

House Resolution

No. 10

Introduced by Assembly Members Hayashi and Swanson

March 7, 2011

House Resolution No. 10—Relative to Chief Justice Earl Warren Day.

1 WHEREAS, May 17, 2011, marks the 57th 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 designate a memorial day to commemorate Earl
5 Warren as former Chief Justice of the United States for writing
6 the landmark decision that was unanimously adopted by the court
7 and for 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
13 and later as a call boy who rounded up crews before the train
14 departures, and at age 17, as a brakeman on freight trains out of
15 Bakersfield. All of these boyhood tasks made him keenly aware
16 of labor conditions and railroad injuries; and

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

20 WHEREAS, He served honorably as Deputy City Attorney for
21 the City of Oakland from 1919 to 1920, Deputy District Attorney
22 of Alameda County from 1920 to 1925, and Alameda County
23 District Attorney for 14 years, from 1925 to 1939. During that

1 time, no case that Warren ever tried was reversed by a higher court.
2 He succeeded in cleaning up graft and corruption in local public
3 offices, hospitals, and county jails, and illegal gambling. In 1930,
4 he was reelected to a second term by the largest majority for a
5 district attorney in Alameda County history; and

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

11 WHEREAS, In 1938, Earl Warren won the Republican,
12 Progressive, and Democratic nominations for Attorney General,
13 serving a four-year term from 1939 to 1943. He reorganized the
14 office for more powerful responsibilities, helping to establish legal
15 aid associations and a public defender system, and winning
16 \$7,000,000 for California Native Americans under the so-called
17 "lost" 1851–52 treaties; and

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

20 WHEREAS, As Attorney General, Earl Warren responded to
21 requests by the executive branch of the federal government to
22 participate in the internment of Japanese Americans in California;
23 and

24 WHEREAS, Earl Warren has apologized in his memoirs for his
25 decisions related to the internment of Japanese Americans in this
26 state; and

27 WHEREAS, In his memoirs he stated, "I was
28 conscience-stricken. It was wrong to react so impulsively, without
29 positive evidence of disloyalty, even though we felt we had a good
30 motive in the security of our state. It demonstrates the cruelty of
31 war when fear, get-tough military psychology, propaganda, and
32 racial antagonism combine with one's responsibility for public
33 security to produce such acts. I have since deeply regretted the
34 removal order and my own testimony advocating it, because it was
35 not in keeping with our American concept of freedom and the
36 rights of citizens"; and

37 WHEREAS, Earl Warren was elected Governor of California
38 three times with unprecedented bipartisan support in 1942, 1946,
39 and 1950. In January 1943, during the World War II years, Earl
40 Warren led the state with calmness and tolerance, initiating modern

1 and progressive programs that included raising pensions for old
2 age assistance, reforming workers' compensation, and expanding
3 unemployment insurance benefits for workers of small businesses
4 to include widows and children of killed workers. He provided
5 more funds for poor school districts, constructed more schools and
6 hospitals than any Governor in United States history, obtained
7 more beaches and parks, established child care centers for
8 employed mothers, and created what was formerly known as the
9 Department of the Youth Authority in California, which model
10 was adopted by other states; and

11 WHEREAS, Earl Warren continually urged the Legislature to
12 create a Fair Employment Practices Commission, and enact
13 legislation limiting exorbitant interest rates suffered by wage
14 earners and the poor; and

15 WHEREAS, In 1945, he made valiant attempts to have the
16 Legislature create a statewide mandatory health insurance program;
17 and

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

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

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

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

38 WHEREAS, Earl Warren resigned as Governor on October 4,
39 1953, and took two solemn oaths of office on October 5 in the
40 Supreme Court chamber, one before President Eisenhower; and

1 WHEREAS, On May 17, 1954, two months after Senate
2 confirmation of his permanent appointment, Earl Warren wrote
3 the landmark opinion in *Brown v. Board of Education of Topeka*,
4 holding that segregated public schools violated the 14th
5 Amendment. “Separate educational facilities,” he wrote, “are
6 inherently unequal.” That decision, which began a series of attacks
7 on the Warren Court, later was extended to public transportation,
8 recreation, and other public areas, and has struck down every
9 different type of treatment on racial grounds that had come before
10 the court, including laws against interracial marriages; and

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

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

21 WHEREAS, In recognition of the contributions made by Chief
22 Justice Earl Warren to the nation and our state, it would be a fitting
23 tribute to designate a memorial day in his honor; now, therefore,
24 be it

25 *Resolved by the Assembly of the State of California*, That the
26 Assembly designates March 19, 2011, and each March 19
27 thereafter, as Chief Justice Earl Warren Day; and be it further

28 *Resolved*, That the Chief Clerk of the Assembly transmit copies
29 of this resolution to the author for appropriate distribution.
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31 _____
32 CORRECTIONS:

33 Text—Page 1.
34 _____