

# Finding Aid to The HistoryMakers® Video Oral History with The Honorable Charles Z. Smith

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## Overview of the Collection

<b>Repository:</b>	The HistoryMakers®1900 S. Michigan Avenue Chicago, Illinois 60616 info@thehistorymakers.com www.thehistorymakers.com
<b>Creator:</b>	Smith, Charles Z. 1927-
<b>Title:</b>	The HistoryMakers® Video Oral History Interview with The Honorable Charles Z. Smith,
<b>Dates:</b>	June 3, 2008, June 4, 2008 and October 27, 2007
<b>Bulk Dates:</b>	2007 and 2008
<b>Physical Description:</b>	13 Betacame SP videocassettes (5:52:30).
<b>Abstract:</b>	Federal government appointee, law professor, and state supreme court judge The Honorable Charles Z. Smith (1927 - 2016 ) was the first African American to serve on the State of Washington's Supreme Court. In addition to holding this Washington Supreme Court position from 1988 until his retirement in 2002, Justice Smith was also known for serving on the staff of U.S. Attorney General Robert F. Kennedy, and being appointed to the U.S. Commission on International Religious Freedom by President William J. Clinton. Smith was interviewed by The HistoryMakers® on June 3, 2008, June 4, 2008 and October 27, 2007, in Seattle, Washington. This collection is comprised of the original video footage of the interview.
<b>Identification:</b>	A2007_308
<b>Language:</b>	The interview and records are in English.

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## Biographical Note by The HistoryMakers®

Retired Justice of the Washington Supreme Court and prosecutor for the United States Department of Justice, Charles Zellender Smith was born on February 23, 1927, in Lakeland, Florida. Son of John R. Smith, Sr., a Cuban immigrant, and

Eva Love Smith, he attended school in Franklin, North Carolina at age three, Washington Park School in Lakeland and Hungerford School in Maitland, Florida. Mentored by Dr. William H. Gray, Jr., President of Florida A&M College, he served as Gray's administrative assistant. From 1945 to 1946, Smith served in the United States Army as a court reporter. He later joined the Gray family in Philadelphia attending Temple University, where he earned his B.S. degree in 1952. Smith then moved to Seattle, Washington, where he entered the University of Washington Law School. He was one of four minority students in a class of 120. He was the only African American or person of color in the graduating class. While in law school, Smith met Hawaii-born Eleanor Martinez, whom he married in 1955.

After graduating from law school, Smith served as a law clerk for Supreme Court Justice Matthew W. Hill. From 1956 to 1960, he served as a Deputy Prosecuting Attorney for King County. In 1961, Smith was recruited by U.S. Attorney General Robert F. Kennedy to join his staff. Smith's assistance was sought by the Attorney General in investigating mismanagement of the Central States Teamsters Pension Fund. He led a team conducting grand juries around the country, culminating in indictment and successful prosecution of James R. Hoffa and five business men for mail fraud and wire fraud in the Northern District of Illinois in 1964.

In 1965, Smith returned to Seattle where he became the first African American or person of color to become a judge in the State of Washington, being appointed as Judge of the Seattle Municipal Court. In 1966, again as a "first," he was appointed to the King County Superior Court and subsequently reelected unopposed until he left the court in 1973. Also, in 1973, Smith was appointed Professor of Law and Associate Dean at the University of Washington Law School where he served until his retirement in 1986. Later in 1973 Smith was commissioned in the United States Marine Corps Reserve where he served in the Judge Advocate Division as a military judge until his retirement as a Lieutenant Colonel in 1986.

Smith served as President of the American Baptist Churches, USA in 1976 and 1977 and participated with the National Inter-religious Task Force on Soviet Jewry. He served as a delegate to Task Force follow-up conferences in Rome, Italy, Belgrade, Yugoslavia and Madrid, Spain.

On July 18, 1988, Smith became the first African American or person of color to serve on the Washington Supreme Court. He served three terms retiring in 2002. In 1999, he was appointed by President William J. Clinton to the U.S. Commission on International Religious Freedom, created by Congress to monitor the status of freedom of thought, conscience and belief abroad. In 2001, the Student Bar Association at the University of Washington Law School established

the Charles Z. Smith Public Service Scholarship. He received the Distinguished Service Award from the National Center for State Courts in 2004 and was honored by Pioneer Human Services in Seattle with naming of one of its low cost housing properties as the Charles Z. Smith House.

Smith lived in Seattle, Washington with his wife, Eleanor Martinez. The couple had four adult children and six grandchildren.

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## **Scope and Content**

This life oral history interview with The Honorable Charles Z. Smith was conducted by Larry Crowe on June 3, 2008, June 4, 2008 and October 27, 2007, in Seattle, Washington, and was recorded on 13 Betacame SP videocassettes. Federal government appointee, law professor, and state supreme court judge The Honorable Charles Z. Smith (1927 - 2016 ) was the first African American to serve on the State of Washington's Supreme Court. In addition to holding this Washington Supreme Court position from 1988 until his retirement in 2002, Justice Smith was also known for serving on the staff of U.S. Attorney General Robert F. Kennedy, and being appointed to the U.S. Commission on International Religious Freedom by President William J. Clinton.

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## **Restrictions**

### **Restrictions on Access**

Restrictions may be applied on a case-by-case basis at the discretion of The HistoryMakers®.

### **Restrictions on Use**

All use of materials and use credits must be pre-approved by The HistoryMakers®. Appropriate credit must be given. Copyright is held by The HistoryMakers®.

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## **Related Material**

Information about the administrative functions involved in scheduling,

researching, and producing the interview, as well as correspondence with the interview subject is stored electronically both on The HistoryMakers® server and in two databases maintained by The HistoryMakers®, though this information is not included in this finding aid.

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## Controlled Access Terms

This interview collection is indexed under the following controlled access subject terms.

### Persons:

Smith, Charles Z. 1927-

Crowe, Larry (Interviewer)

Stearns, Scott (Videographer)

### Subjects:

African Americans--Interviews  
Smith, Charles Z. 1927---Interviews

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African American judges--Washington (State)--Interviews

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African American law teachers--Washington (State)--Interviews

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### Organizations:

HistoryMakers® (Video oral history collection)

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The HistoryMakers® African American Video Oral History Collection

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Washington

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Washington

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## Occupations:

Federal Government Appointee

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Law Professor

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State Supreme Court Judge

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## HistoryMakers® Category:

CivicMakers|EducationMakers|LawMakers

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## Administrative Information

### Custodial History

Interview footage was recorded by The HistoryMakers®. All rights to the interview have been transferred to The HistoryMakers® by the interview subject through a signed interview release form. Signed interview release forms have been deposited with Jenner & Block, LLP, Chicago.

### Preferred Citation

The HistoryMakers® Video Oral History Interview with The Honorable Charles Z. Smith, June 3, 2008, June 4, 2008 and October 27, 2007. The HistoryMakers® African American Video Oral History Collection, 1900 S. Michigan Avenue, Chicago, Illinois.

### Processing Information

This interview collection was processed and encoded on 2/5/2020 by The HistoryMakers® staff. The finding aid was created adhering to the following standards: DACS, AACR2, and the Oral History Cataloging Manual (Matters 1995).

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## Other Finding Aid

A Microsoft Access contact database and a FileMaker Pro tracking database, both maintained by The HistoryMakers®, keep track of the administrative functions involved in scheduling, researching, and producing the interview.

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## Detailed Description of the Collection

### Series I: Original Interview Footage

Video Oral History Interview with The Honorable Charles Z. Smith,  
Section A2007\_308\_001\_001, TRT: 0:30:30 2008/06/03

The Honorable Charles Z. Smith was born on February 23, 1927 in Lakeland, Florida to Eva Love Smith and John R. Smith, Sr. Smith's maternal great-grandfather, William Love, was born to a slave and her white master, Colonel McCormick. After his emancipation, Smith's great-grandfather received an allotment of three hundred acres of land from McCormick in Franklin, North Carolina. Smith's mother was born in 1900 to Charles Love and Julia Sellers Love, who was of Native American descent. She grew up with a large and close-knit family in Franklin, where she was not exposed to the strict segregation found across other parts of the South. Although schools were segregated in Franklin, the different races generally got along with one another. Smith's mother attended the all-black school in Franklin until the eighth grade.

African American judges--Washington (State)--Interviews.

African American law teachers--Washington (State)--Interviews.

Video Oral History Interview with The Honorable Charles Z. Smith,  
Section A2007\_308\_001\_002, TRT: 0:31:10 2008/06/03

The Honorable Charles Z. Smith's father, John R. Smith, Sr., was born in Havana, Cuba to Herminia Delpino and Manuel Delpino, who immigrated to Key West, Florida, when Smith's father was ten years old. During the immigration process, his name was changed, and he never

knew his true surname. In her youth, Smith's mother, Eva Love Smith, worked as a chef for a tourist home in Franklin, North Carolina, until transferring to another tourist home Lakeland, Florida. There, she met and married Smith's father, who had also moved to Lakeland to work as an automobile mechanic. Smith was born in Lakeland, but lived in Franklin until he was five years old. In Franklin, Smith's father drove a school bus for the local all-black school. In 1932, Smith returned to Lakeland, where he attended Washington Park School. He also played the piano in his sisters' singing group, which appeared on 'Major Bowes Amateur Hour' and during a weekly program called 'Smith Sisters Quartet' on the local station, WLAK Radio.

Video Oral History Interview with The Honorable Charles Z. Smith,  
Section A2007\_308\_001\_003, TRT: 0:29:20 2008/06/03

The Honorable Charles Z. Smith played the piano accompaniment for his sisters' singing group during their weekly radio show, 'Smith Sisters Quartet,' on WLAK Radio in Lakeland, Florida when he was twelve years old. In Lakeland, Smith attended Washington Park School until the tenth grade when he transferred to the Robert Hungerford Normal and Industrial School, which was a private boarding school in Eatonville, Florida. He was then recruited to Florida Normal and Industrial College in St. Augustine, Florida, by the then president William H. Gray, Jr. When Gray became president of Florida Agricultural and Mechanical College for Negroes in Tallahassee, Florida, Smith transferred to that school as well. There, Smith aspired to a career in social work, but was encouraged by Gray to study law. Smith decided to enlist in the U.S. Army, where he served as a stenographer during the post-World War II era. He was discharged in 1947, and returned to Florida Agricultural and Mechanical College for Negroes.

Video Oral History Interview with The Honorable Charles Z. Smith,  
Section A2007\_308\_001\_004, TRT: 0:28:50 2008/06/03

The Honorable Charles Z. Smith moved to Philadelphia, Pennsylvania with his mentor, William H. Gray, Jr., who had become the minister at Bright Hope Baptist Church. In Philadelphia, Smith continued his education at Temple

University, where he studied social work and group dynamics under Professor Nathan Levine. He graduated in 1952, and matriculated at the University of Washington School of Law in Seattle, Washington, where his mother, Eva Love Smith, had relocated. While in school, Smith met his future wife, Eleanor Martinez Smith, who was also a student at the university. Smith excelled in law school; but, following his graduation in 1955, he decided not to practice law after being rejected at numerous white law firms. Instead, Smith became the first African American law clerk in the Washington Supreme Court in Olympia, Washington under Justice Matthew W. Hill. In Olympia, Smith and his family faced discrimination from the white community.

Video Oral History Interview with The Honorable Charles Z. Smith, Section A2007\_308\_001\_005, TRT: 0:28:40 2008/06/03

The Honorable Charles Z. Smith served as a deputy prosecuting attorney for King County, Washington from 1956 to 1959. During his tenure, he tried about two hundred cases in the court's criminal division. Smith also chaired the Washington State Minority and Justice Commission, which sought to lower the amount of incarcerated African Americans in the State of Washington through diversity training. In addition to observing the racism within the Washington justice system, Smith also experienced discrimination from the local law enforcement, and his fellow judges and attorneys. In 1960, Smith left the King County Prosecuting Attorney Office to work for Robert F. Kennedy on the U.S. Senate Select Committee on Improper Activities in Labor and Management, where he tried cases across the country including the conviction of Jimmy Hoffa in Chicago, Illinois. Hoffa and Dave Beck were the heads of the International Brotherhood of Teamsters, and their conviction was a top priority for Kennedy at the time.

Video Oral History Interview with The Honorable Charles Z. Smith, Section A2007\_308\_001\_006, TRT: 0:27:20 2008/06/03

The Honorable Charles Z. Smith worked for the U.S. Senate Select Committee on Improper Activities in Labor and Management in the U.S. Department of Justice, where



he tried and convicted Jimmy Hoffa, who was the president of the International Brotherhood of Teamsters. During the trial, many of the lawyers involved in the case received threats and bribes from Hoffa's associates. Even though Smith was never threatened, he was guarded by the U.S. Marshals Service as a safety precaution. While working for the U.S. Department of Justice, Smith associated with both Robert F. Kennedy and J. Edgar Hoover, who was the head of the Federal Bureau of Investigation at the time. Smith left the department in 1964 to work on Kennedy's senatorial campaign, before returning to Seattle, Washington, where he was appointed as the first African American judge on the Municipal Court of Seattle and in the State of Washington. As a municipal court judge, Smith was instrumental in the decriminalization of public intoxication.

Video Oral History Interview with The Honorable Charles Z. Smith, Section A2007\_308\_002\_007, TRT: 0:31:10 2008/06/04

The Honorable Charles Z. Smith served as a judge on the Municipal Court of Seattle from 1965 to 1966. Then in 1966, he received a judicial appointment to the King County Superior Court where he oversaw both civil and criminal cases. During that time, Smith imparted a life sentence to a Korean War veteran who was convicted of murdering his family. As a member of the court, Smith also attended the National Judicial College in Reno, Nevada to further his judicial studies. Smith remained on the King County Superior Court until 1973; and during that time, did not preside over any civil rights cases even though racial discrimination was prevalent throughout Seattle, Washington. Smith experienced housing discrimination while trying to purchase a house in the 1950s. He later learned that African Americans were relegated to the Central Area neighborhood of Seattle, and it was difficult to live outside that area at the time. He describes the standardized sentencing practices for all courts in the State of Washington.

Video Oral History Interview with The Honorable Charles Z. Smith, Section A2007\_308\_002\_008, TRT: 0:29:20 2008/06/04

The Honorable Charles Z. Smith left the King County Superior Court in 1973 and became the associate dean and

professor of law at the University of Washington School of Law in Seattle, Washington. At this time, Smith also became a news commentator on KOMO Radio and KOMO-TV in Seattle and served as the chair of the IJA/ABA Joint Commission on Juvenile Justice Standards. Shortly after, Smith accepted a commission to be a major and judge in the U.S. Marine Corps. He attended the Naval Justice School in Newport, Rhode Island and an officers training program at the Marine Corps Base Quantico in Quantico, Virginia. After his instruction, he served as a military judge nationwide, but was stationed at the Headquarters Marine Corps in Arlington, Virginia. While in the service, Smith remained on the University of Washington School of Law's faculty where he created the school's first clinical program, the University District Defender Services. Smith retired from the U.S. Marine Corps in 1986 at sixty years old.

Video Oral History Interview with The Honorable Charles Z. Smith,  
Section A2007\_308\_002\_009, TRT: 0:28:50 2008/06/04

The Honorable Charles Z. Smith served as the chair of the IJA/ABA Joint Commission on Juvenile Justice Standards, which enforced the constitutional rights of juveniles established by the 1967 *In re Gault* case. While serving on the Washington's King County Superior Court, Smith oversaw several juvenile court cases where he had to decide if the convicted individual should be tried as a child or an adult. In one such case, Smith presided over a case involving a fourteen year old child who was convicted of killing a man during an armed robbery. Smith sentenced the child to a juvenile facility until the age of twenty-one. Smith argues that incarceration is not always the best answer to a criminal's crimes. In one instance, instead of sentencing a woman to prison for a forgery misdemeanor, Smith placed her on probation and found her a position with the Urban League of Metropolitan Seattle. He also talks about the importance of victim's rights in relation to the trial of serial killer, Gary Ridgway.

Video Oral History Interview with The Honorable Charles Z. Smith,  
Section A2007\_308\_002\_010, TRT: 0:28:40 2008/06/04

The Honorable Charles Z. Smith joined the American Baptist Churches USA during the 1960s. He served on the

general board and was instrumental in the restructuring of the organization to diversify its membership. In 1976, he was elected president of the organization, which includes over 2,500 churches. In this role, Smith participated in the National Interreligious Task Force on Soviet Jewry, which served as a monitoring association on Russia's compliance with the Helsinki Accords. In this capacity, Smith sat as a judge on the Amnesty International hearings and visited Vatican City. He also served on the Seattle Mayor's Panel on Disparate Employee Discipline under Charles Royer, and the chairperson of the Washington State Minority and Justice Task Force. In 1988, Smith was appointed to the Washington Supreme Court by Governor Booth Gardner. During his tenure on the supreme court, Smith experienced discrimination from the senior judges of the executive committee.

Video Oral History Interview with The Honorable Charles Z. Smith,  
Section A2007\_308\_002\_011, TRT: 0:27:20 2008/06/04

The Honorable Charles Z. Smith served as a supreme court justice on the Washington Supreme Court from 1988 to 2002. While there, the executive committee, which was comprised of the senior judges, often declared his decisions as moot, stole his personal files, fired his clerks and conducted other discriminatory practices against him. Smith considered this discrimination to be based in jealousy, power and political alignments, and not racially motivated. While living in Seattle, Washington, Smith came to know the city's notable civil rights leaders such as King County Council member Larry Gossett and Aaron Dixon, who was the head of the Seattle chapter of the Black Panther Party. As a justice, Smith was not heavily involved in any civil rights organizations, but he witnessed many of the city's protests including the protests at the World Trade Organization Ministerial Conference in 1999. Smith reflects upon his status in the Washington Supreme Court and his desire to write a book about his time there.

Video Oral History Interview with The Honorable Charles Z. Smith,  
Section A2007\_308\_002\_012, TRT: 0:14:30 2008/06/04

The Honorable Charles Z. Smith was involved on several commissions and in numerous organizations during his legal career in Seattle, Washington. Through this

involvement, Smith was instrumental in developing programs that tackled prison reform, drug rehabilitation and the decriminalization of public intoxication. Smith talks about the successes of his children and grandchildren. He reflects upon his legacy and his judicial career in the Washington and nationally. Smith also describes how he would like to be remembered.

Video Oral History Interview with The Honorable Charles Z. Smith,  
Section A2007\_308\_003\_013, TRT: 0:16:50 2007/10/27