

Sleepy Lagoon Trial

The Sleepy Lagoon Murder Trial of 1942



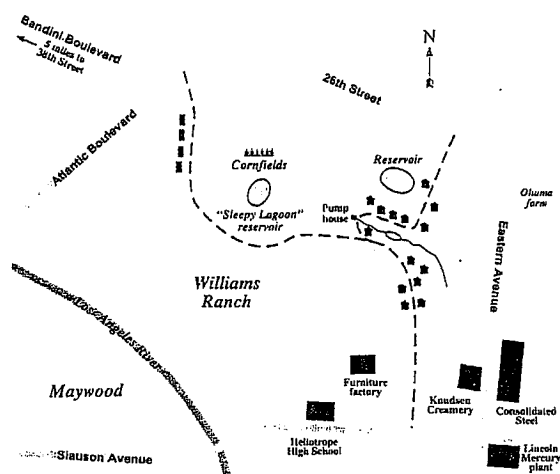
Young men from 38th Street ring the trail room for their arraignment. (Herald Examiner Collection, L.A. Public Library)

Murder at the Sleepy Lagoon

The 38th Street Gang was located in what is now part of South Los Angeles near Vernon and Long Beach Boulevards. The gang, along with other community members, frequented a water reservoir in a gravel pit located on the Williams Ranch in East Los Angeles. This reservoir, known to the community as Sleepy Lagoon, was used as a swimming pool by Mexican youth who were not allowed to use segregated public pools.

On the evening of August 1, 1942 Henry and Dora had a violent confrontation at Sleepy Lagoon with a neighboring gang from Downey. Henry and Dora left but returned later to the location with his gang in search of the attackers who had already fled the scene.

Futile in their search for the rival gang, the members of the 38th Street Gang decided to head for a party at the home of the Delgadillo family. When a fight broke out at the Delgadillo home Henry and the gang fled the scene. The following morning the dead body of José Díaz was found on a dirt road near the Delgadillo home. The Sleepy Lagoon Murder Trial began when Henry Leyvas and the 38th Street Gang were identified as being at the scene of the murder.



The Williams Ranch and the "Sleepy Lagoon" reservoir, 1942. *Murder At The Sleepy Lagoon Zoot Suits, Race, & Riot in Wartime L.A.* by Eduardo Obregon Pagan (The University of North Carolina Press 2003)

The Trial

Six hundred Mexican American youth were rounded up by a citywide dragnet led by the Los Angeles Police Department (LAPD). Eventually twenty-two alleged members of the 38th Street Gang were accused of the murder of José Díaz. Young women of the 38th Street Gang were also detained and placed in jail on suspicion of wrongdoing.

On October 13, 1942 *People v. Zamora* went to trial as the largest mass trial in California history. The trial took place in an atmosphere of intense prejudice fed and sustained by the press in Los Angeles. Throughout the trial the prosecutor pointed to the clothing and hairstyle of Pachucos as evidence of their guilt. This only added fuel to the fire of prejudice held by the non-Latino community. The prejudice and discrimination encountered by Leyvas and the 38th Street Gang was an example of racial profiling.

In failing to provide an unbiased trial, the United States Justice System failed to protect its citizens. Today, the trial is still considered by many as one of the most egregious miscarriages of justice in the United States.

The Conviction

On January 12, 1943 in the case of *People v. Zamora*, presided by Judge Charles Fricke, the court found five of the seventeen defendants in the case guilty of assault and sentenced to six months to one year in jail. Nine were found guilty of second degree murder and sentenced to five years to life. Henry Leyvas, Jose Ruiz and Robert Telles were found guilty of first degree murder and sentenced to life imprisonment. The twelve found guilty of murder were sent to San Quentin State Prison to serve their sentences.

The young women of the 38th Street Gang refused to testify against the gang during the trial. Due to their refusal to cooperate they were sent to the Ventura School for Girls, a women's reformatory, without benefit of trial or jury. Dora Baca, Henry's girlfriend, was among the five young women sent to this reformatory.



Mrs. Guadalupe Leyvas (Henry's mother) at the arraignment. (Herald Examiner Collection, L.A. Public Library)

Sleepy Lagoon Defense Committee

Following the trial, the Sleepy Lagoon Defense Committee (SLDC) was organized by the community. Attorney and author Carey McWilliams served as chair to the committee. The goals of the SLDC were to raise community awareness and to fund a legal appeal for the young men of the 38th Street Gang who were serving sentences.

The committee quickly drew people from the community, film industry, education, political arena and labor unions. Alice McGrath joined the SLDC after the members of the 38th Street Gang were imprisoned. She became the executive secretary of the organization. Every six weeks she paid visits to the sentenced members, reviewed the progress of the committee, distributed SLDC news bulletins and raised morale. By 1944 the SLDC had raised enough money and the case was moved to the Second District Court of Appeals. In October of the same year Judge Clement Nye overturned the verdicts of the case citing insufficient evidence, the denial of the defendants' right to counsel and the overt bias of Judge Fricke in the courtroom. Henry Leyvas and the 38th Street Gang were released and their sentences overturned.