John Caher: Welcome to the 54th edition of Amici, the podcast of the New York State Unified Court System. Today, our guest is the Honorable Raja Rajeswari, a Criminal Court judge in New York City and the first Indian American and South Asian woman judge in New York State history.

Judge Rajeswari came to the United States from Chennai, India, when she was only 16 years old. After graduating from Brooklyn Law School, Judge Rajeswari spent 16 years working in the Richmond County District Attorney's Office, four of them as Deputy Chief of the Special Victims Unit.

In 2015, she was sworn as a Criminal Court judge in New York City. Among her other activities, which have included performing classical dances at Indian events and temples and the Padmalaya Dance Academy, Judge Rajeswari co-chairs the court system's Advisory Committee on Language Access. She is fluent in four languages.

Judge, thank you for joining us today. If we could, let's start at the beginning. Tell me, if you would, about your early years in India. Tell me about your family and your living conditions and how it came to be that you wanted to emigrate to the United States as a teenager.

Judge Rajeswari: Thank you very much. I was born in southern India in Chennai. It was just me, my mom and dad. I'm an only child. My mother was a dance instructor and my father was an office clerk.

My mother had made it her life's mission to bring art to every person in her community. She was a dance teacher. As a child, I would accompany my mom to go to various different locations all over Chennai in southern India to perform Indian classical dance. At first, when I was a child, I didn't realize what that meant to some of the people who we went to perform. I figured it's entertainment, it's good.

As I got older, I realized she had brought art to children who had no access to any entertainment or any cultural activity, because in India in the 70s, there was a big caste system. Certain high level castes were not allowed to mix and communicate with the low caste people who had lived in the slums in India. My mom had specifically made it her life's mission to bring art to every child in that community. It was very fortunate I started performing since I was 3 years old and started teaching when I was 10—Indian classical dance. I ended up traveling all over India with my mom to bring art to children who would never otherwise have the opportunity to see dancing.

We weren't a rich family. In fact, we lived in a one-room house, which was a small 10-by-10 room, which served as our living room, dining room, bedroom, entertainment space, if you will. My parents had filled that house with so much love and art and they taught me to try to make every child's life a little better, even if they didn't have any money. You can volunteer, you can go and provide services to people to try to make their lives a little bit better. I started doing community service since I was a child.

John Caher: That interest in dance and art I know continues to this day in this country. Are you still performing at Indian events and temples and the like?

Judge Rajeswari: Not myself anymore, my daughter who I named after my mom is now the person who's teaching and performing under my guidance and direction. As I stated, bringing art to these children who live in the slums brought so much joy to these children because they weren't allowed to go to regular schools. They had no type of art or music or any kind of relief from their everyday life. This was a venue for them to be creative and channel their creative dreams.

Some of them that my mother used to teach when they were young now run their own dance schools in India, in Chennai. They've contacted me now after several years.

John Caher: Isn't that wonderful!

Judge Rajeswari: Yes, I was very proud to see that. They are now influencers in their own community and they are actually spreading more art to other children that are in need.

John Caher: Why do you think art is important to the education and development of a child?

Judge Rajeswari: Art, I think, is very important because it gives you another creative outlet. Children, if they can afford to go to school, they're able to attend an expensive school in India, but if you are born in the slums and you have very little education you have to get by with whatever the government is providing. It doesn't give you any other creative outlet. Art will let you sing, read, write poetry, paint. Any type of art that can express someone's creativity can actually show them that they are able to dream and, hopefully, one day achieve. It gives them self-confidence, it gives them a break from the reality of their very difficult life. It helps them aspire to things.

John Caher: Why did you want to come over here?

Judge Rajeswari: As a child, I witnessed flagrant gender discrimination, which is actually built into the fabric of society. A lot of my female friends who were very bright in school, at the age of 14 and 15, every time I would go to summer vacation and come back to school, I would see one or two of them were missing. When I inquired they said, "Parents figured they were better off getting married rather than wasting money on education on a girl." At least that was the mentality at that point. That foreclosed their opportunity to obtain higher education.

I was also privy to hundreds of abortions in India because the baby they were carrying was a female. The prevailing thought

was that this female child would prove to be an impossible financial burden to the parents. As I grew up, I also realized there were a lot of cases of sexual abuse, and since the victim was from a low caste or from a poor family, they refrain from making a complaint to the police because they knew they would be ignored due to their gender, caste and social standing. This made a real impact on me.

As my mother traveled to perform, not only in India but to the other neighboring regions, and I traveled with her, I realized one of the most important things we need is equal rights. At least women need a chance at education, a chance at making their mark. Always you've heard America was the land of opportunity. That's something that I've always wanted to do.

I was selected in 1988, to travel to Guyana, Suriname and Trinidad, which were celebrating 150 years of Indian migration. I had traveled with my mom and my dance troupe with then-Vice President, Mr. Shankar Dayal Sharma. I performed for a crowd of over 55,000 people. It was an amazing experience for a teenager. The last performance of that itinerary was in New York. When I came to New York to finish the performance at 16, I saw the Statue of Liberty for the first time and I actually shed tears. I saw the opportunity, or at least the belief, that this is the land of opportunity where you can have equal rights. The fact that you are a female child doesn't automatically become a burden to your parents.

I wanted to continue my education in a country that afforded women equal opportunities to pursue their studies. Women are considered vital part of the work force here. That's why I decided I needed to stay here and try to get an education and make my mark, if I was given the opportunity.

John Caher: You indicated that America was viewed as a land of opportunity. When you got here is that what you found?

Judge Rajeswari: It is the land of opportunity. Every dream is attainable, but you need to work very hard. As an immigrant, there are more challenges you face than somebody who's born here because of your lack of contacts, your lack of resources.

I did find that there were a lot of people in the South Asian community who helped me, assisted me as a young teenager who was here. If you are willing to work hard for your dreams, no matter how many times you fail or how many obstacles are there, if you are steadfast in your belief you can succeed, this country will give you that opportunity to do it. But you have to do the hard work.

John Caher: I don't imagine at 16 you knew you wanted to be a lawyer, or did you?

Judge Rajeswari: No, I didn't. I always knew, because I told you growing up in India the way I did, the way women were treated had always made an impact upon me since I was a young child. I wanted to always stand for people like the rape victims or the young children who could never stand up for themselves.

At 16, I didn't know what that venue would be, that's just something that was percolating in my thought process since I was a teenager. As I got older and went to college I realized being a lawyer would be that vehicle for me to serve as much as I could.

John Caher: When you were in law school, did you know what kind of law you wanted to practice?

Judge Rajeswari: Yes. When I was in law school, I knew I wasn't interested in any kind of contracts or corporate law. It's probably lucrative, but I found that boring. I knew if I wanted to study law, I wanted to be in a field where it has real impact. Criminal justice and criminal law always drew me in because probably I grew up in a country where there was not much justice. Most of the people were unable to avail themselves of the court system.

My respect and reverence for our criminal justice system here begins with that foundation, that the rights of every defendant are the rights that belong to all of us. Those rights are sacrosanct and should never be trespassed upon. In India, based upon your caste or your social standing, you were not even allowed to make a complaint. The complaints weren't taken seriously.

While our criminal justice system here is not perfect—there can be so many improvements—it is still one of the best systems in the world, having witnessed other countries and other systems where so many people have no rights at all. There are a lot of rights we take for granted here, but those are the rights that I cherish and I wanted to make sure that everybody has those rights when they are here.

I always wanted to do criminal justice. I interned in the DA's office when I was in my second year of law school, then I clerked for a judge when I was in my third year of law school and straight out of law school it was an obvious career choice for me. I wanted to do public service. I never wanted to be somebody who just had a lot of cases that meant nothing to them. Our criminal justice system is still one of the best. It affords every person, regardless of their sex, race, color, sexual orientation or social standing an opportunity to seek justice. It's not perfect, but we can work on it and provide it.

If you come from another country, you realize that most of those people don't even have the option to go to court. Those options are not even offered to them. That's why it was important for me, as an immigrant, to learn the system and then hopefully try to help other people who are here in the same position as I am.

John Caher: As a prosecutor in a large county, you've had an awful lot of cases and an awful lot of high profile cases. I don't know if any of them are more high profile than the Carlos Rosario case.

Judge Rajeswari: Right.

John Caher: Can you tell me a little bit about that? I think he was the first person convicted under the predatory sexual assault law, is that correct?

Judge Rajeswari: Right, he was the first person charged in Richmond County's history.

I became a prosecutor, I worked a lot of different types of cases, and as I kept trying cases and I got promoted, I became the Deputy Bureau Chief of Sex Crimes Special Victims DV Bureau, they were all combined in Richmond County. It's a small bureau. Those were the cases that meant the most to me because that provided me an opportunity to provide a voice for women and children who were unable to speak for themselves. A lot of my complainants were from Southeast Asia and Africa and South America and Latin countries where there is a lot of cultural stigma in accusing somebody's boyfriend or husband or significant other of domestic violence.

Many of them don't expected somebody like me to be in the DA's office. One lady actually turned around and said, "I didn't want to come here, I knew nobody would understand me, nobody would speak my language, but then I saw you and you not only spoke the language, you understand the culture. I figured this has got to be some sort of divine intervention, that you are here in Richmond County at this day." The woman was from Pakistan.

One of the things that I took great pride in was to be able to communicate with these different victims and speak to them in their language, understand their culture and hopefully help them get the resources and the support they need in New York. There are a lot of resources but they are unfortunately unaware of them. Due to my position in that bureau, I was able to reach out to a lot of victims.

The Carlos Rosario case was probably the most difficult case that I've ever prosecuted because it involved so many young children. As I started investigating that case from one teenage child, the investigation just bloomed into doing a search warrant of the defendant's location and retrieving hundreds of different CDs and discs where he had recorded multiple events of him raping the children and videotaping them. It was horrific. We later learned that many of these children were 5 or 6 or 7 years old, and he was the neighborhood “uncle,” if you will.

This gentleman was in his late 50s, very pleasant, very sweet. He would approach all the single moms who worked late night shifts to provide for their children, most of them were from, as I stated, South America or East African countries. They were single moms and he would befriend them and get their trust and offer to babysit the children when the women were working. He would always have candy with him, and children were attracted to him. Unfortunately, he was doing horrific acts to these young children and he was videotaping them. We got ahold of his diary and videotapes. He had destroyed most of them—someone must have tipped him the police were coming—but just from what we recovered we were able to charge him with over 160 counts of child rape and sexual abuse of children.

John Caher: In my experience with sexual predators, the one thing they all seem to have in common is they are extraordinarily and devilishly resourceful.

Judge Rajeswari: Yes, they are. This gentleman had only moved to Staten Island a few years earlier. He lived upstate and he was in his late 50s. I don't think he started out in his 50s. He’d been doing this for years, but unfortunately he had never gotten caught. One of the most challenging things in that case was for me to view the actual videos, which were horrific to see, but we had to catalog them, see how many victims, how many counts, how many dates.

We did a second superseding indictment on him and I was able to reach out to the moms of these children and get them counseling services, get the children services. What we found out years later was he had moved from the neighborhood but he had still kept in touch with the children. Some of them were now teenagers. He was molesting them for so many years and, unfortunately, they trusted him. They didn't actually say anything to their mother. When the moms found out they started blaming themselves because they are working, they are providing, but they weren't there at home. He was charming, he was resourceful. They all trusted and believed him and he violated that trust in the most unimaginable way. Mr. Rosario also was HIV positive.

John Caher: Oh no!

Judge Rajeswari: One of the most dreadful things I had to do was have the children tested. This was years later, but we didn't know if any of these children were infected. Thank God, they were not.

John Caher: That's remarkable.

Judge Rajeswari: They were all okay. One of the reasons I took a plea on that case, because I wanted to try the case, however for me to try that case would have involved traumatizing the children all over again. They would have to look at the videotapes, they would have to relive this and that is incredibly hard. There was no amount of (prison) time that was going to be justifiable for what he had done to so many children for so many years.

John Caher: Unfortunately, and getting back to the resourcefulness, sexual predators know that prosecutors don't want to put the children through that trauma and use that to their advantage.

Judge Rajeswari: They do, but in this case I was ready.

John Caher: You sure were.

Judge Rajeswari: As I stated, he's only in his 50s. I have no idea how many neighborhoods and how many children he had victimized over these years. Reading his journal, if you will, and looking at all the videotapes and photographs and mementos that he had kept told me … I believe in everybody redeeming themselves but there are some people who are just not redeemable. The children were 5 and 6 and 7 years old.

John Caher: I know that you lost your mother just a couple years after you arrived here, and your father not that long after. I have some vague recollection that becoming a judge, at the time when you had what seems like an extremely successful and very fulfilling career as a prosecutor, was fulfilling a promise you made to your father. Is that correct?

Judge Rajeswari: Yes. My mother had agreed to do a charity dance performance in Canada with me and our troupe. We were on our way there when we got into a very bad motor vehicle accident and she had passed away. I was alone, I had actually broken my leg a little bit, my back was completely out of alignment and I didn't know if I could walk or move or dance at any point. I lost my mother who was my teacher and my best friend. That was a little challenging, I would say, at 18 to be broken and broke in a new country.

John Caher: You were on the same motorcycle?

Judge Rajeswari: No, this was a motor vehicle.

John Caher: Motor vehicle, okay.

Judge Rajeswari: I was alone and had lost my mother and I said to myself, "What am I going to do now?" All of my dreams of coming here to do this, that was the only reason my mom came here, to help me get an education. I said, "If I go back then all this was for nothing, all her sacrifices and everything she had done."

With the help of the South Asian community you do what you have to do. If you have to do two, three jobs… I went on

scholarship to the College of Staten Island, which I was very grateful for, to City University. Then I decided to go to law school, I was fortunate to get a partial scholarship to Brooklyn Law as well. That was one reason I didn't give up when my mom passed away.

My dad passed away just a few years ago. He was alive, he was with me and he was my comfort and my guide throughout this journey. He had lost his battle to cancer in 2014. He was in India; he felt more comfortable with his treatment there. The last conversation we had he said, "You need to put in your papers as a judge."

I said to him, "Dad, I can't think about this. They're telling me you're not doing well, that the chemo … You're in the ER. I'm going to get on a plane and I'm going to get there, but promise you'll be okay."

He was a very smart man. He said, "I don't know what God has in store for me so I can't promise you that, but I do know what you need to do, you need to put in your papers because you need to become a judge and tell your story."

Of course, I'm thinking I can't think about this, my father is dying, this is so much more important. My father said, "Promise me you'll do this no matter what happens."

Of course, I promised my father. I got on a plane. By the time I got there — It took 36 hours and three different plane rides for me to get there — he had passed away. That was the last conversation I had.

After a year, we have a traditional mourning for a year, and I said to myself, "I've never broken a promise to my father as long as he was alive. I'm not going to break one now." I said, "I don't have any shot, I'm not political, I don't know anybody. All I've done is my work, which is very important to me. Let me put in my papers to fulfill my promise to my dad and I'll continue being a prosecutor." It was very fulfilling.

I have to say, whether it's my dad watching over me, I was just very fortunate and I got a call within a couple of months. I'm very grateful to the mayor for giving me this opportunity to do this. I'm told I'm the first South Asian and first Indian female judge to be appointed to Criminal Court in New York City.

John Caher: How did you position yourself even to be noticed by the mayor? There must have been hundreds of people looking for a judgeship.

Judge Rajeswari: Yes, everybody was. When the mayor asked me, I told him my story of what it meant to me to have this opportunity and to go to school. One of the things he had asked me was, “What do you want to do when you're a judge?” Obviously, everybody says you need to do justice. In fact, the first person who gave me my job, the late great District Attorney, Mr. William Murphy, who was my idol, had said, "My job and my challenge as a prosecutor was not to win or lose cases but to do justice in every case." His words have always stayed with me.

I said, "Everybody talks about doing justice. Everybody talks about helping people." They had asked me, what would you do specifically if you became a judge? I said, "I would want to make the court system, the environment, more user friendly for our immigrants who come here." That was one of the things I wrote in my application, that I want to provide better access to justice.

When I got here I had so many people assist me, but I spoke English fluently. Growing up in India the way I did, I spoke multiple languages. I'm multilingual, I can read and write several languages, which is great. If I didn't speak English when I got here, that would have been a real detriment. There are thousands of people who come here where English is not their first language. Just like everybody helped me, I wanted to help them. I said, "I want to improve language access."

I was very fortunate to have [Chief Administrative Judge Lawrence Marks] give me the opportunity to do this. The first thing I said when I got appointed was, "Can I be on the committee?"

I thought everybody was going to turn around and start laughing and say, "Who are you? You've been a judge for what, two minutes? What do you know about language access?" They weren't. They actually were so gracious and gave me an opportunity to become a member of the Advisory Committee. Now, after a year-and-a-half, Judge Marks has given me this incredible opportunity to be the co-chair of this Language Access Committee.

I've made it my mission to provide language access to immigrants to every part of the world, regardless of the country they come from, to try to get them access to justice. That is my way of giving back to this country and this community that's given me so much opportunity.

John Caher: I know the court system has a stable of somewhere around 300 interpreters employed by the courts. We contract with another 700 or so on a per diem basis. I think we provide interpreting services in something like 100 different languages.

Judge Rajeswari: It's 119 languages.

John Caher: 119 languages. Are we doing enough?

Judge Rajeswari: There is always more that we need to do. That's why I've been very fortunate to work with dedicated people in the Advisory Committee. We have amazing co-chairs, Mr. Eric Brettschneider, and Judge Juanita Bing-Newton, who is the dean and an amazing resource and a role model. Working with them we realized we need to do more recruiting and training and providing a better network. As you stated, we do have 300-plus staff interpreters and 700 per diem interpreters, but the need in New York City, as you can imagine, is exponentially growing.

The need is also different in different regions. For instance, the top spoken languages in the Bronx is not the same as in Oneida County or Monroe County. We have to take that into account as well and keep up with the need of what the language interpreter needs are.

We have about five million people in New York who speak a language other than English, and two million people are not fluent in English in New York City.

John Caher: Wow!

Judge Rajeswari: As astounding as that statistic is, we are actually now promoting the new action plan, which we're very proud of. A lot of people have worked on it way before I joined the committee, and they released the action plan in March of this year. As a part of my responsibilities on the committee, I've actually presented the action plan at the New York City Bar and I've also presented it at the Judicial Institute this summer, and I just went to the JI in October to present it to different chief court clerks. My goal is to bring the different varied partners in our court system together to help them understand this need and what resources we have.

The action plan is an amazing product that our Chief Judge wants us to promote. One of the steps in that is how we meet the need for training. I'm doing a training on all these different areas with different people—court attorneys and managers and judges and court clerks—and I'm going to do a presentation for Legal Aid because I want them to know the options we have.

In addition, we're going to do recruitment. Usually about 500 people take the exam for the language interpreter. Last year, over 910 people sat for the exam, so we nearly doubled the amount of people. We've gotten in touch with so many different cultural organizations. I myself have called over 100 different organizations that I know due to my community ties,

due to my dancing, and spread the word that we are looking for so many different languages from Southeast Asia, from South Africa, from South America, from all different regions of the world. There are people who are fluent and who can become per diem interpreters, earn a good per diem salary, and also help their community.

To me, justice should be equal for everybody. If somebody's from Sri Lanka and that Sri Lankan interpreter has gone on vacation and is not back for two months, that person's case has to keep getting adjourned. If we have, let's say, five different interpreters in that language, we are able to provide better access to justice for that particular immigrant.

That's what I want to do. I want to increase the number of interpreters, that's why I am doing recruitment with all these different organizations. Our Advisory Committee is a very dedicated group of people. We are trying to spread the word. We are also trying to have the exam now be twice a year, not once a year. Also, we are hoping to give it online so more people can easily take the exam.

The exam is very difficult. We want also quality. We just don't want to increase our network, we also want to make sure the highest quality is maintained through rigorous testing and continued training. As you can imagine, in a criminal case, a mistranslation or something lost in translation could seriously affect the outcome of a case and also violate somebody's rights. They don't actually understand what they are pleading to. It's a very strict standard. We want to not just double the amount of people who take the exam, we also want to keep quality control.

We have another exam coming up actually in January. I've reached out to several different bar association—the South Asian Bar, Asian American Bar, Richmond County Bar, and the Women's Bar, as well as Legal Aid—to promote this exam among the various different members. I reached out to several

cultural organizations across New York State that I'm familiar with. You'll be amazed at how many people will actually look at this and say, "I speak those languages fluently and I can read and write them, maybe not a staff interpreter but I can do it as a per diem." That's what we're hoping to do, attract more people to take the exam and get better quality.

John Caher: I imagine it's much more complicated than simply being fluent in more than one language.

Judge Rajeswari: Absolutely. What the interpreters do is amazing. They can do sight translation, they can translate documents, but they're doing simultaneous translation in the courts. Imagine in a busy court, like my courtroom, where there's a lot of cases, a lot of people, a lot of movement, and you still have to correctly interpret what the judge is saying or what the attorneys are saying to the client in that language, and do it at the simultaneous pace.

That is part of my training for the judges as well, to take a little bit more time on the interpreter cases because those cases are the ones that need a little more attention to make sure the interpretation is done right and a defendant's rights are not violated. Everybody gets equal access to justice.

John Caher: If someone wants to pursue a career as an interpreter or be a per diem interpreter, how should they proceed?

Judge Rajeswari: They can go to the website—courtinterpreter@nycourts.gov. The website will give them information on the upcoming exam, as I stated, in January. We're going to offer one later in the year in June. The website will give them sample questions and how to register as well. It will give them step by step instructions on how to take the exam.

John Caher: That's great. I think we're about out of time. I want to thank you for sharing your inspiring story with us. That was really fascinating.

Judge Rajeswari: It's absolutely my pleasure.

John Caher: Thank you, Judge Rajeswari, and thanks to our audience. Over the past couple of years, we have produce more than 50 podcasts with a wide variety of guests and a wide variety of topics. All of our podcasts are on the Office of Court Administration's website at www.nycourts.gov, and many of them can also be found in the iTunes podcast library, thanks to a collaboration with the Historical society of the New York Courts.

If you have a suggestion for an Amici podcast, please contact me, John Caher, at 518-453-8669, or send me a note at jcaher@nycourts.gov. In the meantime, stay tuned.