

Finding Aid to The HistoryMakers® Video Oral History with The Honorable Deborah A. Batts

Overview of the Collection

Repository:	The HistoryMakers®1900 S. Michigan Avenue Chicago, Illinois 60616 info@thehistorymakers.com www.thehistorymakers.com
Creator:	Batts, Deborah A., 1947-2020
Title:	The HistoryMakers® Video Oral History Interview with The Honorable Deborah A. Batts,
Dates:	August 15, 2007 and September 20, 2007
Bulk Dates:	2007
Physical Description:	10 Betacame SP videocassettes (4:51:52).
Abstract:	Federal district court judge The Honorable Deborah A. Batts (1947 - 2020) served as a U.S. District Court Judge for the Southern District of New York. She was the first openly gay federal judge. Batts was interviewed by The HistoryMakers® on August 15, 2007 and September 20, 2007, in New York, New York. This collection is comprised of the original video footage of the interview.
Identification:	A2007_239
Language:	The interview and records are in English.

Biographical Note by The HistoryMakers®

U.S. District Court Judge Deborah A. Batts was born on April 13, 1947 in Philadelphia, Pennsylvania. She earned her B.A. degree in government from Radcliffe College in 1969 and attended Harvard Law School, where she earned her J.D. degree in 1972. Batts began her legal career clerking for Judge Lawrence W. Pierce, a U.S. District Court Judge for the Southern District of New York. The next year, Batts became an associate in New York City at the corporate law firm Cravath, Swaine & Moore.

In 1979, Batts became the Assistant U.S. Attorney for the Southern District of New York in the Criminal Division. She worked for the district until 1984 when she joined the faculty at the Fordham University School of Law. Batts was the first African American member of the faculty and later became a tenured Associate Professor of Law.

In 1990, Batts became a commissioner on the New York Law Review Commission. That same year, she served as Special Associate Counsel to the Department of Investigation of the City of New York. In 1994, Batts was nominated by President Clinton as a U.S. District Judge for the Southern District of New York. After her confirmation by the United States Senate, she was sworn into the office. As a federal judge, Batts has overseen a variety of high-profile cases and hearings. In 1999, she oversaw the indictment of Cheng Yong Wang and Xingqi Fu, charged with attempting to sell the organs of executed Chinese prisoners. Batts granted the defendants' motion to dismiss the indictment. In 2001, Batts wrote an Opinion resolving the issues of the sentencing hearing of al-Qaeda co-founder Mamdouh Mahmud Salim for the stabbing of a prison guard while Salim awaited trial in the case of the 1998 U.S. embassy bombings. Batts was also the judge in a widely publicized 2006 case against EPA Chief Christine Todd Whitman. Whitman was charged for her failure to adequately warn New Yorkers of the health risks involved in returning to their homes after the September 11th terrorist attacks.

Batts is an active member of the Bar Association of the City of New York, the Metropolitan Black Bar Association

and the Lesbian and Gay Law Association of Greater New York. In 1998, she received an honorary degree from the City University of New York School of Law.

Batts passed away on February 3, 2020.

Batts was interviewed by *The HistoryMakers* on August 15, 2007.

Scope and Content

This life oral history interview with The Honorable Deborah A. Batts was conducted by Adrienne Jones on August 15, 2007 and September 20, 2007, in New York, New York, and was recorded on 10 Betacame SP videocassettes. Federal district court judge The Honorable Deborah A. Batts (1947 - 2020) served as a U.S. District Court Judge for the Southern District of New York. She was the first openly gay federal judge.

Restrictions

Restrictions on Access

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

Restrictions on Use

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

Related Material

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

Controlled Access Terms

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

Persons:

Batts, Deborah A., 1947-2020

Jones, Adrienne (Interviewer)

Burghelea, Neculai (Videographer)

Burghelea, Neculai (Videographer)

Subjects:

African Americans--Interviews
Batts, Deborah A., 1947-2020 --Interviews

Organizations:

HistoryMakers® (Video oral history collection)

The HistoryMakers® African American Video Oral History Collection

Occupations:

Federal District Court Judge

HistoryMakers® Category:

LawMakers

Administrative Information

Custodial History

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

Preferred Citation

The HistoryMakers® Video Oral History Interview with The Honorable Deborah A. Batts, August 15, 2007 and September 20, 2007. The HistoryMakers® African American Video Oral History Collection, 1900 S. Michigan Avenue, Chicago, Illinois.

Processing Information

This interview collection was processed and encoded on 5/30/2023 by The HistoryMakers® staff. The finding aid was created adhering to the following standards: DACS, AACR2, and the Oral History Cataloging Manual (Matters 1995).

Other Finding Aid

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

Detailed Description of the Collection

Series I: Original Interview Footage

Video Oral History Interview with The Honorable Deborah A. Batts, Section A2007_239_001_001, TRT: 0:30:10 ?

The Honorable Deborah A. Batts was born on April 13, 1947 in Philadelphia, Pennsylvania to Ruth Silas Batts and James A. Batts. Her paternal grandparents, Hattie Eady Batts and James A. Batts, Sr., moved from Rocky Mount, North Carolina to Philadelphia, where her father attended Temple University. He later studied at the Howard University College of Medicine. Her maternal grandmother, Louise Petgrave Silas, was from Jamaica; and married Batts' maternal grandfather, postal worker Alfred Silas, who was Guatemalan. In Philadelphia, Batts' mother studied nursing at the Mercy-Douglass Hospital, where she met Batts' father. After they married, her father was deployed to Italy, where he achieved the rank of major during World War II. Upon his discharge, his race was listed as white, as the white clerk did not believe an African American could hold such a position. In Philadelphia, her father worked as an obstetrician. Batts had three sisters: Professor Diane Batts Morrow; Denise Batts; and dancer Mercedes Ellington.

Video Oral History Interview with The Honorable Deborah A. Batts, Section A2007_239_001_002, TRT: 0:29:18 ?

The Honorable Deborah A. Batts grew up in the Cobbs Creek community of West Philadelphia, Pennsylvania, which was integrated and family-oriented. When Batts was a teenager, her family moved to the Germantown neighborhood, where they were the first African American household on Johnson Street. The residents there were cordial, and their next-door neighbor was a Latin teacher, who took an interest in Batts' studies. For the holidays, Batts' older half-sister, dancer Mercedes Ellington, visited from New York City, and Batts' mother baked sweet potato pie, mince meat pie, fruitcake and cookies, which Batts' sisters helped decorate. Batts recalls her Christmas gifts, including a doll from the 'Beat the Clock' television program, and a red English racer three-speed bicycle. For her twelfth birthday, her father, physician James A. Batts, pierced her ears; and her mother, Ruth Silas Batts, gave her a guitar. On occasion, Batts travelled to New York City to see Ellington, her sister.

Video Oral History Interview with The Honorable Deborah A. Batts, Section A2007_239_001_003, TRT: 0:31:11 ?

The Honorable Deborah A. Batts attended the St. Rose of Lima School in Philadelphia, Pennsylvania until the third grade, when she transferred to the St. Carthage School. There, she read frequently, learned to write with a quill pen and was influenced by Sister Michael Gerald, who fostered her interest in mathematics. Batts attended the Little Flower Catholic High School for Girls until the tenth grade, when her father, James A. Batts, enrolled Batts and her twin sister at the prestigious Philadelphia High School for Girls. There, she excelled academically, but had difficulty in her physical education classes. Batts aspired to become a doctor like her father, but was deterred by his belief that medicine was not a suitable career for women. During her childhood, Batts listened to big band musicians, such as Cole Porter and Ella Fitzgerald, as well as classical composers like Jean Sibelius. Her older half-sister, the noted dancer Mercedes Ellington, introduced Batts and her twin sister to Latin music.

Video Oral History Interview with The Honorable Deborah A. Batts, Section A2007_239_001_004, TRT: 0:30:25 ?

The Honorable Deborah A. Batts played the trombone alongside her twin sister, Denise Batts Morrow, in the orchestra at Little Flower Catholic High School for Girls in Philadelphia, Pennsylvania. After transferring to the integrated,

culturally diverse Philadelphia High School for Girls, Batts joined the marching band and brass choir. She was influenced by the conductor, Dorothy Shaw Weir, and played in the school's Christmas programs. During high school, Batts was interested in the sciences, including biology, chemistry and physics, as well as Latin. Upon graduating in 1965, she enrolled at Radcliffe College in Cambridge, Massachusetts with the encouragement of her neighbor, an alumna, and her father, James A. Batts. On her first day at Radcliffe College, Batts befriended Margaret Kemeny, who went on to become a cancer surgeon. She also talks about racial discrimination in the Catholic church, and her twin sister's research on the Oblate Sisters of Providence, an order of black nuns.

Video Oral History Interview with The Honorable Deborah A. Batts, Section A2007_239_001_005, TRT: 0:29:51 ?

The Honorable Deborah A. Batts studied at Radcliffe College from 1965, and was one of eight black women in her class. She majored in government, and met future finance executive Gail Snowden and Lani Guinier, who became a law professor. After Reverend Martin Luther King, Jr. was assassinated in 1968, Batts aspired to study law. She was active in the student government, and served as the first president of the Radcliffe Union of Students, where she advocated for student representation at board of trustee meetings. Upon graduating, she secured a fellowship to Harvard Law School. She disliked the Socratic teaching method and considered leaving, but was motivated to stay by her classmate and friend, Gwendolyn Alexis. Batts edited the Harvard Civil Rights Civil Liberties Law Review, and was influenced by Professor Alan Dershowitz. During her third year, she studied under Professor Derrick A. Bell, Jr. He introduced her to Judge Constance Baker Motley, who secured a clerkship for her with Judge Lawrence W. Pierce.

Video Oral History Interview with The Honorable Deborah A. Batts, Section A2007_239_001_006, TRT: 0:29:06 ?

The Honorable Deborah A. Batts clerked for Judge Lawrence W. Pierce during her final year at Harvard Law School, alongside future prosecutor Jo Ann Harris. Batts graduated from law school in 1972, and became an associate at the firm of Cravath, Swaine and Moore, LLP in New York City, where there were few African American or female attorneys. In the litigation department, Batts' work focused on technology antitrust cases for clients such as IBM. Then, Batts was hired as a criminal prosecutor by the U.S. Attorney's Office for the Southern District of New York. There, her casework ranged from international art theft to tax evasion lawsuits. During that time, Batts also taught at the National Institute for Trial Advocacy in Boulder, Colorado. In 1984, she left to pursue teaching full time at the Fordham University School of Law in New York City, where she taught first year property law courses. In 1990, she became the law faculty's first African American tenured professor.

Video Oral History Interview with The Honorable Deborah A. Batts, Section A2007_239_001_007, TRT: 0:21:20 ?

The Honorable Deborah A. Batts narrates her photographs.

Video Oral History Interview with The Honorable Deborah A. Batts, Section A2007_239_002_008, TRT: 0:29:43 ?

The Honorable Deborah A. Batts taught at the Fordham University School of Law in New York City, where she was influenced by her colleague, George Bundy Smith, who later served on the New York Court of Appeals. Batts was nominated for a federal judgeship by Senator Daniel Patrick Moynihan during President George H.W. Bush's administration. She was interviewed by officials from the U.S. Department of Justice, including John Roberts, who later became

the chief justice of the U.S. Supreme Court. Her nomination was declined, but later accepted under the administration of President William Jefferson “Bill” Clinton. In 1994, Batts was confirmed as the nation’s first openly gay African American judge during New York City’s Gay Pride Week. She served on the U.S. District Court for the Southern District of New York, where she emphasized sensitivity to her defendants. Batts talks about federal sentencing guidelines, and the idea of judicial activism, which conservative commentators used to censure judges.

Video Oral History Interview with The Honorable Deborah A. Batts, Section A2007_239_002_009, TRT: 0:30:29 ?

The Honorable Deborah A. Batts taught evening courses in trial advocacy and domestic relations at the Fordham University School of Law while a judge for the U.S. District Court for the Southern District of New York. From 1990 to 1991, she served as outside counsel to the New York City Department of Investigation, and resolved an investigation into former Mayor David N. Dinkins’ administration. Later in 1990, Dean John D. Feerick of the Fordham University School of Law nominated Batts to the New York State Law Revision Commission, where she evaluated laws on behalf of the New York State Legislature. In 2006, Batts presided over the case against former Environmental Protection Agency administrator Christine Todd Whitman, who misled citizens about air and water quality following the terrorist attacks of September 11, 2001. Later, Batts negotiated the settlement of a civil suit brought by basketball player Charles Barkley against a company that used his image unlawfully.

Video Oral History Interview with The Honorable Deborah A. Batts, Section A2007_239_002_010, TRT: 0:30:19 ?

The Honorable Deborah A. Batts visited Ghana for the Crowley Institute’s human rights initiative in 2001. She met with President John Agyekum Kufuor and women’s rights groups to report on the Intestate Succession Act of 1985, which replaced traditional customs with a uniform inheritance law for all Ghanaian women. Later in 2001, artist Simmie Knox was commissioned by the Gay, Lesbian, Bisexual and Transgender Alumni/ae Committee of the Harvard Law School Association to paint Batts’ portrait as the first openly gay federal judge in the school’s history. Batts’ former classmate and Harvard Law School Dean Robert Clark accepted the portrait on the school’s behalf, and displayed it in Pound Hall. Batts describes her involvement with the Metropolitan Black Bar Association, the LGBT Bar Association of Greater New York, the Federal Bar Council American Inn of Court and the board of visitors for the City University of New York School of Law; and concludes the interview by reflecting upon her career, life and legacy.