

# Chief Justice Hassell: Breaking the Color Barrier for 42 Years

*Leroy Rountree Hassell Sr., Virginia's first black Chief Justice, grew up in Norfolk on the cusp of school integration. As a young man, he took on challenges that many would find daunting. Now he urges the Virginia State Bar to improve its outreach to minorities. And he encourages minority attorneys to accept the invitation to participate.*

by Dawn Chase

LEROY ROUNTREE HASSELL SR. was in sixth grade, getting ready to make the leap from elementary to junior high school.

It was 1967, and Virginia's latest strategy for dealing with court-ordered school desegregation was a freedom of choice plan that allowed a student to leave a school where his or her race was in the majority and transfer to a school where his race was in the minority. Hassell had watched the Rev. Dr. Martin Luther King Jr. on TV urging black people to overcome their fears and exercise their choice.

So Hassell, twelve years old, left his neighborhood near Norfolk State University, took a city bus to all-white Lake Taylor Junior High School in Norfolk, and went on a tour. "I have no idea why I chose Lake Taylor," he said in an interview last month in his office at the Supreme Court of Virginia in Richmond.

He liked what he saw: "It had the lake. It had nice tennis courts, and real basketball nets, and in the science rooms each kid had his or her own butane lamp, microscope, the little sink." All-black Jacox Junior High—the school he was assigned to—had none of those amenities.

The fact that someone asked him if he was the janitor's son did not deter him. Hassell chose Lake Taylor. He and thirteen others were the first black students to attend there.

"It was a very turbulent time," he said. "There were some kids who were bigots, and they would call you n——. But most of the kids were very responsive, and I made friends there. I still hear from some of them."

Hassell played junior varsity football, ran track, played French horn in the band, competed and won several oratorical contests, and served as student government chaplain. "I had a very good three years there. I wouldn't trade the experience for the world."

"I met a kid—I have no idea what happened to him—he was the only person in junior high school with a driver's license.

He befriended me, ... and whenever any kid bothered me he went to settle the score. His grandfather was a judge in Norfolk.

"This kid stayed in trouble," Hassell recalled. "It was nothing for him to go joyriding in a police car, turning the siren on, pulling people over." Did Hassell ever go along? "No. No," he said, only half laughing. "I wasn't that foolish. He would have gone home and I would have gone to jail. A black kid in a police car in Norfolk wouldn't have fared very well—particularly if he was driving."

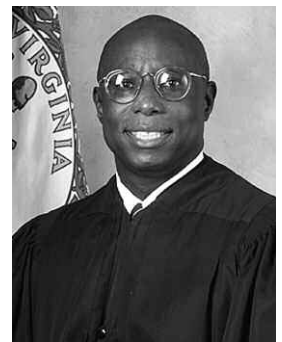
On to Norview High School—still in the minority—Hassell was an award-winning debater. One particularly satisfying victory was in 1973—the year the University of Richmond opened its high school debate tournament to black students.

One debate coach—"I'm not going to call her name, because it doesn't speak well of her," Hassell said—used to chide his coach. "She asked him, 'Why do you spend so much time with a n——? Because you know they can't think. They'll never be great debaters.... You ought to focus your time on the white kids.'"

That coach was one of the judges in the Richmond tourney. Most of Hassell's scores came in at 29 and 30—with 30 the maximum—but "she gives me about a 24. I still scored more points than anybody else." He won the tournament.

More high school memories: After two years of segregated proms, the student government called an end to the practice. "When we have our class reunions, we still pat ourselves on the back, ... because we were the first class to say 'this is nonsense, and we're going to have a joint prom,' and we did."

In 1970, Hassell hiked to the Norfolk federal courthouse, where he heard Henry L. Marsh III of Hill, Tucker & Marsh law firm in Richmond argue against the Norfolk freedom of choice



Hassell

school desegregation plan before the Fourth U.S. Circuit of Appeals. That was his first exposure to Marsh, who would become part of his life years later in Richmond politics and, now, as chair of the Senate Courts of Justice Committee in the General Assembly.

But then Hassell was a teenager — the only kid in the courtroom, by his recollection — there to witness history and learn the future of his education.

Hassell tells his stories matter-of-factly. “I got along with the black students and the white students. There was racial turmoil, but you dealt with it.” He was enveloped by nurturing parents, five siblings, a loving extended family, and financial security. “I had a blessed and fulfilled childhood....

“You don’t let obstacles deter you. You simply work hard, pray, and move on. And you don’t become embittered by your bad experiences.”

NOW-CHIEF JUSTICE HASSELL LAYS OUT HIS POSITION on diversity in the legal profession:

“Diversity is important, and since I’ve been Chief Justice I’ve pushed for racial diversity, gender diversity, religious diversity, geographic diversity. You will find no committee that I have appointed in which we failed to include judges from all parts of the state geographically. We include women. We include minorities.

“It’s important because people have different experiences, which in part shape their perspectives.”

The General Assembly, which elects Virginia judges, has done a “pretty good job” improving diversity on the bench, but “we have to do better,” he said. “There is no black circuit court judge west of Chesterfield County.”

He said he is trying to do his part as head of Virginia’s judicial branch. “The courts must always strive to be fair and inclusive. Virginia’s judicial system has a very poor history in terms of being inclusive. We have a great judicial system. But our judicial system has not been kind to black Virginians, to some degree Jewish Virginians, and, historically, female Virginians. We have to make sure we never treat any segment of our population unfairly because of geography, race, gender, religion, or national origin, or handicap.”

When the Virginia State Bar submits candidates to him for committee appointments, he requests that underrepresented persons be among them. For example, when he reviewed a list of prospective faculty for the Professionalism Course, “I couldn’t discern any black persons at all,” and he asked that minority candidates be included.

“You have to do more than simply say, ‘Who are the good lawyers?’ because when you ask that question you tend to focus on your friends or people in your network. You have to go one step further and say, ‘Have I missed anybody?’ So often, good people are missed.

“When I look at a list of so-called ‘best lawyers in Richmond,’ ‘best lawyers in Virginia,’ ... so often I see an omission of talented black and talented women lawyers who — in my judgment from what I’ve seen in their appearances before the Court — should be on the list. But they are conspicuously absent, which tells me that when groups compose their initial list of lawyers they are thinking about people they know, and they are not inquiring about people they don’t know....

“There are still people who have yet to understand that it is wrong to exclude based upon gender, geography, race, or religion.... It’s significantly diminished, but it still exists....

“The [VSB] has to undertake greater outreach efforts to make minority lawyers feel more welcome. I’ve gotten complaints from black lawyers who feel or who felt that the bar was not the warmest place. The bar has to make a greater effort to attract minority lawyers and say, ‘You are welcome, and we would like your participation.’”

He then turned to the responsibility of minority lawyers. “Black lawyers have got to want to participate with the bar. There are responsibilities to be assumed by the black lawyers, and there are efforts to be made by the bar, so it’s not a one-way street.”

“People have got to walk in accord if they choose to walk together. Until that happens, there will not be meaningful change.”