

Oral History Collection

Robert Thomas

Interviewer: W. Marvin Dulaney and Alfred L. Roberts

Date: September 16, 2011

Place of Interview: Dallas, TX

Dr. Dulaney: --red light, right?

Dr. Thomas: I do.

Dr. Dulaney: Yes, okay. That means we're recording.

Dr. Thomas: Good.

Dr. Dulaney: Attorney Robert Thomas, we are doing a project  
called Documenting the History of the Civil  
Rights Movement--

Dr. Thomas: Good.

Dr. Dulaney: --in Dallas County, Texas, so we're doing a  
series of interviews with some of the people  
who participated in various aspects of the  
movement. In fact, I forgot to clap. [Claps]  
We're clapping to synchronize the audio with  
the video, and also we are in Dallas, Texas at

the African American Museum, and this is September 16, 2011. So, as I was saying, we're interviewing a whole host of people about their roles and participation in the Civil Rights Movement here in Dallas County, Texas. We're very happy that we could interview you because of your participation--

Thomas: Thank you.

Dulaney: --in a forty-year court case in an effort to desegregate the Dallas Independent School District. Let me start by asking you--where were you born? When did you come to Dallas?

Thomas: I was born in Dallas. I was born here a lot of years ago. My parents were associated with SMU [Southern Methodist University] and I grew right adjacent to the campus of SMU. Both my parents attended SMU, and I have not strayed very far from my area of birth. Although, I served in the Navy for a few years and got to go around the year, but I am a Dallas native, and pretty much remember the history of Dallas.

Dulaney: Tell us a little bit about your parents.

Thomas: My father was a lawyer, and his father was a lawyer, so I got into a rut there, and my son is a lawyer. We did get in a bit of a rut there. My grandfather, whose name was Robert, for whom I was named, my grandfather was the first president of Southern Methodist University, which was founded about 1915, opened at 1915 and my mother attended SMU. My father was in the first class of SMU, and the two of them married, and I never fell far from the SMU tree.

Dulaney: What did you mother do?

Thomas: She was a housewife, although she was also a librarian. There weren't many opportunities for women when she graduated from college, so her father sent her up East to a library school, and after two years--I think it was the Simmons Library School. She came back to SMU and was a librarian at SMU. Then, after she began to have children and--my sister and I, and she was a librarian at our church. So, her professional training was librarian, but for the latter part of her life, she was more

of a mother, grandmother, and volunteer librarian at the church.

Dulaney: Tell us about your education from grade through school though--

Thomas: I grew up in University Park, and went to Highland Park High School, and then directly from Highland Park High School to SMU. There were a lot of people that did that that time--the Highland Park kids gravitated toward SMU, and I was one of those that did, and spent four years at SMU. Then the Korean War was going on, and I had the opportunity to accept a commission in the United States Navy, and I spent two years overseas, actually in the Korean area on an aircraft carrier. Then, I came back to SMU, finished law school, and became an attorney in 1957. I married that year, too.

Dulaney: Tell us about your wife.

Thomas: She is from McKinney, Texas. Her family was in the produce business. Her older sisters and her older brother attended SMU, and she naturally attended SMU. I found her after I returned from the Korean War, found her on campus, and

married her about the same time that I graduated from law school.

Dulaney: How did you meet her?

Thomas: Actually, she was on the student council, representing the undergraduate school, and I got elected to the student council, representing the law school. So, we served on the city council--on the student council, and met each other at a retreat, and began dating. One thing led to another.

Dulaney: Why did you choose to go to SMU law school?

Thomas: Well, I did want to go to law school, always wanted to go to law school, and it was just up the road. I also attended undergraduate school of SMU, and I had a lot of friends, and it was just a natural step to go from SMU undergraduate school to the SMU law school.

Dulaney: What did you do after you finished law school?

Thomas: Went to work for my father. He was a lawyer--very small firm. Went to work with him and had a good opportunity to learn from a guy that knew what he was doing. His small firm kind of gave me the opportunity to do everything--they pushed it my way. First day I was there, they

handed me an estate and told me to file the federal estate tax return. I wasn't an expert in taxation, I knew a little bit about it, and so I did that. One thing to another, I was trying lawsuits and trying contracts and handling divorces, anything that came down the road. Then later, I was approached by some of my friends who were with the firm Strasburger & Price--they did a lot of business of litigation and insurance defense, and they asked if I'd like to go with the Strasburger firm, and I said "let me think about it." I talked to my father, and he said "Yeah." He joked, he said, "It's about time you found a job on your own," and I did. I moved, after about three-and-a-half years, I moved over to Strasburger & Price, which was a large firm doing insurance defense, but I was kind of assigned to be the guy that did everything else, including real estate, and probate, and just anything else that came down the pipe--miscellaneous, and I think that's how I kind of got the opportunity to work on the desegregation case. Nobody else knew anything

about it, so they just said, "Well, Bob, you just get in there and find out about it."

Dulaney: Mhm. So, what would you say would be, or was, or is, your specialty? Given you were doing anything.

Thomas: I'm a general practitioner, how's that?

Dulaney: Like a Doctor.

Thomas: That's right. Exactly.

Dulaney: How did you get involved in the desegregation case?

Thomas: Well, it was kind of a punishment for other sins. I had been elected president of the Dallas Bar Association, and you first serve president elect--I was vice-president, then president elect, then president, then past president. During that time, we bought an old funeral home on Ross Avenue, which is today known as the Belo Mansion, we bought that. It was our headquarters, and I spent a lot of time as the officer of the Bar Association, working on rebuying--you know, working on buying and remodeling the Belo Mansion. Then, after we got the Belo Mansion opened as the headquarters for the Dallas Bar, one of the senior partners took me to lunch one day and

said "Now, Bob, you've spent a lot of your time in the last four years doing nonproductive work, least as far as buildable hours are concerned. We'd like you to put some hours on the books," and I said "Anything that comes along. Anything, you name it, I'll take it. I want to get back to practicing law more. So, if you need me on anything, I'm open to it." Well, that's how I got involved with--the lawyer representing the Dallas School District had a heart attack in 1980. Someone called the law firm, said--one of my partners said, "That was Mr. Martin." Called Mr. Martin, he said, "We want you to be the general council for DISD in this school desegregation case," and he said, "Well, no, well-- "and, you know, the other guy had a heart attack, so he said, "No, I've got a young guy that has volunteered to do most anything. So I'd like to assign Robert Thomas to this case." So that's--from then on, I was the lawyer for the Dallas school district.



Dulaney: Let's get back, before we get to the school

desegregation case--I read an article where  
you opposed lawyers advertising.

Thomas: Oh, well. That was just scandalous--to have lawyers  
advertise. The decision was made, handed down  
by the Supreme Court, and I was probably  
president elect of the Bar Association, and  
the president was out of town, so they called  
me and they said, "What do you think about  
this decision about lawyers advertising?" I  
said, "I think it's terrible, it's  
unprofessional, it's not proper. It confuses  
the public, and I--it's frank the decision was  
made by the Supreme Court of the United States  
by a vote of five to four. It may not stand  
up, they may change their mind, and it may not  
go anywhere." Well, boy was I wrong.  
Advertising is here. Pick up the telephone  
directory, and you know lawyer advertising is  
here today. That was a bad prediction on my  
part.

Dulaney: Why did you oppose it?

Thomas: Oh, it was unprofessional. Lawyers shouldn't  
advertise, they should get the word out that

they're hardworking and industrious and know what they're doing. But, in a community as large as we now have in Dallas, and other big cities, a person can't know all the lawyers, or other specialties, or other abilities or background. So, it's certainly a change that is evolved.

Dulaney: Okay. When you took--when you became the attorney for the district--

Thomas: Yes.

Dulaney: Where did the case stand at that point?

Thomas: This was in about 1981, I would say--or 1980. There had been several cases filed since 1954. Of course, *Brown vs. Board of Topeka Kansas*, was handed down in 1954, and the Supreme Court said to desegregate the schools by all deliberate speed. Very little happened. All deliberate speed meant very slowly. Several cases were filed and later dismissed, but in 1971, Mr. Ed Cloutman, a very bright young idealist lawyer, who became my best friend, filed the Tasby suit on behalf of Sam Tasby, whose son Eddie Mitchell Tasby was not allowed to go to a nearby school, so they filed the

*Tasby vs. Estes*. It floundered around in Judge Mike Taylor's court, and he didn't know what to do with it. It was not a--at that time, desegregation was not a very popular subject. He didn't want to force it to happen--handed down some opinions, and it would be handed up, go up on appeal, and come back to court. By the time I came along in 1980, the case had already been around for ten years, but nothing had really been decided. So, the fifth circuit in New Orleans had sent the case back to Judge Mike Taylor for further proceedings to do something about real desegregation, and that's about the time--about that time, the previous attorney for the school district had a heart attack and his doctor says, "This is too much of a strain on you, you better get out." So, he notified the school district, that he couldn't be involved in the case anymore. That's when they called Mr. Martin, and maybe he was afraid of having a heart attack too, he said, "Well, I've got a young boy named Bob Thomas, he'll take care--he'll take the

sword." My wife worried a little bit about that for me. I said, "Honey, I'm cool."

Dulaney: The plaintiff's attorney wanted to get rid of Judge Taylor. How did you feel about that?

Thomas: Well, you know, it was not always that they wanted to get rid of him. There was one thing that Judge Taylor had in his background--well there may have been more than that. One thing about Judge Taylor was that he attended the Highland Park schools, so when the issue came along on whether to merge the Highland Park Schools into the Dallas case--that had to be decided by Judge Taylor. There were cases out of other parts of the country--Detroit cases, I believe, that said you cannot necessarily merge school districts who object unless they have substantially contributed to segregation in the other district. I didn't represent Highland Park, another law firm represented Highland Park, and they produced ample testimony, apparently, that the policies of Highland Park School District did not contribute to segregation--materially to segregation in the Dallas schools. So, for

that reason, Judge Taylor ruled that the Dallas school district would not take over the Highland Park schools, and that opinion went up on appeal to the fifth circuit, and they affirmed Judge Taylor's ruling. That was still a--a thorn in the flesh for the people that were urging desegregation to include Highland Park.

Dulaney: So basically, they felt that since he went to Highland Park schools, that's why he made that decision.

Thomas: Well, he was well respected. You know, judges don't like to overrule each other. That's kind of a--that's a slap on the hand. Judge Taylor was widely recognized as a good judge, an honest judge. Just like Barefoot Sanders was, after he came along. The appellate court judges knew these men, and the presumption may not be apparent, but it--the courts do not like to overrule. Appellate courts do not like to overrule a trial judge, who is living in the community, who heard the case, who saw the witnesses--they don't see the witnesses, all

they do is read testimonies. So, that opinion was upheld by the fifth circuit.

Dulaney: Was bussing still on the table when you took over the case?

Thomas: It was being talked about, but the bussing case--the first bussing case was out of Charlotte--Mecklenburg, North Carolina, when the court started bussing. That was the time--about the time Mr. Cloutman came into the case. He looked at what was happening in North Carolina, and they had county wide bussing, so that's what he pushed for, but Judge Taylor, my predecessor, argued very strongly against bussing. Said we don't need bussing in Dallas, and they made a ruling that the Oak Cliff area, which is everything on the other side of the Trinity River--the Oak Cliff area was naturally desegregated at that time, and it wasn't needed in naturally desegregated areas. There might be some necessity for bussing, but Judge Taylor though--I think the ruling by Judge Taylor was it would take too much time, and too much distance. When that went up on appeal, the fifth circuit said, "Well, now. We

didn't see any testimony about how much time and how much distance was involved." The first thing we did after I got in the case--oh, the fifth circuit sent back to Dallas and said, "Well, we've got to have some testimony as to time and distance," and I'd forgotten about this until you mentioned it, but the first thing we did was to run time and distance studies. We hired Dallas busses to run the routes and have what the time is and the distance is and so forth, and even though Judge Taylor had first said that too much time is going to be wasted, and too much distance, he decided he--he would say, "Well, let's try some bussing." So, that's when we began doing the bussing.

Dulaney: I think I told you that we did an interview with Mr. Cloutman and he talked about the--your predecessor, and you, was like night and day.

Thomas: [Laughs]

Dulaney: Go ahead.

Thomas: He did have a heart attack. His doctor told him, "You're putting too much--this is too much of a stress on you." When I went to interview him

before I took over, I said, "I'm gonna take you place. Your doctor said to get out of this. And so, I'm the guy that's apparently gonna take your place." He says, "Well, let me give you this advice. Fight, fight, fight, every step of the way." [Pounds desk].

Dulaney: Yes. Yes. In fact, that's what Mr. Cloutman said that he--which he wasn't willing to negotiate whereas you were. Why? Why the big difference here?

Thomas: [Laughs] Two or three things, I think. One is that Mr. Cloutman had very correctly sued the superintendent and all nine members of the school board. Everybody was a defendant in the lawsuit, so here I was representing nine school board members and the superintendent and I had to kind of take my marching orders from my clients. Well, they didn't agree on everything, but my main--my main boss was the superintendent, and at that time, we--a man named Linus Wright came to Dallas from Houston and was the superintendent. So, Nolan Estes was the superintendent, but the other guy I worked for--he was opposing desegregation, but



Linus Wright had come from Houston and when I went out to meet my predecessor and he told me, "Fight, fight, fight," I went to the nearest payphone and called Mr. Wright and I said, "I need to talk to you. I don't think this is the right course." And he said, "Please, come on over," and we had about an hour conversation, and we decided--"Fight, fight, fight is over. Let's face it, this is going to happen, and it needs to be done peacefully and it needs to be done efficiently and it needs to be done in a way that the citizens of Dallas will support it and not boycott the schools and where I represent not only you, superintendent, but all these other board members." I was hired by a vote of five to four, I think. Now, that's not a grand slam endorsement of me, but it was my--the four that voted against me were--maybe it was six to three, something like that. But, I had to represent them. How do you represent people if you're arguing against them? So, I had to express their side of the argument at the same time I was representing people that were very

much opposed to desegregation, and there weren't many of them, but there were a few along the way. I represented a lot of guys who I disagreed with, but there were some that really just didn't--desegregation never--I'm not going to name any names, but it was--

Dulaney: Well, give me a figure. Give me a figure. How many of the board members were for and how many were against, in your estimation.

Thomas: Well, there were always three. At least three and, the three were already board members, and one liberal Anglo board member who were for desegregation.

Dulaney: Okay. So, you're basically saying that there were five or four against desegregation. Plus the superintendent?

Thomas: He was for it, because he realized that to continue to fight was destructive.

Dulaney: So, what did he tell you to do? As the attorney representing--

Thomas: Be reasonable.

Dulaney: Okay. He didn't offer any solutions and things that would--

Thomas: No. Well, as time went on--

Dulaney: That you should take into the court?

Thomas: As time went on, we came up with a number of things.

Our problem was--bussing is very difficult. It takes a lot of time and a lot of expense and the interesting thing was that a lot of the minority parents were beginning to think, "This is not the solution to getting our children a good education." That's when we did come up with some alternative solutions. Judge Sanders, by this time--Judge Sanders was in the case. He came in right after I did, after Judge Taylor retired for ill health, and he died a year after he retired. We came up with--I think this was Linus Wright, came up with the idea for what we called Learning Centers. As an alternative to crosstown bussing, how about building some great schools in the neighborhoods so the kids are not bussed out of their neighborhoods but they are given enhanced academic programs in their own neighborhoods. We tried some of that first in West Dallas, and we had West Dallas Learning Centers. Mr. Cloutman pretty much agreed with that. The attorney for the NAACP didn't agree

with that. He appealed it to the fifth circuit, but the fifth circuit opinion said, "Well, this is an experiment, let's try it and we are favorably impressed that Mr. Cloutman thinks it should be tried." The guy with the hardline sometimes loses, and the guy with the hardline said, "No, nothing but bussing." The fifth circuit said, "Well, the fact that Mr. Cloutman thinks this might work impresses us, so we're going to allow that." So, with that kind of endorsement by the fifth circuit in New Orleans, we went ahead with the West Dallas Learning Centers, and then we began to establish Learning Centers in South Dallas where the majority of the African American population lived. We established Learning Centers with fewer teachers--fewer students in the class, higher teacher to student ratio, more teachers, more early hours. Come an open school an hour earlier and stay late. Well, kids didn't like that, but it was sure a good way to make them learn a little more, and we had to pay more to get the teachers to stay there, but it was a way of spending a bit more

money and getting a little bit better education. Now, some people said, "Well, you can't spend more money in one part of the town than you do in the other." Well, you know, maybe you can, why not? Why not? If you're looking at remedies for the effects of desegregation--the effects of segregation, why not spend more money trying to cure the evil of desegregation. That took on the name of programmatic remedies. More programs for the minority who have been going to substandard school buildings, and substandard books--they weren't second-hand books that got passed down, they got new books. These were the type of things that really caught the eye, I think, of the people of Dallas. Both Black--African American, Hispanics, and whites. You know, this makes sense. During this time, interestingly, the people of Dallas supported the Dallas public schools. The city fathers supported what we were doing. There were no protests, and the most important way to measure that is that every time we had a bond issue, and we wanted to build some more

schools, or improve some more schools, we carried every single vote. We had newspaper endorsement, city fathers endorsement, "Everybody get out to vote, and vote yes." No protest vote, ever. The biggest bond vote we ever had was to build Townview [Townview Magnet High School] and that passed by a high majority because the people of Dallas said, "We're going to do this" and I think that's due to the good leadership of members of our--superintendents, city fathers, and a reasonable lawyer representing the school district.

Dulaney: Yes. Yes. Let's go back to that--spending more money on minority students. There was a proposal to, I guess, give \$50 more per minority student--I want to say this is in 1982, and they--one of the board members said you were a traitor to the cause because she wanted to support that \$50 more per minority student at the school district--in the school district. Why didn't you go along with it? I think they felt you--

Thomas: I can't recall!

Dulaney: You don't remember that?

Thomas: I don't recall. You've been reading up on me.

Dulaney: [Laughs]

Thomas: 1982. Well, I was the guy on watch.

Dulaney: Yes, there was a proposal that you went along with just as you said earlier about spending more on minority students, and all they were asking for was \$50 more per student.

Thomas: They didn't pay them in \$50 bills?

Dulaney: No, no. They would give the schools an additional \$50 more per student.

Thomas: Well, that's alright. If you need more money in the Billy Dade School [Billy Earl Dade Middle School]--if the Dade school needs more money, how much more? Well, let's see, they've got three hundred students, give them \$50. Then, another school that's a lot larger, well how much do they need? Just as a rule of thumb, \$50. Maybe that's coming back to me. The way you fairly allocate this bonus money, maybe that's what we did.

Dulaney: Well, recall that you were called a traitor, by a board member, to the cause.

Thomas: Well, I'm not surprised. I was called a lot of things. One lady said to me one time, "Bob, have you ever thought about retiring or resigning?" I said, "No, ma'am, not until-". Number one, the judge would not have allowed it.

Dulaney: Okay,

Thomas: I told Judge Sanders, this is skipping ahead, I told Judge Sanders that I was going to have to get out of the case at the end of 1999, beginning of 2000. He says, "Why?" I said, "Well, my law firm says you're supposed to retired when you're sixty-nine, and I'm going to be turning sixty-nine." He says, "Well, listen. I'm not going to break in a new lawyer for the school district. You're the lawyer for the school district." I said, "Well, judge, my law firm says I have to retire when I turn sixty-nine." He quipped back to me, "You know, I'm a federal judge. A federal judge can overrule state law. If I can overrule state law, I can certainly overrule your law firm's partnership agreement. It is hereby overruled, and you're staying in this case." So, sure enough, I did.



I really kind of wanted to stay in, anyways. The truth about it is, we were so--I thought we could see the finish line. It really turned out to be further away than I thought. We had gotten to the point where even Judge Sanders had gotten to the point of saying, "Bussing doesn't do much good." The programmatic remedies, the enhanced programs in the local schools where the parents are, in the neighborhood, in the church, in everything, is probably a better way to improve learning in these schools. He was--we were kind of up on that page.

Dulaney: How long were you with this case? I know, but for the record?

Thomas: Well, I believe it started--I became involved in it in February of 2000--1981? Is that right?

Dulaney: Yes.

Thomas: February of 1981. I was there until Judge Sanders dismissed the case in July of 2003.

Dulaney: Okay.

Thomas: Is that twenty-two years and three months?

Dulaney: It actually says you were involved with it for twenty-three years.

Thomas: Well, twenty-three years and three months. Okay.

Dulaney: Yes. I asked that question just to ask a follow-up, then. How did this case affect your practice and other things you were supposed to be doing as an attorney?

Thomas: I was doing other things. It probably took a third of my time. I was still trying other cases. I was trying probate, doing wills, and trust, and contracts, and everything else. I could count on having a meeting in Judge Sanders' office at least once a month, where Judge Sanders would cross examine Mr. Cloutman. "Well, Mr. Cloutman, what are you suggesting now?" and "Mr. Thomas, what do you say to that?" "Well, I'm going to have to talk to my superintendent." "Well, get him up here. Call him up, get him over here." We could count on at least one meeting a month, but it took about, just roughly, about a third of my time. It was an experience that I now treasure. It's kind of like when you're in the service--you don't want to be there at the time when they're shooting at you, but after the shooting is over and you've gotten out, and

you're back home, "Well, gosh, I'm sure glad I did that."

Dulaney: [Laughs] That's a heck of metaphor for this case.

They be shooting at you.

Thomas: Well, I got to know Dallas. I've been in every school in Dallas, and I've gone to school board meetings. The school board had a policy of moving their meetings to every--to schools, mostly high schools. I would go to school board meetings all over Dallas. I got to know a lot of places in Dallas that I didn't know before, and it was not just as University Park boy, sitting around next door to SMU. I learned Dallas. It was fun.

Dulaney: Given all that you were attempting to do, improving education for minority students, and then improving the schools, why did the case continue to go on? How come the judge couldn't rule resolve at some point? I know the answer to that, too, but for the record, here.

Thomas: Well, he did rule, in about 1993, that the desegregation, as far as location, had been done to the best possible--as well as can be reasonably expected. But, he got to the point

that he said, "Well, you know. What desegregation is for is to improve learning. Why don't we just make that our next goal? Make everybody learn better?" Now, that calls into question, "How do you make Hispanics learn better without having Hispanic teachers?" and how to have them having Hispanic teachers without re-segregating them? Uh-oh. But, you've got to make them learn better. There aren't enough African American teachers that know Spanish well enough to teach it, to bilingual education. That's another buzz word that was coming on about this time. Judge Sanders just said, "We've got to improve everyone's learning abilities." Who is going to argue with Judge Sanders? So, everybody kind of went along with it. It was a challenge to the school board, for the leadership, for the superintendent, and everybody wanted to improve educational experience for everyone. That's why it went on for another ten years after he had ruled that we were not desegregated. Now, we need to keep working on the next step of desegregation,

which is improving learning. He set his new goal, and who can say it was wrong?

Dulaney: Now, you served under as an attorney for four superintendents?

Thomas: Linus Wright first. Then he left, and we had an African American superintendent, who came from Illinois. Then we had a vacancy. Otto Fridia became our superintendent. Wonderful, wonderful guy. Marvin Edwards was the one that came from Illinois. He got down here and he spent about a year, and he said, "This is the most segregated place I've ever been in. Back in Illinois, it works easily." One of the things he didn't know about was the Hispanic population. Dallas is one of the first cities that had to go through a tri-racial desegregation because we had African Americans and Hispanics, and Anglos. So, it was a little bit different problem here. Martin Edwards says, "I don't know anything about that. I came down here, but I didn't want to get involved in this fight, I'm going back to Illinois." Otto Fridia became our superintendent, and we had a guy from San

Francisco we hired, and he didn't even live in Dallas and commute, he went back home to San Francisco on weekends. We had a lot of crazy things happen. One of the best things that happened was Mike Moses, who had been the state director of education for the state of Texas, decided, "You know what, I might like to go to Dallas and take over an individual school district, and maybe I can help Dallas." I think his--and he was good. I think Judge Sanders had a lot of respect for Mike Moses, and it was he--you know, when a judge dismisses a case, he know he's, in effect, turning it over to the superintendent and the board, and we happened to have a good board at that time, and a good superintendent. So, in 2003, he gave the decision to terminate the case and dismiss it, and I think he was tired, also.

Dulaney: Judge Sanders?

Thomas: Yes. He passed away not too many years after that.

Dulaney: Yes, I saw his obituary. Actually, he had granted, or declared, or ruled, in 1994 that the schools were desegregated.

Thomas: Yes, but he kept it for ten more years.

Dulaney: Yes, and he kept it for ten more years. Did you agree with his ruling in 1994 that the schools were "desegregated and unitary"?

Thomas: Yes, but he did say "However, we have some problems that we'd like to correct, and I'll retain jurisdiction for three years or so." Didn't limit to thirty-six months, said, "Three years or so, maybe the school district can wrap these things up." That three years kind of dragged on for--very slowly until finally another ten--that three somehow became ten years before he finally said, "I think we've done all we can do."

Dulaney: In your opinion, and I'm asking real broadly, who won the case?

Thomas: [Laughs]

Dulaney: I'm going to back up and say, were there winners and losers in the case?

Thomas: Dallas won the case. Dallas won the case. To pretend that it was wrong is absurd. To pretend that it was easy was absurd. It was hard, and it had to be done with a deft hand and I think my friend, Mr. Cloutman, knew that and I knew it

and we just--and most of our superintendents and board members knew it, and city fathers. I think Dallas is a far better city having crossed that bridge, for heaven's sake, and gotten rid of the idea of segregation in the schools. Of course, a lot of other things have happened since that time. For example, open housing was passed by the federal government. You know, how do you have segregation with mandatory open housing? You see them on television all the time. If you feel like your housing has been affected by discrimination, call the Office of Civil Rights. They became a very active organization, set up by the federal government to improve desegregation, and it has been very effective.

Dulaney: How did your colleagues, as well as others in the community, treat you knowing that you were--

Thomas: They felt sorry for me, of course.

Dulaney: [Laughs].

Thomas: No, but I'll tell you. A lot of people were interested in it, and I would get stopped on the street and people would say, "Say, did I read in the paper that you guys were doing



such and such? \$50 per student? Why, that's unconstitutional." Well, maybe you just misread it. So, I'm afraid I got branded with the blame, but on the other hand it has completed, and nobody has boycotted me. I'm still reasonably respected around town.

Dulaney: Well, like I said, named "Trial Lawyer of the Year" in 2007 by the Dallas Bar Association. So, they recognize your contribution for all that you've done.

Thomas: It was a very interesting experience and I wouldn't trade it for anything.

Dulaney: I'm going to pass questioning to Dr. Roberts, and I hope I will have some more.

Thomas: We got to get through!

Dulaney: This lets me gather my thoughts to make sure I've covered everything.

Thomas: Go ahead. I love Dr. Roberts. He'll treat me fairly.

Roberts: One of the things that made the rounds and turns of the rule was that Dr. [unclear] was brought in to dismantle East Oak Cliff--the East Oak Cliff school district. Were you part of the case--I guess you had to be, when the

dismantling of East Oak Cliff occurred. What, perhaps, precipitated that?

Thomas: I don't know. I don't recall that being the situation. I recall that Judge Taylor had ruled that--he thought Oak Cliff was pretty much desegregated naturally. Integrated. The difference between integration and desegregation is integration is voluntary and it kind of happens. I don't have that recollection that he was brought in for that. I think that Nolan Estes, who had been the superintendent before Wright--Nolan Estes got a promotion to someplace else, and they hired Dr. Wright who was an assistant superintendent in Houston. I didn't realize it was any more complicated than finding a good man to take over a hard job.

Roberts: Dr. Ewell happened to be on that staff before the desegregation case ended. There were a lot of innovated programs, a lot of programmatic remedies were developed in the East Oak Cliff School District. I think that was kind of the community perception--

Thomas: Oh, that's right. That was Dr. Ewell's district, wasn't it? She was the board member from East Oak Cliff.

Roberts: That was later, but she was the--I want to say the Deputy Superintendent, or something like that. Follow-up question--the district is now, according to one of our interviewees, Rene Martinez, noted that the statistics, demographics, is supposedly about 70% Hispanic now.

Thomas: I think that might be so.

Roberts: And 23% African American. Now, in those days, I know it's a ratio of forty--

Thomas: 40-40-20. It was the enrollment. 20% Hispanic, or even--It wasn't even that much when we started out. It was more like 45-45-10. By the time we ended, it was about 45-45-10, except ten were Anglo. The Anglo went way down, and Hispanic went way up.

Roberts: I guess that that's a subpart of my question. Do you--did you all envision that the demographics might shift as they have at this point? Was that ever--

Thomas: It was hoped that that would not happen. But, realistically, where you have a school district that is surrounded by other school districts, that can--people can vote with their feet, and leave the Dallas ISD. A lot of people did. There was white flight, there's no doubt about it. To Richardson, Plano, and Plano's a huge city today. Richardson School District is large, and Highland Park School District isn't larger than it was, geographically or student class, I guess. There was a lot of white flight, due to the uncertainty. A lot of it was what was going to happen. There were a lot of people that left. A lot of Anglos left the Dallas school district.

Dulaney: Can I follow a question on that issue? Did that change how you pursued the case? You know, the changing demographics of the school district?

Thomas: You know, there's a--everyone recognizes that there is such a thing as white flight, but you can't do anything about it. You have to be sensitive to it, but you can't stop it. If your goal is to desegregate, how can you say, "Oh, we're

not going to desegregate because that offend some white people. They would leave." It's always a cloud up there, and you never know when it's going to rain on you. You have to look at that going on while you're at the same time, you're moving farther into desegregation. Now, the most successful desegregation situation is Woodrow Wilson High School, which has four--unusual geographic conditions maintained, pretty much, a population of one-third Hispanic, one-third African American, and one-third white. It's an interesting school. It's a model school, if only all of them could be that way. The other success story in Townview, and Magnet schools all over. I've heard it said that one of the great inventions of desegregation is Magnet schools, where you create schools that are attractive to kids. They're so attractive to kids, that they'll ride a bus, and leave a neighborhood and their friends, and go to another school because of what is the character of the new school. So, when we built Townview Comprehensive Magnate, with six sub-

magnets in there. We filled it up quickly. All the talented and gifted magnet. Travis High School [William B. Travis Academy], I believe it is, was always full, and there were lots of Magnet schools that were attractive to kids that would want to move into desegregated school, or an integrated school, and learn something different. It's one of the great inventions of desegregation, was Magnet schools.

Dulaney: Yes, okay.

Roberts: Of the minority board members at that time, I know it changed from Thomas Jones to Hollis Brashear, then I'm not sure about the Hispanic seat.

Thomas: Well, there was the Medranos, then there was Rene Castilla, and I remember the chain, but I don't think--did Hollis Brashear succeed Thomas Jones?

Roberts: I'm not sure.

Thomas: I'm not sure.

Roberts: He was on the board when the case ended.

Thomas: Yes, he was. He was a--I think, of all the board members, he was one of my favorites.

Roberts: That was one of my questions.

Thomas: He was one of my favorites. He was a man--skilled, and judgment, and he was a retired army colonel. He had--he wore a little lapel pin to indicate that he had a Bronze Star. He'd been in the navy during World War II, and he had a Bronze Star. I knew--I went up to Brashear one time, and said, "Is that a Bronze Star?" and he said, "Yeah, how did you know?" and I said, "Well, my dad had a Bronze Star. That's a great achievement, Mr. Brashear." He was a--he had spent many, many years in the service, which was a [unclear] and I think it made him a very qualified board member, and one that I have the highest respect for.

Roberts: Thank you.

Dulaney: [Unclear], did you have a question?

Thomas: Oh my goodness.

Dulaney: Last question then. Then I'll just tell you some things that we're going to do then. Since you spent so much time on this case, did you get calls from other parts of the country to do consulting and give advice?

Thomas: I did.

Dulaney: How much did that participating--

Thomas: I had several calls. Wichita Falls district actually hired me to be a number two lawyer. Their lawyer lived in Wichita Falls and he knew what needed to be done, but he didn't have the nerve to do it. He said, "I need to hide behind somebody who doesn't live in Wichita Falls." So, I was brought into the case as a consultant in that. Traveled to Wichita Falls for a lot of court hearings and board meetings, and was kind of a visiting dignitary for an expert. An expert guy from out of town. I was the expert in Wichita Falls, and that was interesting because it was an entirely different situation and here we were trying to integrate Wichita Falls, we had nine board members and one African American. Mr. Walker, as I recall, was the only--and there were no Hispanics at all. And, gee, here's this Anglo boy trying to--local boy, saying, and "We got to integrate these schools." He was getting a lot of pressure from the public, but we worked on it, and did a pretty good job. When they



had an air force base--just North of Wichita Falls is--was it Sheppard Air Force Base?

Roberts: Yes.

Thomas: So, they had to--a lot of people came in from there.

So, they had a lot more racial mixture in the schools than they did in the board, with one African American. He needed some cover and I was his cover.

Dulaney: You can be blamed at--the big city lawyer came--

Thomas: Exactly. Told us we had to do this.

Dulaney: Yes. That's pretty good. Any other cases like that?

Was Wichita Falls the only one?

Thomas: I had some up in West Texas, I had gotten some phone calls, but there's no place like Dallas. We had more problems than anybody, and the reason is just historically. Freeways going through, we're just South of Interstate-30 or Highway-80, which divided the North and the South. Not everyone has a great big freeway like that running through town.

[Unknown]: I do have one question.

Thomas: Yes?

[Unknown]: Along with what you know now, would you do anything different than the way you did it?

Dulaney: Good question.

Thomas: When my boss said, "We got to put you to work." I said, "I'll work on anything, so long as I don't have to do it for more than ten years." No, in all honesty, it was a great experience. I didn't want to go to the navy, but I did get drafted into the navy, but--I wanted to get out, and go to law school, and that happened, but I'm sure glad I went to the navy. I'm glad I handled--part of the participation, and desegregation in the Dallas schools.

Dulaney: Okay. We're going to stop right here. I want to thank you. We're going to send you--we're going to have you do a release form so we can use this and we're going to produce a DVD.

Thomas: All right, good. You still have the red light on.

Dulaney: I know.

Thomas: Should I misbehave?

Dulaney: I'll stop--

[End of Interview]