Arthur Gilbert: Hello, and welcome to the Legacy Project of the California Court of Appeal. My name is Arthur Gilbert. I'm the Presiding Justice of Division Six of the Second District of the California Court of Appeal, and it is my pleasure to interview my colleague and dear friend Justice Steven Perren. So, Justice Perren, you have a long and distinguished career but let's start at the beginning. You were born in Los Angeles, correct?

Steven Perren: That's true. I was born in 1942 at Cedars of Lebanon Hospital where all good Jewish children were born in the 1940s.

Arthur Gilbert: In fact, it was the only place. Okay. So, tell us about your formative years as a youngster.

Steven Perren: I grew up in the Fairfax District on Blackburn Avenue off of Fairfax. My father was a 4F during the war so he worked in the shipyards during the day and at night he worked in a delicatessen, which ultimately became his career. He was born in New York and long story short he was abandoned essentially by his father when he was three years old and sent to live with relatives. He had a beautiful voice and he ended up singing on the streets of New York and with choirs in the City of New York.

Arthur Gilbert: Now, this is a quality that you certainly inherited from your father.

Steven Perren: I'd like to think so.

Arthur Gilbert: Okay, because in addition to your many talents, you're quite a singer. When did you start singing?

Steven Perren: I cannot remember not singing. There was a Safeway store on Third Street and my mother would park my little stroller there and I'd sing outside the store just because that's what I did, and I've sung in -- I didn't really become involved in performance singing until I got to UCLA with one exception and that was the disaster called the Pajama King in 1959. When I auditioned for the lead and ended up being a stand-in for a dancer. It was a dark moment in my life and probably a good one because I was thinking maybe I should pursue something having to do with music. Well, that disabused me of that notion. And anyway, I -- as you know we've performed together. I was in bed with Diane my wife and there was an advertisement for a cattle call for Guys and Dolls in Thousand Oaks. That was in 1995. I turned to her and said, "I think I'm going to do that" and she said, "Are you crazy?" I said, "Yes." So, we agreed on that. I auditioned, and I got in the show in the company at the Cabrillo Music Theater. A regional theater with some professionals involved. I was in the chorus and the genie was out of the bottle. And I began performing at that point in musical theater and for the last 25 years or so, I've performed in regional musical theater, community musical theater, Gilbert and Sullivan Repertoire Company and with Santa Barbara Opera, in their company up in Santa Barbara that performs professional opera with community chorus background.

Arthur Gilbert: Well, we certainly all know about that you even sang -- I'm going to back up in a few minutes and go back to your education but as long as we're on music you sang in Disney Hall with the LA Lawyers Philharmonic.

Steven Perren: I did. And you were responsible in large part for that because through you, Gary Greene had heard that I had a voice.

Arthur Gilbert: Now, Gary Greene is the --

Steven Perren: Is the conductor for the Los Angeles Lawyers Philharmonic and Chorus known as Legal Voices. And about seven years ago, I got a call from Gary principally because of what you had discussed with him. He was thinking of forming this choir of course, and he wanted me to sing a solo with your orchestra, which I did, it went very well and shortly thereafter, the chorus was formed. I guess he was liberated with the idea of having a chorus and I was with that chorus for a number of years, but the 120 mile round trip drive every Monday night just kind of wore me out and I haven't done it for a couple of years but to stand in Disney Hall, I sang Bring Him Home from Les Misérables backed by a harp at Disney Hall and a full orchestra and if there is a heaven, that's where I was at that moment.

Arthur Gilbert: Well, I certainly can attest to that now. I recalled you singing Summertime.

Steven Perren: Not Summertime.

Arthur Gilbert: No. It was --

Steven Perren: It was Porgy and Bess.

Arthur Gilbert: Porgy and Bess. What was the tune again?

Steven Perren: A Woman is a Sometime Thing.

Arthur Gilbert: Well, you sang that as a soloist and you brought the house down. I was there, I saw it. I was just overwhelmed and you there, your stage presence, you just mesmerized the entire audience.

Steven Perren: Well, that was kind.

Arthur Gilbert: Quite an experience wasn't it?

Steven Perren: For the benefit of those who may have lost their way and gotten this video by accident, they ought to understand and I say this reverentially actually that Arthur Gilbert is a real artist. He's a trained, highly trained musician and so he, as my good friend and colleague, looks to me and says I did something good. That's the real compliment.

Arthur Gilbert: Well, thank you. But I'm going to back up a little bit and talk about your education and we'll talk about music as well when you feel you would like to burst into something and maybe -- I was just going to suggest

maybe you could give us a rendition now. All right. So now you're in Los Angeles. You're going to school.

Steven Perren: Yes.

Arthur Gilbert: You're singing.

Steven Perren: Yes.

Arthur Gilbert: And just because it's something in the family, right?

Steven Perren: Well, Dad was the singer.

Arthur Gilbert: Yeah, yeah.

Steven Perren: As I mentioned he was in New York. He sang with the great cantors of New York. There is a name that some people will recognize that Yossele Rosenblatt who in the 1920s was as big a star in the Broadway area as the Broadway stars were when that -- with the Yiddish American Theater and with the heavy Jewish population attending synagogues. He sang with him. He sang with others and he even sang with John Pierce who sang with the Metropolitan Opera.

Arthur Gilbert: Oh, boy.

Steven Perren: So, he had a beautiful voice of just as clear -- bell clear tenor. It was wonderful.

Arthur Gilbert: How would you characterize your voice?

Steven Perren: I'm characterized -- my vocal coach tells me I'm what's known as a Heldentenor, which is a Wagnerian tenor. I don't sound like a tenor. My voice is too full and too heavy for a tenor. It's what Wagnerian tenors sing in a more fuller voice.

Arthur Gilbert: When you sing, you project --.

Steven Perren: It's been said.

Arthur Gilbert: You've had a few experiences with that voice of yours. Can you just give us a couple of examples such as when you were singing in the Hollywood Bowl for example, and you did a recording once and --.

Steven Perren: They have Spring Sing at UCLA where I went to school, and after I had left my fraternity, I was in my first year of law school and I was singing with several friends in a group called The Ten of Them. Five women, five men, and we were doing a Peter, Paul and Mary piece, doesn't come to mind at this moment, but there were three solos in it and the sound technician in the Hollywood Bowl during a soundcheck wanted to get our levels. So, he had the three of us coming forward and the first person came forward and sang her piece and the sound technician said, could you step a little closer to the microphone. She didn't sing loudly. Second was a baritone by the name of Bill Curry. I remember very well,

very close friend. He went forward and he sang and they said could you step a little closer to the microphone? I came forward and sang my piece and the soundman said stop. Could you step a little back from the microphone? So, the groundwork was laid there. I did musical theatre at UCLA and the musical comedy workshop when everybody was studying law and I was in law school they were going to their jobs because their careers were before them. I was going to the army. So, I went with the musical comedy workshop at UCLA for two years and we put on a production written by John Rubinstein called The Shortened Turbulent Reign of Roger Ginzburg.

Arthur Gilbert: Wow.

Steven Perren: John is --

Arthur Gilbert: John is the son of the pianist Arthur Rubinstein.

Steven Perren: That's correct.

Arthur Gilbert: Right.

Steven Perren: And the Emmy award winning -- the Tony award-winning actor for Pippin and there was a sound experience with that. We recorded it, Arthur Rubinstein played for -- paid for a recording at RCA Studios in Hollywood and we were all in our different places as they did in those days and we all had our individual mics and we were wired into the soundboard and everybody was getting sound tested and I knew I had sung perhaps a little too fully.

When the sound techs eyes went straight up and he started adjusting the dials rapidly down which was visible to me. So yeah, a lesson I've learned is sometimes less is more.

Arthur Gilbert: Okay. So now, I want to back up just briefly go over your early education and how you eventually came to law school. So, you went to -- you moved to the valley, right? You lived in Los Angeles near Fairfax.

Steven Perren: Right. What happened was my mom and dad, me and Sam came out in 1937. They had been married a little over a year. Mom was born in West Virginia, dad in New York. There were four years apart in age. They rode out -- it was the depression. My dad couldn't get a job because he was a tailor and his father wouldn't hire him. So, he called my grandfather, Harry, who lived in West Virginia which is where my mother's from and I still have the letter and because my grandfather had remarried and my mother was none too fond of the woman he had married, my father sent my grandfather a letter asking if he could get employment. I saw the letter reply which was a beautiful letter written by a man who could barely speak English because of his broken Russian accent, but he was very eloquent in the pen.

And he said, Dear Sam, we love you very much but the way he feels perhaps if you need a stopover as you're looking for work you can stop in Princeton, but I don't think your future is here. It was almost poetic

and dad and mom went instead with a couple of other relatives and drove across country from New York to Los Angeles. There was some family I think on both sides in Los Angeles and all in the Wilshire Fairfax area, which was a very, very large Jewish Enclave in those days. In fact, remains the last one in Los Angeles today.

And so I went to Hancock Park Elementary School and in 1951 at the brilliant age of nine and my brother now three, we moved to the San Fernando Valley which was to the Jewish community at that time much the same as Moses leading them out of Egypt into the San Fernando Valley. All leaving prosperous area and heading to the desert. Dad bought a home. My dad -- everything for him was his family. He had a half sibling but he had no family life growing up and for him, everything was about his wife who he adored and his two children.

So he bought a house $15,000 on Bellaire Avenue in North Hollywood and we lived there until -- they lived there until 1978 when they moved. So, it was 51 to 78. I went to Hancock Park Elementary School when I lived in L.A. I went to Monlux Elementary School, which was immediately across the street. You walked out the front door in my house and into the gate of Monlux Elementary School. A gate my mother often walked through when the teachers would call and say -- he's at it again. She came to school every semester from the day I entered elementary school until I left junior high school.

Arthur Gilbert: Okay. What kind of -- so you were somewhat of a troublemaker? Not really?

Steven Perren: I had – I talked too much.

Arthur Gilbert: Oh, welcome to the club. No wonder we're such good friends.

Steven Perren: I was agitated because as education was, I was trying to see the golden mean and retrospectively it appears to me that I probably had ADD and I moved around and I talked and I did all the things -- and the teachers actually liked me. I just drove them nuts.

Arthur Gilbert: I don't know anyone who doesn't like you. So that has carried over throughout the years.

Steven Perren: And I drive them nuts too.

Arthur Gilbert: Yeah, but in a very good way.

Steven Perren: So, I was at that elementary school and then I went to Van Nuys Junior High and it was a massive explosion of population in the valley in those years and they were building schools about as rapidly as you could. So, I went from Van Nuys and they transfer me to Fulton with a coterie of people who were ultimately destined to start the junior high school called Madison.

I went there and then off to North Hollywood High where I played football.

Arthur Gilbert: You played football. You are a football -- no, that's why you're always educating me on plays and see all the subtleties that I miss. So, you--

Steven Perren: So did I when I was playing football that's why I didn't do very well--

Arthur Gilbert: What position did you play?

Steven Perren: I was a bad half back.

Arthur Gilbert: Bad half back.

Steven Perren: The half back really was a true statement in my case instead of a full back and I was -- my lack of strength was -- I'm sorry.

Arthur Gilbert: Do they still use the term half back?

Steven Perren: No.

Arthur Gilbert: What's the half back today?

Steven Perren: Running back.

Arthur Gilbert: A running back.

Steven Perren: One running back and a blocking back who used to be called the full back and the quarter back and a whole range of formations. So, I played two years, one-year B and one year of varsity football. My big game was against Grant High School where I gained 99 yards and a touchdown on a 60-yard run.

Arthur Gilbert: Wow! So, that's not so bad.

Steven Perren: No, it wasn't. They didn't have any seniors on their team either so they had just opened Grant where I would have gone to school.

Arthur Gilbert: You never forget that, do you?

Steven Perren: I don't forget it.

Arthur Gilbert: You must have been some hero doing that.

Steven Perren: No, I was second string whenever the bench needed clearing. I ran track slowly so I didn't do very well there either but I love sports and graduated from North Hollywood High and went immediately to -- I was a January graduate went immediately into UCLA, which I just applied to on a lark.

Arthur Gilbert: Well, I mean, you knew you were going to go to college.

Steven Perren: That was never an issue.

Arthur Gilbert: In that early time of your career, were you thinking about a profession or what you were going to do? I mean, here you have music, you love being in theater and so on. What were your thoughts at that time?

Steven Perren: We discussed once upon a time kids labor over what's my career? Where's my future? What I want to be? That was never an issue in my life or in my family. I cannot remember a time that my mother and father both agreed that I knew I was going to be a lawyer. So, I guess I knew it because that's what happened. I had an absolutely straight line from the day I would breathe my first until I graduated law school, that's where I was headed. That's what I was going to do and that was it.

Arthur Gilbert: It sounds to me like this wasn't just pressure from your family, but that there was something inside you that said you wanted to go into law.

Steven Perren: Yes, there was. In fact, one of the things that -- I just remembered this. My dad knew I wanted to go into law in the summer of 1961. I went to work in a pillow factory for summer work. The Purified Down Corporation in Burbank. I was in this stuff the foam rubber department. You had to be there to really appreciate it and it was a big producer of pillows. The fellow who owned it was a guy with the name of Jack Pierrot was a close friend of my fathers and I worked there for a summer. It was an interesting place to work. It was something out of the 50s. It was Life of Riley whatever working folks, working doing that kind of work that probably isn't performed--

Arthur Gilbert: For viewers who won't know what Life of Riley is, that was a quite popular television show about a working-class stiff guy. A nice guy who took care of his family and would get into all kinds of situations and so on. I'm trying to remember the actor's name. It's almost--

Steven Perren: William Bendix.

Arthur Gilbert: William Bendix. My goodness! Wow!

Steven Perren: So, I'm working at this pillow factory and I worked there, I worked for $1.25 an hour and my take home pay per week was $39.37.

Arthur Gilbert: Big money in those days.

Steven Perren: Big money. And you were on a time clock. You came late, they docked you. If you left late, they didn't pay you the extra and I remember Jack I knew him and on my last day there. I'm walking out the wisdom from the Gods. Jack stops me at the door. "So, Steve, what did you learn?" And I said, well, you know, I understand this machine for kapok and how you package the routing that you did with your boxes. You had 50-100 people working here and how you prepare; he says, "Steve, what did you learn?" I said, I never want to work in the place like this again. And he said, "okay." It worked, then he sent me on my way.

Arthur Gilbert: That's what he wanted to hear, right?

Steven Perren: That's what he wanted to hear.

Arthur Gilbert: Now, speaking of working, your father opened a delicatessen.

Steven Perren: He did.

Arthur Gilbert: And tell us a little bit about that and you and your brother worked there?

Steven Perren: We did.

Arthur Gilbert: So, tell us a little bit about that.

Steven Perren: The background on that is that my dad's father, the one from whom he was alienated, was a tailor in New York during the depression. My dad reconciled a bit with him after he graduated high school and hoped to be able to go to CCNY and my grandfather said, no, you're going to go to work as a tailor, which my father did. Anyway, he met my mom and they came out to California and he started working in the 1937-38 in the delicatessens in Los Angeles. He worked at Billy's in Glendale. He also worked Canter's, Canter's in Boyle Heights --

Arthur Gilbert: All the famous –

Steven Perren: All the famous delis. And he learned this trade. He was -- I remember we used to drive from the valley to Boyle Heights in a 1948 Chevy and they used to have the platforms in the back. I don't know what you call them. But behind your seat, there was your headrest and there was just this flat platform that goes over the trunk.

Arthur Gilbert: Yeah.

Steven Perren: And I'd lay up in that platform area. My brother would be there, mom would drive dad down to Canter's in Boyle Heights. We only had one car. And then she picks him up and we were in the car back and forth. And he then went from that which was about 1959 -- no, '49. Ultimately went to Billy's in Glendale and then he opened his own delicatessen. This was a really heroic act. This is a man who never owned his business. He was an icon to me. He just would not be beaten. He worked hard. He was just a straight-up honest guy except for one minor deviation.

He -- I forgot this -- he had a delicatessen with a fellow named Leo Haas down on Pico Boulevard in Los Angeles. And then he left Leo and formed the place I think he called it Sam's or something like Tasty Delicatessen. That was the name of it. He got closed down by the LAPD in 1948 or '49. And the reason, there was gambling going on upstairs over which he had no control. The mob came in, the LA mob came in including Bugsy Siegel and told my father we're going to have a poker game up here. So, they had a poker game up there. What was he to do? And he got closed down for that. There was a certain justice theme in there that resonates with me as I look back on it. Anyway, dad finally opened his own delicatessen in Burbank in 1954.

Arthur Gilbert: And the name of it is?

Steven Perren: Perren's.

Arthur Gilbert: Perren's?

Steven Perren: There you go. And he was there from '54 to 1976. Mom worked the counter, dad was at the sandwich board, we had a couple of waitresses. He expanded the place to -- I think at the maximum a six feet counter and four booths and about a half dozen tables. That put two kids through college. It made a life for him. It was what I learned America was.

Arthur Gilbert: I was just going to say that. Not as a political statement.

Steven Perren: No.

Arthur Gilbert: But only in America.

Steven Perren: Yeah. That's just the way it was. He did it by hard work.

Arthur Gilbert: So many of us, our parents came from such humble backgrounds.

Steven Perren: Yeah.

Arthur Gilbert: And the opportunities in this country are just beyond belief.

Steven Perren: And that first generation -- dad was a first generation American. They knew and accepted the fact that they may not be all the things that they would want to be but they'd be damn sure their kids could be.

Arthur Gilbert: Yeah.

Steven Perren: And that's a lesson I took from that. Never forgot.

Arthur Gilbert: And -- well, your work ethic certainly shows that. What kind of work did you do in the delicatessen as a kid?

Steven Perren: Well, it depends on who you talk to.

Arthur Gilbert: I'm talking to you.

Steven Perren: According to my mother, not much. My brother was very good. He's six years my junior and in fact, my father had a heart attack in 1965 when I was in law school. And my brother who was a senior in high school ran the delicatessen with my mother as my dad recovered.

Arthur Gilbert: Wow.

Steven Perren: So, my brother was fully engaged in that as well as going to Northridge where he ultimately became an accountant. I would work the counter, slice meat, slice cheese --

Arthur Gilbert: Did you ever sing for the customers?

Steven Perren: No.

Arthur Gilbert: Okay.

Steven Perren: It was not that kind of delicatessen.

Arthur Gilbert: Okay.

Steven Perren: And I didn't really have any appreciation for my own voice such as it may be.

Arthur Gilbert: Yeah.

Steven Perren: I -- we worked in -- and the delicatessen –- the bonus, to the extent my dad ever got a bonus, was every Christmas in Burbank the stores would have Christmas parties and my father would make platters for the Christmas parties. And I would work with him as would my brother through the night until dawn and we'd carry the platters all around Burbank. They'd been preordered.

Arthur Gilbert: So, this is the irony of a Jewish delicatessen doing quite well at Christmas time.

Steven Perren: We depended upon it. It reminds me of -- they have a furniture mart in Los Angeles and -- but they had people who only were allowed in there that did business with their permission.

Arthur Gilbert: Yes. I knew it quite well. The Traffic Court was right near it. When I was sitting there 45 years ago.

Steven Perren: There you know. Well, dad had six or seven contacts there and he would deliver sandwiches to them through the back door. And I remember driving down there and delivering sandwiches.

Arthur Gilbert: Wow.

Steven Perren: Making a living was all you could do.

Arthur Gilbert: Yeah.

Steven Perren: It was cash on hand and it was the 50s, it was wonderful. It was wonderful.

Arthur Gilbert: So now, you're at UCLA.

Steven Perren: Yeah.

Arthur Gilbert: And what are you studying? You know you want to go into law at that point.

Steven Perren: Right.

Arthur Gilbert: So, that – you're sort of thinking of your future. What did you major in -- what were your interests at UCLA?

Steven Perren: My major was to get to law school. So, -- really. I just wanted –

Arthur Gilbert: Majoring in how do I get to law school?

Steven Perren: What can I do that I enjoy for four years to get my degree and to get to law school. So, I majored in history and that was a good choice. And my daughter now is a professor at the University of Texas. And I say that because she's in what you would call a soft subject, the communications, film, radio and television where she's an associate professor. And those are topics that, you know, it's not a STEM class. So, who cares? But back when you and I went to school, old guys that we are, people thought that education meant education on --

Arthur Gilbert: The liberal arts or the sciences.

Steven Perren: Right.

Arthur Gilbert: Right.

Steven Perren: And I've -- the most influential teacher I had as an undergraduate was a fellow by the name of -- good, I just went brain-dead. I'll remember it. William –

Arthur Gilbert: Oh, yes. He was a history professor.

Steven Perren: He was my history professor.

Arthur Gilbert: McClintock --

Steven Perren: Hitchcock.

Arthur Gilbert: Hitchcock. That was – he was famous when I was there. And I was there before you. Go ahead. Yes.

Steven Perren: He was –-- I knew nothing about this one.

Arthur Gilbert: Yeah.

Steven Perren: I went to UCLA, I was really -- not very well schooled in literature. I wasn't schooled in literature. History, American history, okay. But the world was yet to open up. And then, I had Hitchcock's class. And I remember one class, it was Haines Hall 39 for those who were familiar with --

Arthur Gilbert: I would just sit in that lecture hall. Oh, my goodness.

Steven Perren: Big lecture hall. And Hitchcock was giving a lecture on tragedy and the Greek tragedians, moving to Shakespeare and ultimately to Pygmalion. Come on, who wrote -- Shaw.

Arthur Gilbert: Oh. George Bernard Shaw.

Steven Perren: George Bernard Shaw. And he was giving a lecture on tragedy trying to get across the notion that without values being compromised, without passions being aroused and without values of the highest order that you could lose, there could be no tragedy. There had to be something of worth that ultimately was either lost, compromised or for which you died. Otherwise, there was no tragedy. It was life. Period. And he gave a recital. I don't know what else he -- soliloquies from Shakespeare. I think it was Caesar -- Julius Caesar. And Shaw also who he considered to be the last tragedian because the values of the world had changed so much, the tragedy was almost impossible.

Arthur Gilbert: And then Shaw's put on Pygmalion?

Steven Perren: It was Pygmalion. It was -- oh God, The Importance of Being Earnest. No, he wasn't. Oh God I apologized to all you English majors, that was wrong.

Arthur Gilbert: No, yes.

Steven Perren: But Shaw, when he gave these soliloquies and he just gave the class playing all the parts, there was silence in the class, 250 people and he finally finished something from Shakespeare if I recall. He had a high-pitched, non-dramatic voice. He was not a dramatic person. You could hear a pin drop, and when he finished, the students all lower-division history majors, went nuts. I mean they literally were stamping their feet, applauding and I thought, "There's something going on here I've got to know about" and so I studied history for the four years and the last class I remember --

Arthur Gilbert: Let me just interrupt you for a minute.

Steven Perren: Yeah.

Arthur Gilbert: It seems to me if I can just make this comment that that passion to pursue an ideal certainly, it forms all your work as a judge throughout your career?

Steven Perren: I'd like to think so.

Arthur Gilbert: I know so.

Steven Perren: And I'd say so for you too.

Arthur Gilbert: I can say that because I've been a colleague of yours and seen you and know the kind of work you do and we're going to get into that shortly. But I can see that that of influence had a profound effect on how you act as a justice on the Court of Appeal and as a judge before that in the trial court.

Steven Perren: Thank you. Well, I had a class with a guy named Rapaport who is a Political Science teacher.

Arthur Gilbert: I remember him. My goodness, you're bringing back memories.

Steven Perren: And we had a class on the history of the state, the concept of stateness from the Greeks to current times and we read Aristotle, and we read Plato and ultimately, I read William Golding's Lord of the Flies.

Arthur Gilbert: Yeah.

Steven Perren: And we had to do a term paper and so what I wrote as a term paper was -- I took the protagonist in Lord of the Flies after he's rescued on the Navy boat that rescues him and while he's in one of the rooms -- now having been rescued, Aristotle appears and they had a dialog. "Where did you screw up on that city-state you tried to form that failed so miserably?" And so, I wrote a 10 or 15-page dialog between Aristotle and that kid.

Arthur Gilbert: How interesting, wow.

Steven Perren: And I thought, "I'm dead meat." You know, I don't do this stuff.

Arthur Gilbert: Let me ask, do you still have that paper?

Steven Perren: I wish I could find that.

Arthur Gilbert: Oh because I'd love to read it.

Steven Perren: Me too.

Arthur Gilbert: My goodness, wow.

Steven Perren: So, I graduated UCLA in '64 and had six months off now as an ROTC. The Vietnam War was heating up. I went advanced course of ROTC in order to get a commission because I knew I was going in; the draft was inevitable, certainly in my case because I was healthy, I was the right age, you got drafted. So, I decided to go in the Army, the advanced course and I got my commission as a second lieutenant in the Army upon graduation.

But I wanted to go to law school. So, I prevailed upon the Army to defer me for three years, which in retrospect was the right choice, but at that time, I really thought it was the right choice. The real difference was the Vietnam War heated up. If I had gone in and I've gone in for six months and come out and probably not seen active duty for a long period of time and probably not have gone overseas. Well, I deferred for three years, went to law school and went immediately in the Army after I graduated.

Well in that six-month hiatus between college and law school, I worked in the Traffic Department of the City of Los Angeles as a Traffic Signal Scheduler, and I learned another valuable lesson. The first thing they

did for me was they sent me in the field to do what I was going to then tell others to do in scheduling the installation and maintenance of traffic signals about which I knew nothing.

And so, I went in the field and I worked in the field digging trenches and then when I went back and I knew when I made these orders what these people would have to do. So, by dint of my intellect and my planning and my broad knowledge of what was going on, I scheduled the complete repair of the Wilshire Corridor during Christmas. Well, the Chamber of Commerce was not pleased because it would tear up the streets during Christmas.

Arthur Gilbert: Oh, I got it.

Steven Perren: And they're laying off.

Arthur Gilbert: Right.

Steven Perren: My boss, Sam Taylor called me and said, "I think we're going to reschedule that." So, lesson learned -- take a little further look about things. So, I worked there for six months and I entered law school. I also taught speed reading during that time.

Arthur Gilbert: Oh, the Evelyn Woods Speed Reading course?

Steven Perren: No this was, there was a --

Arthur Gilbert: Oh there was another one, yes.

Steven Perren: There was another one.

Arthur Gilbert: I recall that. Evelyn Woods was a little later.

Steven Perren: In '63, I taught that and my dear friend Bill Patterson who is the reason I came to Ventura -- we'll get to that in a bit, was my mentor. He worked for the same group. He taught me how to teach speed reading. I went on the road with these tachistoscopes. They were just bars that forced your eyes down.

Arthur Gilbert: Yes, I took it. Incidentally, do you still use that technique in your work?

Steven Perren: No, in fact, what I learned was by going to law school, you learn slow reading.

Arthur Gilbert: Yeah, okay, because if you did that, I was going to ask you to teach me so we could have a course.

Steven Perren: I'm a very slow reader. Anyway, I did that. Law school, I started and my life was irrevocably changed. I came in contact with people who spoke a language I knew I was going to love, but didn't understand and I was amongst people who did understand it. My friends to this day, some very bright friends, they were picking up on things that were just going by me. It took me a while to adapt both intellectually and in

presentationally and how to write and there were -- I never really had a good foundation in grammar or writing. I got through college and essays and then came law school, so I'm finally ready to write. Well, that's not law school writing. I didn't do particularly well the first year because I couldn't write. I couldn't write smart. I couldn't write issues. I wanted to write essays on the reasons for stuff as if it were history exam. So I came out about middle of the class. Next year I did very well, but I encountered somebody who just was a beacon for where I wanted to go and that was Murray Schwartz.

Arthur Gilbert: He was the Dean.

Steven Perren: He became the dean.

Arthur Gilbert: Became the dean.

Steven Perren: He was my criminal law professor.

Arthur Gilbert: Yeah.

Steven Perren: And he was -- he's what set the standard for me. I knew I wanted to be a criminal lawyer. I listened to the things he said and saw what the criminal law dealt with where it really was Sisyphus pushing the stone up the hill. It was one person. You may not win, but you fought the good fight and you read the cases and it just illuminated to me the nature of the structure of our society.

I didn't realize the degree to which that was so until much later. I ran into Professor Schwartz when I was at UCLA game in the press box after I'd become a judge and long story, I landed up in the press box and who's sitting next to me, but Murray Schwartz. Well, he was going to never going to be Murray Schwartz. He was Professor Schwartz then and after and before whatever, could never call him Murray. He was Professor Schwartz, revered the man and I think he was the most influential person I have had in my life in the law.

Arthur Gilbert: Were able to tell him that at the meeting you had or how?

Steven Perren: I sent him a letter.

Arthur Gilbert: Did you talk to him when you were sitting next him?

Steven Perren: Oh yeah we talked, we chatted up football.

Arthur Gilbert: Good okay.

Steven Perren: But he was wonderful and we had professors who are prosaic, we have professors who were stellar, we had a wonderful time. I made friends that are friends to this day. The law school experience for me was all-consuming as was downtown Westwood where we went after classes.

Arthur Gilbert: Yeah.

Steven Perren: To the BA which was a bowling alley, actually had a bar upstairs.

Arthur Gilbert: The VD.

Steven Perren: The VD, Village Delicatessen.

Arthur Gilbert: Village Delicatessen, speaking of delicatessens.

Steven Perren: And my life became all things in Westwood except I still lived at home.

Arthur Gilbert: Okay. And home was in the valley?

Steven Perren: In the valley. So, I commuted with a classmate of mine, two classmates of mine, Dick Weisbart who went on to Berkeley, but I did commute, didn't have a car, never owned a car. So, I borrow my family car. I don't know what I did. I got to the --

Arthur Gilbert: You got to school somehow.

Steven Perren: I got to school. And we had parking done at -- you couldn't park very long in the neighborhoods. They have one-hour permits.

Arthur Gilbert: Right, I remember that too.

Steven Perren: So, we had a schedule of car movers.

Arthur Gilbert: Yeah.

Steven Perren: We all leave our keys on the tires of the car. And this group, we would all agree where we would park initially and then whoever's day it was to move the cars, would run down and move all the cars to different locations. Because they chalk the tires and -- I don't know if this even means anything today.

Arthur Gilbert: You are enterprising law students?

Steven Perren: We were surviving.

Arthur Gilbert: So now, so you're in law school and the Army intervenes. Does it not, what happens sir?

Steven Perren: Well they didn't intervene just then, I was deferred.

Arthur Gilbert: Okay you were deferred.

Steven Perren: So, I went through law school for three years.

Arthur Gilbert: Excuse me, is that the time you met your wife, Diane?

Steven Perren: We met in 1961. Diane and I met in Spring Sing '61 when she was in a sorority and I was conducting the sorority-fraternity AE Phi Pi Lambda Phi course.

Arthur Gilbert: So people understand. Spring Sing was a UCLA?

Steven Perren: Remains a UCLA function.

Arthur Gilbert: Yeah, it's still there, right?

Steven Perren: Yeah, and the performances were at Royce -- at the Hollywood Bowl where they're no longer are and I performed there with this chorus.

Arthur Gilbert: So, what is it? It's like fraternity houses and sororities and musicals?

Steven Perren: Dorm groups. Anybody who put together a group, you could audition.

Arthur Gilbert: They could perform.

Steven Perren: And they had different classes, different groups in competitions. I met Diane then. We dated for four years and stopped dating right before I went to law school. And the circumstances were such that she really wasn't terribly fond of me at that point and so it was not a pleasant break-up. And she told me not really to call. Well, I wasn't a very obedient servant and then we kind of rekindled our flame in law school. She'd hang out with us and she knew my classmates and she had friends and she was a senior at UCLA at the time.

Arthur Gilbert: So she saw the light, finally.

Steven Perren: No she lost the light because that summer after my first year of law school, all my buddies were looking for jobs. Well again, I'd save some money when I worked in the city. So, what the hell? So Diane and I had agreed to fly to Europe on a charter that UCLA students had put together on Saturn Airlines. If you've never heard of it, consider yourself blessed. And we flew to Europe and hitchhiked through Europe for two months.

Arthur Gilbert: Wait a minute. So, she was pretty enamored of you if --

Steven Perren: We had a great relationship.

Arthur Gilbert: She's hitchhiking through Europe with you.

Steven Perren: Yeah. We sort of healed our wounds.

Arthur Gilbert: I guess so.

Steven Perren: And after that, things got rocky and she just told me, "It just isn't working and let's call it." And I will call her periodically. She was a social worker down at Children's Hospital in Los Angeles. She was bilingual. She was terrific. I call her, she'd hang up. I call her, she'd hang up and went on for two years. I finally called her when I was a senior in law school in the spring of 1967 and as she says, "You again." Basically I said, "Don't hang up." And she says, "Why?" And I said, "Look, I'm going in the Army. I'm graduating law school. I'd like to get back together with you." And she said, "I'm not going to go on a date

with you, but I will meet you someplace." Well I said, "I'm a bartender at the El Torito in Westwood." She says, "Fine, you stay on your side of the bar. I'll stay on my side." She ate my dinner, which was part of my pay.

We started dating and it got very intense and then one day she walks into the law school. And all my friends knew her and were very fond of her. She walks in, and she says, "Okay." Now, by this time I'm standing in the hallway of the UCLA law school. The marble walls are there and all my friends aren't. They scattered to the winds for they were more perceptive than I. She walks up to me in the foyer and she says, "Look, either we get married or I'm just going out the door." This is now six years after we started dating, travel to Europe, broke up, typical story and she looks me square in the eye and says, "Either we get married or I'm going out the door." And I said to her, "Let's not rush into anything." My wife Diane looked at me as if to say, "You really are that stupid." She turns on her heels and starts to walk to the door and then one of those moments right out of the movies. I said, "Wait." She turns and she says romantically, "What?" And I said romantically, "Okay, we'll get married." And she said as the strings swelled, "Fine, I'll get back to you." And walks out the door. She did and we got married the month later.

Arthur Gilbert: So, and then you travel through Europe?

Steven Perren: No, that was two years before we travel to Europe

Arthur Gilbert: Of course, right?

Steven Perren: And then we traveled across-country. So, I'm coming out of the law school. Everybody's going off to this job and that job and I'm going in -- the notice from the Army said, "You're sent to a short duty military zone" or something like that. Well, everybody knew what that was. I was put in the Signal Corps and I went over and I -- anyway long story short, we drove across-country to Georgia. I got out of the basic signal school and I taught military justice. They had just passed the uniform code of military justice and all to reform what had become a somewhat archaic statute. And it came back again when I got to Vietnam because I had to teach it in Vietnam. And so anyway, I went to the signal school. We drove a cross-country again when I was sent over to the unit I was going overseas with, brought Diane back to LA. We drove down and as we went through Ventura, I remember seeing the courthouse at Ventura which then was a real courthouse in 1967.

Arthur Gilbert: When you say then was a real courthouse.

Steven Perren: Today, it's the city hall.

Arthur Gilbert: It's the city hall today.

Steven Perren: And I said, "Bill Patterson works there. I'm going to go see him."

Arthur Gilbert: Now he was a buddy of yours in law school?

Steven Perren: He was my good friend at law school. He was the smart one and remained so. And I went to visit him and George Eskin who also had gone to UCLA became Burt Pines Assistant City Attorney, was the assistant district attorney in Ventura, was the assistant district attorney in Santa Barbara, became a judge.

Arthur Gilbert: And also was an assistant to the city attorney here?

Steven Perren: Yes.

Arthur Gilbert: As well, and he became a judge. He's retired now.

Steven Perren: That's true.

Arthur Gilbert: And sitting by assignment.

Steven Perren: And his wife is a state senator.

Arthur Gilbert: And that's?

Steven Perren: Hanna Beth Jackson.

Arthur Gilbert: Hanna Beth Jackson.

Steven Perren: So I go in to say hello to Bill and Bill says, "What are you going to do when you get out of Army?" You know, again my foresight went, "I don't know." So he introduces me to George who remembered me passingly from law school. He said, "We'll keep in touch." So I did. Overseas I went and I spent time in Washington. I was in Augusta, Georgia, Tacoma, Washington, and then I shipped out to Long Biên, Vietnam where I served 10 and a half months. Over there, I had as an adjunct to my ordinary duties, was military justice. I defended and prosecuted cases -- was my commander's convening authority for non-judicial punishment. I was located right there, was known as Long Biên jail or affectionately known as LBJ where the prisoners were kept, and I ended up defending dope cases. I prosecuted a black market case and the word got out because the defendants were entitled to a lawyer to represent them under that military code that I had just been involved in when I was teaching it in the Southeastern Signal School.

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So they flew me all over the southern half of Vietnam teaching military justice and they flew me around to defend people. I defended a case just off the Mekong Delta, prosecuted rather the NCO Mafia as it came to be known, was just diverting liquor and alcohol to NCO clubs and making a fortune. And I prosecuted one of those cases and I defended some dope cases out in another place on a rubber plantation in the South China Sea.

Anyway, that was my introduction to law in a very vibrant way when after winning two cases, the commanding officer at the Bayside -- won

two cases and gotten two guys off on marijuana charges -- called me into his office. I was in the middle of nowhere and it was a Thai base camp with American spotter planes. And the commanding officer, a colonel, looks at me says, "Captain Perren you did a fine job representing these guys, but here's the deal, discipline is very important in my unit and what you've done has disrupted that. You got 10 minutes to get your ass out of here or I'm going to have you shot."

Arthur Gilbert: Boy, oh boy, wow.

Steven Perren: I'm not so sure.

Arthur Gilbert: I remember that story. You're telling me that.

Steven Perren: I'm not so sure he was going to do that, but I didn't test it.

Arthur Gilbert: You got that. You got out of that.

Steven Perren: I got out of there. I did my tour in Vietnam. It was an interesting experience and I learned representing guys in helpless situations and in hopeless situations. I mean where are they going to turn? They're in the middle of a war zone. They needed someone, a lawyer, to help them. I helped them administratively. I helped in defending them. I prosecuted cases. I had a wonderful experience. It's almost embarrassing to tell you, but it was fascinating. I came back to the United States. I met Diane at the airport. There I am married. I have a car, a wife. I have a wife. She has a husband. Perfect parody and what are we going to do? So my father-in-law says, "Why don't you go up to something called Santa Clara County?"

Arthur Gilbert: Santa Clara.

Steven Perren: In San Jose. I understand there's some industries getting developed up there. Maybe, they'll need lawyers. There was no Silicon Valley at that time. So, Diane and I -- I had no prospects -- zero -- get in the car and we start driving north and I said, "Let's stop off and see if there's a job available here in the DA's office in Ventura." I've been in touch with George. So, we pulled into the place, I walked in the office in Levi's and a t-shirt, I said hello to George. Four deputies had left the DA's office and, in those days, they literally threw you out of that office after no more than three years because it was not a career. What he deemed the DA wanted was people who are going to be vigorous and then get out and make a living. So, I was hired by George on the spot because four deputies had left. He said, "Can I go to work tomorrow?" I said, "Could I at least have the weekend to find a place to live?" And that was the start of it, and I spent two and a half years in the DA's office, went to work with a PI defense firm for four and a half years, left that firm, Benton, Orr, Duval & Buckingham and went to work with Allan Ghitterman in Ghitterman, Schweitzer & Herreras was the name of it.

Arthur Gilbert: Right. So you were doing prosecutorial work?

Steven Perren: Yeah.

Arthur Gilbert: You were doing insurance defense and you were doing plaintiff's work. You're on both sides.

Steven Perren: Right.

Arthur Gilbert: You got quite an experience in the trial level on both sides of the --

Steven Perren: I did.

Arthur Gilbert: -- counsel table so to speak.

Steven Perren: Yeah, and unbeknownst to me, that's what I needed to do. I didn't do it because that's what I needed to do. I just did it. In the process, I'm one of those liberal guys and I got all the DA CLU to represent a guy and in a strawberry strike who'd been arrested by the police for assault on a police officer. There were photographs of him on the front page of the Ventura Star Free Press, our local paper, showing my client with a picket sign about to hit a police officer over the head. Well that isn't what happened actually. I got called to represent that guy. I couldn't believe it. What the heck can I do? They got it in a photograph.

But I went down to NBC News and they gave me a motion picture film of exactly what happened. They said, "Well, we'll give it to you, but we need a subpoena." So I wrote a subpoena, something called subpoena and I signed it and gave it to the guy. He said, "Fine, here's your film" and it showed that my guy wasn't attacking the police officer as he was poised this way, appearing to strike. He was actually discarding the sign as he was coming forward to try and pull the police officer off his wife who had been slammed down on the hood of a car.

The DA called NBC News about 10 minutes after I had. Shortly thereafter, a couple of friends of mine from the DA's office walked in and said, "I understand you got some motion picture films." I said, "Yeah." "Can we see it?" I said, "Yup." I showed it to them. He pled to a disturbing of the peace. End of case. And I did some other work for the farm workers, whatever and that amalgam of experience, I tried cases, just done the things that you've described, acquitted me well in the eyes of Jerry Brown.

Arthur Gilbert: And your colleagues and everyone else, I mean it was really quite an interesting career.

Steven Perren: It was.

Arthur Gilbert: So Jerry Brown, now that's a familiar name.

Steven Perren: You think.

Arthur Gilbert: Now this was Jerry Brown who is running -- this was his first --

Steven Perren: This was the end of his first term.

Arthur Gilbert: Okay, the end of his first term.

Steven Perren: You had just been appointed to the Court of Appeal a year before.

Arthur Gilbert: That's right. I was appointed at the beginning of his first term and you're now appointed at the end –

Steven Perren: End of his --

Arthur Gilbert: -- of his first term.

Steven Perren: I'm at the end of his second term.

Arthur Gilbert: The second -- no.

Steven Perren: Yeah. Deukmejian came in right after that.

Arthur Gilbert: No, wait a minute. I'm talking about you being appointed to the Superior Court.

Steven Perren: Superior Court.

Arthur Gilbert: Now, when was that?

Steven Perren: That was December 1982.

Arthur Gilbert: Oh my goodness. That's right.

Steven Perren: And you were appointed --

Arthur Gilbert: We've been together so long I'm thinking back to the first iteration of Jerry Brown's --

Steven Perren: No, you've been appointed --

Arthur Gilbert: I've been --

Steven Perren: This was the first iteration of Jerry Brown.

Arthur Gilbert: Yeah.

Steven Perren: This was his second term of his first iteration.

Arthur Gilbert: Got it. Got it. That's right.

Steven Perren: And so we had known each other, you and I, and so I got appointed, but everybody was terrified that George Deukmejian -- Jerry appointed, must have been 50 judges --

Arthur Gilbert: Yeah.

Steven Perren: -- all over the state. We were all terrified --

Arthur Gilbert: Now, this is just at the end of his term.

Steven Perren: End of his term.

Arthur Gilbert: Because he appointed --

Steven Perren: The last day.

Arthur Gilbert: The last day there was just massive --

Steven Perren: He called you the last day.

Arthur Gilbert: Yes. Yeah, I understand.

Steven Perren: And they organized secretary of state office in four different places, San Diego, Los Angeles, San Francisco and Fresno. And like soldiers going off to battle, we went into the recruitment station and went through a series of stations where we signed the documents, secretary of state signed the commission. We were sworn in by a judge from the Superior Court. That was on a Sunday. Monday was a holiday and Tuesday I was a judge.

Arthur Gilbert: Now in those days, so you were appointed, they had a Municipal Court?

Steven Perren: They certainly did.

Arthur Gilbert: That's a court that doesn't exist anymore when there was the consolidation.

Steven Perren: That's correct.

Arthur Gilbert: And what was your first assignment?

Steven Perren: My first assignment was in general trials in the Ventura County Superior Court. There had been four new Superior Court judges appointed, Mindy Johnson, me, Allen Steele, Jim McNally.

Arthur Gilbert: Now, you were appointed not to the Municipal Court, but the Superior Court?

Steven Perren: Right. And I remember the phone call, Governor Brown got on, I never met the man. I never anything the man. He says, "Steve?" He says, "Yeah, I'm going to appoint you. I'm going to put you in the Superior Court. Is that okay?" We didn't argue much and he said, "Well, good luck" and the line was, "Keep the faith." And then I talked to the appointment secretary and all the arrangements were made and so on a Friday, I'm a guy waiting at a telephone, and on a Tuesday, I'm a judge in the Superior Court. I'll never forget it. I tried, started out, and we were a vertical, we were a general, the old traditional court. You had the Municipal Court. You had the Superior Court. You had a presiding judge. You had a criminal department and then because Ventura was so small, you had extra duties with -- probate might be your job -- a Juvenile Court was -- I think they had two days a week for

juvenile delinquency and one or two days for juvenile dependency. It is nothing like today.

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Arthur Gilbert: Yeah, now, I know you tried a variety of cases and I know that because at that time --

Steven Perren: You were reversing me.

Arthur Gilbert: No, I was reviewing your cases and there's a little private joke between us, you used to articulate which I think many of the lawyers enjoyed your reasoning, you go back and forth and consider and I wound up -- I mean, I'm going to confess this now, you and I both know it. I used to imitate you at our conferences when I'm reading the transcript on your appeals. On one hand you were like a rabbi, on the one hand we have this -- but on the other hand and he makes a good argument, you go back and forth, summarize everybody's opinions and then come up with your decision and I said he's already a Court of Appeal justice.

Steven Perren: Well, I felt a duty to do that.

Arthur Gilbert: Yes, I understand I think that was very admirable, not only was it extremely helpful to the lawyers who appreciated it but to the court, the Court of Appeal, you let people know what your reasoning process was.

Steven Perren: I felt the most important thing for me was, win, lose or draw, all of the parties had a right to know that somebody was listening, their attorney did their job and that the judge actually thought about and could tell them why they got the result they got. I've been in courts where the judges were peremptory and there's been a change in the entire judiciary from that day and that was a transitional time. And today it is a much more user-friendly environment.

Arthur Gilbert: Yes, and you started the user-friendly approach because people -- and you made people feel like it could just -- you could tell from reading the transcript that it was important to you to make litigants and the attorneys feel welcome. You talk to them as not some God on high, but as a person with a job who had to make a decision.

Steven Perren: I'm reminded of one of the first sessions we had in our court.

Arthur Gilbert: When you say our court, you mean the Court of Appeal?

Steven Perren: Court of Appeal, when I joined you, Steve Stone had stepped down and created the vacancy and I was appointed into it and it was you, me, Coffey and Kenny [Kenneth Yegan].

Arthur Gilbert: Justice Paul Coffey, who is retired now.

Steven Perren: He is and Kenny is still sitting and we are the three senior ranking in terms of service, justices in the second district, one, two and three.

Arthur Gilbert: Yeah, probably in the state almost.

Steven Perren: We're up there.

Arthur Gilbert: Yeah.

Steven Perren: And we're sitting in our courtroom and I'd ask the question, I'll never forget you did this, and I asked the question of a lawyer and I did it -- well on the one hand you were -- and you spontaneously said, I knew it, I knew it. It was pretty funny.

Arthur Gilbert: So I want to back up a little bit on the superior court. You had a number of passions, you -- just want to touch on briefly then we'll get to the Court of Appeal, you were the determinate sentencing law was passed, a very, very complicated set of laws that rivaled the internal revenue code and trying to figure and you became really one of the state's experts on it. You knew this very arcane sentencing procedure with such, and you explain it with such clarity, it was really quite remarkable, and I also want to talk about your passion for juvenile justice.

Steven Perren: Right.

Arthur Gilbert: So, let's talk a little bit about the determinate sentencing law and how could you get an interest in there?

Steven Perren: Well, I love criminal law and as a trial judge, I'd come out of an act of criminal practice because -- the last law firm I worked with was a workers' compensation firm and I represented workers who were in need of representation, criminal courts and also we would do third-party tort actions. I just love the criminal law, I can't explain it any other way. So, when I got into the court, we had our orientation, we had judges' college, and our speaker on sentencing, now, the determinate sentencing law had passed in 1978, had passed in '76, was effective in '78. And it fascinated me. I can't explain it, you know, it just did. And I learned it, and I had good teachers and judges.

There were two teachers who shall remain anonymous who taught it by saying you cannot understand this.

Arthur Gilbert: You cannot understand this.

Steven Perren: You cannot understand this addressing the entirety of the audience but I'll explain it to you, we'll explain to and you call us if you have a problem. That didn't seem to me to be a very positive approach on how to teach anything. So I went to Norm Epstein who was the dean of the judges' college and I said, you know --

Arthur Gilbert: And one of our very revered justices, he just recently retired.

Steven Perren: Well said and well deserved. And I said you know these guys taught this course and it was just awful because they basically taught us with the premise that we couldn't understand it and it was wish-fulfillment because by the time they were through teaching it nobody could

understand it. Anyway, so I had -- I ended up going into new judge orientation. These two guys cease teaching criminal sentencing and I taught sentencing for over 10 years at the judges' college. Bob Thomas taught it with me and a wonderful judge from Northern California. Her name escapes me at the moment, but she was -- we taught determinate sentencing for over a decade. And so I became very intimately familiar with it, loved it and taught it to DA's, I taught it to PDs, I taught it any chance I could --

Arthur Gilbert: PDs are public defenders.

Steven Perren: Public defenders, yeah. And when I got to our court, I wrote -- I had been involved with a program at Stanford University, which was a sentencing project, the idea being that it's very -- for the viewer, the Law of California was extremely punitive from 1978 until roughly 2000. Its sentences were extremely long. Probation was prohibited in many cases and the legislature was only concerned with adding ways to make sentences longer. The prison population quadrupled. It was a time of law and order. And anybody who thought or suggested they weren't in favor of something that increased the punishment for a crime, whether as an enhancement to the crime or as a substantive crime itself would be dinged. It was a conservative state. We had two conservative or moderate governors for a 16-year period. And sentencing was brutal. And judges were doing the best they could. The tool they had, they had a problem that required a scalpel and the tools they were given were axes and saws. And a lot of judges worked very hard to -- most judges worked very hard to make scalpels out of those instruments. The tenor of the law changed, and I was involved in the Stanford project because they knew that you could never change the law to make a sentence less. And in fact, I was with a group that was headed up by Bill Lockyer who became the Attorney General of California -- was a state senator at the time, and we put together an entire new sentencing law. SB-1 I think was the number. It passed both houses of the legislature and the governor vetoed it. And the stated reason was it was too lenient on parolees in the governor's message of rejection. So that died. It really was a very -- I thought a reasonable approach to organizing what is a very disorganized code and remains so. In Stanford, a professor up there had gathered together a working group of all over the state, from all disciplines affected by the criminal justice system, judges, lawyers, DA's, PD public defenders, sociologists, probation officers, you name it, police officers and the idea was to develop a sentencing commission which had been done in Minnesota and in North Carolina, understanding that the legislature often would not want to mess with sentences. The idea was that a commission would review sentences policies and such and make a recommendation to the legislature, which if not opposed would pass or if opposed they would vote on it and say well that was a recommendation.

That's what they did in Minnesota. That's what they did in the Carolinas, and we tried to get that through in California and it just never really got any traction.

Arthur Gilbert: But at least now, we have something going.

Steven Perren: We have a lot going.

Arthur Gilbert: Yeah, but I mean you were at the forefront of sort of getting --

Steven Perren: I was in the group.

Arthur Gilbert: Okay, let me move along if we can.

Steven Perren: Right.

Arthur Gilbert: I just wanted to briefly touch on juvenile justice. In fact you spearheaded so many innovations on the Superior Court. In juvenile you're a state expert on it, you've lectured on it. You've won awards for it and in fact, you have an entire complex named after you in Ventura -- Perren Center I think it's called -- and you're still alive and you have a building named after you, that doesn't happen very often. So just give us -- because I want to move on to the Court of Appeal. But you made such an impact in juvenile court I think --

Steven Perren: That was an accident also.

Arthur Gilbert: A lucky accident for everybody.

Steven Perren: It was for me, yeah. I was the presiding judge of the court and I had a juvenile court judge who didn't seem to have much time in which he was engaged being a juvenile court judge. So I decided -- I transfer myself out of the Master Calendar Department, which is what historically the presiding judge had sat in. We had a very experienced civil litigator who just been appointed -- Richard Aldridge -- to our court who's now a retired Justice of the Court of Appeal. And I said, look, this guy gets it let him do that and I'll do juvenile court because it doesn't consume a full day, every day, and I'll have time to do my administrative duties and more effectively. Boy was I wrong. Juvenile court how much time do you want to spend on it, as much as you want and I wanted a lot. So ultimately what became a job of convenience became a passion, if not an obsession. I served for three years there initially and transferred out at my request because I just needed to get out of there for a while. And I loved it. Two years later I went back and did two more years in juvenile court. I felt it was the place where you could really make a difference in somebody's life. It's arrogant to think I suppose as a judge well I can make a difference, well we all think we can make a difference and we do. But I had the difference right in front of me. These are kids who had to resist gangs -- when a mother stands up in the audience and says judge would you please just order him to this town in Mexico, which our family is from? It's too tough up here for him, the gang infestations particularly in Oxnard were corrosive. You would make orders telling kids to get out of gangs when a kid looks at you and said judge I really would like to, I can't. And what the kid said was I had two choices. I can be in a gang and at least I have allies, if I get out of the gang, now all the other gangs which hated me when I was in the gang still hate me, but now the gang hates me too, I have no refuge. So, we had to work on that with those paints on that canvas. And we

worked with probation officers. We had a juvenile justice group out of the county that worked together, but the things that would happen in juvenile court, the one that always comes to my mind, was a kid named David. He's 14 years old and he was a stone-cold alcoholic and his mother was desperate. She was sitting in court saying help me. So, I said well he's been picked up for public intoxication and he's on violation of probation. So I'm just going to send -- I'll give him 90 days in juvenile hall to dry out, I paused -- or David, I will give you a choice. You can go to AA every day for 90 days and I won't send you into the hall, we'll keep you on probation with no other consequences. I've made that offer to others before and they turned it down. David said sure. About 80 days later he's in my court and my heart just sank.

He's there, his lawyer is there and I -- then I took notice of the fact he wasn't on calendar. His lawyer says your honor he's not on calendar. So great to see you David, I hope everything's okay but, well judge, he's getting his 90-day chip at AA, could you please come to his AA meeting when he gets his 90-day chip? It was in Santa Paula at night, sure, you know sitting at a table in AA with that kid sitting next to me, succeeding in his recovery with the assistance of a Community of Alcoholics Anonymous as it go around the table. Hi, I'm your -- I'm Joe I'm the alcoholic president -- I'm Fred, I'm Nancy, whatever and I'm an alcoholic, which is you know that from what they say at AA. It comes to me. I don't drink hard liquor. I mean, I like wine, I like beer, but I'm certainly not an alcoholic. So what do I say? So I said I'm here for David. And everybody is saying hi Steve, you know, I didn't say who I was, or why, just said I was there for that reason and David introduced himself, "Hi I'm David I'm an alcoholic." No, David was the kid, he was the child and his mother was his lawyer who when it came her turn to introduce and said "Hi I'm his lawyer and I'm an alcoholic". Yeah, exactly my eyes bugged out too I had no clue.

The vibrancy of that moment will live with me forever. Parents coming up to me on the street saying thank you for locking a kid up. Now I'm sure there is a like number of them that have a dart board at their home that they're throwing at a portrait of me, but I loved it in there and the attorneys worked together. It was enriching every day. It was tough every day. We would cry every day. I was just as a concerted collegial effort to try and improve the quality of life for people.

Arthur Gilbert: Terrific. I just want to get to the Court of Appeal and so now and we can talk for the next couple of weeks here because --

Steven Perren: We are going to.

Arthur Gilbert: It looks like it and it's because you have such rich stories and they're so compelling but I just -- you came up with an idea. Did you not of having all the facilities that are necessary for juvenile justice in one place.

Steven Perren: Yes.

Arthur Gilbert: So for example, they don't have to go across town to the probation department then come to court for one thing and so on. There's a whole complex.

Steven Perren: Yes.

Arthur Gilbert: That you -- that's been put together in your name, could you just tell us briefly --

Steven Perren: What happened I got a call from the probation office and said we need you to go up to Sacramento with us, there is a $120 million dollars of a pot, they're going to distribute. All the counties are applying for it for services. It's a one-time federal grant, can you make the pitch for us for juvenile court? I said, "sure what do you want?" He said "we want $42 million dollars." I said, "that's a third of the pot you're not going to get that." He said, "well if we can't get that we can't get anything because we can't do anything with less." Okay, so we go up to Sacramento. We are in a motel that is as run down as anything you have ever seen and corrections people from all over the state are the board. I was given my -- our chief probation officer made his pitch and then I made the close and I gave a 10-minute -- they said you have just 10 minutes. I said "it will be the most important 10 minutes of my life" and I made a pitch, it was effective, and 40 some odd counties have applied for money and we got a third of it. And that was the consequence of how we went over that. It was the juvenile justice facility and as I was coming to the Court of Appeal, I was contacted by our executive officer, Sheila Gonzalez, who said they want to name the facility after you. I said, "I don't want that." And Sheila had a way and she said, "Let me tell you who is going to get named after if you turn this down. It's going to be named after a supervisor who opposed its construction." I said, "I can't have that happen." She says, "Your call."

Arthur Gilbert: She knew how to do it. And in fact, I recalled being at that ceremony.

Steven Perren: Right.

Arthur Gilbert: When they spoke about you and I'm still moved by your acceptance and the feeling that you with your voice cracked about bringing your family's name, your father. You mentioned that, it was really quite moving.

So, and you have this joke, you tell us all the time. You said I can see these kids saying, yeah, I'm getting sent to Perren. So, but anyway, it's a really a great source of pride in the community and it's really made a major difference and that has to be one of the most enriching experiences I can imagine anyone can have. So, you've got some -- you've really made quite a difference. So now, I want to move to the Court of Appeal we've been -- I mean we could talk for the next few weeks about your life and all the things you've done because you've made such an impression on so many people and we joke about you being the mayor of Ventura. I can't go to lunch because with you, no one can, because everybody's coming up to the table saying hi I did this, remember you did this for me and so on. We walk down the street, you know everything about Ventura. Everybody knows you've been

really a dynamic and very important influence in the community and in the state as well. So, tell me about the Court of Appeal? Now I recall you came and sat with us by assignment when you were on the Superior Court.

Steven Perren: True.

Arthur Gilbert: And you were there and I recall you saying to me "my God, this is the last place in the world I want to wind up."

Steven Perren: That's true.

Arthur Gilbert: Just tell us briefly about your quick sojourn with us.

Steven Perren: I was assigned. When Roseburg was the chief, she wanted to have the Superior Court judge, it's a great idea, come up and do short term courtships if you will. We got two months and I was designated and I've never been one who liked writing and I love the activity, the human interaction in a trial court. So, I came up to the Court of Appeal, I sat for two months. I walked in on a case, you handed me the case and it's on about four shelves and I wrote it with no help. Greatest class I ever had because I had you and Richard Abby and Steve Stone critiquing it when I presented it for a conference that we have every Tuesday -- and you ripped me apart, which you should have -- it was just a wonderful experience. My digression will be brief here. You are the finest judge I've ever known. You're the best writer I've ever known, and I have learned every day from you. And you instilled in me a notion maybe there's something in this so -- and you helped me get on the Court of Appeal. I know that. And when I was appointed, I walked into your chambers and we chatted, and it was just very direct. And you say, "Look, this is what we do. Figure out what the case is about. The most difficult paragraph you'll write is your first paragraph. Setting forth the facts in a coherent way, be direct and clear and be brief." I remember it. I thought how am I going to do this? I don't know. I'm still not confident in my writing at this point.

Arthur Gilbert: I'll have to file a dissent to that. But anyway, go on. Thank you.

Steven Perren: So now I'm on the court with you and with Ken who has a history. Ken Yegan working in the middle of the court forever as a research attorney, he's a trial judge, a colleague of mine on the Superior Court and then came to the Court of Appeal in 1991. And Ken and I are politically and philosophically quite different and then Paul Coffey was on the court who I had practiced against as a private practitioner. It's hard to -- I cannot explain nor will I ever be able to explain the power of that collective group and its dynamic and its dedication to the cause of justice. That sounds like pious crap I suppose. Well, if you could be in our conferences, when we review the cases and we literally tear them apart for their grammar, for their organization, for their length and for their substance.

It is every month a celebration of American jurisprudence and the dedication of decent people to a lawful society. These are hard times

that we're in and I believe firmly that the courts are -- the justice's last stand. And I guess the castle keep I learned when I was over in England, last summer is the last place that the warriors would go into to make their last stand when the castle was under siege and I think that's where the courts are.

So anyway, we have these get-togethers and it's a shame they're confidential because I think the public would be overjoyed at knowing how people really care and it's not just us, I think all the courts do this.

Arthur Gilbert: It's just different styles.

Steven Perren: Very much so.

Arthur Gilbert: One thing we do in our courts and you've mentioned it to me and is that a judge who might be in the majority will help the judge write a better dissent. He disagrees with that judge because we're interested in getting out -- the product out there that really carefully analyzes all the issues from different sides.

Steven Perren: There's a -- collegiality is the wrong word. There is a symbiosis of collective intellects such as they may be who will not settle for okay, just pass the next bonbon like Lucy on the conveyor belt. It's --there's a human being involved, or parties got a problem. This is real stuff that has a direct impact and we're telling a judge he or she got it right or wrong. The jury got it right or wrong. We understand the restraints that are put upon us by the rules of review and I have sat with you -- in well, 20 times 12, 240 hearings or more. And not one goes by that you don't look at a lawyer and I know what your feelings are so, yes counsel, that's fine. But what's our standard of review we are not retrying your case here? And I find myself every time I look at a case. That's my gold standard. And this is where you and I have this philosophical battle about Richard Posner and the professor up at Hastings.

Arthur Gilbert: Mr. Posner is a very well-known appellate justice in federal courts who recently retired was one of the founders of the economic School of jurisprudence, started out as a kind of social utility approach to law and then became in his final days quite liberal and quite compassionate about pro per litigants. And so very interesting that a true intellectual who has written essays about TS Eliot and literature and one writer for the New Yorker said he publishes a book every 20 minutes. And he made a comment that that really bothered you.

Steven Perren: Really bothered me. He said in essence, I'll refer to this professor at Hastings the same. Posner's comment was in essence look, you look at a case and you figure out what the result ought to be and you can always find a way or a statute or a case that will support you and you can write it. And that just hit me completely wrong.

Arthur Gilbert: Well, I just got to interrupt you for a second. You and I had a debate -- we won't have the debate here.

Steven Perren: Right.

Arthur Gilbert: But I think what he's talking about is finding a principled way to do it. Because and I don't think he means you just make up stuff and do whatever you want. I think he's certainly appreciates the precedent and what the laws about and gradualism and so on. But I understand that it sounds like, hey, judge is running amok and that bothers you.

Steven Perren: Well, it wasn't quite that. It was -- he as much as said that I get what I want. Not so much amok a man, who is in his amokness was surrounded.

Arthur Gilbert: Yeah. I got it.

Steven Perren: The professor at Hastings, and I apologize for not remembering her name, had an even more unpleasant view. She says, "Basically the courts of appeal are cowards who hide behind standards of review." If they can't, if they want to reach a decision they say "Yeah, maybe that's what the trial court did, and maybe it was right or wrong, but was within the discretion of the court, and we're not going to turn it over." And she says, "That's baloney."

Arthur Gilbert: That she thinks we are affirming too often.

Steven Perren: We're affirming too often and we're differential to the standards. We don't go for real justice.

Arthur Gilbert: Yeah, yeah.

Arthur Gilbert: We can get in a philosophical battle over it. What real justice is all day long.

Arthur Gilbert: But anyway, let me ask you just a few more thing about you.

Steven Perren: Sure.

Arthur Gilbert: And I just want to ask you about some cases you've written. You're quite active in oral argument.

Steven Perren: Coming from you that's --

Arthur Gilbert: Well, I think no -- I mean, there are some people -- or some of my colleagues. There is a view that oral argument is a waste of time --

Steven Perren: Right.

Arthur Gilbert: --that we really decided the cases ahead of time, we've read all the briefs, we've written a memorandum, and even though the constitution provides for the right to oral argument, we're going through the motions and some people think that, others don't. You and I have a different view about that, what's your view?

Steven Perren: My view is 95% of the time we're going to pretty much have the case decided going in, but something may be askew. If I knew what was going to be askew, I would say oral argument isn't a big deal, but it is. We are mandated to have oral argument; you control it beautifully. And I add, pro pers, you give deference to people who are in great distress, very unhappy, and you would treat them with respect. And the whole process is one I hope of respect. I think it is true of me, and you and Ken, and Marty.

Arthur Gilbert: That's Justice Benjamin.

Steven Perren: And I came in rough-hewn and I was taken aside -- Steve, do you know what you're doing? You're arguing. This job isn't to argue, you're in control. What the heck are you arguing about? And it was a revelation to me because I really didn't even think I was doing that. The attorney is not in fight with me. I got the power, and you made that clear to me. We are here to learn and as you so eloquently say, "You are our teachers. We aren't masters of everything you were going to help us with your briefs and with your presentation. Now teach us."

And then your most famous phrase to the lawyer who's really got a strong and powerful presentation in the interests of justice, and his client. There's silence after the lawyer has made that presentation, and you look at them and you say, "Well, that's all well and good, but how do I write it?" And that shows a respect for him, or her, and it shows a respect for the principles that you continually espoused.

We are not runaways or not liberals or conservatives. I side with you. I side with Ken. Most of our cases are unanimous opinions, but we have cases, Burlage -- and that's a good example.

Arthur Gilbert: Burlage was the case. We'll talk about it and then we'll wrap this up.

Steven Perren: Sure, you sum it up because you beat the heck out of me on that.

Arthur Gilbert: No, no. I did see your point. We have differences on some cases, but all courts do. Why not you just tell us some of the significant cases you that mean a great deal to you. You've written dozens of cases here. The expert on determinate sentencing.

Steven Perren: Well, Nelly is the –

Arthur Gilbert: And we certainly look to you. We are always coming to you. Can you figure this thing out? It's crazy. Some of the determinate sentencing law and you have, I recall a case where you came up with an analysis that I said, "Well, that's impossible." And then the more I looked at it, this was the case about a drug rehabilitation program. And I said, "Oh my God, you're absolutely right. I was going to dissent." And in fact, I said, "You're right" and you turned me around Supreme Court denied review." It was so excellent, brilliant opinion about the --

Steven Perren: It was an odd-ball case.

Arthur Gilbert: It was very odd-ball case.

Steven Perren: Yeah.

Arthur Gilbert: And your analysis of it. I don't want to go through all the facts here now, but it was stunning to me, your analysis, and how right you were, and how you completely turned me around. Was there a dissent in that case, I forgot?

Steven Perren: Yeah, Ken.

Arthur Gilbert: That's right, Justice Yegan dissented. And I said, "He's right." -- I have this -- he says "but it can't," I said "it is, it's correct," and I tried to argue, you know, we do our best and that case what -- you just have to tell us briefly if you can recall.

Steven Perren: Well, it's just had to do with a statute. There's a whole series of statutes that have been passed by initiative and some by legislation. In these complex, if you fail this you get that, you're going to have -- it's a boutique sentencing if you will. They will have a -- felonies can be sentenced as misdemeanors now, but the sentence as a misdemeanor sentence, but you -- it's a time you're getting a felony time that you do it locally. And they have they're called split sentences and anyway, and this guy had violated --

Arthur Gilbert: Three times.

Steven Perren: He violated a lot. And the judge made the declaration. I cannot deal with you anymore. You are not responsive to the situation. I sentence you now to the term prescribed for your crime, which would be in months or a year or whatever. And I said, "You can't do it." The statute said, "If there's a declaration the person is not capable of conforming, or being rehabilitated, the maximum time you could put him in custody was 30 days."

Arthur Gilbert: And that's what the statute said. This wasn't a crime against humanity-

Steven Perren: No.

Arthur Gilbert: -- against people. This was a crime of being under the influence and not being able to control it.

Steven Perren: Right.

Arthur Gilbert: And there was a recognition that this person needs help, putting them in jail does nothing.

Steven Perren: Doesn't solve it.

Arthur Gilbert: They're not menacing society, they are menacing themselves, maybe it has an adverse effect on society, but there's some other -- there's another case you're quite proud of.

Steven Perren: People versus Neely was the law -- the most cited case I've written in the criminal law, and it had to do with analysis of stacking a determinate sentence with an indeterminate sentence, and how you compute that. And without going any details. I said -- I wrote an essay, and often saying I wrote we know our attorneys do a lot of the heavy lifting. This one I wrote by enlarge. And I detailed the analysis of how you do a sentencing process with determinate sentencing, indeterminate sentencing, and the various terms that we use in the law because people were loosey-goosey with that terminology.

Arthur Gilbert: And you wrote that. This is cited all over the state.

Steven Perren: it's cited.

Arthur Gilbert: Everyone cites that case.

Steven Perren: It's a leading case on that.

Arthur Gilbert: It is Perren on determinate sentencing.

Steven Perren: It was and I loved it.

Arthur Gilbert: And it's still is.

Steven Perren: And it's still there.

Arthur Gilbert: And you know, and you've won so many awards. I mean we could go on and on about those. You've given lectures to attorneys, criminal law attorneys. You've been recognized as judge of the year by the Ventura Bar, other Bar Associations as well. You have made a major significant contribution to the development of the law in California. You're a force, and force and humanitarian of person that is warm and gives people in the court a feeling that they're getting real justice. That has to be a good feeling.

Steven Perren: It's a good feeling to come to work every day. It's a good feeling to be able to have something in hand that is like, you know, building a house. It's there, it's a product. And if you're wrong, you're told you're wrong Supreme Court slap me down as it has all of us, but you, and I both, could have retired ages ago. I could have retired in 19 -- 2001, 2002 rather. You could have retired an eternity ago.

Arthur Gilbert: Twenty years or something 21. We just can't leave, can we?

Steven Perren: We can't. It's something we were all around all the time. I guess, let's harken back to what you said about, "you didn't really enjoy it very much when you were there in 1988, sitting on the court of appeal.

Arthur Gilbert: What happened?

Steven Perren: I grew up, that's what happened. After I've been exposed to the law in so many ways, and frankly, after some pretty rugged trials including death penalty cases, which are at their best horrible.

Arthur Gilbert: I think what keeps you young is, your open to learning all the time.

Steven Perren: We have to be.

Arthur Gilbert: You don't have it all. There's a humility. You're always willing to learn, and to change. And sometimes I consider you even too self-effacing, but it's genuine because you just want to know, you want to get better all the time. And I think that's a very important quality in people that excel.

Steven Perren: And thank you and if not us who? It is a biblical phrase, and we adhere to the rule of law because we are passionate about the order and structure of our society. And we are pained when we see that in peril as it is today, that's my political comment.

But we sit across the table from each other. We embrace the law and embrace each other for only one purpose, and that's to achieve a just and fair result in the case, and for society that can believe in us because the only weapon we have, we have no army, we have no police force. The only thing we have is our integrity, and the respect of the public, and if we ever lose that we are utterly valueless to the society.

Arthur Gilbert: You know, just in closing and I want to give you the last word obviously, but you mentioned this Burlage case. It was an arbitration case. Wonderful. Where we were on opposite ends of that case. And of course, I reread it in preparation for today and read your dissent, boy it's damn good. I wonder if I changed my mind. It was really quite, quite, excellent. There was a case where there was almost no really great answer to come up with and it's just it brought back some great memories. So, are you made some other remarks any, what are your final closing remarks?

Steven Perren: Oh, you know, hopefully we're not final but.

Arthur Gilbert: Yeah, that means for this, not final, but for this interview.

Steven Perren: I mentor a lot of kids in the law. And I work with young people in a variety of capacities. And Ron George --

Arthur Gilbert: Who was the Chief Justice.

Steven Perren: Chief Justice of California when I was appointed. He made it very clear, that it is the duty of the judge to be a part of the community. We are not above anything. And the court changed in that way you look at it today. There are clubs, there are groups, they're out in the field. They are not disassociated, above, or beside society. And I think that has been a very, very good thing. It's a dangerous area because it exposes us to some criticism, and the rules and canons by which we must conduct our business, limit what we can do. But to the extent that we can be a part of and visible to the community, so that not some faceless, black-robed charlatan is deciding these cases, but a real human being who cares, gives us the credibility that will mean for the future. We

don't need that Army, we don't need that police force, we don't need any weapons other than our integrity and our intellect and people like you and the kind of work that I think we do.

Arthur Gilbert: Thank you Steve. It's been fun spending the last, how many hours have we spent?

Steven Perren: So, this past week and a half.

Arthur Gilbert: Okay.

Steven Perren: Thank you, Arthur.

Arthur Gilbert: Thank you.

01:43:44