck down  
7 every different type of treatment on racial grounds that had come  
8 before the court, including laws against interracial marriages; and

9 WHEREAS, Earl Warren, during his international travels on  
10 behalf of the President and the judiciary, discovered that he was an  
11 international celebrity and symbolized America as a humane  
12 nation in many emerging countries due to his desegregation  
13 decisions; and

14 WHEREAS, Earl Warren lived to see his concepts of American  
15 society accepted by most of the nation despite bitter and  
16 continuing controversy. His appointment to the Court may  
17 historically be the single most important judicial act of President  
18 Eisenhower; and

19 WHEREAS, The California Capitol Historic Preservation  
20 Society has maintained an oval bronze bas relief of former  
21 Governor Warren that was intended to commemorate his three  
22 terms as the state’s chief executive; and

23 WHEREAS, The Chair of the State Historical Resources  
24 Commission wrote to the society chair regarding the proposed  
25 dedication of the Earl Warren Walk with the bronze bas relief that  
26 “All commissioners join me in applauding your efforts to  
27 commemorate this site”; now, therefore, be it

28 *Resolved by the Assembly of the State of California, the Senate*  
29 *thereof concurring*, That a bronze bas relief memorial in an  
30 appropriate scale be installed on the southwest front greensward  
31 of Capitol Office Building No. 1, facing the Library and Courts  
32 Building, and dedicated to the memory of Chief Justice Earl  
33 Warren, whose outstanding service to California and the nation  
34 will always be remembered; and be it further

35 *Resolved*, That the selected sculptor design the memorial in a  
36 style befitting the august neoclassic architecture of those Capitol  
37 extension buildings as well as that of the United States Supreme  
38 Court building; and be it further

39 *Resolved*, That the State Architect install the California Capitol  
40 Historic Preservation Society’s bas relief at the Earl Warren Walk,



1 acknowledging his service as Governor of the state and his long  
2 association with the Sutter Club, for which the California Capitol  
3 Historic Preservation Society and the Sutter Club may organize an  
4 appropriate dedication ceremony; and be it further

5 *Resolved*, That plans for this Warren Memorial project be  
6 developed with the review and approval of the California Capitol  
7 Historic Preservation Society's preservation architect, Chairman  
8 Emeritus of the Historic State Capitol Commission and former  
9 Capitol Restoration Architect, and be submitted to the Historic  
10 State Capitol Commission for review; and be it further

11 *Resolved*, That the California Capitol Historic Preservation  
12 Society's Warren Memorial Advisory Committee develop the  
13 design, construction, and dedication of the two commemorative  
14 memorials, the former honoring Governor Warren's service to the  
15 state, and the latter his honorable service to the United States  
16 Supreme Court and the nation; and be it further

17 *Resolved*, That funds for the design and construction of the  
18 grand national memorial shall be collected from private and  
19 foundation sources by the California Capitol Historic Preservation  
20 Society, in conjunction with its Warren Memorial Advisory  
21 Committee that will consist of no less than 11 persons, in  
22 consultation with the Speaker of the Assembly and the Senate  
23 Committee on Rules; and be it further

24 *Resolved*, That the Chief Clerk of the Assembly transmit copies  
25 of this resolution to the author for appropriate distribution.

