



SANDRA DAY O'CONNOR
1930

Honored as a Historymaker 1992
First Woman Justice of the U.S. Supreme Court



The following is an oral history interview with Sandra Day O'Connor (**SO**) conducted by Harriett Haskell (**HH**) for Historical League, Inc. on January 31, 1980 in the Capitol Building of the Court of Appeals, Phoenix, Arizona.

*Transcripts for website edited by members of Historical League, Inc.
Original tapes are in the collection of the Arizona Heritage Center Archives, an Historical Society Museum, Tempe, Arizona.*

HH: Judge O'Connor, where were you born?

SO: I was born in El Paso, Texas, but that wasn't really home. I...my parents lived and still live on a ranch in Eastern Arizona. But it's in a very remote part of the state...it's in Greenlee County, and there was no hospital nearby and my mother's mother lived in El Paso, so when it came time for me to born, she made the trip to El Paso a few days ahead and I was born in el Paso in Hotel Dieu.

HH: Your father's a rancher, then? Or was?

SO: Yes, yes, still is and the ranch is actually in...half in Arizona and half in New Mexico. The house is in Arizona, but to reach the house you have to drive a good many mile through New Mexico. But we are legally Arizona residents, and of course, after my birth, we immediately returned back to the ranch where I grew up. The ranch is the Lazy B Cattle Company, and my father is the head of that...it is a family corporation. My brother and his wife and children live at the ranch, and my brother actively does the management now and my father continues to live there with my mother and take care of the books and generally supervise things. The ranch is celebrating its 100th anniversary this year. My Grandfather Day stated the ranch in 1880.

HH: Oh, how interesting. Where did you and your brother to school...since it was so remote?

SO: I went to school in El Paso. I left home to go away to school from kindergarten on, and have all of



my schooling until college in El Paso, and it was very sad. I disliked El Paso to this day, largely because I was homesick, and I would go home in summers, and Christmas and Easter holidays.

HH: How far is it, actually from your ranch?

SO: Oh, it's about 200 miles or so to El Paso, but in those days, cars weren't very good and roads weren't very good and it was a major journey. It is less so today. My brother and sister are ten and eleven years younger than I am and by the time, they were ready for school, which was after they reached school age, some fifteen years later, they went to school in Duncan, Arizona. Because, by then the Duncan schools were a little better and automobiles and cars were a little better and it worked out that they could local schools for the most part.

HH: Was this...obviously, it was a boarding school, or did you live with your grandmother?

SO: I lived with my grandmother but attended Radford School for Girls which is like a boarding school, and I found many friends there who like me were from ranching families, and had to go away to school, so we had quite a little group of young women similarly situated.

HH: It seems wonderful to live in a rural, pristine area, but when there are children involved, it is tough.

SO: Well, the real trauma of living in a remote ranch area is the educational problem of children and you really have limited choices. In some families, the mother would send away to Calvert School or something like that and get written materials and try to teach the children herself. My mother actually tried that one year with my brother and sister, but it was not successful. And, you can send the child away which was what was done with me, or the mother and the children can move someplace during the school year and many ranch families to that, so, it's kind of a poor choice whichever way you go.

HH: It is. Then you went away...you went to high school in El Paso, as well?

SO: Yes.

HH: And then you went to...

SO: Stanford University where I obtained my degree in economics and then went on the Stanford Law School and got my LLB.

HH: Right away? Did you just keep going?

SO: Yes, it was continuous.



HH: What made you come to Phoenix?

SO: Well, I was from Arizona as we've just discussed, and I married my husband John, whom I met in law school, and John was from San Francisco. And, as soon as he got out of law school, he was drafted in the service and we were sent to Germany. We had three years in Germany to think over where we wanted to live when he got out from the service and we decided ultimately on Arizona and that was prompted, in part, by the fact that I came from Arizona and it was a smaller state, and Phoenix was the capitol city, and John and I felt that by living in Phoenix, we would have an opportunity to be more actively involved with our community than might be the case if we were to return to California where we had both been in school. John had interviews for jobs in San Francisco and Los Angeles, as well as in Phoenix, and I will always remember when we came back through Phoenix, having spent three years...three years plus...in Germany. And we arrived in Phoenix in about late April or early May and the weather was absolutely beautiful.

We didn't know many people here, although we did know Nan and Bill Rehnquist, and Bill and Nan had been at Stanford when we were. And we knew Sam Applewhite and Karen, and we knew Jackie Steiner and Fred Steiner, all from law school at Stanford. We called up each of those people and asked them what they thought about Phoenix and made it a point to go and visit with them and talked about it. John had an interview in Phoenix with the Fennemore-Craig Law Firm and the person he talked to at Fennemore-Craig was someone with whom he had corresponded with while we were still in Germany, and that was Walter Craig. Wally was a very personable fellow and he interviewed John that day and gave John an offer to join the law firm. John accepted that offer and has remained with the law firm all these intervening years, and we've remained very close to Wally and his wife Meta. In those days, of course, also in the firm was the original Craig, in the firm Fennemore-Craig, and that was Jubel Early Craig who was Wally's father. Jubel Early was one of the most delightful people I've ever known. He had gone to law school at the University of Virginia and then he had practiced law in San Francisco, so John felt he had some contacts there. Some years after the San Francisco earthquake, Jubel Early had come to Arizona and practiced law and was one of the original partners in Fennemore-Craig.

HH: What about you, what were you doing at this time?

SO: Well, I was very pregnant. We had been married a number of years...we were married in 1952, and it was 1957 by the time we returned to Phoenix from Europe, and at that point I was pregnant with our first child and we took the bar exam, John and I did here. We spent the summer in Tucson taking Charlie Smith's Bar Review Course and we met many people during those two months in Tucson who have remained friends of ours since and they were all people studying for the bar like we were. I was quite pregnant and by the time I was sworn in to practice law in Arizona, the baby was ready to arrive any moment, and in fact did, I think about the next day, so, I did not go to work until some months after that. And, then I had met when we were in Tucson taking the bar review course, a young man named Tom Tobin, and Tom and I decided that we would start a little law office out in Maryvale, Arizona, which



was then a burgeoning community. John Long was busy building tract homes in an area on the far west that was being called Maryvale, and a few shops and centers were going in there. In fact, the only center of Maryvale at that time was at 51st Avenue and Indian School Road. And, a supermarket was there and a few little shops, and Tom Tobin and I rented one of those shops and set up a neighborhood law office and we practiced law there. We did everything that we could get and if there were some merchants, local merchants, who needed a lease prepared or some advice concerning a contract or commercial matter, we would handle that. And, if people in the Maryvale area had a marriage or divorce problem, or had a landlord/tenant problem, we were available to handle that.

HH: Just general law?

SO: We also took criminal appointments because in those days we didn't have a public defender's office and if you were willing to accept appointment for a criminal case, then you could go down the court house and wait in the courtroom during the criminal arraignments and the judge would consider appointing you to something. And then you were paid some grand sum like \$25 for your services, ultimately. And I can well remember spending a good many days in the courtroom of Judge Henry Stevens when he was handling criminal matters. And he would, on occasion, appoint me to represent a defendant and I did that on a number of occasions, and we tried to augment our law practice, really, in any way we could.

HH: Now, was this the first time you had actually practiced law?

SO: No, I graduated from Stanford Law School a year ahead of my husband and I got a job in California as a deputy county attorney in San Mateo County, California, which is just north of Stanford. I did civil work for the county attorney's office. Incidentally, I had interviewed when I had got out of Stanford Law School with various law firms in California, among them Gibson, Dunn, and Crutcher in Los Angeles, a distinguished firm. I had graduated high in my law school class, and had been on the board of editors of the Stanford Law Review and had done all the things that today would qualify one for a very good position in a law firm. And, it did in those days too, if you were a man. And I did not receive and offer from one of the good law firms with whom I had interviewed because not one of them at that time had ever or expected to ever, hire a woman. Gibson, Dunham and Cratcher offered me a position as a legal secretary and I declined that.

I did find the opportunity to work as an attorney in the county attorney's office in San Mateo County. The county attorney is those days a fine man. I liked him very much and I immediately got some work which I very much enjoyed doing, so I had done that. When John was sent to Germany, I followed him and I obtained in Germany a job as an attorney, a civilian attorney for the United States Quartermaster Corps. In Frankfurt, Germany, the quartermaster corps had a large market center. That was after World War II, and the U.S. Government had vast train loads and ship loads of material that they were selling at public auction sales in Europe. In addition, we had many troops in Europe and the quartermaster corps



would buy supplies, food, and other supplies, for the troops in Europe. All of those sales and purchases were handled through the quartermaster market center and I was an attorney giving them legal advice on those sales and contracts. It was very interesting work. I enjoyed it and worked there for the three years that John was in the service in Germany. When we came back and settled in Arizona, I then started the little law firm in Maryvale.

HH: How long were you involved there?

SO: In Maryvale?

HH: In Maryvale, yes.

SO: Well, I'm trying to think. I worked from 1957 until about 1960. In 1960 I had our second child. Our first child was a boy, Scott. Our second child was a boy, Brian, and when I had the second child; it became difficult for me to manage the two children and our household. The wonderful woman I had had who had kept Scott when he was small, and I was working moved to California. I did not have a substitute surrogate mother to stay home with the children. So I then stayed home myself for about five years and took care of those two and had a third child, another boy, Jay.

In those intervening five years, I did try to stay active to a degree. I began to participate in a good many volunteer activities; I joined the Junior League of Phoenix, and I became active politically by becoming a precinct committee member in the Republican Party. I was active enough to become the legislative district chairman during meetings in our home and I became a member of the county committee for the Republican Party, and became vice president, or rather the vice chairman. I was active in the state committee and worked on several political campaigns during those years. I also wanted to keep a little bit active in law and I did a few things from home. There were friends for whom I wrote wills and gave small legal advice and then I served as a trustee for the Federal Bankruptcy Court in a number of cases and handled that from home.

HH: It was very satisfactory; it sounds like for that period when you needed to stay home with the children.

SO: Well, it was. I stayed busy and I like to be busy. I love to work, and I seem to have a high energy level. That's probably inherited. My mother had it, has it, and my grandmother, also, and I enjoy good health and find that I like to stay busy. So, those years were fine, they really were.

HH: It perhaps gives you also a good feeling in being a judge and judging and just knowing about what life is on the other side of being a housewife.

SO: Sure.



HH: As well as being a professional woman that, perhaps, some professional women don't get that real taste of it. But you did stay home for a while...

SO: Right.

HH: And could sympathize.

SO: When we built our house, we certainly didn't have any money. And, we cut any corners we could, like no insulation and no refrigeration. (laughter) and all those things which we now regret; we're still living in the same house. We had added refrigeration, but there are certain things you can't correct, and we went through all the things that most young coupled do who are struggling to get by on less income it really takes to live. And, it's experience that I think most people to through and I'm glad I did, too.

HH: When you came to the decision to return to law, full time, what was your position then?

SO: Well, I had reached the stage where our first child was about ready to go to school, well, actually he had been in school for several years because he had been in nursery school, and so forth. I'm a believer in early child activity, just as I am a believer in activities for wives and mothers, so our children got busy at an early age, too. I had the three boys in a situation where I felt I could then find baby sitters again and be somewhat active in the legal profession, and really, I needed to go back to work because I had gotten so busy in civic and community affairs that I was desperate to go back to works I wouldn't have so much to do. And, I'd have a good excuse.

SO, I looked for jobs, and do you know, even in those days in the early sixties in Phoenix, law firms were not hiring women. There were a few women practicing law. Virginia Hash was one and Lorna Lockwood, of course, had already gone on the superior court bench. She had been active. Neither of them was married and there were a little handful of women lawyers. But, none of them were in the big firms. They were in their own offices or with a relative and women were still not being invited to practice law in the firms. I took stock of that situation and I had very much enjoyed my job working in the county attorney's office out of Stanford days, and I thought it would be interesting to go to work in the attorney general's office in Arizona. One reason I thought so was because I had been so active in politics, and I thought that to have a chance to combine my political knowledge with my legal experience and work in the attorney general's office for the state would be a delightful experience. I really wanted to work part time rather than full time, but there was no chance of getting a part time job. That was unheard of.

I did apply to the attorney general's office and it took me well over a year to be hired. I had to convince them that they needed woman lawyer in their office and that took a little doing. I was finally hired by Bob Pickrell, who was then attorney general in Arizona and he was a Republican, and since I had been



active in the Republican activities, that no doubt helped. In those days, we didn't have a state personnel commission to go through and it was pretty much individual choice of the office holders as to who he would hire. I did go to work and shortly after that Darrell Smith became attorney general and I remained under Darrell. Gary Nelson then became attorney general and I remained in office under him.

I worked very hard when I went in the attorney general's office and I loved it. I represented various state agencies, boards, and commissions and was given responsibility for their lawsuits all the way up, and I a couple of instances, to the U.S. Supreme Court. I handled all the legal work for the agencies that I represented, and I did the best I could in order that they would feel that I was indispensable. And, then when I told them that I very much needed to work only part time and asked them if they wouldn't work out an arrangement for me, they agree to do it, because by then they decided that they needed me even on my terms. I then worked for the attorney general's office on a part time basis. I worked about two-thirds of every day and those were the days when I had become president of the Junior League of Phoenix, and that was a big commitment in terms of time. I very much needed part time employment.

But I survived that; it all worked out with their patience and my endeavors and I continued in the attorney general's office until Isabel Burgess, who had been the state senator from my own legislative district, received an appointment on the national Transportation Safety Board in Washington, DC. She had been very active in the state legislature on the highway and transportation committee in the legislature and she had developed some expertise in the areas of transportation. Her marriage had broken up and she received that appointment and took it, and that left a vacancy in my own legislative district for the state senate. I decided that I would try to obtain appointment to that position and the appointment was made by the County Board of Supervisors to fill the vacancy.

I knew most of the supervisors because, among other things, the supervisors had seen fit to appoint me during those years when I stayed home with my children, to be a member of the Maricopa County Planning and Zoning Commission. I had served on the Board of Adjustments and Appeals for the county in the zoning and I had become acquainted with most of the county supervisors. And, of course, those that were Republicans I knew through my Republican activities. so, I went to them and asked them if they would consider appointing me to the vacancy in the state senate. As I recall, Barney Burns was a supervisor and, I think, Bob Stark was a supervisor and I can't remember who else at that time. But they did decide to appoint me. There were several other people interested, but I was selected, and I filled the vacancy and then ran for the senate thereafter at the next election and the election after that.

HH: In the attorney general's office, do you remember any specific cases that would be on interest that you worked very hard on.

SO: Yes, probably so. I think the ones that I spent the most time on that were significant included the cases for the then welfare department that had to do with durational residence requirements. In those days, Arizona and most states had residency requirements before anyone would be eligible for welfare



benefits, so, for any of the programs, whether it was old age assistance or aid to dependent children, or aid to the permanently and totally disabled, that aid was only given to people who had been residents of the state of Arizona for at least a year. Class actions were being filed by public interest groups challenging those as being unconstitutional under the federal constitution. Basically, on the rights of everyone to travel from state to state and enjoy benefits in each state and I had the responsibility for handling those cases in Arizona. Those cases in Arizona grew to extend also to the requirement for medical care for the indigent that was provided by counties and, again, that was only offered to people who had been residents for a year. I was involved in those cases and they were heard, chiefly by, in the federal district court by three judge panels, and I ultimately lost on that issue in the federal courts. The United States Supreme Court ultimately had to decide the question and struck down durational residence requirements, but they were an interesting series of cases.

I worked on a case involving the land which had belonged to the trust that was set up long before we became a state for the state insane asylum, now called the Arizona State Hospital. Land was set aside before statehood in the territorial days for a state insane asylum and that land, as we all know, was at 24th Street and Van Buren on the northeast corner. The Maricopa County Supervisors wanted to build a new county hospital in the sixties and the location they wanted to use was at Roosevelt and 24th Street. In order to build it, they needed some of the land that belonged to Arizona State Hospital, the old trust land for the insane. There was a substantial legal question as to whether the state of Arizona, even though it wanted to do it, could give the land, or sell it, to Maricopa County for the construction of the county hospital. And, that case had to be tested in the state supreme court and I was deeply involved in that case. It was eventually determined that the state hospital could indeed deed the land to Maricopa County.

I did not tell you, I think, that just before I went to work for the attorney general's office and while I was waiting to hear from the attorney general's office as to whether I could work there, I had obtained a job as the administrative assistant to the director of the Arizona State Hospital. I did that for about six months before I went to work at the attorney general's office, and although I was labeled an administrative assistant, I was in fact doing legal work for the hospital and its patients, and I was trying to resolve many of the sticky legal questions that affect people who are in... confined at the Arizona State Hospital. That was one reason why I had gotten involved in the lawsuit involving the deeding of land from the state hospital to Maricopa County. It was an interesting case.

And one other case that I worked on, that I recall, because it had some community interest, arises out of welfare programs again. The state of Arizona, in those days and in fact still today, does give some public money for emergency welfare relief to people who have emergency needs.

HH: Floor or...?

SO: Not flood, but people who are stranded, have nothing to eat, have no place to sleep, the true



emergency derelict cases. The state supports financially, in that fashion, the work done by the Salvation Army, and the Salvation Army used, in part, state money in giving our emergency relief in accordance with state requirements. That was challenged in the courts as the result of the efforts of the Seventh Day Adventists Church, people who basically believed that it was in violation of our prohibition against public or state involvement with religion. And, you cannot support religious institutions or their work with public money and we have a provision in the state constitution, and we have a provision, or course, in our federal constitution and that program was challenged in the courts and I worked on that case as well when I got in the attorney general's office. It was ultimately decided by the state supreme court that the program did not violate the state and federal constitutions, but it was a very interesting question and a very close question, actually.

HH: You mentioned the discrimination you had on a couple of occasions. I was wondering, just in terms of comparison, do you feel that you had more difficulty as a woman in law or in the legislature when you were a senator.

SO: I experienced no discrimination or difficulty of any kind in the legislature and, in fact, once I have obtained employment in anything during my lifetime, I have never felt handicapped or discriminated against as a woman at all.

HH: Just getting in...

SO: The only problem I ever had was in obtaining employment initially, and that arose out of the fact that in the days when I got out of law school, there were very few women lawyers and none of them were in any of the big firms. And, that was the only difficulty I ever experienced and in public life, as an elected official in Arizona, I found that the people in Arizona are as tolerant and accepting of women as one could ever hope for. I just felt no problem at all, in fact if anything, I felt that people were ready to have women more frequently in public office and given positions of responsibility. And, there...in the years when I started in the legislature, it was the beginning of the movement in the sixties to where many women around the nation were claiming more in terms of their desire to be treated equally, and to have equal opportunities at work, and I was the beneficiary, really, of a lot of that sentiment in that people were more than willing to give me responsibility.

HH: The time was right.

SO: It was wonderful.

HH: You didn't have to feel that you were just the token.

SO: Oh, hardly. I went in and I was immediately given the chairmanship of a legislative committee in the senate, state, county and municipal affairs, which is rare. You don't normally get a committee chairmanship so quickly and I was given wonderful committee assignments. I was on the appropriations



committee and the judiciary committee and others. I was on the legislative council and in my second elected term, I was also elected by my colleagues as the senate majority leader. To my knowledge, no other woman in the United States has held that position in any state legislature. so, I would say that I enjoyed extraordinary support.

HH: You certainly did. You were in the senate for two elected terms and a partial third term. What made you decide that you would not run for re-election again?

SO: I believe that it is not desirable for people to remain in legislative bodies for a lengthy period of time. I recognize that we have a system in congress that has largely been based on seniority and you don't rise to a position of power or influence very often unless you've been there for a long time. That's not a good system, in my view, because I think that leadership positions should be given to those with ability. And while you need some experience to lead well, it shouldn't require you to stay in office for twenty years to be given a position of leadership. And at the state level, I do not like the concept of the same people remaining in those positions for term after term after term. I had over five fabulous years in the legislature when I was privileged to put forward my ideas and concepts about state government in the form of legislation. I was in a position of power and I got the things that I wanted enacted for the most part. And I had a chance to be of influence and to extend my views in a way that very few people are privileged to do. And, I think that it's a good thing to pass that opportunity around a little bit and let somebody else do it too.

Then there's a personal factor and that is that when you are in a position of power and influence as I was, because in the state of Arizona the real power is not in the governor's chair, it's in the leadership of the legislature, the house and the senate. And when you are in a position of power or influence, people consciously or unconsciously treat you accordingly and they tend to flatter you and they tend to play up to you and make you feel an even more inflated sense of your own importance than it justifies, and I think that's a bad thing for the individual because you might start to believe all those things.

HH: A swell head.

SO: And that's not good. I don't think that's healthy and there's one thing about the legal profession or being a judge and that is that there is always fifty per cent of the people who are telling you that you're wrong. so, you never have an opportunity to be anything but humble, I think. (Laughter) But, I thought, perhaps, since I had had experience in the executive branch of government through my years in the state senate that it would be very interesting for me to also experience the judicial branch of government and most lawyers thin that it would be interesting to serve for a time as a judge. And, I'm no exception.

It is interesting, and I decided that I would seek a position as judge of the Maricopa County Superior Court and give it a whirl on the trial bench. I was somewhat apprehensive about it because I had not had extensive courtroom experience and it was a concern to me as to whether I would be able to pick it up



quickly enough not to fall flat on my face when I tried. But I ran for the position and was elected and in the same year that I ran for judge, the voters of the state changed our state constitution so that judges would be initially appointed rather than elected. A Missouri type plan was adopted in Arizona and it's a plan I supported in the legislature. In any event, I was elected, and I then went to the National Judicial College before I took office, which is in Reno, Nevada.

HH: Is that required, or was it your choice?

SO: No, I, that was my choice and I took a course to help me learn some of the things that judges have to do and I also went to the courthouse and sat in many courtrooms and observed different judges in action to see how they were handling things. Talked to a number of them to get suggestions and help, and then when the day came, I put on the robe, and went behind the bench and did the best I could. And, I think it worked out reasonably well. What I discovered was that if you're somewhat careful and if you work hard, you can probably serve as well as the next person as a superior court judge.

HH: Were there any particular cases that...during that time that you could talk about that were interesting in your court?

SO: Oh, there were so many, and I have a poor memory, so I won't be terribly helpful, but the whole experience of presiding over a trial in court is a remarkable experience. You see every kind of human emotion and human value expressed. And you see people in very tense situations and you listen in detail to some remarkable problems and situations of every kind. The variety is staggering. You have an inside look at crime and the kinds of criminal behavior that we've all wrung our hands in an effort to stop. And it's a unique opportunity. It's just hard to imagine; there is nothing as dramatic, that I know of, as receiving a verdict from a jury when you're sitting as judge, having presided over an interesting trial, and to open up the verdict and read what is that's been decided and then have it announced. And there are moments of grit pathos in a courtroom and there are moments of levity, and there are moments of boredom, but each case is different and so many have fascinating aspects.

I presided over several murder trials...first degree murder trials and learned things that perhaps you'd rather not know. But they're also fascinating, and I have learned at close range how all pervasive the drug culture is with some elements of young people in our society, and how sad that is. And I've learned that even more prevalent than drugs is the use of alcohol and the abuse of alcohol. And I've learned that a majority of all serious crimes are alcohol related. By that I mean that the people who have perpetrated violent crimes have been drinking first and it has been a major factor in breaking down their will or resolve not to commit crime.

And I have seen people who are in the process of a dissolution of their marriage and the trauma that that brings to them and the kinds of things that are involved in their difficulty. And I've seen many personal injury cases, so you have an opportunity to trace automobile accidents and the kinds of results that flow



from that. Or accidents that happen at home or in business. And, many, many opportunities to see business disputes between businessmen arising out of one kind of contract or another. The range is endless.

HH: How do you think the criminal justice system can be improved?

SO: If any of us had the answer to that we would have put it into effect long ago. One of the things that was initiated when I was in the legislature was a complete study and revamping of our state criminal code and I was privileged to start that project, along with Bill Jacquin, who was the senate president when I was the senate majority leader. We obtained the funds for it and we hired the staff to do it and we appointed Jack Ong, with whom I am now serving on the court of appeals, as chairman of the commission. We launched that project and we rewrote all of Arizona's criminal legislature after I left it, and while I was a judge, then continued the project and eventually adopted the new criminal code. They abandoned indeterminate sentencing as a method of dealing criminals, where the judged had wide range of discretion, in some cases, discretion that ranged from a year in prison to life in prison. And substituted for it a fixed sentence of X number of years for a specific offense in the hopes that that would help discourage criminal behavior. The facts aren't in on that yet, but my own calculation of the effects is that it has not changed, in any way, the number of people who are committing crimes or the number of people who are convicted or the number who are being sentenced to the state prison. It's up somewhat, but so is our population.

We have felt that a possible deterrent to crime is speeding determination of the matter; don't let it drag on through the courts for years. That has been taken care of in Arizona several years ago when the state Supreme Court mandated speedy trials in criminal cases and gave them priority and gave us deadlines to meet. And we're meeting those deadlines and doing that and that hasn't deterred criminal behavior. Although, I think it would be worse if we didn't do it and I'm not advocating a return to leniency, but I don't think that we have solved the problem.

And the reason we haven't is that it is a fault of our whole system, our moral values, our culture as a whole. We're a people that believe in individual liberty, and where people that believe that the other fellow ought to be allowed to do what he wants as long as he isn't directly bothering us, and even in some instances when he is, we think he should be allowed to continue. We have gone so far in this view that I think it has led, in part, to the kind of criminal... wide spread criminal behavior... we see today and it's going to require a rather basic change in the beliefs and morals of us all if we're going to reduce crime as a major element in our lives.

HH: some people think it's because the courts are too lenient. You do not think that, or you do? Do you think that there should be tougher sentences for some crimes?

SO: I'm a believer in tough sentences for some offenses. I practiced it. But, I, even though I sat on the



trial court long enough to see the success or failure of the people that I dealt with who were criminals, I have to tell you that the system is not successful, even if I practiced it. Because we have a society, that essentially breeds a certain amount of crime and we need to change it from, from the roots up. We need to change it at the family level and at all levels we need to build into our value structure, a great deal more of the teaching that you may not engage in criminal behavior and that we have certain moral standards that we have to meet, and that other standards are not acceptable and we have to do this at home and in school and in business and all the way through.

HH: Do you... because you stayed home for a while with your children, do you think that...when you mentioned the home because that's where the value starts. Do you think that so many women in the work force and so many children in day care centers are going to erode that further? Where the values of the parents are being, I mean, the values are being taught by baby sitters.

SO: Well, I don't think it has to erode that further, so long as all elements, wherever we are, believe in the same goals and teach them. As a matter of fact, we learn most from our peers. We learn more from our peers than our parents, unfortunately, and the greatest influence that I see on young people is from their peer group. so we need to instill high values from every quarter and merely because the parents believe in it, it won't carry the child through unless they hear the same thing reinforced thought school, thought work, through their peers, and all the way through. And that's not happening.

HH: Our generation, yours, and mine, really...probably made things too easy for children for young people for some reason.

SO: I think we did! I think we did! That's right.

HH: ANDs often, we had other parents say I don't know what to do with him. I can't do anything with my child. Well, for a while, we could, you know, we could work on them.

SO: That's right, But I agree with you, we've given our children too much and it hasn't helped them. I see today with the college age students, more of a return to a realization that they're going to have to work for what they have. They see inflation, and they see an erosion of the economy and they're beginning to get concerned about it and to think maybe they better know something so that they can do something and earn a living. And that's not bad.

HH: Just a couple of more questions. Phoenix or, Arizona has been very guilty or has had a lot of problems with land fraud. Do you think that the corruption that has surfaced here is because of our fast expanding society here and that our laws have not been able to keep up with the growth, and therefore, people have been able to come in and circumvent some of our laws? Were there loopholes?

SO: Oh, yes, I think there were some loopholes. We certainly know there were in terms of regulation of



subdivision development and land sales. We were not quipped as a state to have very detailed regulations and requirements for people who would come in and buy large tracts of land in remote parts of the state who would then advertise it by mail or otherwise as a little ranchette in Mohave County for instance. People would have no concept of what that really meant and would not be aware that there was no guarantee of development of water, power, and so forth. We were deficient in our regulatory scheme for subdivision development. We were also a very fast-growing state, about the fastest growing state in the nation. Florida and Arizona were right out in the lead and we seemed to attract a few of the blue suede shoe types who would come along with the fast growth and saw an opportunity to make easy money and we had a rather ease going kind of enforcement system in place, I guess, and it got us in some difficulty. There's no question about it.

HH: What do you see for the future of Phoenix...rather than...well, before we, we talked about being on the Superior Court, but now you're on the Court of Appeals and I want to be sure that's on the tape and...

SO: Yes, I was appointed in November by Governor Babbitt to the vacancy in the Arizona Court of Appeals that was created when Mary Schroeder, who had occupied this position, was appointed by Senator DeConcini to her federal court position on the Court of Appeals. I was pleased to be selected to fill the vacancy and have just started my new work on the Court of Appeals.

HH: So, you've been a judge now in Superior Court and now, if I can make any prediction of your life, you probably won't stay here a long, long time because you'll feel again that you should move on.

SO: Well, I don't know. There's no answer to that.

HH: You've set a pattern, what do you see for the future of Phoenix?

SO: Growth, it won't stop, at least not yet. It will continue as long as we have energy resources to enable more people to live here comfortably and as long as we have water to enable more people to live here comfortably, they will. It's a fabulous place, and it's a superb state and people recognize it when they come here. We face a Los Angeles type of growth, unfortunately, and we have many things to do to prepare, to prepare for that kind of continued growth. It's a very difficult thing to do, and even though we've set in motion devices for planning for the growth, it's very difficult to achieve. We have to try to maintain some of the character of the place that we have liked since we have been here for the benefit of those who are going to follow us.

HH: If, we can get our transportation under control.

SO: It's desperate.



HH: Really.

SO: We need to bridge the river in various places and the thing that I want most to see for Phoenix, in terms of its development, is that I want to see the Rio Salado Project realized. It is a thrilling concept and it can make Phoenix absolutely unique...

HH: The green belt...

SO: Oh, yes, the whole Rio Salado Project as conceived originally by Jim Elmore when he was at the college of architecture at Arizona State University. The concept requires the cooperation of Tempe, Mesa, Phoenix, Maricopa County, and perhaps other communities out west. It requires the cooperation of the federal government and the Corps of Engineers and other entities all of whom have to interrelate, interact, and cooperate to make it happen. But it can be an incredible change to this valley and we can see running through our valley a series of recreational lakes that will serve as well as detention space for flood waters. We can see the resulting enhancement of values along the lakeshores and the development of a very beautiful core of the city in an area, which now consists largely of wasteland, drainage, and gravel pits.

HH: Scottsdale has proven it can be beautiful...

SO: What Scottsdale has done is one of the most dramatic things in the United States and it's a city that has been beautifully managed. The Indian Bend Wash project is breathtaking; it's so well done, and Phoenix should certainly settle for nothing less.

HH: Judge O'Connor, I want to thank you again to agreeing to this interview.