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STATE SENATOR
DENVER, COLORADO

October 7, 1969

DR. HECTOR GARCIA
1315 Bright
Corpus Criste, Texas 78407

Dear Friend:

Inclosed you will find a xerox-copy of a transcript of Juvenile Court proceedings in a San Jose Superior Court and a news-paper article on the subject. The juvenile, a Mexican American was being sentenced after an admission to the charge of incest with his sister, when the court took it upon itself to become the puritanical conscience of this entire country and in the process indicted and defamed every single Mexican and every single Jew, calling both ancient, ethnic groups "animals in our society [who] ought to be destroyed because they have no right to live among human beings." (R. T. p. 2, 1s 13 & 14)

Proceedings have been initiated to remove this man from the bench. It would be of great assistance if you and your or-ganizations would send a letter of condemnation to Chief Justice Traynor at: Chief Justice Roger Traynor, Presiding Judge, Judicial Council and California Judicial Qualifications Commis-sion, State Building, San Francisco, California.

Justicia,

Oscar Z Acosta

OSCAR ZETA ACOSTA

OZA:rc

CONTRIBUTIONS ARE DEDUCTIBLE FOR U. S. INCOME TAX PURPOSES

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SANTA CLARA

JUVENILE DIVISION

HONORABLE GERALD S. CHARGIN, JUDGE COURTROOM NO. 1

In the Matter of

a minor.

STATEMENTS OF THE COURT

San Jose, California September 2, 1969

APPEARANCES:

For the Minor:

FRED LUCERO, ESQ.
Deputy Public Defender

For the Probation Department:

WILLIAM TABOGNA, ESQ.
Court Probation Officer

SUSAN K. STRAIN, C.S.R.

Official Court Reporter

September 2, 1969

STATEMENTS OF THE COURT

THE COURT: There is some indication that you more or

less didn't think that it was against the law or was improper.

Haven't you had any moral training? Have you and your family

gone to church?

THE MINOR: Yes, sir.

THE COURT: Don't you know that things like this are

terribly wrong? This is one of the worst crimes that a person

can commit. I just get so disgusted that I just figure what is

the use? You are just an animal. You are lower than an animal.

Even animals don't do that. You are pretty low.

I don't know why your parents haven't been able to

teach you anything or train you. Mexican people, after 15 years

of age, it's perfectly all right to go out and act like an

animal. It's not even right to do that to a stranger, let alone

a member of your own family. I don't have much hope for you.

You will probably end up in State's Prison before you are 25,

and that's where you belong, any how. There is nothing much

you can do.

I think you haven't got any moral principles. You

won't acquire anything. Your parents won't teach you what is

right or wrong and won't watch out.

Apparently, your sister is pregnant; is that right?

THE MINOR'S FATHER, [REDACTED] Yes.

THE COURT: It's a fine situation. How old is she?

1 THE MINOR'S MOTHER, [REDACTED] Fifteen.

2 THE COURT: Well, probably she will have a half a
3 dozen children and three or four marriages before she is 18.

4 The County will have to take care of you. You are
5 no particular good to anybody. We ought to send you out of the
6 country -- send you back to Mexico. You belong in prison for
7 the rest of your life for doing things of this kind. You ought
8 to commit suicide. That's what I think of people of this kind.
9 You are lower than animals and haven't the right to live in
10 organized society -- just miserable, lousy, rotten people.

11 There is nothing we can do with you. You expect the
12 County to take care of you. Maybe Hitler was right. The
13 animals in our society probably ought to be destroyed because
14 they have no right to live among human beings. If you refuse
15 to act like a human being, then, you don't belong among the
16 society of human beings.

17 MR. LUCERO: Your Honor, I don't think I can sit here
18 and listen to that sort of thing.

19 THE COURT: You are going to have to listen to it
20 because I consider this a very vulgar, rotten human being.

21 MR. LUCERO: The Court is indicting the whole Mexican
22 group.

23 THE COURT: When they are 10 or 12 years of age, going
24 out and having intercourse with anybody without any moral
25 training -- they don't even understand the Ten Commandments.
26 That's all. Apparently, they don't want to.

1 So if you want to act like that, the County has a

2 system of taking care of them. They don't care about that.

3 They have no personal self-respect.

4 MR. LUCERO: The Court ought to look at this

5 youngster and deal with this youngster's case.

6 THE COURT: All right. That's what I am going to do.

7 The family should be able to control this boy and the young

8 girl.

9 MR. LUCERO: What appals me is that the Court is

10 saying that Hitler was right in genocide.

11 THE COURT: What are we going to do with the mad dogs

12 of our society? Either we have to kill them or send them to

13 an institution or place them out of the hands of good people

14 because that's the theory -- one of the theories of punishment

15 is if they get to the position that they want to act like mad

16 dogs, then we have to separate them from our society.

17 Well, I will go along with the recommendation. You

18 will learn in time or else you will have to pay for the penalty

19 with the law because the law grinds slowly but exceedingly well.

20 If you are going to be a law violator -- you have to make up

21 your mind whether you are going to observe the law or not. If

22 you can't observe the law, then, you have to be put away.

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1 STATE OF CALIFORNIA
2 COUNTY OF SANTA CLARA

) ss.
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4 I, SUSAN K. STRAHM, do hereby certify that the
5 foregoing is a true and correct transcript of the STATEMENTS
6 OF THE COURT had in the within-entitled action taken on the
7 2nd day of September, 1969; that I reported the same in
8 stenotype, being the qualified and acting Official Court
9 Reporter of the Superior Court of the State of California, in
10 and for the County of Santa Clara, appointed to said Court,
11 and thereafter had the same transcribed into typewriting as
12 hercin appears.

13 Dated: This 2nd day of SEPTEMBER, 1969.
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Susan K. Strahm
SUSAN K. STRAHM, C.S.R.