

## ORAL HISTORY OF THE HONORABLE HENRY H. KENNEDY, JR.

### First Interview

23 April 2007

This is the first interview of the Oral History of Judge Henry H. Kennedy, Jr. as part of the Oral History Project of The Historical Society of the District of Columbia Circuit. The interviewer is Gene Granof. The interview took place in the chambers of Judge Kennedy at the Federal Courthouse in the District of Columbia on Monday, April 23, 2007, at 2:00 p.m.

Mr. Granof: Judge Kennedy, I think you've told me earlier that you were born in South Carolina.

Judge Kennedy: Yes, I was born in Columbia, South Carolina in 1948.

Mr. Granof: And how long did you live there?

Judge Kennedy: My family moved to the District of Columbia when I was nine years old. So I lived there from birth until that time.

Mr. Granof: So you obviously have some memories of South Carolina. What was it like growing up in South Carolina?

Judge Kennedy: I have some very, very good memories of South Carolina. All of them, from my perspective, very, very pleasant. I think we all tend to look back through time through rose-colored glasses. I think that's probably a natural thing for all of us to do. But, I can just tell you that my time there was very -- very, very -- just good. I must tell you that part of my thinking about my time in South Carolina is influenced by my memory of the times that I spent during the summers there, after my family moved to Washington, D.C. I had an aunt -- my mother's sister -- my aunt Lillian, who lived there. She had four children, two of whom were close to my age. And for several summers after we moved here I would go down to

Columbia and spend, not the entire summer, but significant periods of time there. So when I think about my time in South Carolina, I include those times. And those times, in particular -- I mean these were during the summer months where the kids' time was spent, basically, just playing -- were very, very nice. To tell you the truth, my most vivid memories are the times when I would go to the local swimming pool. It was the Drew Pool, and I suppose it was there that I actually developed a love for the very first sport that I played. Sports have always been a very important element in my life, and the very first sport that I became impassioned about, if you will, was swimming. And that's where I learned to swim. And I remember the summers where each and every day we'd wake up very early in the morning, go to this pool, and stay there the entire day. Now that does raise or invoke a memory, and that is that we spent all of our time at the pool because some of the other recreational facilities near where my aunt lived were segregated, and I could not -- neither me nor my cousins -- could actually go to those places. I remember that there was just this beautiful, beautiful baseball field that we used to pass all the time on our way to the pool, but it just was not -- it was not something that we could do. But, my memories still are just very, very pleasant. It's something that now has significance, but again at the time, the memory, it didn't seem that -- frankly, that bad. For example, going to the movies. This was a time when the movie theaters, just like all the other places of public accommodation, were segregated. And so when me and my

cousins would go to a theater, we would naturally walk up to the section where -- at the time the preferred self-designation of African Americans or Blacks was Colored -- where the Coloreds would sit. And we would walk up to the balcony and look at the movie there. And I must tell you, at the time it was something you just did, and it didn't detract at all from the pleasant experience of going to the movies with my cousins.

Mr. Granof: It sounds like you had a large and extended family down there.

Judge Kennedy: We did, indeed, and I must tell you I'm just so proud of my family. My father was born in New Orleans, Louisiana. He met my mother when he was stationed in Fort Jackson, South Carolina.

Mr. Granof: I think that's a wonderful story. You told it to me before. I think you should tell it.

Judge Kennedy: My mother was sixteen years old and had been forbidden by her mother to go to the place where the soldiers hung out.

Mr. Granof: Now this was your grandmother?

Judge Kennedy: This is my grandmother. My grandmother, we called her Big Momma. The entire family. She was called Big Momma. She was kind of the leader of our family.

Mr. Granof: The matriarch?

Judge Kennedy: The matriarch, indeed. And she was all of five foot—no I don't think she was five feet. But, she was no taller than 5 foot one, but she had a persona that was just huge. But, in any event, my mother, when she was 16 years old did not follow her mother's instruction to never go to that USO down

at the corner of Oak and Gervais Street. But she did, and she met my father who was stationed at Fort Jackson. And fairly shortly after that they got married, secretly. My mother didn't tell her mother. My mother the next year went to South Carolina State College.

Mr. Granof: And how old was your mother at the time she got married?

Judge Kennedy: She was sixteen years old. And she went off to college. At the time she did not tell the truth on her application because married students could not go to South Carolina State College at the time. But, that's how it all kind of began. She had an older sister. She actually had two older sisters and two older brothers as well, one of whom had died very early on. But, in any event, the interesting story is that during a break in school my mother was on the street with my father, and this was after they were married. My father hailed a cab to take them to a hotel. The cab driver recognized my mother -- certainly didn't assume that she was married or she was too young to be married back then -- and refused to take this soldier and this young girl to the hotel, and also said that he was going to tell her mother -- my grandmother. Well, that prompted my mother to finally come clean and tell her mother that she was married. And one of the stories that we tell all the time at reunions is about the time when my father finally came to confront my grandmother. Not confront her, but to kind of face the music. And he did face the music that he had married her daughter secretly. And he fainted. He actually fainted when he came face-to-face with my grandmother.

Mr. Granof: She must have been a very imposing woman.

Judge Kennedy: She was.

Mr. Granof: Because I know that we'll get to your father's characteristics and he was not a weak man at all.

Judge Kennedy: Absolutely not. My dad -- and that is what makes the incident so kind of ironic -- was a very -- what should I say? -- strong-willed individual. Not ever one to back down from a fight. As a matter of fact, as you perhaps can tell just from the few conversations that we've had, I'm a rather competitive person. And I just get that from my father. All my father's heroes were people who were fighters and competitors. One of his heroes was Vince Lombardi.

Mr. Granof: And yet you grew up in essentially the Jim Crow South for the first nine years, and you came out with this sense of optimism, self-confidence, stability.

Judge Kennedy: I attribute all of that to my parents. I happen to have been just absolutely blessed. Just absolutely blessed with wonderful, wonderful parents. People who certainly were looking for a better life. As a matter of fact, the main reason that my parents moved to the District of Columbia was because they -- my father and my mother, particularly my father -- were tired of the oppression, the mistreatment which he encountered in the South. You've asked me about my memories of my growing up and it just so happens that I'll never forget this. But this memory, and I'll tell you about it, doesn't color my, again, pleasant memories of what happened.

My mother and father after a while actually built a house in the suburbs of Columbia -- actually it's probably a park where they built the house. It's probably a park in Columbia, but it was not close to where my grandmother lived, and was a distance from the downtown area. Not that Columbia, South Carolina, at the time had a large downtown area, but, there was a part of the city that was more built up than other parts. But there was a fateful Saturday morning when I went to a little corner grocery store, and I couldn't have been more than six or seven years old. Perhaps as old as eight, but I don't think so. But I had a run-in with the man who owned the store. It was a white man. And what happened pure and simple was that I ordered something. I think at the time we used to love to eat pickles. There'd be these pickles in pickle jars and I purchased a pickle and gave the woman -- and I don't know whether it was his wife or daughter -- some money but I touched her, touched her hand. And the man became very angry with me. And he, basically, called me some very nasty names and kicked me out the store. And when I say kicked me out of the store he did not physically throw me out, but he told me to get out of the store and not to come back. But it was a troubling incident. I remember going home telling my mother about it. My father at the time worked for the United States Post Office, and he actually drove postal trucks to different communities, and he would sometimes stay overnight. So he wasn't home at the time. But I remember he came back and my mother told him about what happened. And my father, I'll never forget

my father getting his gun. Actually taking a gun in his hand, and my mother pleading with him not to go down and confront this storeowner who had been so mean to me. So no, my father was not a shrinking violet by any stretch of the imagination.

Mr. Granof: But one thing that is interesting is that experience stands out probably because it was somewhat unique.

Judge Kennedy: Yes.

Mr. Granof: And that it does seem, at least in Columbia, South Carolina, in your particular part and maybe your experiences, it wasn't quite as oppressive as maybe certain parts of the South, say rural Mississippi. I mean you don't come out sounding angry, and you're much more optimistic.

Judge Kennedy: I don't know what accounts for that. All I know is that I am. I know that the Black people of accomplishment whom I really respect so much -- one of them being William Bryant for whom this annex is named -- were Black folk who withstood some very bad things happening to them. Segregation, you know, Jim Crow was not good. But they managed not to carry it with them. To go on. Do the work. Do what they could do to make things better, but not to be bitter. And I certainly respect those people. And if that is said about me, I'm glad.

Mr. Granof: Your grandfather. Did you know him at all?

Judge Kennedy: Didn't know my grandfather. My grandfather was a chauffeur. His name was Sellerspan. He was a chauffeur and he died before I was born. I think he actually died when my mother was a young girl.

Mr. Granof: Now, was your father from Columbia or just happened to be stationed in Fort Jackson?

Judge Kennedy: He was stationed in Fort Jackson. My father was born in Chamberlain, South Carolina, and he had a very interesting life. You know, all of our life experiences go into making us the people who we are. I've already told you what a wonderful man he was; what a wonderful father he was. I suspect that is because -- I don't know why it was because or why this was -- but he had a rather unsettled family life. His mother died within a year of his birth. His father permitted his mother's sisters -- two of them, Aunt Edna and Aunt Beanie -- to basically raise him for a period of time. These are two sisters who lived in two different places. One lived in Baton Rouge, Louisiana; the other lived in Port Allen, Louisiana. And he would stay with one for a period of time, stay with the other for a period time. Then my grandfather -- his father -- got remarried, and then came back for his son. And that caused quite a bit of -- what should I say? -- well I won't say quite a bit, but caused acrimony within the family. And dad, I think, was affected by it. And so my own inexpert psychological reading of him and what drove him is that that had some part of it. That he wanted, for himself, to have a family, and I was the beneficiary of that. And my sister and brother.

Mr. Granof: They must have been married for more than fifty years.

Judge Kennedy: Oh yes. Yes. My father died in September of 2002, and -- I'm terrible on dates like this -- but they were married for over 60 years.

Mr. Granof: I guess there's a lesson there that you can get married at sixteen to an itinerant soldier and sometimes things work out really nice.

Judge Kennedy: Sometimes serendipity works that way. But I can tell you that in talking to my daughters -- I have two daughters -- and they know about this story. I told them, "Nope, this is not something that they should try to duplicate."

Mr. Granof: Don't get married at sixteen?

Judge Kennedy: No, no, no, no, no. Don't get married at sixteen.

Mr. Granof: Well I'm sure it's more than serendipity. There was clearly a degree of character there that permitted this wonderful, stable relationship.

Judge Kennedy: Yes.

Mr. Granof: Loving relationship.

Judge Kennedy: Yes.

Mr. Granof: Now your dad came out of the army -- I guess a segregated army at that point -- and at some point he went to college?

Judge Kennedy: Well, yes.

Mr. Granof: Went to three colleges?

Judge Kennedy: He went to three colleges. Back in those days, the governing board or the governing institutions of college athletics were nowhere near as vigilant as they are today regarding things like paying students to play sports. My father was a relatively small man. Well I'm five foot six. I'm not even five foot six, I'm a little shorter than five foot six. He was about five foot nine, but a slightly built man. But he was a fabulous, fabulous football player. And he ended up going to three colleges. He went to Xavier

University in New Orleans, Dillard University, and Southern University. And he played quarterback for all three. And basically whichever school -- I don't want to defame the school -- but back then, and this was a long time ago, whatever school made it more financially rewarding for him to play, that's where he went. And so that's what he did.

Mr. Granof: Was this after his army service?

Judge Kennedy: No, this was before. This was before the service. And then he went into the service.

Mr. Granof: And he got a job with the Post Office, which then was a place where African Americans could be employed?

Judge Kennedy: Actually he didn't get a job at the Post Office directly out of the service. For a period of time he owned a little nightclub. The Dew Drop -- I've forgotten the name of the nightclub -- the Dew Drop Inn, or something. Or the Moon Drop nightclub. And dad always wanted to be an entrepreneur. I mean he really did. And this was this club that he had down in South Carolina. It didn't last long. He ended up getting arrested by the state authorities for selling liquor without a proper license. And there are all kinds of stories about his -- you know, what he did with the local authorities being in terms of giving some of the local authorities, police officers, money so they wouldn't bust him. But he ended up not doing that for very long. And, yes, there was a period of time after that that he was, from what I could tell, basically a maintenance person at the army base. He wasn't in the army at the time, but he came back as a

civilian and worked as a custodial person, janitor. But then he did get a job in the U.S. Post Office which was a very -- you know -- which was a very, very good job for probably anybody, but particularly for a Black man at that time.

Mr. Granof: Your mother went to South Carolina State.

Judge Kennedy: Yes she did.

Mr. Granof: And ultimately she went on to get her masters at NYU?

Judge Kennedy: That's right. She went to South Carolina State. She graduated from South Carolina State. She wanted to be a teacher, but she could not attend a graduate program in South Carolina because of Jim Crow. And the State of South Carolina paid for her to go to NYU. That's why she ended up there.

Mr. Granof: And so she's got a master's in teaching or education?

Judge Kennedy: She has a master's in education.

Mr. Granof: What did your father do during that time?

Judge Kennedy: For most of that time he was in the Post Office.

Mr. Granof: I mean, were they separated when she was in New York?

Judge Kennedy: Yes. He lived in South Carolina. That aunt that I told you about or that I mentioned, my Aunt Lillian, whom I visited during the summers, she kept me for a period of time so her younger sister could go off to college. She was a teacher herself, by the way. So they were for a period of time separated by distance, at least, while my mother pursued her education.

As you can tell, I mean education in my family from the very beginning was a very, very big deal. There was never any question -- I mean there was no question but that I would be an educated person. It was expected, and the only question was, you know, what kind of education.

Mr. Granof: Was that unusual? I mean, were your friends like that? I mean, maybe your cousins, but --

Judge Kennedy: No, I wouldn't say that it was unusual among the --

Mr. Granof: Your peer group?

Judge Kennedy: My peer group down in Columbia, South Carolina. I mean, my peer group were people who, yes, they all became educated people. You know it all depends on how you define peers, but among the people with whom I was, you know, close to, the people that I played with as a youngster, they all became educated people. My first cousins: I have a doctor, physician, family practice. Very, very distinguished man. Also has done some teaching at The Medical College of South Carolina in Charleston. He's taught there. He has a practice there. I have a cousin who is a certified public accountant. I have a cousin who's a principal. I have two cousins, in fact, who have been principals. My girl cousin and a male cousin. I have a cousin who's a professor at Rutgers University.

Mr. Granof: So it was not just your family. I know we'll talk about your brother and your much younger sister.

Judge Kennedy: Yes.

Mr. Granof: And both of them went on to get law degrees?

Judge Kennedy: Sure.

Mr. Granof: And distinguished careers?

Judge Kennedy: Yes.

Mr. Granof: So I can see where your mother certainly was very education minded, but it's interesting your father was too.

Judge Kennedy: You know my father was not very educated. Again, he went to three colleges, but I don't think he really spent a whole lot of time studying. But while he wasn't educated, he's one of the smartest people I have ever met in terms of just good common sense, and able to discern how it is that one is able to navigate this society well. And so I think it's just because he appreciated that in this society education is a must. And he could foresee it, and did see it, and so he stressed it.

Mr. Granof: I think when we were talking informally last time, if I quote you correctly on this, you said your father was one of your real heroes.

Judge Kennedy: Yes.

Mr. Granof: Now why is that? He must have had an enormous influence on you.

Judge Kennedy: Well, he did. And I suppose when I said one of my real heroes, I suppose a better thing to say is that I just love him so much. And attribute to him my ability to achieve what I have achieved. And that is because my father very early on just impressed upon me that I did have the ability to achieve. And frankly there was a period time when I thought he was out of his head. I mean I thought that he was like any other, you know, fathers who just -- you know you want to think the best -- you know fathers generally

like their kids. You know, parents like their kids. So, isn't that why he is saying these things and acting like there is simply nothing that would prevent me from just achieving? And he said it so many times, and demonstrated it as well, that I started to believe it. I actually started to believe it. And you know it's like anything else, when you start to believe, you start to act on those beliefs, and sometimes you start to gain some success. And then success breeds success, and things start rolling. And so that's what I mean when I say he was my real hero. I mean there are specific things as well that he did that just demonstrated such love for all of us. My parents were not wealthy people. We were not poor by any stretch of the imagination. I mean my father was a postal clerk for many, many years, and my mother was an elementary school teacher. So I think that probably, with standard government salaries, we were in the middle class.

Mr. Granof: What grade did she teach?

Judge Kennedy: Third grade. Second and third grade. But that being said, you know, we lived here in the District of Columbia. It's an expensive place to live, and they had three children. And I'll just give you an example. My brother, after a while, demonstrated to everyone that he really had a superior mind. He was just a very, very bright boy. And when he graduated from St. Albans School, he won something called the Morehead Scholarship from the University of North Carolina. And the Morehead Scholarship would have paid every cent of his education as an undergraduate and, were he to

decide to go to a professional school, either a law school or a medical school, they would pay that too. I'll never forget Randy, for some reason, simply wanted to go to Princeton. I think it was actually because of a teacher at St. Albans.

Mr. Granof: And it couldn't have anything to do with the fact that you went there as well?

Judge Kennedy: Yes. My father, without blinking an eye, said okay. And, by the way, Princeton doesn't give athletic scholarships or scholarships other than based on need. But Randy wanted to go. And my father went, "Okay. Okay." You know that's the kind of thing that just reveals to me a real, just appreciation -- I mean, you know, North Carolina is a great school, but Randy wanted to go someplace else. And my father, as long as we were doing something constructive, he would support us. He would support us.

There are other little things I'll never forget. I told you that I was a swimmer. Well, when we moved up here I joined a swim team. It was the YMCA swim team. As a matter of fact, it was the YMCA that was close to the White House. Well, I used to get up early, early in the morning. Five o'clock in the morning to take the bus from upper -- we lived in Takoma Park, DC -- to go down to practice at the YMCA to swim. There came a point in time when there was a big swimming meet that was to take place up in Delaware. The members of the team were supposed to go up in a van, accompanied by our coach, of course, and I'll never forget the

day that, for some reason, the van broke down and the coach couldn't go, and it was my father, who by the way was a very good football player but he didn't know anything about swimming. My father got the team together and drove us all up to this meet. And I'll never forget when the meet organizer said, "Well, where's the coach?" Because my dad didn't look like a coach. My dad raised up to his full five-foot-eight frame and says, "I'm the coach." And that's the way he is. I mean if at all challenged by anybody he was one that felt that the best defense was a good offense. He was very, very aggressive in tone and manner. But I'll never forget being just so proud of him that he would just take, you know, take it upon himself to get us up there, to be the coach, and permit us, and me, to swim in that meet because it was important.

Mr. Granof: Now your brother Randy was born when you were still in South Carolina.

Judge Kennedy: Yes. He was born in South Carolina. My sister, sixteen years younger than me, was born here in Washington, D.C. He was born in South Carolina.

Mr. Granof: You said your father, primarily, was the driver, at least, to move the family --

Judge Kennedy: Yes.

Mr. Granof: -- to Washington because he was tired of Jim Crow.

Judge Kennedy: Yes.

Mr. Granof: Not that Washington was any great bastion of complete desegregation at the time.

Judge Kennedy: Yes.

Mr. Granof: I guess this is what, '57, '58?

Judge Kennedy: That's right. But I understood from him that he was actually thinking about one other place, Atlanta, Georgia, to move us to. But he saw it was the Jim Crow regime that affected his ability to advance in terms of his, not life style, but his standard of living, I think, that was most troublesome for him. And he saw that there were other places, such as Atlanta, Georgia, and Washington, D.C., where there were sizable numbers of Black folk who seemed to be just advancing in the workplace in a way that he felt that he would not be able to advance in the workplace down in South Carolina.

Mr. Granof: How did he happen to pick Washington?

Judge Kennedy: I don't know. I think probably by reputation. Well, we did have a relative up here, but he wasn't very close to this particular relative.

Mr. Granof: But this was a big decision to move from a very stable environment with a large extended family to a city where you really didn't know anybody.

Judge Kennedy: That's right.

Mr. Granof: And he clearly had the self-confidence to do it.

Judge Kennedy: That's exactly right.

Mr. Granof: And apparently your mother did too.

Judge Kennedy: That's right. To this day, there are sometimes comparisons made between African Americans and people from the Caribbean and Africa who have

come here, and sometimes, you know, the studies show that there has been more advancement by --

Mr. Granof: The more driven?

Judge Kennedy: Yes. My thinking about that is that people who do that kind of thing, who have the wherewithal, the whatever it takes, the spunk, the whatever, courage, are people who are kind of different. They're different. That reflects a --

Mr. Granof: Motivation, drive, ability?

Judge Kennedy: Exactly. And my father and mother had it. And they did. And they brought us up here. And I just don't know why Washington, D.C., versus another place, but it was clear that he was going to go to a place that he thought offered the best possibilities, or best possibility, for his family to thrive.

Mr. Granof: And was he able to get a job with the Post Office here, or just transfer?

Judge Kennedy: He transferred. He worked here for many years in the Post Office. First at the main Post Office at North Capitol Street and -- is that New Jersey Avenue?

Mr. Granof: Yes.

Judge Kennedy: Yes. Near Union Station. And then he became a postal clerk at the local branch of the Post Office that was not very far from where we lived in Takoma Park.

Mr. Granof: And your mother was able to teach in the District?

Judge Kennedy: No. You know, it's really interesting. I don't know that my mother ever taught in the District. For some reason, she taught in Montgomery County. She taught in Montgomery County for years and years.

Mr. Granof: Do you know what school she taught at?

Judge Kennedy: Chevy Chase Elementary School. One of the interesting facts is that I have come into a huge number of people whose sons and daughters she taught, such as David Tatel, who is on our U.S. Court of Appeals for the D.C. Circuit. She taught several of his children, and others as well.

Mr. Granof: And she taught second and third grade?

Judge Kennedy: Second and third grade. She taught at Chevy Chase Elementary School almost from the time that my family moved here, to D.C., until fifteen to twenty years ago. I'm rather distressed that as a public official who has occasion to handle cases involving, for example, kids with disabilities whose parents make claims under the IDEA, the Individuals with Disabilities and Education Act. It just seems to me that just as a general matter the society is not sufficiently appreciative of the importance of the teachers of kids who are in elementary school. It's there where they get their foundation. It's absolutely clear that unless kids get a good foundation in those early grades -- first, second, third and fourth grade -- it is likely that they're not going to be able to achieve what they would be able to achieve if they did get this good foundation. So why we don't just support our elementary school teachers more, I just don't know.

Mr. Granof: One thing that is good is a school like Chevy Chase. You do have, I assume your mother would probably say, tremendous parental support.

Judge Kennedy: Absolutely.

Mr. Granof: And that's all to the good.

Judge Kennedy: When I talk about my distress, I'm not talking about places like Chevy Chase Elementary School. I'm talking about some other places here in the District of Columbia. Now, you know, I went to the D.C. public schools. When my family first moved here, we lived in Southeast Washington, D.C. I went to Turner Elementary School. I went to Turner when I was in the third and fourth grades. And then my family moved to Northwest Washington, D.C., and I attended Whittier Elementary School. And then I attended Paul Junior High School. Paul is now a charter school. And then I attended Calvin Coolidge High School. And looking back upon my educational experience in the public schools, I remember having some very, very fine teachers and think that I had a very good experience. I can't say that my experience was, in terms of academic development and training, on par with my brother's however. But when I compare the quality of the education that I think I received with what I see around me now, I'm not impressed.

Mr. Granof: When you went through the D.C. public school system, was it the segregated system.

Judge Kennedy: No. Certainly there was no *de jure* segregation. Now when I was at Turner Elementary School, I don't remember there being -- I'm trying to

think -- I don't remember there being any white students in the class or in the school. I just don't remember, but I suspect that there were some, but I just don't remember now. When I was in Whittier Elementary School it was integrated and I remember two of my teachers, when I was there, were white. And all through my middle school and high school years I was in an integrated setting. As time went on, there was quite a bit of what was called back then "white flight." And so the numbers of white students declined each year that I was in the school.

Mr. Granof: Now swimming was your first passion?

Judge Kennedy: Yes.

Mr. Granof: But ultimately you became interested in tennis?

Judge Kennedy: Yes.

Mr. Granof: And how did that happen?

Judge Kennedy: It kind of happened in two stages. One, there came a point in time when I really had reached my potential as a swimmer. I was a very good swimmer, but I started competing against kids who were being trained to be Olympic swimmers.

Mr. Granof: They swam during the wintertime? All the time?

Judge Kennedy: Oh, not only swam during the wintertime, they would swim twice a day during the wintertime. And I remember going to swim meets not doing so well, and my father, one time I remember he said, you know, "We need another sport." He actually said that. "We need another sport." Because I wasn't doing as well as I wanted to do, and I just wasn't able to train as

much as I would have to train to compete at that level. There was a time that I started, when I was in high school, that I actually, in order to try to train at a level that would permit me to compete against kids who were, as I said, training for the Olympics, I used to work out with the swim team at Howard University. And I always appreciated that. I'll always be very appreciative of the coach there. His name was Clarence Pendleton, whom my father had sought out. He actually let this -- I was back in Junior High, ninth and tenth grade -- this kid come and train with this college swim team. But I was not doing as well as I wanted to do, but one of the things that my father insisted upon when we moved from Southeast Washington, which was an apartment, to Northwest Washington, he insisted that we live near a park. He wanted his sons to be able to run around. Play sports. To have a healthy environment. So he insisted upon living close to a park. And the park that we lived close to was Takoma Park. At Takoma Park one of the main activities during the winter was Ping-Pong. And there came a point in time after school I'd go down to Takoma Park and we had a system there where basically two people would play, the winner stayed on and would take on all comers. And you kind of got into a line, and I just started playing and trying to win so I could continue to play. And I came to really like Ping-Pong. I mean I loved Ping-Pong. And I'll never forget this Christmas --

Mr. Granof:

Do you play today?

Judge Kennedy: No. I asked my father and mother for a Ping-Pong table for Christmas, and to make a long story short, I'll never forget this Christmas morning I came downstairs, hoping that Santa would have brought me a Ping-Pong table. You know, when you're a kid you don't have any judgment. Our house was not large enough for a Ping-Pong table, but there was this tennis racket and a can of balls under this Christmas tree, and I must tell you I was very, very disappointed. My father, and I'm sure I registered my disappointment, he said, "I know you asked for a Ping-Pong table, but this is a tennis racket and a tennis ball. And it's just like Ping-Pong, except that you play it outside and it's on a bigger table." And I was so disappointed. So disappointed with that, as a matter of fact, that I just picked up the racket and went down to the schoolyard -- it was in the dead of winter -- and just started smashing the ball against a backboard or the cement board. The ball came back and all of a sudden, hey, and I just started to like this. And that's how I got started.

Mr. Granof: And so you did this without any lessons?

Judge Kennedy: Just went down there, starting hitting the ball. And I'll tell you, you know, any kind of history of my life should reveal that all along the way I have come across people who have just befriended me and wanted to do what they could to help. So what happened, I'm just starting to play against the wall. Men would come by and see me. After a while, I would go down to the tennis courts. There are men playing. You know, they are avid tennis players. One says, "Hey, come on out here. I'll play with

you.” I’ll never forget one of those men, David Lipschutz, a wonderful tennis player. Very, very avid tennis player, and for some reason he just started playing with me. And I would watch him, and he would give me lessons. I mean he would tell me. He was a good player. I’d pick it up. And after a while I became very, very passionate, so I also started reading and watching, and that’s how I got started.

I do want to say, though, when I mentioned lessons, these men who were down at the tennis courts, when I say they gave me lessons, they weren’t paid lessons. They just gave me tips on how to play. And I really very much appreciated it. They were very good, and from that point on I have been very much involved in tennis and attribute to tennis just much of my enjoyment in life.

Mr. Granof: But I think just to say that you were interested in tennis and that you play it doesn’t really do it justice. You’re a pretty competitive tennis player and you’ve had some success, haven’t you?

Judge Kennedy: Yes. I’m very proud of the fact that my senior year Coolidge High School won the city championship. I was the captain of the team for two years. And actually there was a point in time when I thought about becoming a professional tennis player. Between my junior year in high school and my senior year I had the good fortune of being invited by a man whose name is R. Walter Johnson. R. Walter Johnson was the discoverer of Althea Gibson -- and was her mentor -- and Arthur Ashe. He was a physician, a Black physician who, himself, was a wonderful football player. As a

matter of fact, his nickname was Wizard Johnson. He went to Lincoln University up in Pennsylvania, became a successful physician and, for some reason, and I don't know this, but he became very, very interested in tennis. And he wanted to develop young Black players who'd be able to play in the best tennis competitions in the country. And what he would do is basically keep his eyes and ears open about Black tennis players, young Black tennis players, and he would offer a few of them -- the summer that I went down to his house -- the opportunity to come down to his house, which was in Lynchburg, Virginia. He lived in Lynchburg, Virginia, which was where he had his medical practice. And he had a tennis court in his backyard that he had built, and we had a tennis academy there. And it was one hell of an academy. While a couple of kids were able to stay at his house, other kids were housed in places around the City of Lynchburg. And what would happen is every morning, 7 o'clock in the morning, you had to be at the tennis court ready to play. That meant that you had to wake up very early in the morning and then run to the tennis court -- to his house. And that's what I did for an entire summer. And I can assure you I was in great shape.

Mr. Granof: I bet you were.

Judge Kennedy: I actually stayed with -- me and another guy who is a teaching pro now in Knoxville, Tennessee -- with his secretary. So for an entire summer, wake up about 4:30, 5:00 o'clock in the morning, and get something to eat, and run like hell to the tennis court because he would not -- the idea of being

late for one of those tennis sessions, I mean no one would every consider it. This man was stern in a way that I can't describe. He was serious of purpose. He, for whatever reason, had this desire to develop tennis players -- Black tennis players -- to compete with the best in the world, and, you know, if you did not have a similar type of ambition and spirit, this was not the place for you. And so I had that opportunity. And so the next year, I was really good. I got really good and I certainly beat everybody in this area and ended up defeating a fellow who was up and coming -- who was younger than me -- but my victory over him really raised eyebrows. His name was Harold Solomon. Harold Solomon played for the U.S. Davis Cup team for many years. I think his best performance was at the French Open where he lost in the semifinals to Adriano Panatta, a great Italian player. But I beat him in a summer tournament. And I, at the time, was thinking -- because at the time tennis was starting to break where you could start to make some money. Before then, everything was kind of under the table except for the touring pros.

Mr. Granof: The really big names?

Judge Kennedy: Yes, like Jack Kramer, and Rod Laver. They were like their own little business. And the rest of the people were "amateurs," and you couldn't make any money. And in order to be involved with Jack Kramer's business you would already had to have been a world-beater. So for a little while I thought, "Ah, maybe that's what I'd like to do." But my father said -- looked me dead in the eye -- he said, "Nope." You know, he

can't let me do that. "You really aren't good enough. You're not a good enough tennis player." And he was right. He was right. He was the kind of guy who -- I mean he --

Mr. Granof: Well certainly he had good judgment and common sense.

Judge Kennedy: Good judgment, good common sense. He said, "Nah, nah." He said, "You know, you can play tennis. I know you love tennis." But by that time I had gotten into Princeton University. I had gotten some tennis scholarships from other places, but I had gotten into Princeton University. And he said, "Nah, you go to Princeton University."

Mr. Granof: Were you ever tempted to play football?

Judge Kennedy: No. I mean I'm so small. You know my father always loved football. He had played it, but he never --

Mr. Granof: Never pushed you in that direction?

Judge Kennedy: Never pushed me at all. No.

Mr. Granof: But did you play tennis for Princeton?

Judge Kennedy: Yes. I played for Princeton.

Mr. Granof: And you were probably pretty good.

Judge Kennedy: I was pretty good, although I must say I didn't play in the upper ranks on the team. I was always struggling, actually, to make the team at Princeton. We had a fabulous tennis team. We won the Ivy League championships and we would compete against the best schools in the country in tennis -- UCLA. And, as good as I was, we had several people on the team who were better. And I was kind of always struggling, as a

matter of fact, to make the traveling squad. And you know it's really interesting. Because I guess, unlike some of those players who were just great players in college and that didn't continue playing competitive tennis, I always feel that perhaps I was never gratified and so I have continued to play.

Mr. Granof: Was that kind of a letdown for you? I mean, here you had beaten everybody around you in high school in the D.C. area. Then you get to Princeton and you find it's tough.

Judge Kennedy: Yes. Well, it was.

Mr. Granof: So it was, "My dad is really smart?"

Judge Kennedy: Oh, yes. Princeton did that. There was several ways in which that happened. I mean I had done very well in high school as well. Just academically, you know.

Mr. Granof: Well I was going to get to that. But just to finish tennis, now you have continued to play competitive tennis, and you have been fairly successful at it?

Judge Kennedy: Yes I have. I've been successful. I've never won a USTA national championship, but I got very close.

Mr. Granof: How close did you get.

Judge Kennedy: I got to the final four. I got to the semifinals of the U.S. Clay Court Championships two years ago, in 2005.

Mr. Granof: And is that in your age group?

Judge Kennedy: In the 55 age group.

Mr. Granof: So you really were one of the top four men's players in singles in amateurs in the United States.

Judge Kennedy: For my age group, yes. And last year I was ranked number 20 in the United States. I was really rising. I've had some success.

Mr. Granof: Why, more than some success.

Judge Kennedy: Yes.

Mr. Granof: I think a lot of people would say that for an amateur player, you've really reached the top ranks.

Judge Kennedy: Yes, and I must say I'm very proud. For many years Blacks were not able to play in tournaments sanctioned by the United States Lawn Tennis Association, now called the United States Tennis Association. And that broke down many, many years ago. But the Black tennis players developed their own organization. It's called the American Tennis Association. And I have won four American Tennis Association national championships, and I'm proud of that.

Mr. Granof: You should be.

Judge Kennedy: As a matter of fact, I just have to tell you that the last time my father saw me play tennis, he saw me win the ATA national championship. The same year I won it in two age groups. I won both the 50 age group and the 45 age group on successive days. One day I won the 45 national championship -- the ATA national championship -- and the next day I won the 50 national championship. And he was there, and he saw it. I was very, very pleased that he was.

Mr. Granof: He must have been pretty proud of you to do that.

Judge Kennedy: Yes.

Mr. Granof: So, when you were in high school not only did you have athletic success, but you had that combination. You must've been a good student to get into Princeton.

Judge Kennedy: I studied hard. Again, it was expected of me by both my parents. That was just the way that people in my family -- we just -- it just came, it was something you just didn't question. You did your best in school. You went to school each and every day, on time, dressed appropriately. You listened to your teachers, you didn't talk back, and you did your very, very best. People always ask me about whether, you know, my parents took any part in my homework. No. They never told me to do my homework because it was understood that I'd do my homework. And so, I guess I'm a person of average intelligence and I put that average intelligence to work and studied hard and, yes, I was fairly successful. I wasn't valedictorian though. I was number 14 in the class. It was a very large class though, 500. There were over 500 kids in my class.

Mr. Granof: That's pretty high up. So you clearly were above average, well above average.

Judge Kennedy: Yes.

Mr. Granof: But at that time, when you graduated from college was, I think, what, 1970?

Judge Kennedy: Yes.

Mr. Granof: So you were looking at in '64, '65, looking about where you would go to college.

Judge Kennedy: Yes.

Mr. Granof: And today it's much, much more common for African American students to be looking at schools like Princeton and for the Ivy League and all those elite schools to be receptive because they would want a diverse student body. But that wasn't true then. How did you decide, I mean, even think about going to a school like Princeton, particularly since you weren't from parents who were celebrities or wealthy? Your parents were ordinary working people. Interested in education, to be sure, with a talented son, but still.

Judge Kennedy: First of all, you're absolutely right. And the way I came to go to Princeton is as follows. I told you that tennis has always been special for me because it has played a kind of a crucial role or an important role in so many things that have happened to me. I mean, you know, serendipity; I use that word, but a lot of it just kind of surrounds tennis. I became interested and applied to Princeton because of a good friend of a member of the tennis team, who was my friend as well. That is, I had a friend who was on the tennis team. His friend, whose name was Harvey Freishtat, was two years older than me and Alan Green, my fellow tennis player. Harvey went to Coolidge High School, and Harvey was brilliant. Harvey was absolutely brilliant. Still is. He's a lawyer up in Boston. He goes off to Princeton. One day we were at Alan Green's house. Alan Green was

talking about going to Princeton. I was talking about other places. As a matter of fact, some schools had contacted me and, frankly, Princeton was the kind of place that, you know, that was not on my radar screen as a possibility. I was thinking about some of the historically Black colleges, some other places. And when Harvey Freishtat sensed that I wasn't even thinking about Princeton he said, "Henry, you should think about Princeton University." He said, "No, no. You really should." He said this: "Princeton University really is interested in having some bright Black students on campus." That's how I got interested.

Mr. Granof: And he was a couple of years ahead of you?

Judge Kennedy: Yes. He was at Princeton at that time. And he did come back, you know, it was during a break. I have been blessed with coming into contact with people who, for no reason other than driven by the impetus to bring out the best that is within us, decide to say something, do something that was very helpful. That's it. Harvey Freishtat put the bug in my ear that maybe, indeed, I could go to a place like Princeton. I ended up applying. I remember my parents certainly weren't all that confident because I ended up getting acceptance letters from at least one institution to which I didn't apply. My mother applied for me because she thought that these schools that I had applied to, you know, they were kind of out of our reach there.

Mr. Granof: Was Princeton the only school of that type that you applied to?

Judge Kennedy: Well, no. Actually I applied to several very good schools, but it was the only Ivy League school I applied to. A very good school, Hamilton College. Ohio Wesleyan University.

Mr. Granof: By the way, did you get into Hamilton College?

Judge Kennedy: Yes, I did get into Hamilton. Ohio Wesleyan University gave me a tennis scholarship. Gave me a full tennis scholarship. I didn't apply to Hampton Institute. My mother did. You know, Hampton Institute is an historically Black college.

Mr. Granof: How did you ever hear of Hamilton College?

Judge Kennedy: Well, I think during those periods of time places like Princeton, Hamilton, elite schools, had seen the light and had determined that it was just not acceptable to have these places that were well endowed, whose mission is to educate students, particularly students who are going to be leaders, not to have any Black students. And I think many universities kind of came to that conclusion at the same time. Now Princeton University, I can tell you, came to that conclusion clearly at the -- well, put it this way, it was the president of the university. A man by the name of Robert Goheen. He was the person who was the driving force to diversify Princeton's campus.

Mr. Granof: And it probably wasn't easy because, of the Ivy League schools, Princeton with its eating clubs had, I think, a southern flavor.

Judge Kennedy: Sure.

Mr. Granof: I don't know if that is true today

Judge Kennedy: No, it's not. But certainly back then, certainly the reputation was, you know, that this was certainly as far north, nobody was going to go up further north than New Jersey. But then it was about as far North as some of the sons of southern aristocrats were going to send their kids.

Mr. Granof: And so you applied, and you got in.

Judge Kennedy: And I got in. I'll never forget it. You know you get your acceptance letters in the springtime. I had gone to play a team. We had a wonderful coach. I'd love to mention his name. Mr. Hankins. White man, taught mathematics at Coolidge High School, and continued to teach there even when, as I just told you, more and more white kids and their families just kind of moved out of the neighborhood. But he stayed. And he loved tennis. And he made a point of getting us matches with the tony prep schools, including St. Albans and Mercersburg Academy. Mercersburg Academy is located in Pennsylvania. I'll never forget going up there playing this guy up in Mercersburg Academy. Mr. Hankins drove me to my house. He pulled up. My parents came out of the door, jumping up and down. I actually saw them jumping up and down waving something. And it was my acceptance letter from Princeton University.

Mr. Granof: So they must have been really excited.

Judge Kennedy: Oh, they were very excited.

Mr. Granof: And you were too. How many kids from Coolidge went to Princeton?

Judge Kennedy: That year?

Mr. Granof: That year. One?

Judge Kennedy: Yes, just one.

[This concludes Interview No. 1]