

## Interview with James Goodale by John Caher and Joyce Hartsfield, May 10, 2016

John Caher: Welcome to the latest episode of a brief series of oral history interviews with the trailblazers and pioneers who were instrumental in establishing the Franklin H. Williams Judicial Commission. Each of the recordings is an excerpt of an interview conducted in preparation for a documentary on the life of Ambassador Franklin H. Williams.

In recognition of a 30th anniversary of the Commission, the co-chairs Justices Troy Webber and Shirley Troutman, and Executive Director Mary Lynn Nicolas-Brewster, decided to post excerpts that describe the early days and early challenges of the Commission.

Today, attorney James Goodale, who was recruited to the Commission by Ambassador Williams, shares his insights. I'm John Caher, Senior Advisor for Strategic and Technical Communications.

James Goodale: I became involved with the Commission because I was a friend of Frank Williams. We played tennis, not once, twice, we played a lot. I had some position in the community as Vice Chairman of *The New York Times* and a First Amendment lawyer, so I had some standing in the community, and Franklin asked me to be on the Commission. I was honored to be on the Commission, and I was honored to work with Frank.

Our goal for the Commission was to examine how minorities are treated in the system, and to make a determination whether they were treated fairly, or whether there was a prejudice against them that prevented such fairness to take place in the court system. The problems that were in the court system were not of Judge Wachtler's making, but he's captain of the ship and he's responsible for what goes on. So therefore, if he has a Commission that says, "What's going on needs to be looked at, need more fairness in the system," and when there is a group of people who are criticizing what's going on, even though Judge Wachtler may not be responsible for what's going on, as captain of the ship, he is.

I think that the Commission has to make itself better known to the general public, but particularly to lawyers, members of the bar. I would always have a Commission like this because one needs a reminder of the experience that minorities have in the courtroom. And there's one statistic I think that should be mentioned particularly, and that is the number of minorities, particularly Blacks, who were in prison in New York state, that number has been as high as 90% of the prison population. It's

very hard to say with a straight face that you have a totally fair system when 90% of the prison population is of a particular origin. I just was never able to get that clear in my head. And that being so, you need a constant reminder that minorities, when they come into the court system are being treated fairly, and a Commission that's around to do that is a good idea. I think basically you need an energetic, excuse me for saying, a publicity-seeking commission.