

UNIVERSITY OF CALIFORNIA DAVIS
LAW SCHOOL

SPEECH OF
ATTORNEY GENERAL JANET RENO

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P-R-O-C-E-E-D-I-N-G-S

ATTORNEY GENERAL RENO: Thank you so very much, Dean. I'm very honored to be here with you today as you commence a great adventure in the law.

I had a chance to talk with some of you. I remember the feeling of when I stood in your shoes, wondering what I was going to do, what the law would be like. It's been worth it all. It is a wonderful profession.

From this land where many of you were born, from this great law school that you've come to learn, from the friends and families that have touched your life, you are going to draw strength and wisdom for the rest of your life.

Three years ago I came to Washington to accept one of the greatest challenges that any lawyer could have. But I was not alone, for with me were memories of people who had touched my life along the

way. There was my law school dean. There was my contracts professor. There was my baby sitter, my American history teacher, my law school classmates, family and friends, some deceased, encouraging me, supporting me and reminding me of how I got there.

So today as you leave King Hall, this wonderful institution, stop and cherish the people who have touched your lives, the faculty, family and friends. Remember for as long as you live how other people made a difference in your life and then for the rest of your life, reach out and touch others and help them along the way.

Remember the wonderful cultural traditions of the many heritages in this law school that are reflected and represented here today and go to your communities and make sure that the diversity which made this nation great is always valued and always protected. As you pursue the great experiences of the law don't forget to laugh at yourself and if you have trouble doing that, find a brother who will tease you, even if you're the Attorney General, and make fun of you so you don't take yourself too seriously.

Above all, be yourself. Do not become known for the law firm that you joined. Do not become known for the money you make or the house that you live in, but become known for yourself and for who you are and for what you stand for and for what you do for others.

I love the law and I love lawyers but I don't like greedy and indifferent lawyers. The law can be such a marvelous tool for good, a marvelous tool for change and so with the spirit and the courage and the intellect that is so evident here today, with the sense of community that is so evident here today, use the law to protect others against injustice, to solve their problems, to serve people and to bring peace in this nation and around the world.

Speak out against the hatred, the bigotry and the violence in this land. Defend those who are the victims of those forces. Most haters are cowards. When confronted they back down. When we remain silent, they flourish. The people of Sacramento showed two years ago what could be done when people join together to speak out against the hate crimes that were evident in that community. We have learned a lesson in our century that none of us can ever

forget. In Nazi Germany too many people stood silent as Hitler and his fascism took hold. We cannot forget that happened in our century and we must never ever let forces like that become entrenched in this land.

Do not stand on the sidelines, whether you become a corporate lawyer or you practice in a small rural community, but instead defend and protect the rights that you've studied for three years, that you've cared about for three years. These rights and freedoms do not find lasting strength on the paper that they're written on. They are not self-executing. They find their force in the hearts and the minds and the spirit of lawyers who are willing to fight for them, advocate for them and never ever to give up on them. It is found in the hearts and minds and spirits of lawyers who take the unpopular cause, who dig into the facts, who keep going and who are constantly remindful of their duties as lawyers.

Sometimes these efforts are not expressed in highfalutin Constitutional arguments, but they are expressed in complex, tedious, factual studies of the issues. Recently I had occasion to do a review of DNA cases which had produced justice, finally. In one instance a man had been convicted and sentenced to death for the murder of a young woman in 1984. He maintained his innocence. He was nonetheless convicted. Two years later his conviction was overturned. After a second trial he was again convicted and this time sentenced to life in prison.

But in 1989 a new lawyer, one who would not give up, took on what seemed to be a hopeless case. He realized at that point that forensic science had made advancements with DNA technology. He filed a motion to preserve the evidence so that tests could be done. The Prosecutor's Office, acting in the best tradition of a prosecutor, willingly cooperated, agreed to DNA testing. Experts at the lab concluded that the samples in question could not have come from this person and he was not the person who did it. The state withdrew the charges and because a lawyer never gave up fighting for what was right a man was free.

Now, you hear these cases and you think it doesn't really happen to me. But about eight years ago the Governor of Florida asked me to go to another jurisdiction as a prosecutor and reinvestigate the case of a man who had been prosecuted, convicted and

sentenced to death for the poisoning death of his seven children 21 years before. The death penalty had been set aside by the Supreme Court's decision, but he had been in prison that entire time.

We dug into the facts and became convinced that the evidence was insufficient to charge him originally and clearly now, and that, though the death of witnesses and the destruction of evidence made it impossible to determine who did it, we concluded that he was probably innocent and he should go free. For as long as I live I will always remember looking back over my shoulder as I left that courthouse, watching that man come down the steps a free man for the first time in 21 years and there is nothing that I have done professionally that means more to me than that. Reach out and use the law to help others.

We are a government of the people, by the people and for the people, and the people in this nation for 200 years have created a government that has provided more freedom and more opportunity than any government in the history of this world. But there are some Americans who sit on the sidelines and snipe and carp at this government. They don't participate. They wring their hands. But if this form of government is to prevail, then the very best people, the very best lawyers must take part in it and contribute to it positively.

I think that public service is one of the greatest callings I know. I have been in private practice. I have been a partner in a major law firm, but of all my experiences, none can match public service. Yeah, you get fussed at, you get cussed at and you get blasted in the newspapers. You undertake a great initiative and you get knocked down, but you pick yourself back up and you keep moving. And then ten years later when somebody comes up to you and says, "Your child support office got me my child support and it made a difference in my life and I thank you so very much." When a victim comes to you after you have convicted a terrible criminal and says, "Thank you. I just could not have gotten through this without you," you know that you have made a difference.

When you see a domestic violence court take place and start to rise up in the jurisdiction where you started a domestic intervention program ten

years before. All of us can make a difference if we just determine never to give up.

There is no greater undertaking. But public service is not confined to government service. Public service can be had by those who contribute in their communities, by the corporate lawyer who works in a coalition against drugs. Each of us can make a difference. You can change things.

Yesterday I had occasion to talk with both teachers and volunteers at Sacramento Start, an after school program in one of the elementary schools. A young man had attended a school that required community service. He was volunteering. He was so shy when I asked him what he thought of the program, he said, "I like it. I like it when I can help them. I like it when I can help them learn how to read, and it's really nice when they ask me when I haven't been here, where are you, we've missed you. And then they stop me on the streets and ask me to fix their bike." And you could just see in his face the sense of purpose that he had achieved through this wonderful experience.

It's easy to be a cynic in this day and time. The cynic knows so much about what is wrong and why it can't be fixed. I urge you, though, because I haven't sensed a cynic in this graduating class, to go out and make sure that the cynics are not heard in this land. Believe in your capacity to make a difference. Be idealistic. Try to make a difference, because it can work.

And I don't mean for a moment that you should be naive. The Reverend Martin Luther King, Jr. talked about the need for all of us to have a tough mind and a tender heart. I can tell you that no one, no one can come to Washington and ever hope to do well if they don't start the morning by asking tough questions and end the day waiting for real answers.

But we were founded by idealists with tough minds and tender hearts and they formed a government to check the worst in human nature just as they risked their lives to found a country that cherished freedom and liberty over oppression. They took the hard way and they made a difference.

A month ago, as the sun was setting before it rose again on Easter Sunday, I was in Dover, Delaware listening to President Clinton honor Commerce

Secretary Ron Brown and 32 other Americans who died in that plane crash in Bosnia. They were young and old, men and women, government workers and leaders, business people, but they were all there because they believed they could help a ravaged country overcome a civil war.

These 33 lives, said the President, show us the best in America. They are a stern rebuke to the cynicism that is all too familiar these days. He talked about how family after family told him how their loved ones were proud of their work and believed in what they were doing and believed they could make a difference.

As you use the law to dispel cynicism in this world, use it to solve problems, to avoid conflicts and to improve circumstances. Many of us think of the trial lawyers as winning the great battles, but most of the great issues of the law are resolved on a daily basis, not by lawyers in the courtroom, not by lawyers in argument, but by lawyers who know how to negotiate and to resolve issues for the mutual benefit of all concerned.

But as wonderful as the law is, too many Americans do not have access to the law. If we are to make the law the instrument that it can be, we must make the law real for all Americans. Eighty percent of the poor and the working poor in this country are estimated not to have access to lawyers and to the court system. For them the law is worth little more than the paper it's written on.

We must devise new means to give people the opportunity to believe in the law and to make it real for all Americans. What you have done in this law school, the excitement of your service, the commitment in you clinical programs, your public contributions, are examples that you must take from this law school to your communities and imbue other lawyers with the spirit of service.

Stand for a legal services program in your community. When you finally find a law firm that's going to hire you, ask them what they do for pro bono services and if they're indifferent to it, if it's not too far down the line, go look for other law firms that will honor public service and pro bono service.

(Applause.)

ATTORNEY GENERAL RENO: But join with me

in these next years after you graduate in trying to simplify the law so that the average American can use the law herself to gain her rights without having to go to a lawyer. Use small old words that people can understand. Explain to your clients what the problem was so they can avoid it for the future. Get rid of the slogans and the logos and the symbols and the Title Sevens and the chapters and talk about the law in ways that people can understand.

(Applause.)

ATTORNEY GENERAL RENO: But if we are to make the law real we must focus on a group of Americans who are among the most under-represented. As a prosecutor in Miami, I fought hard to convict the guilty, to make sure they got a sentence that fit the crime that was fair. But I started looking at the revolving door and I focused on our juvenile division to try to make sure that we did everything we could to give children a fresh start. But when I looked at a pre-sentence investigation of a 16 year old charged with armed robbery, I saw five points along the way where that child's life could have been changed, where he could have been kept out of trouble, where he could have graduated from high school, if only we had intervened.

So we developed a drop out prevention program with the public schools. Quickly we saw that if you wait until a child is in the sixth or seventh grade, it's too late. He's already fallen a grade or two level behind. He's already beginning to act out in other ways to attract attention to himself. So we developed an early neighborhood intervention program.

But then, almost immediately, the crack epidemic hit Miami in 1984 and the doctors took me to the public hospital to try to figure out what to do about crack involved infants and their mothers. And they taught me that in those first three years of life, most of the influence could be exerted for the future. They taught me that 50 percent of all learned human response is learned in the first year of life, that the concept of reward and punishment is developed during that period of time.

What good are all the prisons 18 years from now going to be if we don't teach a child what punishment means and what conscience is all about. What good are the great universities going to be if we

do not raise up our population with the educational skills formed in that first year that can give them the skills to fill the jobs that can maintain this nation as a first rate nation.

(Applause.)

ATTORNEY GENERAL RENO: We all get caught up in our narrow little interests and they are wonderful interests, but, as you return to your communities, as you go out to practice law, work in your community both as lawyer and citizen to reweave the fabric of community around our children at risk by making sure that through legislation, through community initiatives, through private endeavor, we make sure that every child coming into this world has proper preventative medical care. That every child has appropriate Educare in those first three formative years. It makes no sense if that's the most formative year not to have child care available, and not just child care, good, positive constructive Educare that can give them a step along the way.

Make sure that we honor our teachers. When I was a kid I thought about being a teacher because my mother told me that ladies didn't become lawyers. I decided not to pay attention to her and along the way a lot more have decided not to pay attention to their mothers. But teaching is one of the great professions in the world and something is terribly wrong with a nation that pays its football players in the six digit figures and pays its teachers what it pays them.

(Applause.)

ATTORNEY GENERAL RENO: Work to change that. But what about after school? With more and more parents working, with single parents struggling to make ends meet, they've got to work. We have got to provide programs after school and in the evening that can make a difference. I watched what one of your graduates has done in starting Sacramento Start, an afternoon program that gives students a chance to be tutored, to work with others. It is making such a difference.

Each one of us can make a difference. We can make a difference in developing prevention programs that prevent domestic violence from happening before it starts by joining together with the medical community. A child who watches his father beat his

mother comes to accept violence as a way of life. We have seen the cycle perpetuate itself from one generation to another. Let's work together in these years as you come back to your communities to end domestic violence as we know it and to give our children a classroom at home that teaches them how to resolve conflict peacefully and without violence.

(Applause.)

ATTORNEY GENERAL RENO: Let us work with police. It is so exciting to see community police officers who are reaching out to people in their community to involve them in identifying problems, developing priorities and reaching out to young people, not to become their nemesis but to become their mentor and their supporter and their friend. Reach out and let us give our young people an opportunity to develop a skill that will enable them to earn a living wage.

I often wondered why we didn't teach people that in high school. They say, but I'm going to college. How many English majors have you known when they graduated from college sat around and didn't know what to do because they didn't have a skill that could enable them to earn a living wage? In this time of technology, let us work with the school system to develop skills that will enable all our graduates to be able to obtain a job in this modern technological society that can make a difference. But most of all let us use community, let us use our power in the law to reweave the fabric of community around our children and make the law real for all of them.

But as you're doing all of this with the energy that is in this room, with the creativity and the intellect, do not forget what is going to be your most precious possession, your family. I watch young lawyers who are so idealistic struggle to get breakfast on the table, the children dressed, off to school. They get to work, they try a case, they interview witnesses until seven o'clock at night. They get home, get dinner on the table, the children bathed, the homework done. They work on weekends to catch up and they don't have quality time with their children.

If we can send a man to the moon, we can surely develop professional schedules that will permit us to serve our community, to provide services for our

clients and yet to put our family first.

(Applause.)

ATTORNEY GENERAL RENO: As you leave this institution, talk to those law firms about flex time, about maternity and paternity leave, about parental leave, so that you can go spend quality time at your child's school. And remember, raising children is the most single difficult thing I've ever known. I inherited two 15 year olds, twins, a boy and a girl. The girl was in love and I've learned an awful lot about raising children in these last ten or fifteen years. It is one of the most difficult because it requires love, intelligence, hard work and luck, but it is the most rewarding. And when I put that young lady on the plane to send her off to college and then when I went to see her graduate three years from thence, cum laude, and she threw her arms around my neck and said, "Thank you. I couldn't have done it without you," nothing in my professional career can ever exceed the joy and the feeling that I had on that occasion.

You are a wonderful graduating class. Your enthusiasm and your commitment just is contagious. I go back to Washington renewed in my absolute determination and convinced once again that this great nation will address the changes that are coming, address them with vigor, with courage, with a sense of principle and with a commitment to what is right.

Thank you for your dedication and for your spirit.

(Applause.)