Arthur H. Sherry—*In Memoriam*

Adrian A. Kragen†

One of our distinguished and beloved emeriti, Arthur Harnett Sherry, died on June 29, 1986. His career covered many years of government and academic service—as Deputy District Attorney of Alameda County, as Assistant Attorney General of California, as Professor of Law both at Boalt Hall and at Hastings College of the Law, and as an advocate for the reform of state and federal criminal law.

Arthur was a native of Berkeley and his entire educational and professional career was centered in the San Francisco Bay Area. He earned his Bachelor of Arts degree from St. Mary's College at Moraga in 1929 and his Juris Doctor degree from Boalt Hall in 1932. Upon admission to the California Bar, Arthur joined the staff of Alameda County District Attorney Earl Warren. There he showed exceptional talents in criminal investigation and trial practice, and he became known as an especially able prosecutor, firm but fair-minded. Except for his period of service during World War II as Lieutenant Colonel in the Air Transport Command of the Army Air Corps (1942-1945), Arthur was a member of the District Attorney's Office through 1950. In 1951, he became Chief Assistant Attorney General of California under then Attorney General Edmund G. Brown.

In 1953, Arthur joined the faculty at Boalt Hall, where he taught mainly criminal law and evidence until his retirement in 1976. In 1973, he was appointed the Walter Perry Johnson Professor of Law. Besides his very substantial contributions to the students at Boalt and his distinguished service to the University, which included a stint as Acting Dean of the School of Criminology, Arthur remained active in many civic projects related to law reform. These included his service on the California Crime Study Commission; a decade spent heading an advisory commission on the modernization of California's criminal statistics; conducting a California study on insanity and the criminal offender; and directing a project for the California legislature aimed at the comprehensive revision of the California Penal Code. For the American Bar Association, he directed the Survey on the Administration of Criminal Justice in the United States.

While at Boalt Hall, Arthur was the moving force behind the Insti-
tute for District and Prosecuting Attorneys, the Institute for California Judges, and other valuable programs that materially enhanced the quality of legal and judicial practice. Upon his retirement from Boalt, he accepted appointment to the renowned "65 Club" at Hastings College of the Law, where he taught until his final retirement in 1985.

Arthur was a person of very wide intellectual interests. He was concerned with all events in the world and in his community. He was a voracious reader with a broad interest in every subject of worthwhile consideration. In particular, he was interested and learned in many legal subjects outside his specialty of criminal law. It was refreshing to put a question to Arthur about some problem in civil law and not only to find out that he knew a lot about the development of law in that area but also to receive his very perceptive analysis of the particular issue involved. Discussions with Arthur about history, literature, politics, or current events inevitably yielded similar results.

Arthur's writings had a major effect on developments in criminal law. His work on the California Penal Code and on projects and reports issued by the American Bar Association exerted a very important and pervasive influence on American law. His article *Vagrants, Rogues and Vagabonds—Old Concepts in Need of Revision*¹ was the major impetus throughout the United States for the revision of laws relating to vagrancy so as to purge them of archaic notions while preserving those elements necessary to adequate law enforcement. Arthur's other articles and his contributions to symposiums and conferences also have been influential in bringing about needed reforms in criminal law.

Arthur was a sound lawyer, an effective teacher, and a dedicated scholar. But he was much more as a person than the sum of these roles. In addition to his intellectual pursuits, Arthur had many other interests. His spare time he devoted to his garden, on which he lavished much energy and love. He was a gracious and entertaining host, a fine judge of wine (and martinis), and a knowledgeable follower of college and professional sports.

People were always Arthur’s primary interest. He genuinely liked people, and wanted to know what they were doing and thinking, and what their problems and needs were. The Sherry home was a favorite spot for many of us, and gathering there or at other places with the Sherry’s was always a joyful occasion. Arthur and his wife, Mary Ellen, made any gathering memorable with their grace, wit, and charm.

Arthur's family was always the most important thing in his life, and he was most concerned at all times with those things important to Mary Ellen and his three daughters, Suzanne, Judy, and Virginia.

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¹ 48 CALIF. L. REV. 557 (1960).
Arthur inspired his students and colleagues alike. Those of us who were associated with him have wonderful memories; his contributions to the law and to people will endure and be remembered.