

RUTGERS, THE STATE UNIVERSITY OF NEW JERSEY  
NEW BRUNSWICK

AN INTERVIEW WITH DIANE CROTHERS  
FOR THE  
RUTGERS ORAL HISTORY ARCHIVES

INTERVIEW CONDUCTED BY  
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TRANSCRIPT BY  
RUTGERS ORAL HISTORY ARCHIVES

Kathryn Tracy Rizzi: This begins an oral history interview with Diane Crothers, on March 4, 2022. I am Kate Rizzi, and I am in Branchburg, New Jersey. Diane, thank you so much for doing this fifth oral history session with me.

Diane Crothers: Thank you, Kate, for your unending interest in all this stuff and your support and your intellectuality. I really appreciate the depth of your interest.

KR: Thank you.

DC: I'm in Brooklyn.

KR: Okay, great, thank you. You were at Rutgers Law School from 1971 to 1974, and this was a time that the Rutgers-Newark School of Law was undergoing some pretty major demographic changes in terms of the student body. There were growing numbers of women, growing numbers of people of color. How do you think the curriculum was changing during your time at Rutgers Law School, and how was the shift in the student body bumping up against and challenging the existing curriculum?

DC: You know, those are really complicated questions. When you're a student, and particularly when you're a law student and when you're a woman law student in 1970 and '71, the law school is not really built for you. It's not really built to welcome you or to accommodate you or to support you, in my opinion, in my experience. That's really mostly what women law students could work on, was trying to get the basics of that. We got a women and law course that Ruth Ginsburg taught the first one of and then Nancy Stearns and, I think, others later. I took both of those courses. I audited the one with Ruth, and I took the one for credit with Nancy. That was very important. We started doing things on International Women's Day. We started noticing and pointing out that all the pictures in the law school were of men, problems like that, of culture. We had a demonstration to get more women and people of color on the faculty. We sat-in. They came and they told us that they were calling the Newark Police, who were known as the Newark "Goon Squad" at the time, and if we didn't move out of that room, when we came to the character and ethics committee, we would not be able to practice law. So, we all got up and left, is my memory. This is typical of women who were integrating a male occupation or graduate school.

The trade paperback is called *Yale Needs Women*, but there is a fascinating Ph.D. thesis [by Anne Gardiner Perkins] about the first women to get in the door at Yale undergraduate and they're basically just trying to keep their heads above water. They're trying to deal with the rampant sexism, and that's what we had. Twenty-five years later, Lani Guinier writes that book *Becoming Gentlemen*, I think, about the Penn women in about '96. My friend Kathy has just had a horrendous reaction to reading that, experiencing how silenced we were. That wasn't my particular approach because I have always been kind of mouthy, but it's heartbreaking to me to think of women being silenced in those classes. That was really more the norm, certainly. That was very difficult.

When I look at torts or criminal law, criminal procedure, the content of those classes, I'm fascinated today to try to go back and look at what's in those casebooks and to see what has

changed. Are there still reports of gang rape of women in evidence class? [Is] there still the case of Madge Oberholtzer in criminal procedure, where she's bitten repeatedly and raped repeatedly. There's probably other ways to teach dying declaration than that, and I wonder what's happened to those casebooks. I don't know what's happened since. During COVID, I wanted to go to the law library and look at those casebooks. So, I have talked to the law librarian there, and I think that they don't have them. I'm not sure how I'm going to get ahold of those current casebooks. That's pretty much that.

As I mentioned to you, I did do, when I was in law school, this legal research, which was, again, trying to keep my head above water, trying to keep my focus on what was of use to women, how to center women's lives, women's legal needs, to a legal education that was not built for that. For instance, today in *The Times*, there's this artist who does things with the American songbook. She goes back, and she looks at the lyrics. She found this song by Burt Bacharach called "Wives and Lovers." It's a thing about how, "Wives, when your husband comes through the door, you'd better run up to him and throw your arms around him and tell him how important [he is]." I thought, "Oh, okay, that's kind of the period that we were in." [laughter] This *Selected Legal Commentary on Sex Roles and the Law*, it's called, *An Annotated Bibliography*, it's nearly thirty pages that I wrote. That was a freedom I experienced in Rutgers Law School that I wouldn't have had at other law schools. When I looked at Brooklyn and NYU, there was a very straightforward and, in my mind, constrained curriculum. That was a plus of Rutgers that I could spend some time doing that.

I also, that year, in my third year, I was teaching "Sex Roles in Law and Society" at Livingston College at Rutgers and at Jersey City State, and of course, I could do what I wanted with those courses. One thing I did was to try to have provocative legal questions that could be answered by undergraduates in their research. One of them was, "Is the missionary position a legal requirement of marriage?" Now, unfortunately, you would not find that in law school, but that's a fascinating legal question and there's law on it. You can look it up. So, that's the kind of thing that I found, and there's actually a legal basis for saying, "Not tonight, honey, I have a headache." [laughter] That's an enduring question, because most law students, certainly most law students who are men, will never take a women in the law course. So, they're going to go out in the world with what's in their head from three years of something else, and I think we need to address that.

I should say also, one of the things that made my law school days pleasurable, besides the women's group, besides my [WBAI] Radio program, where I could interview the women law students, was that I had a live-in relationship. My partner, at the time, was another law student, and he was both a very good-looking man and a very erudite man. He was somebody who also was very interested in writing. He was an aspiring playwright. He was not your average law student. He introduced me to opera, and I had never been to the opera. He was also a great cook. We had many things that were joyful those three years, but then our paths diverged.

KR: You were living in New York City and commuting to Newark. Is that correct?

DC: I started out living in the Upper West Side in Manhattan. Then, I started living in a commune in East Orange, New Jersey with some other people. I'm trying to remember if there were any law students. Then, somebody brought a rabbit home and let the rabbit out in this

apartment. I thought, "You know, this is not really me," having this rabbit run around. [laughter] By then, I had done my assessment of attractive men in the law school. There were three. Two were married, and the third was this fellow I spent the three years with. We had an apartment in Edgewater, New Jersey, which overlooked Manhattan. It was a fantastic apartment. There's now an apartment building with a three-hundred car garage, or something, in Edgewater. At the time, it was a place where the Berrigan Brothers baptized babies in the backyard. It was a lovely house, that we had an apartment upstairs. Then, we came back to Manhattan, and I lived on 72nd Street probably for the balance of law school.

KR: In the last session, we talked about your first job after law school, which was as an affirmative action officer in the CUNY system.

DC: Yes.

KR: Is there anything else that you would like to add about that job?

DC: Well, one reason I think it's interesting to ROHA and for its historical basis, because of my early experience as an organizer and a voting registration person in Birmingham, I've never had a kind of straight-ahead legal career, to say the least. Even when I was in law school, at one point I interviewed with Gerda Lerner, the mother of women's history at Sarah Lawrence College, and she didn't hire me. She said that I was a dilettante--she was very Germanic or Austrian; I forget where she was directly from--and I was. The way my mind works, it's like one from each column, it's across category, and she did not like that. That was not her cup of tea. My work, when I got out of law school, was to try to make legal equality work for women and people of color. That job at Staten Island, yes, it was my first post-law school job, it was not as a lawyer, although being a lawyer was important to it because you were enforcing Executive Order 11246. Certainly, I had more weight in some of the arguments with the faculty than I would have had without a law degree. It was a job where I took law very seriously and tried to make it real in people's lives. I've done that a lot in my career. I've spent very little time litigating. I think three years is my litigation. I never wanted to litigate when I was coming through law school. I wanted to understand how it worked, and that's what I got at Rutgers.

When I went to Staten Island [Community College], I was working for a guy, and I can't recall how much we talked about this, but he was a short Jewish man who had never gotten a Ph.D. but did have a law degree, so he was called Dr. Birenbaum. He would go to graduation in a dashiki with Mao's *Red Book* held aloft. This was not your normal college president. He hired me. In many ways, we should have been a good fit, but it was a very difficult time for City University and it was a difficult time, as it is now, for racial integration, and so we had a lot of conflict.

One of the things that I do recall from that period that is a pleasure is there was an article in this periodical about community colleges, and there was a woman there at Staten Island named Sandra Adickes in the English Department. She, coincidentally, was a SNCC [Student Nonviolent Coordinating Committee] worker in Mississippi. She worked on the Freedom Schools there, and she was arrested and stuff. At one point, she's an assistant professor of English at Staten Island, and she recalls, in this article published called "Leadership Styles" and it's got a colon, so I may have missed the subtitle, she says, "A colleague approached me some

months ago with the following proposal, 'We've put together a search committee and we've decided to ask you to be vice president. Do you want the job?' 'Absolutely not,' was my knee-jerk response. 'That's the answer every woman gave me,' she exclaimed in exasperation. How are we ever going to make real change if we're not willing to assume leadership?' She says, "My colleagues' search committee and job offer were, of course, spurious. She and other women were inspired by the sudden vacancy in the presidency of our community college to envision an all-female administration replacing the all-male administration." So, there's a direct line from that to that thing of the legislative program for New York State; what would the laws of New York look like if women ran the state? [Editor's Note: This refers to legislative reforms proposed by the New York Radical Feminists in 1970.] That was important to me in that job as well. Did we talk about the vice president calling me in and telling me I was not an employee of the federal government? I forget if I told that story.

KR: No, please, go ahead.

DC: Okay. I had a terrific secretary, a very smart, older woman, Lynn Korenblit, who was also a graduate student in sociology, very smart, very committed to women and equity and race issues. She was the head of my data-gathering function. We gathered like 265,000 pieces of data, and we had a party to celebrate it. I remember it well. What you could do with that data was figure out if anybody was telling the truth about equity in hiring and in promotion. The vice president told me that women and people of color who were hired were placed in exactly the same level--there was lecturer, assistant professor, associate, and full professor, and then there would be steps one through ten at each one--he told me that women and people of color were being slotted into steps one through ten at exactly the same rates as white men. I said, "Good, that is terrific. Let's see if that's true." It turned out that it wasn't true, that ninety percent of people of color and women were getting step one and everybody else was getting step six, step seven, step nine. We found all this stuff, and so I'd start to write these emails [memos] about this data. My boss would write to me and say, basically, "You're just taking a snapshot," and he would just give me every argument why the data was lying, "Do you believe your eyes or this data?" The vice president called me in and sat me down, and he told me that I was not an employee of the federal government. It was not my job to enforce federal law, and basically, I should sit down and shut up. I went back to the office. There were seventeen things in my job description, so I posted it over my desk so that I could be apprised of it, and nowhere did it say that I should change anything. That was not my job. If I wanted to change something, it was me; that was not what I was being hired to do. Those conflicts were difficult.

At one point, about a year and change into it, *The New York Times* editorial page [on September 14, 1975] did an editorial called "Affirmative Chaos," which was all about, "Without absolving the universities of their past insensitivity"--now, we're talking about a legal violation; we're not talking about insensitivity, which is resonant of this cancel-culture stuff about white people's feelings--"Without absolving the universities of their past insensitivity to the rights of those outside the charmed circle, [the council], Carnegie Council on Policy Studies [in Higher Education], offers persuasive evidence that most campuses have abandoned their prejudice or myopic ways." This is 1975, before you were born, right? What a relief! This stuff is in the past. [laughter] "Much remains to be done to erase past sins; but there's a growing risk in setting narrow, specific and short-term quotas for competing groups. The report rightly warns against

the tendency to replace discrimination with a 'bloc-versus-bloc mentality, a bloc-versus-bloc society.'" Okay, now that's the defense. When you have a data report that says that the thing is skewed, that says structural racism exists, structural sexism [exists], that's what you say, "Oh, let's treat people as individuals." That's what they said. We wrote a rebuttal to that, and we said that, "As a response to the anguished cries of quota and reverse discrimination comes this soothing message on Blacks, Spanish-speaking Americans and the largest minority of all, women. Train few enough so that you won't have to hire any. After all, if Blacks constitute one percent of all Ph.D. recipients and women fail to earn degrees in the sciences, how can any university be expected to do more than hire a token here and there?" Anyway, so, we went on about that, and that was not published. That was me and another affirmative action director at CUNY.

Then, also around that time, which I referred to, I think, perhaps in that piece I sent you about Project Second Chance, I had met a dashing and glamorous head of the Creative and Performing Arts Department at Staten Island, and I met him through his résumé first, as he was being hired. I was just looking at our wedding announcement, and it turns out, which I had forgotten, that he was the former Program Director of the New York City Parks, Recreation and Cultural Affairs Departments under Mayor Lindsay. He had quite a dazzling [résumé]. He served on advisory boards, the National Endowment of the Arts, Harlem Theatre and Workshop, Town Hall, et cetera. He was a Black man. When our engagement announcement ran, a small Catholic school for girls in Staten Island immediately withdrew my invitation to speak at their graduation. I had gone out and spoken with the girls, and we talked about a lot of stuff, including sex and orgasms. The girls really were into this. Then, they unanimously wanted me to come be the graduation speaker. I don't know who was running it at this point, but it was a Catholic school. But this was a bridge too far, when we were going to cross that line. That's kind of the end of Staten Island. Ben and I were married during that time in '75, and I became a stepmother of a tall, German and American, brown-skinned boy.

KR: Let's delve into the next portion of your life. You were living in Upstate New York in the New Paltz area and you cofounded a project called Project Second Chance. What propelled you? What led to your interest in starting this project?

DC: Well, I found something the other day. Ernest Boyer was the U.S. Commissioner of Education in 1976. Apparently, I wrote to him when I was having a job that I found so boring that I actually fell asleep once describing it, which I was coordinator of cooperative education. I was grateful to have the job, but it was not going to be my cup of tea. I wrote him this whole letter about enforcement of Title IX and how the government should be filing amicus briefs on behalf of these faculty women, and I say, "Please let me know your thoughts on this." [laughter] I don't recall whether he ever answered me.

When we were cooking up Project Second Chance, my friend Lorraine just told me this Sunday, that we tried to get Senator Moynihan to back us on this, because we had to get all these letters of support from politicians and college presidents and everybody. I don't remember this at all, but she said he gave us some kind of, "Well, I'll have to study this." I apparently said to her, she recalls, "He's acting like we asked him for the money. We didn't ask him for the money. We just asked him for a letter." Lorraine and I were working at SUNY New Paltz. I was in a job

that didn't thrill me, but it did pay the mortgage and support the family. Ben was trying to make a go at the Creative Music Studio in Woodstock, which turned out to not have any money. So, we were in dire financial straits there for a while. [Editor's Note: Daniel Patrick Moynihan was a Democratic Party politician, sociologist and diplomat who represented New York in the U.S. Senate from 1977 until 2001.]

Lorraine and I and another woman, Nancy Carlson, who was Lorraine's boss, the director of the counseling center, we founded what we called a coven, and we decided to meet, I guess, weekly for lunch and just try to cook up something that would advance the situation of women in the mid-Hudson Valley and that would be interesting to us. When I met Lorraine, it was just one of the gifts of my life, because this woman, she was up for anything. We sat there and we just tried to sketch out--what would it look like? You had these colleges. You had half a dozen colleges, public, private, four year, two year, religious, secular, all in this four-county area, and the seventeen to twenty-one-year-old population was drying up that would go to college. Women, of course, being underserved in general by institutions, could be a bonus to these institutions to help them stay open. They could have some self-interest in this. We were interested, as feminists, in blocked opportunities. Both of us had had mothers who had not gone to college and had lived essentially lives that were subordinate, that they were not happy about, so we had been raised in that manner, watching that up close. We began to design something, and Lorraine has a very expansive, explorer mentality. If you could think it up, it was doable, and so we dreamed and dreamed and built and built. I just re-read, this morning, the grant proposal that we sent to the Fund for the Improvement of Post-Secondary Education (FIPSE) in what was then HEW [U.S. Department of Health, Education, and Welfare], and it is nothing if not expansive. We thought we were going to have a TV series. We got Kathleen Collins, who was a Black writer, who was then on the theatre arts faculty at City College, to write a TV series for us. I wrote the radio series. We were going to have editorials and articles in all these local newspapers. We were going to have three thousand women in this project. We were going to run life planning courses called, "Everything a Woman Needs to Know About Careers but was Afraid to Ask."

When we did all this, when we designed all this, Lorraine and I used to sit and dream up what the training materials were. I was just reading that this morning, what they were. One of them is called "Risk-taking" and then there's "Dialogues," a half a dozen dialogues between women, or between a woman and her husband, and what they're all about is shifting their subordinate status in some way, at home, at work, in education, vis-à-vis others, in their circle of loved ones or at work. What we did with these two-page dialogues was try to lay out how it could go. So, I used to sit at the typewriter with my eyes closed and Lorraine would sit next to me, and one time we wrote one that we just were channeling our mothers. We were imagining an intergenerational, conflicted dialogue between two women who loved each other, a mother and a daughter, about the daughter not wanting to live the mother's life, wanting to have more self-determination, and the mother feeling challenged, feeling resentful, being afraid on behalf of her daughter, all the things that could come up. So, that would be our Marie and Maynette. My mom was named Maynette; her mother was Marie.

We developed these training things, and then we team-taught these classes. Lorraine is a fabulous person to team-[teach with]; it was the most fun teaching I ever had, because you would

have a plan and you'd have who's going to do what, but then it would take off. [laughter] We did that.

Now, Lorraine had never leafleted anybody. I had leafleted people, and I had leafleted women. I had done the thing where a woman and a man come along and they're together in a shopping center; you give the leaflet to the woman and you don't give it to the man. This is a big deal in this period. You're focusing on her. She is not a conduit. She is not an assistant. She is the main person you are addressing. We had a press conference about going for the grant and as one of the reporters said at the press conference, "I have never covered *trying* to get a federal grant," and that's just how we were. Then, we did this leaflet, "What's a woman to do?" which is this picture of a Victorian woman and it's all about right now, basically, if you're a woman in mid-Hudson Valley, you've got nothing. You've dropped out of the labor force, you're taking care of kids, you aren't getting any respect, and we stated all that very positively. Then, at the bottom, there was a part, your name, your address, your number of children and their ages, "Do you think there's a need for this program, or you don't?" I was just reading, in the grant proposal that we sent, what those women said to us and how moving it was. This was like the early days of the women's movement for me, when I was on *The Cavett Show*, you'd get great mail. You would get stuff, "I thought I was the only one." "Yes, I want to do this." "I feel so isolated." We had it printed on red paper, and we cut them all off. They were called tickees. Then, when we wrote the standard narrative grant proposal, we then stuffed all these hundreds of tickees in the envelopes, so that when they opened it in Washington, all these red papers would fly out, and we knew that nobody else was doing that. [laughter] So, we did that.

I took it down there on a beautiful spring day into Washington. It was my first trip to Washington, and we submitted it. Then, we got it. This assistant vice president asked me who I had slept with to get it. Many years later, he was on an advisory board of an organization and it turned out that his name was all over *The New York Times* because they had not stopped the rampant sexual harassment in the organization, so it came around. That's how we started it.

I should say that when I wrote the final report--Lorraine went off to get her MBA at Wharton halfway through, and that was a huge loss to me because she was such an intellectual and programmatic design partner in it. But it was the right thing to do. I had a baby in the middle of this as well. That was one more thing to do, to manage. When I look at the final report, it was called "Classrooms with No View: The Education of Returning Women Students," and it's largely on curriculum, who the college/university thinks it's for, how it's built for male leadership, male self-determination, and the women should fit in and be grateful. Fifty-three percent of the population shouldn't be fitting in. It should be redesigned. You should be center. Other people should be involved and included. For instance, we had an advisory board, one person at each college, and so we, at the beginning, had a meeting of what should change in terms of policy. One of the things that people thought should change was--one college let part-time students register for classes only after full-time students were registered, so you'd be thrown out, you wouldn't be able to take courses, and you'd always be second class. One other college had part-time students register first. We tried to bring these things to the attention to the colleges, "This is how you make a population feel included and be included." It makes me mad all over again, obviously. [laughter]

KR: Roughly for how long did Project Second Chance run?

DC: Just two years. We had a grant for two years, '77 to '79, and then people did not want to institutionalize it. As one college president said, "Well, I think you're just wrongheaded here. You know, our women want to be bank tellers and there aren't that many jobs for women bank vice presidents." Then, the other thing that we found, too, was that people, it's sort of the intersectionality argument, a faculty member is also, in this case, a man and probably a husband. When you're trying to get people to move, they are thinking, as one of them said at a meeting, "Well, you know, a lot of the men, they've had their wives walk out on them." They can't look at it as just a pure faculty member because they're also men and they're husbands. This was a project that was trying to elevate the status of women at home and at work, and there's a lot of people who are against that.

Virginia Smith was the head of FIPSE at the time we did this grant, and she became the president of Vassar. The job I could have gotten after Project Second Chance ended was in the financial aid office of Vassar. I had also ended up teaching "Intro to Women's Studies" at Vassar, and I designed a course on the "Civil Rights Movement in American Law" that I also taught at Vassar, but these were adjunct things. They were not full time. We came to the end of it, and I had to move on.

KR: How much of an impact do you think Project Second Chance had on the lives of the women who were involved? I am wondering if you have any anecdotes to share about the women who were enrolled in this program.

DC: There was this wonderful woman, who was a redhead, and her name was Hazel. She had eight children. She was married to somebody who, at some point, was a judge. He was a father of all these children. She talked at one of our dinners, when we would have the women graduate from our program, about how first when she heard about Project Second Chance, she thought it would interfere with her being a good mother, which was the most important thing in her life, and she did not want to do that. Then, she understood, through being in the project, that being a good mother, was, as she put it, a condition of the heart. We used to use that on our radio ads, that quote from her and that recording. I think it made a huge difference to many women. I mean, it's like that moment that used to be written about in terms of consciousness-raising in the early women's movement, that ah-hah, that click moment, where things fall into place, because this was an all-female group of women in these life-work planning courses. They saw women take on responsibility and authority. They saw us fight for them. It's very different when you see women fight for you. It changes you, and so we saw that in our work.

KR: When the two years ended in the program, what came next for you at that point?

DC: That point is, let's see, '79, and we are completely out of money. My husband had been an arts administrator. He was trying to get different grants. We were really in hard times. We briefly moved to Canada and stayed in a cabin of friends of his that summer. Then, I got a job starting in the fall, I guess, of maybe '80, '79, to start teaching in an alternative school in New Jersey, the Center for Open Education, which was in both Teaneck and in Leonia. That was an alternative high school that ran all the way down to what was then called the Nurtury, which my

son, who was a two-year-old, just about then, went there. [He was] just under two, I guess. He went to the Leonia branch, and the high school was in Teaneck, I think, although I could be wrong. We lived in Teaneck.

My husband and I separated at that point, and I took the baby. My stepson went to college, so he was off at college at Springfield College. I began to teach history and literature and law at this alternative school. I stayed there for two years. I met some wonderful people. The future president of Estonia was one of the teachers. I mean, it was an extraordinary group of people who believed in a more free-flowing curricular design. I taught Black women's literature. I didn't have traditional credentials to teach Black women's literature, but in a place like this, I could. I taught the American novel. So, I had a good time in terms of curriculum.

Then, it was discovered that the principal was engaged in highly-illegal behaviors, and so that fell apart. I became the acting principal to try to keep that school alive for the second year and I was not born to be a high school principal, so that was not going to be it. Then, I decided to move to the Washington area because I was a single parent of a small child. My sister lived there and I needed backup and I got it, so it was great.

KR: What was that transition like, moving from New Jersey to the Washington area? What did you do for work?

DC: It's a good thing I don't have to do it again, let's just say that. [laughter] It didn't feel like I had a lot of choices. My soon-to-be ex-husband had some problems that were not going to render him a good influence on my son on a daily basis. I really needed to separate physically, but I was unemployed. We got to Washington. We stayed with my sister, I don't think she was married yet, and her soon-to-be husband. My son did things like throw his razor down the toilet, his electric razor, and so we had some challenges about what it means to live with a small child. I was unemployed, and so it was difficult to get an apartment when you're unemployed because you can't sign the rental agreement really well. That all worked out.

I was just out on the streets in Washington, walking the streets, trying to find work, networking. There was something called an information interview, at that time, was the phrase. You tried to get an interview with people who worked in every organization you might be interested in working at. They probably didn't have any job openings, but they'd remember you if one came up. So, I did that. I did that with unions. I did that with everybody I could think of. We were living on unemployment; it was a bit tight. The child's father was not interested in child support. That's what we did.

Then, there was an organization called the Coalition of Labor Union Women, and they organized women who were in unions to get equal pay and maternity leave and stuff. So, I wrote a series of leadership packets for them called "The Risks and Rewards of Activism." That paid a little money. Then, I joined the Unitarian Church in Washington, [which] had a very interesting Black minister who was on the school board. Through the church, I met somebody whose wife was a labor investigator for D.C. government. She did minimum wage and overtime investigations. I am very nosy, and so I thought, "This could fit. This could be a thing." I interviewed for a job, I applied, and got it. I had a fascinating time. That was '84, I guess, '84. Let's see, '80 to '82, I'm

at the alternative school. I guess '82 to '84--no, I'm sorry, I forgot a job. I've had a lot of jobs that were each two years.

I went to work for the Educational TV and Film Center in Washington. I was managing this center, which had done a film called *With Babies and Banners* about women in the Midwest who did a strike in the '30s, and then they made one also about the maquiladoras in Mexico. I was the manager and was trying to manage grant proposals and how to get funding and advisory boards and stuff like that. These were people a lot like me; these were left-wing women who were interested in working women. But I had a boss who was a little bit of a unique person. You know how when you have grant money and you're paying employees, you have to withhold a certain amount of money to pay the IRS, that's the employer part, but she thought we should spend this. I said, "No, actually, you go to jail for this." We came to a problem there. [laughter] [Editor's Note: *With Babies and Banners: Story of the Women's Emergency Brigade* is a 1979 documentary film directed by Lorraine Gray that delves into the role of women during the General Motors sit-down strike in 1936-'37. A maquiladora is a factory that operates under preferential tariff programs administered by the U.S. and Mexico.]

Then, my soon-to-be former husband was trying to get his child support obligation to be zero, so he challenged me for child custody. I'm in court over this, and I have to have a job, when you're standing in court, to take care of a child. So, I had to keep that job while this was going on. I barely managed to do that, and we defeated the child support thing. I got sole custody. He could come down and visit him, but I was in charge of his life. That went on for a couple of years.

Then, I got fired from that job for this thing about paying the money. Really, I loved the staff, the rest of the staff. I went downstairs, this was in DuPont Circle in Washington, I went downstairs and I bought a bouquet of purple flowers. I came back upstairs, and I gave one flower to each of the staff. I sang that Bob Dylan song, "Any Day Now (I Shall be Released)." They all quit. [laughter] They all quit in support of me. That was 1984. Then, I was just getting this job as an investigator for D.C. government. One of the women, Judy Davis, had a divinity degree. Again, this was just an unusual group of women. She had a divinity degree. She reported to me, and she wrote me this letter about what it had been like to work for me. She said that, "When you came in here and you tried to get us to keep track of our hours and to make sure that we got overtime, I wasn't going to report to anybody ..." She, in the letter, goes through this thing about how I managed to get her to do that and to keep the record so that I could pay her properly, and that was lovely, and how much she missed me, and I missed her.

I decided that I didn't want to be in the non-profit sector anymore, where people thought they could make up their own rules, that I was enough of a lawyer to think that rules made sense in general, and if they didn't, you should change the rules. I went to work for D.C. government, and that began my government career. I had a great boss. I had two great bosses, Michael Bray and Richard Seideman. Mike was a history buff, and we would talk history all the time. He once wrote me this great letter of recommendation or evaluation. He was a lawyer. He said I was the most competent person he'd ever worked with, and if our roles had been reversed, that he would have been happy to report to me. Before or after that, he goes on to say that I volunteered for everything and that I did a lot of work for which I got only grief. [laughter] He liked those things about me.

It was fascinating to have a job where you could see other people do the same job. They all had the same job description. I could see, one of my coworkers would coach employers on how to evade the overtime law. "Really? You're a wage and hour investigator and that's what you're doing?" She would watch TV in the office. I had never seen anything like this. What I saw, you would get assigned zip codes, and you would go out in your car. I had a little red Toyota. You'd take your badge, I still have it, and you would just say, "Hi, I'm here from the Wage and Hour Division. Show me your books." You would look at how they paid people. You would find all kinds of stuff, and you'd recover all this money for people. You'd recover all of this money for-- this little old Black woman, I remember, who was working piecework in the back of a dry cleaner, on her knees basically. She wasn't getting minimum wage and overtime. We were in D.C., which is hot. We got enough money for her to get an air conditioner at home. It was fabulous. I liked that a lot.

Then, we were also part of D.C. Corporation Counsel, and so the lawyers would take our cases to court if we could not get an employer to pay. I got to watch these lawyers, and there was nothing to write home about. This was stuff I could do, and so I started thinking about, "Well, what kind of law do I want to practice?" I had taken the New Jersey Bar when I was working at that alternative school, and I passed that, having failed the New York Bar before that. Then, I had a tax refund--again, money was tight--I had a tax refund in D.C. I used that to join the D.C. Bar, so then I could get to do litigation.

That's when I discovered family violence law. First, I did drug cases and car thefts and assaults. Then, I moved over to domestic violence, child abuse and neglect, which was intensely meaningful to me. Every day I went to work, I made somebody safer. That was a great job, but by the end, I was totally fried and came back from a vacation and went to court and said, "Diane Crothers for the District of Columbia" and just started to cry. [laughter] The tears were coming down. [I thought], "You know, you need to get another job. You're done here." In that kind of work, people get killed and you know who they are, and I had people like that.

KR: Let's talk about that job a little bit more. Can you tell me, for the record, the official job title?

DC: Trial Attorney General was the name of the job, and I did that from '88 to '91. I was doing the minimum wage and overtime investigator stuff; a wage and hour compliance specialist was the name of that job, from '84 to '88. Then, '88 to '91, I was in court. Can we take a break?

KR: Sure, yes, let's take a break. Let me pause.

DC: Great.

[RECORDING PAUSED]

KR: Okay, we are on and recording.

DC: Okay.

KR: What was the process like for you learning to be a litigator, learning to be a prosecutor?

DC: Well, I have a propensity for doing most things backward in life. Here it was 1988. I was out of law school fourteen years. I had just gotten this bar membership in D.C. and I had recently got the bar membership in New Jersey, a little late, but not having wanted to be a litigator. There's a book called Imwinkelried's *Evidentiary Foundations*; probably in your travels, you have not had to read that. [laughter] I got my daughter-in-law a copy of that a few years ago when she was litigating. I had to learn like twenty-one hearsay exceptions, all these things about how to conduct a trial. It was a big transition. In my first evaluation by my boss Mike Cobb, he wrote that, "She has been out in the courtroom, and she is now a fine litigator," and just how well prepared I am and how patient. It was a big jump, but as you and I have talked about before, I don't really have a lot of self-doubt. If you can watch somebody else do something, generally I can figure out how to do it, if you have some education to it. I had a good education. I also have strong opinions, so you go into court and things are going to move you.

First off, I was doing juvenile cases. These were ninety-nine percent Black males in D.C., who were charged with drug distribution, car theft, assault. I had a Black male at home. My son is Black. He was a little boy at this point, but I had a very visceral connection to those kids because of my other previous work as well. I rarely had a white kid. I think I might have had a white kid once, if ever, in that first year or so. What I was interested in doing, and I think Laura Coates has been talking about this on CNN recently, a Black prosecutor, she's talking about how you understand the racism of the system, the punitive nature of criminal law with Black defendants. That's what I was seeing every day, and so my job was to mitigate that. Since I was in the juvenile system, the way it's defined is, it's not supposed to be punitive; you're supposed to be rehabilitating these kids. You're supposed to be fitting them for their future lives, not sticking it to them. Unfortunately, that wasn't always the primary motivation. Often, people had done things that were pretty heinous and you were in the middle of that, but most of the cases were not heinous things. They were things that were in [the HBO series] *The Wire*, the drug sales, the street drug sales. Adapting to that role was challenging.

I didn't get along well with short male judges, and there was one who called my boss about my behavior in one case. There was a kid who about fourteen and he was found with a gun, carrying a pistol without a license, CPWL, yes--it comes back. That was the charge. We did a probable cause hearing, and I had probable cause. Then, the trial was set for some weeks hence. We were ready to go to trial. He's ready to plead, and his mother is in court. She has moved the family outside D.C. into a safer suburb, so that he is not with these children that he's been hanging around with who think guns are cute. Now, this is, to my mind, all you could expect a parent to do whose kid gets picked up for this. I'm ready to drop the charge, so the judge is pissed in a major way. He calls my boss and he says to him, "I want to see blood on the floor." This whole notion in law that you try cases to find out the truth, and that's what the plaintiff and the defendant, or the society and the defense, [are doing], and that through this interaction with facts and argument, you're going to find what's true, that's not always what's going on in a courtroom. This guy was ticked, and I was not going to back down from that because this boy does not need any more difficulty and the mother has it in hand. We had that conflict, so that was difficult.

That first year or so, the drug distribution stuff, you'd have a lot of undercover drug arrests to take in, PCP, cocaine, but they were very repetitive. You would always be dealing with cops, and it was very difficult for the defense to ever get somebody off because the judges would believe the police. D.C., on the other hand, had a very integrated bench, comparatively. We had a lot of Black judges and a lot of women, so that made it a pleasure. You didn't have people who were completely clueless on some of this urban stuff, but you had a few. I didn't do well with them, and it was difficult.

I remember having this one guy up [on the witness stand] on a probable cause thing, a detective, and I'm stumbling around. I don't know what I'm doing. I'm trying to do it right, but I'm a newbie. This guy's name was Stoney, this detective. I asked him a question, and then he asked me a question. It threw me off, and I didn't really know how to respond to that. I answered it, and the judge started screaming at me and said, "Miss Crothers, you're the one that asked the question," and he just took me out. I still had a supervisor at that point, trying to teach me how to do this, Laura Nachowitz, and so she took me outside and she said, "This guy's a fool, but what you have to do is get back on the horse." She took me back in the courtroom, and I got back on the horse. But that judge, I hated him. [laughter]

Years later, when I was doing domestic violence, the domestic violence calendar would run before lunch on a Friday. If a judge was very efficient and didn't give any time to anybody, he could get out by lunch and go have a drink. Now, this particular judge really liked to drink, so he would get mad at me because I would get remedies for those women. One time, I was fighting with him; this one woman was in court, and the guy was the father of her baby. He had already previously smacked her around so much that she had a new plate in her jaw. I'm in court with this guy and her, and the judge is screaming at me because what I'm trying to get [is child support]. In the statute, you could get child support, and often, that's the thing that makes women able to leave is if they can get child support. I'm fighting for child support. It's in the statute, we are going there; I'm going there. He starts screaming at me and I'm thinking, "This is not good for this woman because this guy," who is a drug dealer, "is watching me get screamed at, and that means that he is going to violate this order." This judge is screaming at me and he says, "Miss Crothers, don't spin the court." You can't roll your eyes like I just did, and you can't say anything on the transcript. It was stressful. We get out of that courtroom and I said to the woman, which I said to all my domestic violence--they weren't really my clients but the complainants--I would give them my business card and I would say, "If this guy breaks this, you are in my office the next day at eight a.m. and we will take him in for contempt." But that guy, I knew, was going to break it, because that stupid judge was screaming at me. He did break it. The next call I get is she is hospitalized. I go up to see her at Howard University Hospital, and he has cut her Achilles tendon. What we were fighting about in court that day was supervised visitation, and I was saying, "We are not going to hand this baby over to this guy who is a drug dealer basically. We are going to have supervised visitation." That's what we're fighting about. That's what he did, and that's that judge's fault. So, that was very difficult.

Sometimes, you'd get somebody really good. There was this one judge--if you were trying a case that a cop was accused of violence, before I went into the courtroom, I would get the cop's gun taken, so at least you were not in court with somebody with a gun, as you were attacking him. [laughter] I had this one case where this cop was trying to control his wife, and he set up a

string at the bottom of a staircase in their house, so that she would fall and hurt herself. He had threatened her life. Because of my own experience with violence in my first marriage, I was the only prosecutor who would take a case that was only a death threat. If you had no marks, no hospital records and you just had, "I'm going to kill you. If you do X, Y, Z ..." or just, "I'm going to kill you," I would take that case in. The thing about those death threat cases is that if you don't take it in, the next time you see that woman, she will be dead. It really doesn't matter how many you lose; you are trying to save a life. So, that guy with the string at the bottom of the stairs, we were in court about that one. All I had was that. I think that judge started to like me. He was a big, tall Black guy. He looked a lot like the actor Delroy Lindo. He appreciated that I was sailing into the wind on this one.

There were great moments in those cases. One time, I was trying a case of a guy who ran his wife over with his car, and I happened to get a feminist judge, Noël Anketell Kramer, a blonde-haired woman, and so I'm introducing that he ran her over with a car. She lived through this. Then, I start in about the second time he ran over her with a car. I don't know whether he's just poo pooing it and he doesn't think this is serious at all in court. She looks up at me and she's got this blonde hair and she says, "A second time, Ms. Crothers? Aren't you finished yet?" This was a slam dunk, when you get a judge like that.

There was a case involving a fourteen-year-old girl whose father had communicated syphilis to her. It wasn't clear if it was penetration or just sexual "foreplay." I had this witness from Children's Hospital on the stand, trying to tell this very feminist judge, Gladys Kessler, trying to tell her how this--maybe it wasn't syphilis, it was some sexually transmitted disease--how this could travel from his penis down her leg to her vagina. I had this idiot opposing counsel, so he stands up and he's screaming at me and he says, "This lady ..." [laughter] I knew that Kessler would have a fit at calling this pediatrician a lady, so I knew I didn't have to say a word. I just looked down and tried not to laugh. She starts screaming at him and she says, "Mr. Dreos, that's no lady! That's an expert witness!" Some of the practice was a lot of fun, and you could protect people.

You'd have a case where a kid, a little girl, whose father had been a drug dealer and had been killed, she was kept in her house without underpants on, and other drug dealers would come in and sit her on their lap, et cetera. That case came in. She had a brother. There was something about an HIV uncle and this little boy, but the good thing about a lot of these cases that were child abuse was that they would have good aunts. You'd have parents who couldn't do it or were doing a very bad job, but they would have good aunts. Those two kids, I placed with two good aunts. Then, the next time they were in court, that little girl is wearing underpants, and also she has been taught her colors and her numbers. She is beginning to be socialized in a protected environment.

This is a great kind of law, and this is very low-status law. This is flesh cases. This is women and children. So, you have a lot of leeway because powerful people are not involved. Also, you'd only have to prove preponderance of evidence. You didn't have to prove beyond reasonable doubt. This was a quasi-civil-criminal court. With child witnesses, you'd better have preponderance because you cannot get to beyond a reasonable doubt with a five-year-old. So, that was very satisfying in lots of ways.

As I say, I was losing it at the end. I was in court one time, and this woman called her daughter a bitch, a six-year-old, in open court. I took that woman and her lawyer outside, and I started screaming at them. I just said, "What it says to me that you would call your daughter a bitch in open court, if I ever find anything on you, you will regret ..." I thought, "You really have to get another job. You can't talk to people like this." That's how I came to the Labor Department of the federal government.

I should say, too, that sometimes it was so satisfying, you'd have some really blowhard judge on the bench--I remember this one case. It was a Chinese woman psychiatrist, and her husband was terrorizing her. She was just very mild mannered, hyper educated, a great witness. Her husband thought, "This is a piece of cake. They're not going to do anything to me," but he put in a letter that American judges wouldn't do anything. I had that letter. [laughter] [I said in court], "Your Honor, I'd like to submit the government's exhibit number one." You'd give it to this guy, who was such a blowhard that he would wear cowboy boots, he was just so full of himself, and he read that insult to American judges. I had it. [laughter] There were good days.

There was a great sex crimes detective named Cynthia Fitts, and we worked with her a lot. She brought in abused kids. Her husband had a cocaine problem. One day, he killed her and he killed himself in front of their children. We would go to the service and see that up close. This was a very direct impact of what you were doing for a living.

I had this woman once in a shelter, and she came in and she was all whacked around the face. We were such a low-rent operation we had to go to the local drug store to get film for the camera to take a picture of those bruises. So, I did that. We would all do that. Then, I don't know, months later, I get this federal public defender with freckles coming into my courtroom and saying, "Did you represent so and so in this case?" "Yes, I dimly remember this woman." She killed this guy, and the fact that we had those photographs got her off.

Then, one time--this is the last story from then, I suppose--I had a middle-aged Black woman, a church-going woman, she comes in, her son is on crack. He is assaulting her. He is threatening her life. Actually, this isn't my last story; I have one more story. My co-counsel, Marceline Alexander, who I was just looking her up last night, she's been general counsel of the D.C. Fire Department for a million years since, and Marceline was Black, the woman was Black, Marceline was saying I should give her witch hazel for these bruises. I said to her, "We've got to do more than witch hazel here." I think he killed her.

I had this judge who was a very upper-middle-class Black guy, very much don't-get-your-hands-dirty kind of guy. I had a case of a young girl, she was about sixteen, she was an honors student, she had a big mark on her forehead because her mother had hit her with a curling iron. We were in court over that because that will get you into court. The grandmother was there and was nuts and was going up and down the aisle saying, "Oh, Jesus, Jesus." It was all I could do to concentrate on getting this hearing done. Then, we were going to place this girl, pre-trial, with her aunt, and as I said, usually there's a lot of good aunts, so we did. The next day, I opened up *The Washington Post* before I went to work and that girl was dead and the aunt was dead. The boyfriend of the aunt had killed them. What I realized through that case was that the two

computer systems did not talk to each other. You could be in domestic violence, and the aunt had been in court against that guy and had gotten a restraining order. You would put that child in her care, and that system would not know about that boyfriend. I wrote this letter about that to the head of Corporation Counsel, and they did change that. But if you cared about women and children, this is not a difficult thing to have figured out.

By the end, I'm in tears, so that's when I move over to the U.S. Department of Labor, where people are working on behalf of working Americans or people who want to work and take care of their children. It was much less dysfunctional, much less pain; nobody died. That was a really an upbeat thing. [laughter] That's why you go to law school, right?

KR: In your first position at the Labor Department, for six years you were Social Science Advisor in the Women's Bureau. What did you do in that job?

DC: That was one of the great jobs of my life. I had a terrific boss, Ruth Shinn, and she hired me. She had a Master's in Divinity from Yale, a master's in public administration from American University, and she believed that you could do something for women in any political administration. This was during the George Herbert Walker Bush administration. I didn't know how I was going to be able to work for Republicans or how this was going to really work, and Ruth taught me how to do that, how to stay out of range and how to get the things you could get. Ruth was probably the most tenacious, least self-aggrandizing public official I have ever worked for, great qualities both. She wrote a memo one time on twenty-two efforts she and the Women's Bureau had made to get paid family leave through Congress and who had blocked it and how it had worked and everything. Ginni Thomas, recently in the paper, wife of Clarence Thomas, was the most recent nemesis. Her total job was to stop that from becoming law. Ruth taught me that. Ruth used to work at the [National Council of Negro Women], and Ruth worked for Dorothy Height. What Dorothy Height taught Ruth, that Ruth would quote to us, was that no matter what Administration was in power, you could get something for people of color and for women and your job was to figure out what it was and get it. This was great training for being a federal official. [Editor's Note: Ruth Shinn served as the chief of the legislative analysis division of the U.S. Labor Department's Women's Bureau.]

We had an incompetent head of the agency, who had been a real estate sales woman and a secretary, I think, in New Hampshire, was totally in over her head, but that's who should be there in the George Herbert Walker Bush administration. Then, Anita Hill hit, and so all hell breaks loose. Tailhook hits. So, you're watching television, and there's all this stuff going on about sexual harassment. [Editor's Note: During the 1991 confirmation hearings of Supreme Court nominee Clarence Thomas, a confidential report given by Anita Hill to the Senate Judiciary Committee claiming that Thomas had sexually harassed her years earlier was leaked to the press. Hill testified in the hearings, and Thomas disputed Hill's claims. The Senate went on to confirm Thomas, who has served on the U.S. Supreme Court since 1991. After Navy Lieutenant Paula Coughlin said she had been sexually assaulted at the Tailhook Symposium in Las Vegas in 1992, it was discovered that eighty-three women and seven men had been assaulted that weekend by Navy and Marine Corps aviation officers.]

I was in the legislative analysis unit, and we put out a book on working women. There were chapters on occupational distribution, a variety of things. My chapter was "Legal Rights of Working Women." I wrote that chapter. I would write about Title VII of the Civil Rights Act, Executive Order [11246], pregnancy, dah, dah, dah. Sometime later, when administrations changed, I get called to the Solicitor's Office because they're looking at emails and I have used the words "affirmative action." Things have changed enough that earlier I could have a job title, Director of Affirmative Action, and now I'm in trouble. My defense was, "Excuse me, have you looked at Executive Order 11246 lately or Revised Order 4? It's in there." I managed to get through that. [Editor's Note: In 1965, President Lyndon B. Johnson issued Executive Order 11246, which established requirements for non-discriminatory practices in hiring and employment on the part of U.S. government contractors. Revised Order 4, which was issued by the U.S. Department of Labor, Office of Contract Compliance Programs (OFCCP), outlines the essential elements of an affirmative action plan.]

I had a coworker, Jane Walstedt, who was really into sexual harassment, developing the law, developing the advice, but right at the beginning, this was May of '91 when I went to work there. Then, Clinton gets elected. All of a sudden, the Dan Quayle pictures are coming down, and we've got a new administration, "What? Democrats, oh, my God." He signs the Family and Medical Leave Act. That's the first thing he signs, so Ruth's happy. We're all happy for working women.

Then, in the Great Hall, which is on the first floor of the Labor Department, at the change of administration, Vernon Jordan is there and Ted Kennedy and Robert Reich, who's going to be our Secretary of Labor. Ted Kennedy, he's going on and on. Everybody in the Labor Department who works there is ecstatic because we are actually going to be able to enforce mine safety laws, occupational safety and health, equal employment, employment standards, all the stuff that protects workers. It's like a party on the first floor. Ted Kennedy goes on and on. He's really tall, and Robert Reich is tiny. Ted Kennedy, showing for once that he can focus on something outside himself, lowers the mic for Reich and he speaks and all that. Then, it's Vernon Jordan's turn. The mic comes up again, and Vernon Jordan gets this huge smile and says, "We're back." [laughter] It was really an exciting thing to see and to be on the inside and see the difference in the administrations.

Tailhook happens, and the Labor Department is blaming the women at the party for all this harassment by the Navy men. You flip to the Democrats and you are trying to do healthcare and do all this other stuff. That was really exciting.

Also, I had the kind of job, all I did--it's like retirement--all I did was read all day, answer the phone, help women, tell women what their rights were. Women would call up with individual problems on the job, and my last question to all of them was always, "Do you have a union?" They would all say no. I would say, "Have you ever thought about starting one?" I would ask them, "Do you want this to be the last time this happens to a woman at your workplace?" Being able to help build this collective sense of responsibility that this is not just about you and that there's somebody right behind you who is going to get the same thing. I mean, that is the best thing about sexual harassment litigation is, it's never a one-off. The guy will always do it again, and you can get them for that. So, you just have to build it.

At one point, after the Clintons came in, we did this *Working Women Count*. Karen Nussbaum became our director [of the Women's Bureau in the Department of Labor]. She's an organizer. She's a clerical organizer, and she organized. We did this set of booklets called *Know Your Rights*. I wrote the booklets, and there would be one on pregnancy discrimination, one on age discrimination, one on wage discrimination. We would just pick out all these different ones. We would put it in ordinary person language, and we would describe, on the first page, what it'd look like on the job, the particular thing, so that you could recognize what's happening to you. You'd open it up, and we'd give you three or four things you could do and they were all things that had collective action in them. There would be a section about, "Do you have a union? Have you ever thought about that?" So, there would be this stuff about building a force.

Then, Strom Thurmond caught wind of this over in Congress, and he was having a cow about this, how could we be doing this socialist thing in a government office? He starts fussing about this. I knew that I had gotten that thing cleared all the way up through the political people, but I was intimidated enough to take all those documents home with me, all the things that had protected my tail, because we are not hanging out this little career civil servant over this. We did survive that, but there was stuff in the Congressional Record where he was just having a complete fit.

Also, I got to do great things. I got to go to Mexico and Canada on tri-national sex and the law kinds of things and testify and meet other people from other countries who were working on sexual harassment and gender and law stuff. That expanded my horizons. I come to the end of that when my son goes to college, and I need money.

I'm up for some job at the Women's Bureau, and I don't get it. The woman who gets it, who's a delightful person, she is basically an event planner and that is not my skills or interest. It was my fiftieth birthday. I was talking to my parents on the phone, and I'm crying. I'm fifty, so that's 1996. Is that six or seven? My son may be in college at this point. He went in '96. I do not have money for Swarthmore College, and this is like thirty thousand dollars a year. This is a lot of money, and his father is doing not a nickel. I'm talking to my parents on the phone about it, and I'm crying. My mother says, "You're going to do what I always respect you for doing, what I always admire you for doing." "What is it, Mom?" "You get up." [laughter] So, I did, and my mother was extremely persistent herself.

I looked at the last five hires at the Women's Bureau, and they were all stuff like that. This was not going in my direction. I looked over at the sister agency, the Office of Federal Contract Compliance Programs (OFCCP). Actually, when I was just re-reading my interview back at Staten Island early in the day, I'm talking about the Executive Order 11246, I'm talking about the Office of Fed[ederal Contract Compliance Programs] and I'm criticizing them. I'm saying, "They have never withheld funds," and on and on. There was a job over there and it was on the regulations staff, so that was perfect for me to do: regulations. What I didn't know was that the chief of that unit would be open in ten minutes, because somebody was moving somewhere else. Shirley Wilcher was the head of that agency, a Black female lawyer, Mount Holyoke, the Sorbonne, Harvard Law School. Very unusually--when you hire political people, it often is who you know and who will vouch for you within the political realm. Career civil servants are not really in that world, and so you really are looking at their evaluations, their career civil service

supervisors, what they have to say. But what Shirley did was to call--there's a group in Chicago called Women Employed.

One of the things that was fun about Lorraine, one of the things Lorraine and I did, Lorraine was afraid to fly, and so we went on the train to Chicago one time together. I was newly pregnant at the time. My breasts had started to expand. This guy who waited on us in the club car asked me what bra size I wore, so that's why I remember that trip. We went to Chicago and I think we were trying to do something with Women Employed. We were trying to figure out what we were doing in Project Second Chance, so this would have been in the first year of this. This would have been the spring of '78. We get to Chicago. Women Employed was a very aggressive group. What they would do, they would have these contests of the worst boss in Chicago and then they would give it to somebody and it would be over stuff like requiring people to make coffee. When we were there, they did this incredible thing with the bank, some bank in Chicago, that they had brought an OFCCP complaint against to cut their federal funds. What they did was to go into this annual meeting of this bank and then they would get up at the meeting and challenge them on their sexism. Lorraine and I are sitting there watching this; this is something we haven't figured out how to do yet. So, I knew Women Employed from that, and I knew how aggressive their approach was and that they were organizers.

Shirley Wilcher, when she's trying to figure out whether to hire me, she calls Women Employed, and I know them from this, so they vouch for me. I don't know how big of a piece that was, but that was a piece. I went over there, and we were just about to start revising the regulations, I guess, for Executive Order 11246. That's my cup of tea to try to figure out how to make that work better. That went on for some years. I moved over there, and then I became chief of regulations soon and got to do that. When Alexis Herman took over as Secretary of Labor in the Clinton administration, we were standing in a holiday line, shaking hands, drinking hot cocoa. I just got up to her and I said, "Affirmative action regulations." I've always been an earnest person. [laughter] We eventually get those regs through.

I'm in a Jazzercise class at the time. There's a woman lawyer who was in that class, and she is in the non-profit, like Women's Legal Defense Fund, group of people. She comes into Jazzercise one day and she says, "It's on Al Gore's desk whether you can get compensation information." What we were trying to get in the regulations was compensation information. If you could get pay of a corporation and you could break that down by race and gender, you could see a lot more than whether there were weird titles for different people. It was a lot easier analytically, when you built these pivot tables to try to figure out stratification. If you just did it on dollars, that was a really good translation of your worth to the organization. She comes in and she says it's on Gore's desk, and so we got it. The Women's Legal Defense Fund was fighting from the outside for that. That went as soon as the Republicans got elected again, but during the Democrats, we had it. That's when I was there.

I'm trying to think of anything else about OFCCP. I'm doing that in Washington, and then a job opens up in New York in OFCCP to be deputy director of the region, for the Northeast. I thought, "What would it be like to go back to New York?" My son's in college. I don't have to live in any particular place for schools or anything. There was a Black woman lawyer in my Jazzercise class, she had gone to Columbia Law School, and we were dancing along one day. I

don't know if "New York, New York" was one of the songs or whatever, and she leaned over and she said to me, "You know, no one ever made up a song, 'Washington, Washington.'" I said, "You know, you're right." I was trying to figure out whether to go back to New York and whether it was an attempt to revisit my youth or whether I was chasing my youth or what it was. I'm talking to my optometrist one day, a woman, I tell her this, and she said, "Oh, you should go!" I said, "Why?" She said, "The food!" which is important. [laughter] Then, I got Mike Wallace's book on *Gotham* out of the library, which is the history of New York. The librarian called me to tell me it was in and she said, "You can use it in your exercise class. It's 1,300 pages." I happened to get the flu that week, and it was the week between Christmas and New Year's. So, I just lay on my couch and read that book, and I thought, "You know, that's it, I'm going back." That's how I came back to New York.

Then, the guy who hired me there was a good-looking Black guy, a year or two younger than I was, and years later, while we were still working together, he said, "You know, everyone thinks we're having a hot affair." By then, I knew him well enough to curse to him, and I said, "Jim, in what f\*\*\*\*\* universe would I be f\*\*\*\*\* my boss?" [laughter] That's another step.

I'm trying to think what's interesting about that job. Well, when we had 9/11 happen, I was in that job, and I was in Minneapolis at a meeting of Labor Department officials. I went for a run. I came back to the hotel, and it was on the screens. I had about half a dozen district offices from Buffalo to Boston to Puerto Rico, New Jersey, New York, Hartford. I called them all up, and so I had to figure out how to keep them off the airwaves. The thing that happened in Boston, I didn't want anybody flying out of that airport. I think it was a security guy who worked for the governor or whatever who was in charge. Some bodyguard or something was in charge of the security at that airport, so I just wanted to make sure all my people stayed on the ground until this was resolved. In order to get back to New York, I had to fly to Philadelphia and rent a car and drive back, and as I came across, I could see all these trucks taking the debris, even just that early. [Editor's Note: Joseph M. Lawless, who oversaw security at Logan International Airport on 9/11, is a former state trooper who was the driver for Governor William F. Weld. Two of the four planes hijacked on September 11, 2001 took off from Logan.]

Our office on Varick Street, 201 Varick Street, was close to [the World Trade Center]. You would be at work and you would hear, it sounded like stones hitting the windows, and it was bones of people. In our building, there was a jail. At this point, they're picking up a lot of people. They don't know who they're after and they're dragnetting it. On our block, we had all these stanchions, and so you couldn't get on to the block if you didn't have a federal ID. Then, at one point, the power went out. My boss was in South Carolina, and I was trying to figure out, "If the power goes out in your building, does the door to the jail come open?" I was trying to figure out whether to send everybody home or not, because you're sending them out into a city without power, that's not great either. I had this clueless woman who worked for me who was really a challenge, and I ended up having to take her home, walk across the Brooklyn Bridge with her, put her in my apartment with no power, on the ninth floor in Brooklyn, and let her read by candlelight in my living room. I'm thinking, "She's going to burn my apartment down. This is not good." So, we all lived through that at our office. People in my office had worked with people who were caught in that. A friend of mine in the Solicitor's Office, her husband had to step over those bodies, so it was just the worst. Then, everybody had to wear American flag

pins. Well, it's a complicated symbol, the American flag, to me. So, I had a lady liberty pin, and that's what I put on.

KR: In that job, at the Office of Federal Contract Compliance Programs, when you started that, it was the Clinton administration and it shifted to the Bush administration. Did the changes in administration impact the job?

DC: Oh, yes, we were much more business friendly. We were much more advisory, not so much enforcement, much more the whole idea that capitalism works, the meritorious people rise to the top. There really aren't structural barriers, yes, a very individualistic mode. Republicans typically are not attracted to that kind of work, civil rights enforcement, so we didn't really have a problem within the agency so much, until they started decapitating our people at the senior executive service (SES) level. One guy who they decapitated, Joe Kennedy, was a great guy. When he was describing that I was moving from Washington to New York in that job, we were at some agency-wide meeting, and he said, "Diane's going to New York. She is tireless," which, you know, does kind of describe me, my approach. [laughter] Then, the Bush administration decided to decapitate three of my favorite bosses, who were all SES. One guy was the head of policy in Washington, Jim Melvin, who was terrific, and Jim Turner in New York and Joe DuBray in Philadelphia. Joe DuBray, the head of the regional office in Philadelphia, he had developed the DuBray Method, which was this whole compensation analysis thing, which recovered hundreds of thousands of dollars for women that did not know they were getting underpaid and he was famous for this. So, they took those three guys, and they assigned them to move to different cities, hoping they would quit. Jim Melvin was a South Carolina Black guy, he's not going to New York, so he quit. Jim Turner, they moved him to Chicago. He stayed ten minutes, and then he went to work for Boeing. Joe DuBray, he moved to Washington, was furious, and then he retired.

Then, they were coming for the GS-15s, which is what I was, so it was really time to go. They came for me--first, they reassigned me back to Washington. I had to pick up sticks and move back to Washington, so I did that. I worked for the furious Joe DuBray. I was very unhappy. I had to sell an apartment, buy an apartment, do all this, but the government paid for that.

Then, I started looking around, and there was a job at the IRS [Internal Revenue Service]. I think it was the associate director or something. I went over there to an interview. When I interviewed, I always wore a skirt suit because there are men in the decision chain and we are wearing ones that show our legs. That's my generation. I go into this interview. The IRS had a rule that you gave unsuccessful applicants feedback on why they didn't get the job. The guy who would become my boss in that job, John Robinson, says to me, "Would you like feedback on your performance if you don't get the job?" I thought, "I just walked in the door. I have my skirt. I have my legs." [laughter] I got that job. Then, I had to do that at the IRS, and I thought, "You are looking at EEO complaints. Why would you do this?" But I did it, okay, fine. [Editor's Note: EEO complaints refer to a charge of employment discrimination made to the Equal Employment Opportunity Commission (EEOC).]

I moved over to IRS, to Treasury, and this was still the Bush administration. The good thing about Treasury was, there were two--count them, two political appointees--in the entire

operation. I thought, "This could be a fairly free from political control, career civil service kind of place." People stayed there their whole careers. It wasn't like Labor and these other places, where people would move around. There was an expression, "You grew up in the IRS," which turned out to be claustrophobic the longer I was there. I only lasted two years. There were just these two; it was the Commissioner [of Internal Revenue], Mark Everson, in my case, and the Chief Counsel at the IRS. Other than that, it was all career civil service. I thought that this could work. I went over there for two years. Do you have the resumé in front of you, what two years that is?

KR: 2005 to 2007.

DC: Thank you, yes. I get over there, and one of my jobs, one of the most challenging jobs, is there's all these Employee Organizations (EOs), so they're organized by race. There's GLOBE, which is gay and lesbian. There's federally-employed women. There's Black employees. There's Hispanic employees. There's hearing impaired. There's visually impaired. All these different Employee Organizations, part of my job was to manage them, too. When I get there, John Robinson, my boss, immediately leaves, and I become chief and that's how I got a SES, a Senior Executive Service job, because no one wants to be Chief Equal Employment Officer at the IRS. I might have had a ten-minute interview with Mark Everson. Mark Everson was famous for, he insisted on either no bare legs or you had to wear hose. I forget which one it was, and all the women had to comply with whatever the rule was. I can't remember now. He was a very good-looking Yale graduate, and more on him later.

I go over there, and I've got all these Employee Organizations at the table. The guy who was the head of the Black employees is a Christian of a particular kind. Do you know that True Love Waits organization? This is something in the Evangelical community, where girls have this religious ceremony. They hold hands with their father, a girl, and they promise not to have sex before marriage. This particular Black Christian was part of that. Then, there was this film about this wonderful woman from Biloxi, Mississippi, *The Education of Shelby Knox*. She came up in Biloxi, Mississippi, and she was a policy freak in high school. You could see she was developing into one. The gay kids came to her and said, "True Love Waits doesn't work for us. We're not going to get married. We can't get married. We're gay." She ended up trying to figure out what should the rules be for these children, these high schoolers. Then, we have this very deferential, kind of small, white gay guy at the table [representing gay employees]. My job at the IRS was partially, "It can't be all about you and your group. We have to be as committed to other people being at the table and other people, other groups, being treated equally as we are to ours." Well, that was a heavy lift.

Then, I started getting into the data at the IRS, and they're good on data. You can really find out a lot of stuff about people's evaluations. You take an evaluation system, 4, 3, 2, 1, say, and you crack it up by race and gender, and you find out who doesn't get 4s. Then, you go into one of these warehouses across the country, where all these people are managing paper at low wages, and they're getting these negative or less evaluations. That was very difficult to get a conversation going about all this, so I got in some hot water there.

Then, there was a job in *The New York Times* that said, "Mayor Bloomberg is looking for a Chief Diversity person for New York City." I said, "This job was made for me." I applied. I interviewed for nine months. [laughter] I got that job, and that was great. I moved back to New York.

Then, ten minutes later, my terrific executive assistant, who I'm still close to, at IRS, she calls me up, "Have you seen *The Times*?" Well, Mark Everson had gone over to the Red Cross. He was having an affair with somebody in the chain of command in Mississippi and it blew up both their marriages. She was married to a lawyer, which doesn't show her very smart doing this. She lost her kids. They had a baby. You can see that his sexual harassment training by me really worked. [laughter]

When we'd go to Senior Executive meetings, we'd go to these retreats, at the IRS, and he would just do these ad hominem kinds of stream of consciousness things that were leadership whatever. All I was trying to do was just have him not have anything racist, because I would have to deal with it. I remember another executive sitting there across from me. Nydia Velázquez's name came up, the congressional representative, and he said, "What language does she even speak?" I thought, "You know ..." [laughter] I was not made for Washington. New York was better.

KR: What was it like for you working as the Chief Diversity Officer in New York City?

DC: Well, it's one of those jobs that is really undoable, that the people who hire you want you to play nice and say that everything is basically fine. It's just a very structurally impossible job. It's always been an attraction to me. [laughter] When I first got to New York, I had a fantastic boss, and again, that makes such a difference in life to me. You may know this already; bad bosses are the primary reason that people leave. I had a great boss, Martha Hirst. She is very smart, and she had an unusual ability to be able to deal at the meta level as well as the detail level. She was the Commissioner of the Department of Citywide Administrative Services. Her agency bought all the firetrucks, administered the whole civil service system, just did enormous sweeps through the city. I had forty agencies under me, and maybe, I'm trying to remember whether that was, twenty of them were mayoral control, and another twenty were quasi or whatever it was. I can't remember now. I'd sit in meetings with her and watch her be able to deal with that level of complexity. Any time any New York City employee died on the job, everything stopped until she figured out why that was. She dealt with the family, figured out what needed to be fixed. I just felt enormously loyal to her. That was, for several years, quite wonderful.

I was hired by--Georgia Pestana was in the Law Department. She was one of the people on my committee, and she is now high up. I think she's still there at the Law Department. [Editor's Note: Georgia Pestana served as New York City's Corporation Counsel during the Bill de Blasio administration, followed by an appointment to the city's Conflict of Interest Board.] So, there were a lot of conceptual and interesting legal things about it. I like challenge. The New York City Fire Department was like ninety-nine percent white, Irish-Catholic men, so that is like overdetermined, that's the Emerald Society, so to try to figure out structurally why that's happening and to look at the exams, to look at the questions, to look at how the dads and the uncles got the boys ready for those exams. If they were abusers and they had beaten their wives up before they got the job, "Well, he had a few drinks," and just to watch how that would work.

I love looking at those systems, and there were plenty of systems in New York City government, plenty of civil service complexity.

One of the things I learned from my job at the IRS that John taught me--John Robinson, my boss there briefly--was at the IRS, I think there were nine business units and maybe 300,000 employees or something, and I went to each business unit to the Equal Employment Officer at the IRS and listened to them, basically interviewed them at the beginning of that job. By the time I got to New York City, I did that with the thirty agencies or however many were directly mayoral control, and I asked three questions of these EEO officers. What is your relationship with headquarters? What could we do differently and better for you? What role do you have in hiring? And then some other question. By the time I finished those interviews, I discovered the level of isolation, the level of non-support, and the distance that all these people had from hiring. They were not in the room. They were not considered.

To try to crack that, to try to introduce structured interviewing, to try to introduce fairness into the selection process of thirty agencies that are all playing differently, I had to build a cadre of Equal Employment Officers who were ready to take that on, and I did. I had a great group, and so we did training. We did training for one another. We would support one another. We would have monthly meetings, where'd you actually say what was happening on the ground and how you were getting smacked around and figure out ways to handle it. We wrote a city-wide EEO training, computerized training, in which I had a great guy working for me, Michael Reyes, who was just a really smart Dominican guy who could have ended up in a working-class high school with printer's ink under his fingers, but he met one good guidance counselor, and so he went to Columbia and Columbia Law School and named his kid Soren, after Kierkegaard you know, huge reader. He wrote this training. What I had him do, I just edited it, I had him take all the case law and just push it right to the max of what the case law would support and then put that in the training. We had some serious training throughout the city, and so that was very satisfying.

Then, my boss, who had lived through many mayoral administrations, left. Then, I got a boss who was not a good fit for me. That was very difficult. I had a federal pension and I did all the numbers and I thought, "You know, you could walk." So, I walked and turned in my Blackberry one week before I went on my annual beach vacation with my family.

The culture shock of going from D.C. in the Treasury Department and IRS, it was June of 2005 and it was Gay Pride Month and so I was trying to figure out what I could issue that would be supportive of gay people. I forget which administration I'm in in 2005. Is that still Bush? It could still be Bush, yes.

KR: Yes, it is Bush.

DC: Yes. I tried to figure out what the limits had been. There's Norm Mineta and there's Christie Whitman, and they're the only ones. He's a Democrat and she's a liberal Republican, and they're the only ones that have ever issued anything good on gay pride. I realize, I've got [Treasury Secretary] Hank Paulson, I am not going to be able to get anything good through here, so I'm feeling very depressed. I come back to New York, and they have condoms with subway-named wrappers on them in the office. [laughter] Now, this is much more comfortable. [Editor's

Note: In the administration of George W. Bush, Norman Mineta served as the Secretary of Transportation, and Christie Todd Whitman served as the Administrator of the Environmental Protection Agency.]

Then, in Washington, when you have an anti-war demonstration under Bush, I had to go find a religious banner to walk behind, because there were people on the roofs of the IRS and all around filming you. I do not appreciate that. I have First Amendment [rights], regardless of religion. Then, you get back to New York, the New York Bar or D.C. Bar, somebody puts this thing out that I get that says, "Okay, the Pakistanis are throwing out the whole Supreme Court, so we're going to have this demonstration on the steps of the courthouse. Everyone has to wear a Pakistani lawyer outfit," which is a black suit and a white shirt. I call my general counsel and I say, "Okay, can I go to this, like on a lunch hour? What are the rules here?" She says, "Yes, just stay away from a mic. Don't say anything." I thought, "This is why you're in New York." You can go to a demonstration about the rule of law and you don't have to be under a religious banner. It was much more comfortable, and the culture of New York, I mean, I just missed the movies, the plays. One of the things that made me move back was that Tom Stoppard had a trilogy running in New York, *The Coast of Utopia*, and I realized living in Washington, I was not going to be able to make three different trips to New York that would catch each of those plays. [Editor's Note: The protest discussed above occurred during the Lawyer's Movement, also known as the Black Coat Protests or the Movement for the Restoration of the Judiciary, which began after Pervez Musharraf, Pakistan's president, forced the resignation of Iftikhar Muhammad Chaudhry, the chief justice of the Supreme Court, in March 2007.]

KR: Where did you live in the Washington, D.C. area? Where did your son go to school?

DC: Well, when I first moved down there, my sister was in Arlington. We stayed with her, and then I lived in Arlington for a little while there. Let me do a sidebar. In my memoir class on Wednesday night, one of the people did a dialogue with a teacher, who was all over your kid and ruining your child's life. It reminded me when Toby was in kindergarten, in Arlington, Virginia, he is totally interested in China for some reason, and every two hours, he is asking me, "Mom, what are they doing in China now?" I know zip about China, so I exhaust that knowledge, and then I go to the library. This is '83, so this is a long time ago. Then, I talk to his teacher, and I say, "He's totally into China, so could you lean into this?" The next time I see this woman, she says to me, "Your son is a very complicated child." I go to the principal and I say, "Look, a lot has changed and we really have changed so that we want all little kids, little girls and little boys of color, everybody, to get a good education, and I want to make sure that my son is really [encouraged]. He has interests." Do you know what that sucker said to me? "Not everybody agrees with those changes."

When I got the job with D.C. government, then we moved to D.C. and you had to live in D.C. He started to have a good public school education, until the day that he came home and he said, "Mom," he's in first grade, "I think you need to find me another school." "Why is that?" He said, "My teacher hit Douglas with a ruler." "Oh, really?" So, it turns out she has hit, this is first grade, this kid with a ruler. Toby is upset about it. I'm trying to figure out, so how do you do this parenting thing and how do you go in there with the teacher? Are they going to be mad at your kid the whole year? I get in there, and I'm beating around the bush. I've got him with me,

and he says to the teacher, "Ms. So and So, we're here because you hit Douglas with a ruler." I said, "Okay, no assertiveness training skills are needed for you, Toby." She, ruining my view of her for her whole life, spends the whole meeting talking about why Toby shouldn't care what happens to another child. I go to the principal and I say, "Look, this is what happened." She's happy that I'm not suing them, so, "Should we make a deal that he's going to get the best teacher every year of elementary school?" and he does. It was an individualist [mindset].

Then, he goes up in school. He goes to a junior high in Washington, and it's time for high school. We moved to Montgomery County. He's got his dreadlocks and he is into his identity as a young Black man, "Mom, you're taking me away from my people." I take him into the most integrated of the public high schools in Montgomery County, which was supposed to be a good county for schools. I show him all the pictures of the kids with dreadlocks running around the basketball [court]. Then, he's there, but it doesn't go well. I look at this little Quaker school, Sandy Spring Friends School. [At] the public school, when he's getting lost and he's getting in trouble--that I am not happy about--I go to this school and I say, "Look, do you have a program for young Black boys when they are getting lost by the system?" "Yes, we do, but he's too young for it." I said, "No, no, no, no, we need this now." We end up at this Quaker school. If Toby did anything wrong at that school, I'd get a call. So, that was perfect. He loved that school, and he had great teachers. One of his teachers, who was a wild man and the soccer coach, lacrosse maybe, he assigned them to do an autobiography of one of your parents. I was the one he knew particularly, so he wrote this paper, which I have a copy of, it's called, "The Solo Marathon Runner." Apparently, I had told him a lot of stuff by that age, so he has this whole thing about my father and incarceration in a mental hospital and all this stuff about race, crossing race lines. Then, he ends up in college. What were you asking, what his education was, or where we lived? We lived in Arlington. Then, we lived in D.C. in Mass Ave. Do you know D.C. at all?

KR: I know how it is Northeast, Northwest.

DC: Yes, we were in Northwest. We were in the white section of Washington. Then, we moved to Montgomery County and were there through college. I moved back to New York when he was in college, and he came home from college to live in Brooklyn.

KR: I have a big question to ask, but do you want to take a break first?

DC: Sure, with a great lead-in like that. [laughter]

[RECORDING PAUSED]

KR: We are on and recording. While you were forging your way through your career, what challenges did you face as a working mother?

DC: [laughter] Well, let me count the ways. [laughter] One time, when I was doing child abuse and neglect work, prosecuting, one of my friends, Marceline Alexander, who I mentioned, another attorney--Toby was--this is 1990--so he is twelve or thirteen, right around then. He was supposed to meet me at the office, and I got stuck in court. Of course, judges think they're the

only ones in the universe, so this went on and on. I was stuck over in court. Marceline drew up a petition for child neglect against me, about Toby, [laughter] and I have it someplace, I think. There was the standard boilerplate language about it, but the only thing that she had to say about me was that I was addicted to Diet Pepsi and that this was influencing my ability to exercise the appropriate care or whatever the boilerplate stuff was. It was hilarious. [laughter]

When I first started litigating, the court system is not set up for mothers, shall we say. In D.C., this is '88, there was no consciousness that women had no childcare at home necessarily or places to go. I remember one summer, Toby's summer camp started at nine a.m. Now, at eight, I had to have trials ready to go. This is one of the reasons I was married to a particular man, because he was an involved stepfather, so he could pick up that.

That was a challenge to try to figure out how this was all going to work over the years. I was single for much of his life, so it was all on me. One of the conflicts I had at the Educational TV and Film Center [was] with my boss, the one who wanted me to spend the money for the IRS, the withholding for employees. She was a single woman without children, and she would show up at the office at eleven a.m. Then, I had to leave at five because daycare closed at six. At that time, it was a dollar a minute if you were late. I was making twenty thousand dollars a year. I'd be there at nine, ready to go, and she would sashay in. She said to me one day, "Diane, I just feel sometimes like we're just getting started and things are going so well, and then all of a sudden, you have to leave." That was a challenge.

I think one of the things that was a surprise to me--he was my first child. Well, I had my stepson, but I got Ennis when he was twelve. I had Ennis from twelve until he went to college, but Toby, I had from scratch. One of the things that was interesting and a surprise was how much work parenting is, how much time it takes, once they're beyond two to four years old. He was always in all these sports programs, so I'm always driving around, watching him play sports. I was telling my older granddaughter yesterday that when I used to watch her father play baseball, or lacrosse, or basketball, whatever, some of these games are really slow like baseball, and I would sit there with a *New York Times* in my lap, and so he finally said to me, "Mom, could you not read the paper?" That was like my only time off. I think it was surprising how much work it took. I'm extremely close to him and I always have been, except for the ordinary vagaries of adolescence, and so I was very involved in what he was learning, what he was thinking, who his friends were. One time, this baseball coach calls me--some sport--he calls me up and says, "We're making this new team and we'd like to invite Toby to be on it. It's the Orioles." I thought it was Oreo, like the cookie, which was an insult for biracial kids, that you're black on the outside and white on the inside. I told Toby this, and the guy must have thought I had lost my mind. It was really the Boston Orioles, which is, what? Baseball or something.

KR: Yes, obviously, you are not a Baltimore Orioles fan.

DC: [laughter] Many ways that I'm clueless, and, boy, as a parent, they all come sooner or later with your name on them. That was a challenge. I mean, just balancing as you're going along, my son always came first. It seems to me humans always come first. You have to keep food on the table and a roof over your head. The balancing of the ego of the men I'm reporting to, largely men, when they don't have primary or even equal responsibility for children was a huge

challenge. I just have met a lot of people in my life who just think that what they want to do is just so much more important than anything else. I was just in a meeting, a couple of weeks ago, and some woman my age was talking about getting bullied, her word, by a man our age. She finally told him, "Look, I feel like you're bullying me," and he just kept at it again. I started laughing, because now I can laugh, and said, mimicking him, "Because I really, really, really want my way!" [laughter] There was a good bit of that.

Once he gets to college, I cried all the way back from dropping him off at college, but for the first time in my life, since I was a mother, I didn't get dressed for the weekend. I had pajamas on, and all of a sudden, I was not either carrying him around or arranging this or responding to that, or is he home? When he was in high school, he was the only kid with a curfew in his whole school in that Quaker school, and he was fussing about that one day. I said, "Look, I am not your friend. I am your mother, and you will make it to twenty-one. That is my job, and that will be done." That's not really about jobs, but it's just about setting limits and requirements.

At one point, this is just a funny story, when he was starting to move away from me to be able to go to college and grow up, we were seeing this therapist. He had broken this curfew or something, and she said to him, "How long have you known your mother?" and he said, "Well, seventeen years." She said, "I've only known her a few weeks and I know that staying out all night would not be the thing for her. How come you don't know that?" [laughter]

Daycare costs--when he went to kindergarten, public kindergarten, I sat at my sister's apartment and cried, because for the first time, this society was helping me raise him and for the first time, daycare wasn't as much as my rent. That was huge, yes. Do you have any specific other follow ups on that, or is that what you were after?

KR: Yes, it is something I am really interested in. I think it is something that is getting talked about now, challenges facing especially mothers, working mothers, and these issues are being raised because of the toll the pandemic has taken on working mothers. It is something that you have undergone throughout your life, my mother has also, but people have not paid much attention to it in the past, so that is why I wanted to bring it up.

DC: No, it's one of those things that people age out of. It's like on that list of legislative challenges, if women ran New York State. All the childcare stuff has basically not moved on that list. Rape moved, but other things have not moved. Employment moved. I think that once children get to be eighteen and it stops being such a pressing thing, women's attention goes to, "Okay, now I have to save money for college," or "Now I have to do this," or whatever all the things are they take over. It's one of those very individualist experiences.

I remember one time, when I was working for D.C. government, I was working with the D.C. Commission on Women, and we did some things like do testimony about surrogate motherhood, but we were involved in a project about child support enforcement. I was doing some kind of organizing about that. I remember talking to this guy, this father, and he said, "If I'm not eating her cookies, I'm not sending money for that kid." Now, I thought, "That's the basic thing that marriage can represent," or a sexual relationship with a man, and so when that's over, there's no obligation to that child or to that household. That's the first time I was ever on TV. Toby was

jealous. Toby was about five. I was on TV getting interviewed about child support enforcement. He said, "Mom, why can't I be on TV?" [laughter]

The day care, the afternoon stuff, after school, like I have my granddaughters Tuesday and Thursday afternoons. Well, I have the eight-year-old, the third grader, Tuesday and Thursday, and then the older one, who is a sixth grader, comes home at around five or so. She has a free after-school program at her middle school. The decision to make it free so that people can actually use it across the board, it's like all these policy decisions about whether to fund all children or just to make it means-tested. It's one of her favorite things. It's the show choir. When she heads up those stairs and I'm sitting in her apartment, she is always singing, and she's practicing for their concert. This song that they're doing, something like, "I can be found or something," it's a beautiful song. I just videoed her yesterday singing it. With the little one, it's still very patchwork. She's got a Wednesday class after school, but I'm doing Tuesday-Thursday. When they have parent-teacher meetings, I pick them up at eleven-forty, and parent-teacher was this week and it'll be next week. All this is just catch-as-catch-can, patch, patch, patch, so that has not apparently changed. My daughter-in-law doesn't know from one week to the next whether she's working at home or working at the Department of Education. I text them every night, "I'm on for Tuesday. I'm on for Thursday. I'm confirming this." This is no way to run a railroad.

KR: I think we should probably wrap up for today. Do you have anything that you would like to add in conclusion?

DC: I think when I look back on how I've been able to live my life in terms of what we've talked about so far, the most significant things were the birth control and abortion revolution that made motherhood voluntary and that freed me and so many millions of women to have a self-determined life, relatively speaking. Then, also, because of that, to be able to work in groups to effect change and to see the effects of that in people's lives. My little ones come along, my eight-year-old, she knows things that were never part of my education and just that whole notion of how infectious freedom is and it just gives you such depth of appreciation, like the stuff that's going on with Ukraine and to look at what people are willing to do. I watched somebody like Anderson Cooper, who I like, but he says, "If the Russians were in New York, would we be out in the streets with Molotov cocktails?" He is coming to grips with the level of courage. I had that at eighteen, and it so changed my life and enriched it. I feel very fortunate. It also just makes you much more fearless, when some judge is smacking you around. My sister gave me a bracelet, it was glass and it looked like it had snake skin, and when I had these particular judges that I was having a hard time with, I would just raise my wrist in court. Of course, they don't know what I'm doing. It would be like Diana's princess bracelet in Wonder Woman, where she says zing to zing, and that's how I would get through it. [laughter] That's it.

KR: I want to thank you so much for meeting again with me again today. I am going to stop the recording. We can talk off the record.

DC: Okay, thanks.

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Reviewed by Kathryn Tracy Rizzi 4/13/2022  
Reviewed by Diane Crothers 9/18/2022