

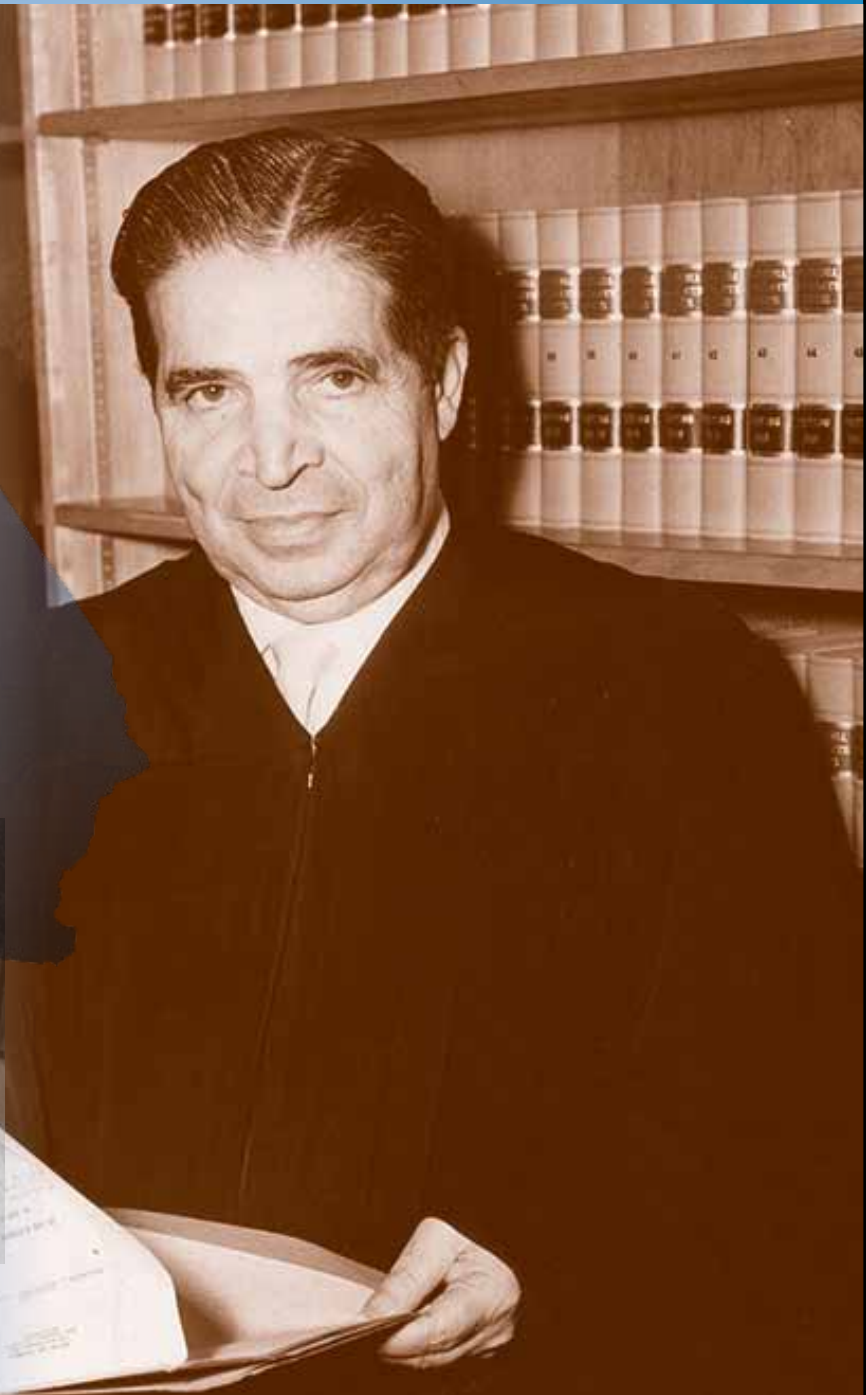
JUDGE ALFRED PAONESSA AND THE EARLY CIVIL RIGHTS MOVEMENT IN CALIFORNIA

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STUDENT'S VERSION

JUDGE ALFRED PAONESSA AND THE EARLY CIVIL RIGHTS MOVEMENT IN CALIFORNIA

Table of Contents

Reading: Judge Alfred Paonessa and the Early	2
Civil Rights Movement in California	
Glossary	5
Bibliography	7



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Judge Alfred Paonessa and the Early Civil Rights Movement in California

Judge Alfred E. Paonessa (1901-1990) was a respected Los Angeles Superior Court judge whose rulings in cases involving the Ku Klux Klan and restrictive racial covenants (which barred minorities from living in certain areas) represent important victories in the early Civil Rights Movement in California.

Alfred E. Paonessa was born in New York City to poor Italian immigrants. His parents, Sarero and Rafaela Paonessa, were tailors who deeply valued education. Each of their nine children became successful in their respective careers. Alfred studied medicine at George Washington University in

STATE New York COUNTY New York TOWNSHIP OR OTHER DIVISION OF COUNTY Bronx Borough New York City NAME OF INCORPORATED PLACE Bronx Borough

DEPARTMENT OF COMMERCE AND LABOR—BUREAU OF THE CENSUS
THIRTEENTH CENSUS OF THE UNITED STATES: 1910—PO

NAME OF INSTITUTION _____ ENUMERATED BY ME ON THE 27

1	2	3	4	PERSONAL DESCRIPTION							SATIETY			OTHER					
				5	6	7	8	9	10	11	12	13	14	15	16	17			
1	215	28	336	Paonessa	William S	Head	M	W	66	S				New York	New York	New York	1848	23	English
2				Paonessa	George W	Brother	F	W	56	S				Pennsylvania	New York	New York	1873	20	English
3				Paonessa	Elizabeth	Wife	F	W	34	S				New York	New York	New York	1876		English
4				Paonessa	William	Brother	M	W	13	S				New York	New York	New York			English
5				Paonessa	Jeremiah	Brother	M	W	12	S				New York	New York	New York			English
6			337	Paonessa	Nicholas	Head	M	W	47	M	14			Russia	Russia	Russia	1871	24	English
7				Paonessa	Estelle	Wife	F	W	43	M	14	3	1	Russia	Russia	Russia	1871		English
8				Paonessa	Hilda	Daughter	F	W	20	W				Russia	Russia	Russia	1872		German
9				Paonessa	Victoria	Daughter	F	W	12	S				New York	New York	New York			English
10			338	Paonessa	Abel	Head	M	W	41	M	21			Russia	Russia	Russia	1848	20	English
11				Paonessa	Lena	Wife	F	W	40	M	21	0	0	Russia	Russia	Russia	1848		English
12				Paonessa	Beckie	Daughter	F	W	18	S				Russia	Russia	Russia	1862		English
13				Paonessa	Emmanuel	Son	M	W	16	S				Russia	Russia	Russia	1868		English
14				Paonessa	Caroline	Daughter	F	W	12	S				Russia	Russia	Russia	1864		English
15				Paonessa	Bessie	Son	M	W	17	S				Russia	Russia	Russia	1860		English
16				Paonessa	Amiel	Daughter	F	W	11	S				Russia	Russia	Russia	1864		English
17				Paonessa	Moses	Son	M	W	9	S				Russia	Russia	Russia	1864		English
18				Paonessa	Julia	Daughter	F	W	20	M	14	1	2	Russia	Russia	Russia	1865		Yiddish
19				Paonessa	Emmanuel	Brother	M	W	20	S				Russia	Russia	Russia	1863	20	English
20			339	Paonessa	Joseph	Head	M	W	27	M	14			Russia	Russia	Russia	1883	20	English
21				Paonessa	Edla	Wife	F	W	24	M	14	3	3	Russia	Russia	Russia	1864		English
22				Paonessa	Morris	Son	M	W	15	S				New York	New York	New York			English
23				Paonessa	Lila	Daughter	F	W	11	S				New York	New York	New York			English
24				Paonessa	Arthur	Son	M	W	3	S				New York	New York	New York			English
25				Paonessa	Molly	Daughter	F	W	58	W				Russia	Russia	Russia	1869		English
26			340	Paonessa	Sarero	Head	M	W	37	M	14			St. Italian	St. Italian	St. Italian	1881	24	English
27				Paonessa	Raffaella	Wife	F	W	38	M	14	9	7	St. Italian	St. Italian	St. Italian	1881		English
28				Paonessa	Dominica	Daughter	F	W	18	S				St. Italian	St. Italian	St. Italian	1881		English
29				Paonessa	George	Son	M	W	15	S				St. Italian	St. Italian	St. Italian	1881		English
30				Paonessa	Teod	Son	M	W	13	S				St. Italian	St. Italian	St. Italian	1881		English
31				Paonessa	Ubaldo	Son	M	W	8	S				New York	St. Italian	St. Italian			English
32				Paonessa	Hilda	Daughter	F	W	4	S				New York	St. Italian	St. Italian			English
33				Paonessa	Rosa	Daughter	F	W	3	S				New York	St. Italian	St. Italian			English
34				Paonessa	Margaret	Daughter	F	W	20	S				New York	St. Italian	St. Italian			English
35			341	Paonessa	Samuel	Head	M	W	45	M	15	4	4	Russia	Russia	Russia	1878	24	English
36				Paonessa	Rebecca	Wife	F	W	42	M	15	4	4	Russia	Russia	Russia	1876		English

1910 U.S. Census for the Paonessa family

Washington D.C. before moving to Los Angeles to join his brother, Ralph, who was a lawyer in Hollywood. Alfred found employment at a bank and attended law school in the evening. After finishing law school, he established a law practice in Los Angeles, before becoming a judge.

In 1931, during the height of the Great Depression, Paonessa was appointed by Governor James Rolph, Jr. to the Los Angeles **Municipal Court**. Paonessa was the first Italian American and the youngest judge ever appointed to the bench. Paonessa was known as an honest and ethical judge with a commitment to those he served, especially the common person.



Attorney General Robert W. Kenny, (right) a major opponent of the KKK, stands next to a Klan member and electric cross. Courtesy of the Los Angeles Daily News.



A mob protests the sale of this home to a black family in 1949. Courtesy of the Los Angeles Public Library.

After ten years of service in the municipal court, he was appointed to the Los Angeles Superior Court. During his time as a **Superior Court** judge, Paonessa presided over two important **civil rights** cases; one involved the **Ku Klux Klan**, and the second, **segregation** in housing.

While California is often the last state that comes to mind when we think of the Ku Klux Klan, during the 1940s, the **white supremacist** organization grew in power and size with 100,000 members in

California alone. The Klan targeted Mexican immigrants and other ethnic and religious **minorities**. Though the Klan's activities included terrorizing and assaulting its victims, the organization remained legal and had a **charter** that provided permission to operate in California. Its membership included candidates for congress and

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[Los Angeles Daily News article from May 22, 1946 announcing the outlawing of the KKK in California. Courtesy of the Los Angeles Daily News.](#)

police officers who often "looked the other way" when crimes were committed against minorities. As Attorney General **Robert W. Kenny** saw the Klan's power rising, he decided it was time to take action.

On May 21, 1946, on behalf of the people of the State of California, Attorney General Kenny sued the Ku Klux Klan in Judge Paonessa's courtroom. Kenny demonstrated how the Klan had not behaved as a charitable organization that promoted public good, as they had promised in their charter. In order to support his case against the Klan, Kenny raided the organization's Los Angeles headquarters and seized a half-ton of **anti-Semitic**, anti-Catholic, and anti-African American literature, along with a portable, electric fiery cross and white hooded robes, the costume of the Klan. Kenny also gathered several former members to testify against the Klan. Judge Paonessa agreed that the Klan was not a charitable organization, and in fact, "**fostered racial hatred.**" Paonessa **revoked** the Klan's charter, which made it an illegal organization in the State of California, an important step in the early Civil Rights Movement.

Another case that Paonessa presided over involved **racially restrictive covenants**. Racially restrictive covenants were legal language on deeds to homes that prohibited minorities from living in certain neighborhoods, unless they were employed as domestic servants. A quote from one covenant reads, "... *Each and every lot or parcel of said lands shall be restricted as to the manner of its use of occupancy thereof by any person or persons other than those of the White or Caucasian race.*" This clause meant that any person who was not Caucasian could not live in the home. These covenants were enforced in many parts of Los Angeles, and led minority groups to be segregated into poorer neighborhoods, even if they could afford to live elsewhere. Families who dared to disobey

County of Los Angeles, State of California, described as follows:

Lot Number Thirty-four (34) in Block Eight (8) of
THE MCCARTHY COMPANY'S GREATER LOS ANGELES TRACT
As per official map thereof, recorded in Book 9, of Maps, Page 134
Records of Los Angeles County, California.

SUBJECT TO THE FOLLOWING RESTRICTIONS:

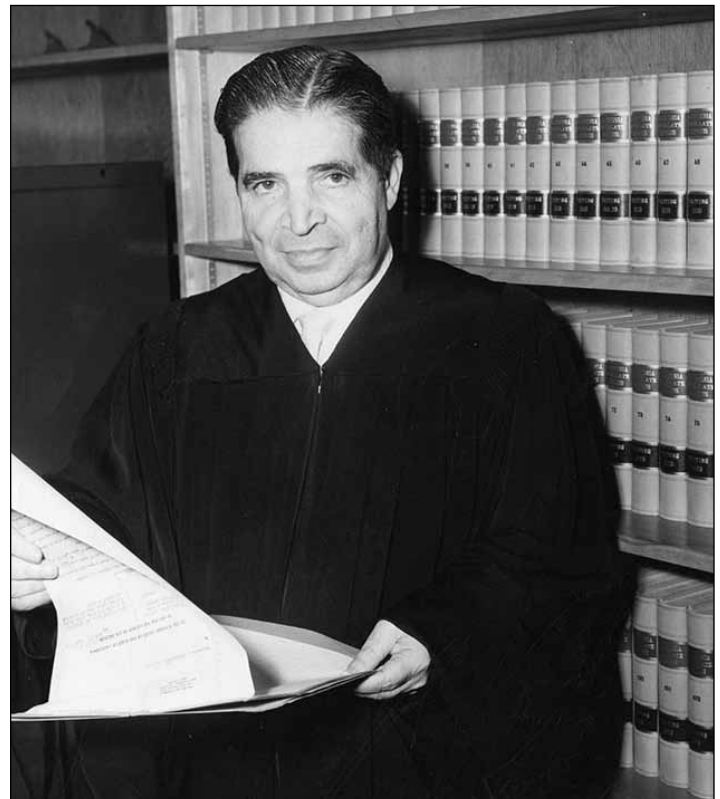
This Deed is made upon the following express conditions subsequent:
"That any building erected upon said lot or any of them before January
1, 1920, shall be used for residence purposes only (except such
necessary outbuildings as may be required;) that said building
shall be located not less than twenty (20) feet from the front line
of said lot, nor less than four (4) feet from the side lines
thereof and shall cost not less than \$1000.; said property shall
not be sold, demised, let or transferred to any person other than
one of the white or Caucasian race; and that a violation of any
of said conditions shall work a forfeiture of title to the grantor,
its successors or assigns.

A racially restrictive covenant on the deed of a Los Angeles home. Courtesy of the IAMLA.

these covenants were harassed, threatened, and prosecuted. Racially restrictive covenants caused many injustices.

In the case *A.T. Collison and R.L. Wood v. Nellie Garcia et. al*, two realtors from El Monte attempted to prevent Nellie Garcia, a woman of Mexican descent, from living in a neighborhood bound by a racially restrictive covenant. Most covenants specified that Asian, African, and Mexican “races” could not occupy property in a particular area, while others also banned Jews, Italians, and people of Middle Eastern ancestry. Many of Paonessa’s contemporaries would rule that the covenants were legal, however, Paonessa would once again prove a champion for civil rights. He ruled that there was no “Mexican race,” a decision that attacked the covenant’s **legitimacy** and made it impossible to enforce. While racially restrictive covenants were not officially outlawed until May 3, 1948, when the Supreme Court declared them unenforceable, Paonessa’s decisions represented important turning points in removing the roadblocks to equality.

Paonessa served on the Superior Court until 1963, spending a total of 31 years on the bench, and 36 years practicing law. He died on December 28, 1990 at his home in Encino.



Judge Paonessa in 1960. Courtesy of the Los Angeles Public Library.

Glossary

Civil Rights: Rights that protect individuals' freedoms, and ensure one's ability to participate in society without discrimination. Civil Rights include freedom of speech and expression and freedom of religion.

Municipal Court: A court within a city or larger town that has authority in that city over civil or criminal cases.

Superior Court: A court with general jurisdiction or power over other courts, with regard to civil and criminal legal cases.

Ku Klux Klan: a secret society in the United States that has historically professed white supremacy, advocated segregation, opposed civil rights and terrorized minority groups.

Segregation: The practice or policy of keeping people of different races, religions, etc., separate from each other.

White Supremacist: A person who believes that the white race is better than all other races and should have control over all other races.

Legitimacy: The lawfulness or legality, by law or by virtue.

Minorities: A group of people that are different from the larger group in a country, area, etc., in some way (such as race or religion).

Charter: A document issued by the government that gives rights to a person or group.

Robert W. Kenny: The 21st Attorney General of California.

Anti-Semitic: Hostility toward or discrimination against Jews as a religious, ethnic or racial group.

Fostered Racial Hatred: Encouraged hatred.

Revoke: To officially cancel the power or effect of something; to make something not valid.

Racially Restrictive Covenants: Agreements on contracts that prohibit the use, sale, or occupation of a piece of property by a particular group.

For Further Reading

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