

THELTON HENDERSON TRANSCRIPT

"THE MAN"

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Edited for clarity and continuity

LOWELL BERGMAN: Is it true that you're named after a police officer?

THELTON HENDERSON: I have concluded that I am. And the reason for that is that when I was born in 1933 in a rural hospital outside of Shreveport, my mother tells me that they gave some sort of sedation or something back in those days, and she was in this sedated state and the nurse was a white nurse. And at that point in time, I was going to be Eugene, named after my father. And while talking, awaiting my birth, the white nurse said something to the effect that, "Gee, I think Thelton is a pretty name." And my mother in this Never-never Land that she was in said, "Oh, Thelton!" And named me Thelton. That's an absolutely true story. And growing up, I never met or heard of another Thelton. Remember that I was born in Shreveport. In 1962, I'm now working for the Civil Rights Division of the Justice Department and working on voting rights cases.

THELTON HENDERSON: And I was sent to Shreveport to work up a voting rights case and the way you do it, you have to find a pattern and practice of discrimination. And you do it by studying the voting records. You look at the white registered voters and you look at the white unregistered voters, a very small group. You look at the black registered voters, a very small group, and the black unregistered. And you see the pattern and practice of blacks with a college education aren't passing the voting tests and whites with third grade education, you are. Well, while doing this, I came upon a Thelton in the town that I was born in. And he was a white cop and he was about the age that that nurse would have been. And so, I've concluded that I was named after that white cop. I've heard of other Theltons since then, since 1962. But that's why I think I was named after a white cop.

LOWELL BERGMAN: You talk a lot in the material that I've seen, about your mother. But you rarely talk about your father, and when you do it's negative.

THELTON HENDERSON: Yeah. That's true. My father and I weren't friends. I didn't know my father until I was about five or six years old. My parents separated, and my mother brought me to Los Angeles from Shreveport when I was three years old. So, at that point I had no memory whatsoever.

LOWELL BERGMAN: Only child?

THELTON HENDERSON: Yeah, only child. I had no memory of my father. A few years later, about three, I think, he started writing and communicating with my mother and they attempted to, they got back together. And, I don't know, it just never clicked, and I think I probably should take some blame for it, because, as I recall, I refused to call him dad or father, I called him Gene, and I know he resented that. But anyway, there was no chemistry between us. I think he resented me, I could tell it. I remember things like, I took piano lessons and had a recital. And my mother sang, she dressed up and I dressed up. "Aren't you going?" "Nah, I don't wanna hear that crap."

You know, and that was just in my face kind of thing, all the way through. "Dad, can I have a quarter to go to the movies? 'The Serial' on Saturday with Teddy and Webster?" "Nah, I don't have any money." So, that was my relationship with him. My last interaction with him, I call it 'The Dripping Spaghetti Incident,' was we were eating dinner, and dinner for me with my father there was to get through without being yelled at. 'Get your elbow off the table!' or I don't know, whatever it was.

THELTON HENDERSON: And on this particular day, we were eating spaghetti, and nothing that I can recall happened, and my father stood up and said some swear words, "Damn it to hell!" Or something like that, took the spaghetti dish and threw it against the wall and walked out. And I remember sitting there, I was facing the wall and just seeing the spaghetti sliding down the wall. And at that point my mother called my uncle Fred, her brother, and said, "We're getting out of here." This was my mother's house, but she wasn't gonna argue about that. My father wasn't someone you argued about who could stay at the house. We got out.

THELTON HENDERSON: For over a year, we lived with a church lady friend of my grandmother's, until she could get a lawyer and get back in the house. So, I don't have any good memories about my father. My last time with my father was, again, he sort of showed up, he hung around local pool halls and other places. And my uncles did too and they would see him and he sent word that, by then I'm in college, and he sent word that he'd like to see me and I thought, "Why not," trying to be a big person. He came over and me, I was sitting down and we had never really talked about anything. And his way of associating, to pull out a flask of Jim Beam, you know, and taking a swig and say, and I didn't even drink at that point. I drank beer at college but, nothing, but that was very awkward. And we had a couple of those kinds of things. And the last time I saw my old man, we were sitting there, and my uncles were there, and a couple of other relatives. And he started talking. By then I was playing football and getting some good reports in the LA Sentinel.

THELTON HENDERSON: And he started saying, "Yup. I always knew that boy was gonna make something of himself, you know. I used to tell him." I said, "Bullshit". And I got up and walked out and I never saw him again. Nor did I want to. So that's my dad. Another thing did happen, though. Years later, I'm working at Stanford Law School and I get a call from LA saying my father had died, and that there was no one to claim him and no money, and that they were gonna bury him in a potter's field or some kind of thing. And they tried to tell me that I had a legal obligation to bury him, which I knew I didn't. But I chose to do it because I thought I don't want to someday wonder if my father shouldn't have had a better burial. And I paid for that. But that's the whole story about my dad.

LOWELL BERGMAN: When you were growing up, when did you realize it was segregation?

THELTON HENDERSON: I was pretty young. But I think the time I really faced it and really understood discrimination directed at me, as opposed to as some sort of abstraction, I was in junior high school. And my mother had sent me to a junior high that was out of my neighborhood. And that junior high was predominantly white. And they had an organization at the junior high or throughout the LA City school system, I believe, called the DAPs, and that stood for Deputy Auxiliary Policemen. And it was a cool organization that the kids were

encouraged to join, and you got a little badge and you had a little club, and you would meet with the principal and have a little... It was a cool thing to belong to. And one day a couple of kids and I went down to the police station, which is where you join the DAPs. And the other two kids were white and we went up to the desk where we were told to go and tell the guy behind the desk that we wanted to join the DAPs. When we did that, the policeman looked at me and asked me, "Do you live in this neighborhood?" And I said, "No. I live over on 43rd in San Pedro, East 43rd," which is East side of town and obviously a black place. And he said, "Well, you're gonna have to go there to join the DAPs." And they didn't have DAPs over there, by the way. And I knew immediately when he did that, that he was, you know, discriminating against me. And that reminds me of a story when I was much older. Same kind of a story I might mention.

LOWELL BERGMAN: Okay.

THELTON HENDERSON: I was playing baseball at Cal now, and I was one of the first earliest blacks to play and make the team and it was a year they introduced pitching machines. And so, the pitching machine was there and they had cameras and the guy with the pitching machine said, "Okay, we want to have somebody go up and bat and show, demonstrate how it works." And the coach sent me up. And so, I was going up and he saw that I'm batting right-handed, and he said, "Oh, I think we need a left-handed batter." And I said, "Ah, you need a white-handed batter." But it paralleled the DAPs thing. You know, it's not what they wanted at that time. But anyway, to get back, that was one of my earliest experiences of really facing and being the subject of discrimination. There might have been more subtle things that I missed growing up.

LOWELL BERGMAN: So, no one sat you down and told you, "This is the way the world is"?

THELTON HENDERSON: No. No, my family just utterly avoided that. They didn't talk about discrimination.

LOWELL BERGMAN: And back in the '50s, we read that you went to sororities and other organizations preaching diversity.

THELTON HENDERSON: I did.

LOWELL BERGMAN: Were you crazy? I mean, you're talking about in the time of Joe McCarthy, J. Edgar Hoover, established Southern segregation, some of which was unofficially, obviously, observed by you, experienced by you in California.

THELTON HENDERSON: Right, yeah. I went with interesting, at the time, I belonged to an organization right off the Cal campus called Stiles Hall and it was a social service organization, it still exists. And we had a lot of idealistic people in that organization. It was run by a wonderful man and mentor of mine, Bill Davis, and he taught us values and other things to believe in. And one of the projects was to attack discrimination in housing. At that time the Cal, you could go up to the Sproul Hall and look for places to rent. And it would have 'No Negroes' on there. And that was par for the course, and when I came up to get a room, I had to find out who rents to blacks. That was the state of things and we decided as a project to fight that. And another guy that I went with on that was Dick Lamm, who went on to become Governor of Colorado, and Phil Hammer, who is a very distinguished attorney in San Jose, is the husband of the previous mayor. So, a lot of good people did that, I wasn't... So, we were either all crazy or we were on to something.

THELTON HENDERSON: we did that back then and we weren't popular, but they tolerated us. We would go to the sororities, on invitation, and give our pitch, and to the fraternities and move on and hope that we affected some individuals.

LOWELL BERGMAN: Isn't that what you've been doing since then?

THELTON HENDERSON: That's what I've been doing since then, I still do it. I've learned a lot. When I first became a judge and started talking to high schools, I love to go to minority high schools and point out that you can do it too, 'cause I went to Jefferson High in LA, all black, and you can come out of this. And I try to make the point that because I'm a judge and you might read about me and see me, it wasn't foreordained, I was just like you back then, but I worked hard. I try to give that message.

LOWELL BERGMAN: Since you've become disabled, has that changed your perspective?

THELTON HENDERSON: I think there's one perspective I've had. I'm actually surprised at how nice people can be to disabled people. I come up to a door and people run up. And they don't know I'm a judge. I'm not talking about in the building where I'm known. But the people are really nice and attentive to this disabled person, and I assume others. It's sort of given me a better feeling about people and how they can reach out and help. But no, I think otherwise, it hasn't changed my perspective. I try to be very careful about that. I think I have understood the plight of disability in a way I didn't before. And I'm... Always the same people who are so kind and step up, are also can be very inattentive to the situation I'm in.

THELTON HENDERSON: And I have friends who will invite me over and I'll say... I now know to say, "Is your house accessible?" And I have one friend that invited me over and he says, "Well, there are just two steps." And uh, now, this was early on before, I no longer do it. And I said, "Okay. Well, I'll manage that some way. We'll get me up." And I go to the house, and there's a fence. We do the two steps, and then we roll up the driveway. Another seven more steps. And he just had no sense, I mean, this is a friend, had no sense that I could not get into that house. So, there needs to be a lot more awareness of the plight of people with this kind of, when you're wheelchair-bound. But, no. I don't think it's changed.

LOWELL BERGMAN: We're talking about, you know, your, how should I say, your life-long addiction to trying to do good and help people, right?

THELTON HENDERSON: I do. And...

LOWELL BERGMAN: So, why aren't you an asshole? You play poker. And you're supposed to be one of the meanest poker players in San Francisco, I hear...

[laughter]

THELTON HENDERSON: I try to be. [chuckle] You ask why am I not an asshole.

LOWELL BERGMAN: Or, you know... No. You don't...

THELTON HENDERSON: Let me play with that for a minute.

LOWELL BERGMAN: Okay. Okay.

THELTON HENDERSON: When I became a judge...

LOWELL BERGMAN: By the way, I've never called a federal judge an asshole. At least to his face.

THELTON HENDERSON: When I became a judge... Well, that's my point here that I'm gonna make. When I became a judge, everybody starts calling you "Your Honor" and all of these kinds of things and you meet people and they say, "Oh, I've been hearing wonderful things about you." And I would go away from it and say, you know, "I know that's not true. I know everybody in the world doesn't think that. I know there are some people that think I'm an asshole," but you never hear it as a judge, they don't come up and nobody says it. So, that's the life we live and it's very important to know that about yourself, that you aren't this guy that everybody says, "Yes, your Honor," and tries to be on their best behavior. It can be a kind of a warping experience.

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LOWELL BERGMAN: You meditate?

THELTON HENDERSON: I do.

LOWELL BERGMAN: Because?

THELTON HENDERSON: Because it calms me. It centers me. It puts me in a place I think I ought to be more than on the edge and fraught with tension that this job produces for me. The way I came to meditate some 30 years or so ago, when I found out I had this muscle disease which now has me confined to this wheelchair, I looked for alternative medical approaches at that time and I went to a Chinese doctor named Rong Rong Zheng, who treated me with acupuncture and cupping and some other mental... Herbal tea, and one of the things she had me do was also practice Qi Gong, which is a form of meditation, and I have a big redwood tree in my backyard and a big Japanese maple, and she told me that was, under the Chinese tradition, that was an ideal place to meditate. So, I started back then going out in my backyard and sitting in front of either the redwood tree or the maple tree and meditating, practicing Qi Gong, which is... You know, you might call it contemplating your navel sitting in a certain way, clearing your mind and looking down, so I still do it to this day.

LOWELL BERGMAN: So it's also the standing you do, right? It's not...

THELTON HENDERSON: Yeah, you can do it standing. I've always done it sitting.

LOWELL BERGMAN: And it's sort of the fundamental basis of what we know of Tai Chi or Chinese martial arts.

THELTON HENDERSON: Exactly. Exactly.

LOWELL BERGMAN: But you also think you're Forrest Gump?

THELTON HENDERSON: I think I'm comparable to Forrest Gump in the sense that Forrest Gump is a very modest person of modest means who had wonderful things happen to him. You know, he met President Kennedy and got awards, he got an award. He started a shrimp company, a fishing boat, and he got knocked off course and every other fishing boat didn't get knocked off and he found all the shrimp. So, I think in that sense, I'm Forrest Gump, a pretty ordinary guy, came out of South Central LA and some wonderful things happened along the way that were Gumpian, including leading to a federal judgeship and we can go back to the car incident, which was sort of a Forrest Gump kind of a thing. I get fired and I think I came back to California with that guy that... Forget the firing, but that guy that loaned the car to Martin Luther King, I think that gave me a lot of stature and whatever in people's mind, and I think that might be one of the reasons that I was successfully appointed to a judgeship by Senator Cranston.