

The History of Policing in Louisville: A Fact-Finding Report on Institutional Harms

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Authors' Note

Organizing the Study

The bulk of the study contains breakdowns of different time periods which provide anywhere from a few paragraphs to a few pages of historical context about policing in Louisville during each era of its history. We also include in each section several examples of institutional harm from that timeframe.

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*This is the revised version of the research study. We researchers added additional historical context and cases building on the report of December 2023.

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Purpose of the Study

The ability to feel safe from being harmed by others is of critical importance to healthy communities.¹ Yet public safety is not as straightforward a concept as it might seem. Instead, defining and implementing public safety inevitably raises questions such as “harm for whom?” and “harm by whom?” Historically and in the present, answers to these questions have been closely linked to the entwined issues of power and inequality. Understanding harm in the US, in other words, requires grappling with the broader context of longstanding political, social, and economic hierarchies along the lines of race, class, gender, sexuality, and nationality.

In Louisville Metro, as in many other U.S. cities, bystander and police bodycam video footage has captured dramatic incidents of high-profile, often lethal, police brutality against Black residents. More recently, the Department of Justice’s (DOJ) report, investigating the practices of Louisville Metro Police Department from 2016 to 2021, revealed patterns of overt anti-Black racial discrimination; excessive use of force, including the use of tasers, police dogs, and chokeholds; unlawful stops, searches, and arrests; the unlawful targeting of people engaged in first amendment activity, particularly public criticisms of the police; and discrimination against people with mental and behavioral health disabilities.² Much-publicized incidents of police violence, along with the damning DOJ report, have led to an increased crisis of public confidence in policing even as they have shaken those responsible for policing, which is at its best a difficult occupation.

What are the historical roots of present-day policing? What historical patterns of continuity and change can we trace in the relationship between the police, since its

¹ A November 2021 poll revealed public safety as the #1 issue of concern of Louisville Metro residents. Morgan Watkins and Kala Kachmer, “‘Defund the police’ & Breonna Taylor. Exclusive poll shows where Louisville stands,” *Courier-Journal*, Dec. 1, 2021.

² United States Department of Justice Civil Rights Division and United States Attorney’s Office Western District of Kentucky Civil Division. “[Investigation of the Louisville Metro Police Department and Louisville Metro Government](#),” March 8, 2023.

inception in the nineteenth century, and marginalized communities in Louisville? How can Louisville Metro reform policing so that members of all historically marginalized groups are protected from harm inflicted by those charged with maintaining public safety?

An important element of meeting the challenge of public safety practices that work for everyone is to more fully understand the history of policing in Louisville Metro. That is the subject of this report.

This study is a part of Louisville Metro Government's Truth and Transformation Initiative, administered by Metro Office of Equity through a partnership with the National Network for Safe Communities (NNSC) to fact-find, via research, to understand better both historical and present-day institutional harms caused by the police to our community as a whole.

Because this project arose as part of a response to the upsurges of citizen protest in 2020, our starting point was to document and understand the policing experiences of those who have historically faced group discrimination, especially Black residents but also members of other marginalized groups. Consequently, while we have chosen to review "official" sources such as police and court records and daily newspaper accounts, we have also tried to listen particularly closely to those whose experiences have been less well chronicled: oral histories from former police officers, both Black and white; accounts of violent or problematic police treatment that appeared in Black newspapers; and relevant reports in the papers of the NAACP and the 1990s-era Citizens Against Police Abuse (CAPA), for example. What was clear from the start in this research is that Louisville residents' experiences of policing have varied greatly across the community's history in relation to whether they are white or Black. That difference is understandable given that Louisville's police force was all-white for a large period of time and was established at a time when many Black Louisvillians were viewed as property in the eyes of the law.

What is apparent from Black newspaper sources and many other kinds of accounts throughout Louisville's history is that movements against police brutality, initiated mostly by Black- and other people of color-led organizations, constitute a long

history, extending at least across the twentieth century and in some cases prior to it.³

Outside periods of mass social movements, however, such as those in the 1950s-60s and again during the Covid pandemic of 2020, many white Louisvillians have remained oblivious to the problem of excessive police force upon Black Louisvillians and other people of color, and largely unaware of or even hostile to the campaigns against it.⁴ Even the phrase “police brutality,” for example, appears much more widely in local Black newspapers than in the major daily papers. We use that language intentionally in these pages out of recognition of the volume and consistency of the reports of police violence on Black and other people of color communities we found in our research into local sources.

The main goal of this project is to identify and document patterns of institutional harm committed by the police in relation to marginalized communities across Metro Louisville’s history. Distinct from interpersonal harm, we approach institutional harm as the negative and detrimental effects over time produced by an institution’s practices, policies, and procedures, whether *de jure* (by law) or *de facto* (in practice), as it fulfills its assigned roles. We also understand harm as a continuum, extending from spectacular acts of physical violence and abuse resulting in physical injury and even death, to less visible forms of psychological distress, fear, and mistrust.⁵ Taken as a whole, comprising more than 200 years of data, this report historically tracks how accepted practices, policies, and procedures of policing—i.e.,

³ See, for example, Katie Nodjimbadem, “The Long Painful History of Police Brutality in the U.S.,” *Smithsonian Magazine*, July 27, 2017 (updated May 29, 2020). Available online at <https://www.smithsonianmag.com/smithsonian-institution/long-painful-history-police-brutality-in-the-us-180964098/>.

⁴ Sizable differences of opinion between Black people and white people on their experiences of policing are national, and persist across time, as verified by opinion poll data from the Kaiser Family Foundation and other polling firms. See KFF Tracking Poll-June 2020: <https://www.kff.org/racial-equity-and-health-policy/report/kff-health-tracking-poll-june-2020/>.

⁵ This is not to minimize the physical and health effects of psychological harm. Studies show how aggressive policing generates health disparities, and a host of physiological symptoms. Geller A, Fagan J, Tyler T, Link BG. “Aggressive Policing, and the Mental health of Young Urban Men.” *Am J Public Health*. 2014 Dec;104(12):2321-7. Sewell AA, Jefferson KA, Lee H. “Living Under Surveillance: Gender, Psychological Distress, and Stop-Question-and-Frisk Policing in New York City.” *Soc Sci Med*. 2016 Jun.

the maintenance of social order and public safety—in Louisville has adversely and disproportionately affected Black, Brown, working-class, poor, immigrant, queer, and disabled communities. Instead of looking at instances of police violence as aberrations perpetuated by rogue individual officers, we locate these instances as systemic, lying within the broader structure of policing as it unfolds in relation to a specific historical and socio-political context.

Indeed, the full saga of policing in Louisville could easily constitute a 300-page book, a task that is beyond the scope of the Truth and Transformation Initiative. The pages that follow offer the most thorough account our team can provide within the time frame and sources to which we had access. Note that we refer throughout to “Louisville” or “Louisville Metro” rather than “Louisville-Jefferson County” because it is beyond the capacity of this project to fully report on the Jefferson County police force prior to its 2001 merger with the Louisville Police Department to form Louisville Metro Police Department, or LMPD.

It is our hope that offering community residents a fuller accounting of the origins and history of what is today the LMPD will provide a useful tool toward the changes that will provide a safer community for all of our community’s residents.

The resulting report is the work of an interdisciplinary team of two historians and a political scientist with three student research assistants. Our work is based on a broad survey of archival research from police, newspaper, and organizational records, supplemented by interviews with multiple stakeholders and related books and articles that discuss policing in the United States and in Louisville from its settlement in 1778 as a fort at the Falls of the Ohio.

Historical Context of Policing in Louisville, Kentucky

1778 – 1860

Because of the prominence of the British in colonizing North America, many U.S. institutions and policies evolved from British common law, a system that was established by and for white Europeans. Policing is no different. As the United States took shape, first as a set of colonies and then as a new nation in the eighteenth century, policing evolved slowly and was often limited and informal. Settlements deputized paid or volunteer “watchmen” to keep order, following a long tradition of “night watch[men]” in England and other parts of Europe.⁶

The settlement that was to become Louisville began in 1778 when migrants from Virginia pushed west to establish a fort on Corn Island at the head of the Falls of the Ohio. Sources of those first several years indicate that life on what was then the western frontier was violent and risky. Records of the era reflect only the perspectives of white settlers of European origin, whose primary concerns in those initial years at the fort lay in conflicts with Indigenous peoples. The Shawnee, Seneca, and Cherokee had traditionally used the surrounding lands as hunting grounds, and their attempts to defend their claims resulted in numerous clashes and casualties on both sides.⁷

Although Black people are all but invisible in the historical records of this era, we know there were at least two Black settlers and possibly more who accompanied those earliest white pioneers to the Falls and performed some of the hard labor

⁶ Olivia B. Waxman, “How the U.S. Got Its Police Force,” *Time Magazine*, May 18, 2017. Available online: <https://time.com/4779112/police-history-origins/>.

⁷ Jay Donis, “Imagining and Reimagining Kentucky: Turning Frontier and Borderland Concepts into a Frontier-Borderland,” *The Register of the Kentucky Historical Society* 114, no. 3/4 (2016), 465 – 468. <http://www.jstor.org/stable/44980558>.

that built a community. Some would have been enslaved and therefore probably not present by choice, but there may also have been free people of color.

One of the only recorded two Black settlers was Cato Watts, an enslaved person who arrived at the Falls in 1778, probably with General George Rogers Clark, who is commonly looked to as the leader of that initial settlement. The other Black person among the initial settlers is known in the record only as "Caesar." Caesar appears to have served Clark in the role of "artificer" and may well have moved on when Clark did.⁸ Clark was an ardent militarist, expansionist, and a captain of the Virginia militia who got involved in the Revolutionary War that was underway. He led the settlement at the Falls but did not stay long there. Clark was said to possess an abiding hatred of Indigenous peoples, and reportedly once commented that he would like to see "the whole race of [them] extirpated."⁹

Cato Watts, who was also renowned for his talent as a fiddler, is notable both as one of the Black persons who settled Louisville and as the first Black Louisvillian to be tried for a crime. Court records attest that he was charged in 1786 with killing his enslaver, John Donne. Watts apparently admitted striking Donne but denied that his intent was to seriously injure or kill him. Watts's case was moved to Danville and while there is no record of its outcome, oral lore has it that Watts was put to death by hanging before he was even convicted. The fact that Watts had a surname (and especially one that differed from Donne's) was unusual for an enslaved person of the era and the fact that his case made it to court is even more striking for that period, suggesting that Watts likely had some community support for his side of the story.¹⁰ There is, unfortunately, no definitive record of the outcome of the case.¹¹

⁸ Mervin Aubespín, Kenneth Clay, and J. Blaine Hudson, *Two Centuries of Black Louisville: A Photographic History* (Louisville: Butler Books, 2011), 13 and 42.

⁹ Jeffrey Ostler, *Surviving Genocide: Native Nations and the United States from the American Revolution to Bleeding Kansas* (New Haven: Yale Univ. Press, 2019), 63.

¹⁰ This account appears in multiple sources. The interpretation is from Aubespín et al, 42, 45.

¹¹ The most definitive source regarding Watts's case and execution is in the M. Watt Espy Papers, which is part of the M.E. Grenander Special Collections and Archives at the University of Albany: see <https://archives.albany.edu/concern/daos/h989rd62g?locale=en>.

In the context of the community fears aroused by the well-documented constant hostilities with Indigenous tribes— and in light of an incident such as the Cato Watts arrest—it is fair to say that the die was cast for the first white Louisvillians to see themselves as in need of protection from Black people, Indigenous peoples, and other people of color.

The earliest analog to a presiding police officer in what became Louisville was a “town crier” who first appeared in the historical record in 1785, seven years after the fort’s establishment.¹² The town crier typically stood in a central location and periodically called out the time of day, reported on local and regional news, and alerted residents to any dangers or out-of-the-ordinary occurrences.

As the town grew, it followed other early U.S. settlements in enlisting paid individuals to patrol and protect residents and the harbor. In 1806 the town trustees hired several men to police the community.¹³ Although they and others who followed them in that role were sometimes called “policemen” in local newspapers, they were most commonly known as “watchmen,” not yet organized into anything that could be called a police department.¹⁴ Their duties were limited, relative to a modern police force, yet those duties expanded as the town became a city (officially designated as such in 1828).

In the nineteenth century, the new nation grew exponentially, and the U.S. economy thrived in the context of increasing industrialization in some regions of the country while in the South, agricultural profits amassed from the widespread enslavement of African peoples, whose unfree, unpaid labor enabled an economic boom, especially in cotton. By the 1830s, the U.S. was defined increasingly by the forces of industrialization, immigration, and urbanization, with more people living in closer proximity and an expanding population that constantly pushed westward. Southern states, however, remained more rural, agricultural, and insular, with economies that depended on and endorsed slavery.

¹² Morton Childress, *Louisville Division of Police, 1806-2002* (Paducah: Turner Publishing Co., 2005), 10.

¹³ *Ibid.* That source lists five men, others mention only two initially.

¹⁴ According to Olivia Waxman, Boston established the first publicly funded, full-time police force in 1838.

As slavery became increasingly confined to the South, early policing there often took the form of slave patrols whose primary job was monitoring and apprehending enslaved people.¹⁵ Despite the growth of Louisville as a city, Kentucky remained a largely rural state. While slavery continued here, including a thriving trade in exporting enslaved African Americans into the deeper South, Kentucky also had a more mixed economy than neighboring states to its south, with more residents who identified as anti-slavery and a thriving Underground Railroad to volley runaways to free states across the Ohio River.

Louisville's earliest watchmen do not appear to have originated in slave patrols. Because enslavement was so widespread in Kentucky, however, it should not be surprising that the earliest law enforcement records show that keeping Black people – both free and enslaved – “in line” was a priority of early policing. The Mayor's Court records provide some insight into the mistreatment of minorities in the Louisville judicial system. The 1828 Louisville City Charter gave the mayor some judicial powers, while the 1833 charter expanded them and allowed him to adjudicate cases.¹⁶ Though routinely structured with a judge and at times a jury, many of the judgements dispensed in the Mayor's Court demonstrate racial prejudice. Law enforcement and court records show harsher penalties openly accorded to free people of color than to whites. For example, in 1832, Tom Smith, a free man of color, was tried in the Mayor's Court and found guilty and made to pay a fine of \$5 or “ten days in the city work house.” The standard fine was \$4 or 4 shillings for white men.¹⁷

The General Council of Louisville gave early police officers a great deal of power to “diligently endeavor to detect offenders, and, whenever practicable, to arrest and commit them.” Furthermore, the chief and watchmen could, “without warrant, arrest suspected offenders against law or ordinances, and in doing so, may summon any bystander to assist him.”¹⁸ Thus, early policemen could legally enforce laws and arrest anyone whom they felt were suspicious of breaking city and state

¹⁵ For a full discussion of the origins of policing in the pre-Civil War South, see, for example, Sally E. Hadden, *Slave Patrols: Law and Violence in Virginia and the Carolinas* (Cambridge: Harvard Historical Studies, 2003).

¹⁶ Attia Martha Bowmer, “The History of the Government of the City of Louisville,” Electronic Theses and Dissertations. Paper 1869. <https://doi.org/10.18297/etd/1869>, 46.

¹⁷ “Mayor's Court,” 1832. University of Louisville Archives and Special Collections.

¹⁸ “Charter of the City of Louisville, KY,” 192-193.

laws. Many of these legislative orders disproportionately impacted poor, working-class, and people of color. With continued urban growth, the Trustees who governed the early city appointed a Captain of the Watch in 1821, and the language they used in describing that post suggests the prevailing views on race and labor hierarchies in relation to whom the watch protected: the Captain was specifically granted “discretionary latitude in controlling slaves.”¹⁹ In an April 1832 case in the Mayor’s Court, Peter, an enslaved man, was whipped with “five stripes” for being out past curfew.²⁰ According to the 1856 City Ordinance No. 233, Sec. 4, “It shall further be the duty of the Police to arrest all slaves found from home without a pass or good excuse (except a slave found at his wife’s homes) between half past ten o’clock p.m. and the ringing of the daylight-bell, and put them in the watch house, to remain there until three o’clock p.m. of the next day, and then be discharged with ten lashes by the arresting officer of Chief of Police, unless before that time the master or his agent deliver to the keeper of the watch house the City Treasurer’s receipt of two dollars.”²¹

One positive police policy of 1811 that did not persist as the city grew in the modern era was a rule that the watchmen must reside in the neighborhoods they patrolled. By the end of 1821 the governing Trustees also took steps to designate the Watchmen as “police officers,” an important stride towards establishing Louisville’s first actual police force.²² The 1850s was a decade in which the police department became more formalized possibly in response to the anti-immigrant “Bloody Monday” riots that swept Louisville on August 6, 1855. On election Protestant mobs who supported the Know Nothing Party attacked Irish and German Catholics. A large number of people were injured and an estimated 22 people killed.²³ In February of 1856, the city stipulated that a Chief of Police would oversee the police department. By April of that year a city ordinance required the chief to put 11 districts into operation.²⁴

¹⁹ Childress, *Louisville Division of Police*, 10.

²⁰ “Mayor’s Court,” April 9, 1832. University of Louisville Archives and Special Collections.

²¹ “Charter of the City of Louisville, KY,” 193.

²² *Ibid.*

²³ Wallace S Hutcheon, “THE LOUISVILLE RIOTS OF AUGUST, 1855” *The Register of the Kentucky Historical Society* 69, no. 2 (1971), 158 - 161.

<http://www.jstor.org/stable/23377216>.

²⁴ *Ibid.*

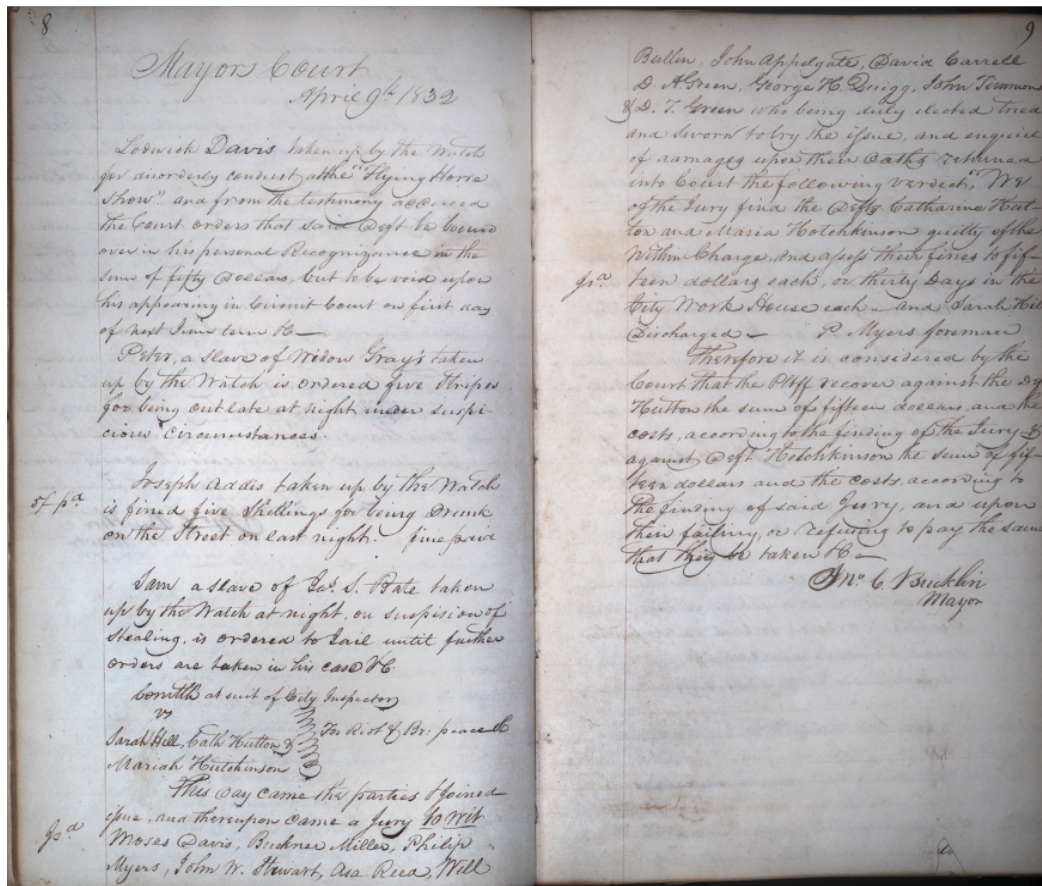


Figure 1. Peter, a slave of the Widow Gray, was arrested on April 9, 1832 and given five stripes for being out late. University of Louisville Archives and Special Collections.

1861 – 1865

Louisville has long been considered a state at the crossroads of the North and the South. This was certainly apparent during the Civil War. When eleven pro-slavery southern states attempted to break away and establish a separate nation in 1861, Kentucky did not join them. Although slavery was entrenched in parts of Kentucky (especially in its western and central portions, including Louisville and its environs), the Commonwealth remained officially neutral. About four times as many young men joined the Union Army as the Confederate one, and Louisville in particular became a prime staging ground for Union troops as the war unfolded.²⁵ An estimated 25,000 – 40,000 Kentuckians fought for the Confederacy while 90,000 to

²⁵ Robert McDowell, *City of Conflict: Louisville in the Civil War, 1861-1865* (Louisville: Louisville Civil War Roundtable Publishers, 1962), 2,8.

100,000 fought for the Union. Approximately 24,00 Black Kentuckians would serve in the Union Army.²⁶ Yet even after the Emancipation Proclamation abolished slavery in the eleven Confederate states in 1863, slavery continued to be legal in Kentucky. Enslavement was officially abolished in Kentucky only after the Civil War with passage of the Thirteenth Amendment to the U.S. Constitution in December 1865.

Many military battles were fought throughout Kentucky during the Civil War. Over the four-year period, more than 20 engagements took place across the state with thousands killed or wounded.²⁷ Despite the conflict of war, police officers continued their primary function of enforcing laws throughout the period. A prominent law which served to maintain the racial and social order of the period was the anti-miscegenation law. These laws criminalized people of different races for cohabitating or marrying. As historian Peggy Pascoe has argued "miscegenation law was clearly a project of white supremacy rooted in notions of white purity."²⁸ Kentucky technically passed its first anti-miscegenation law in 1792 when it adopted Virginia's constitution.²⁹ Police officers in Louisville enforced these laws throughout the war. On May 2, 1862, John Langer was arrested and fined \$200 for cohabiting in Louisville with a "Negro" woman.³⁰ In June of 1862, two white men were arrested for running away with enslaved women.³¹ The record does not state what was done to the Black women. Anti-miscegenation laws would not be repealed in Kentucky until 1974.

²⁶ James C. Klotter and Craig Thompson Friend, *A New History of Kentucky* (Lexington: University of Kentucky, 2018), 178.

²⁷ Klotter and Friend, *A New History of Kentucky*, 179.

²⁸ Peggy Pascoe, *What Comes Naturally: Miscegenation Law and the Making of Race in America*. (Oxford: Oxford University Press, 2009), 8.

²⁹ For more information about anti-miscegenation laws in the United States see Barnett, Larry D. "Anti-Miscegenation Laws." *The Family Life Coordinator* 13, no. 4 (1964): 95–97. <https://doi.org/10.2307/581536>.

³⁰ "Arrest Records of 1862," May 2, 1862. University of Louisville Archives and Special Collections.

³¹ "Arrest Records of 1862," June 7 and 9, 1862. University of Louisville Archives and Special Collections.

Jefferson County Table of Population on Race³²

Year	Native White	Foreign Born White or Mixed Parentage	Black	Indian, Chinese, & Japanese	Total
1860	77,093 (86% of pop)	*	Free – 2007 (2.2% of pop) Enslaved – 10,304 (11.5% of pop)	0	89,404
1870	99,806 (84%)	*	19,146 (16%)	1	118,953
1890	154,981 (82.2%)		33,595 (17.8%)		188,598
1900	165,361 (71.1%)	23,269 (10%)	43,916 (18.9%)	-	232,549
1910	197,876 (75.2%)	19,233 (7.3%)	45,794 (17.4%)	17 (0.006%)	262,920
1920	228,165 (79.7%)	13,721 (4.8%)	44,448 (15.5%)	-	286,369
1930	294,348 (83%)	9,889 (3%)	51,068 (14%)	-	355,350

³² Table compiled from the 1900, 1910, and 1930 U.S Census. According to the census categorization, "Foreign Born White" refers to those whose parents are of European descent not born in the United States. For continuity, we have included all "Native White - Foreign or Mixed Parentage" classifications under the "White" category in this table.

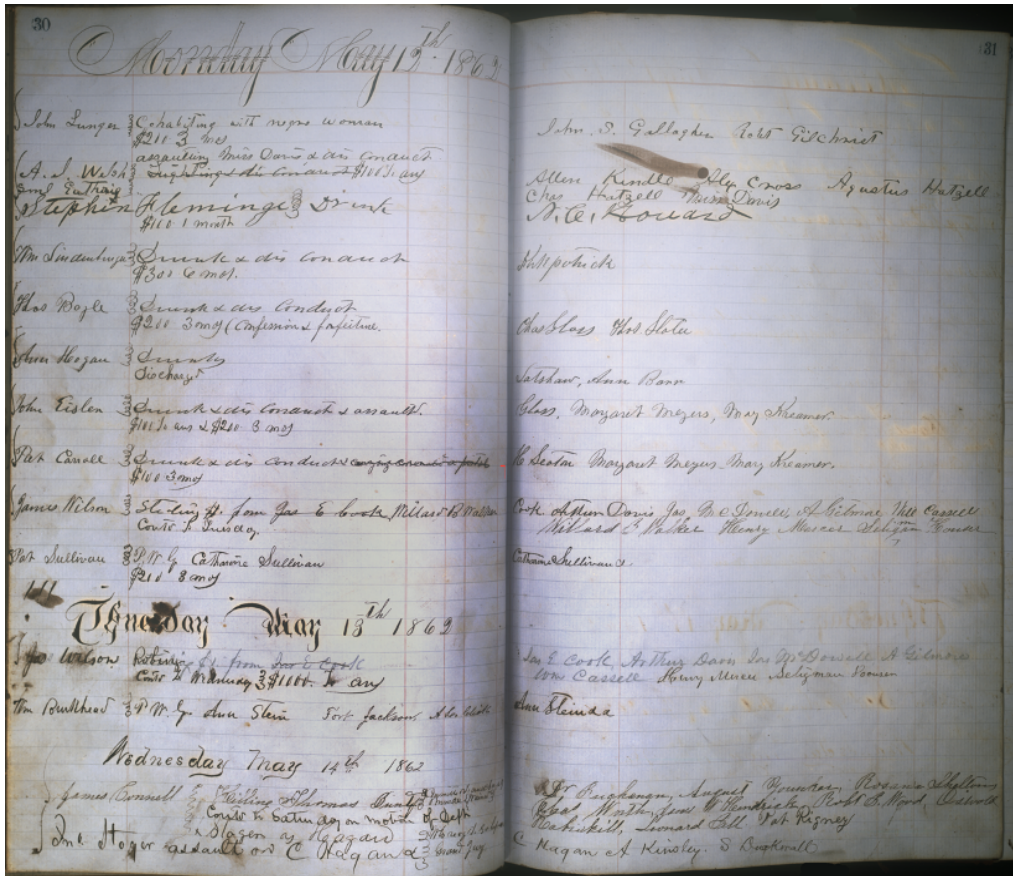


Figure 2. According to a May 12, 1863 Louisville Police Bulletin, John Lunge was arrested for "cohabiting with Negro woman." University of Louisville Archives and Special Collections.

1866 – 1900

The Reconstruction era immediately following the Civil War is notable as an interruption in the flow of U.S. history up to that point insofar as the U.S. Constitution was amended to grant legal rights to formerly enslaved persons (via the 13th, 14th, and 15th Amendments). Many areas of the former Confederate South became that of a limited experiment in multiracial democracy as Black people gained the vote and ran for and held office while the ruling former Confederates were for a short period prevented from regaining control. Unlike its counterparts to the South, however, Kentucky is notable for its relative lack of a Reconstruction period like the one described above.

A leading scholar of Kentucky history has termed the socio-political environment of the post-Civil War period as one of "polite racism."³³ George C. Wright has argued that the absence of lynchings and rioting in Louisville created a picture of racial equality. However, the period of the late nineteenth century was one of inequity for people of color in the city. Segregation in housing, schools, and on streetcars was the norm in the period. Between 1861 and October of 1870, "the only schools available to blacks were directed by the churches, the Freedmen's Bureau, and the missionary societies."³⁴ Many Black people and immigrants were relegated to servile and unskilled employment positions. This inequity was largely due to the prevalence of former Confederates in politics and the press who sought to maintain the racial social order of the antebellum period.³⁵

A pattern of racial discrimination is evident when viewing the Louisville Police Department arrest records of the period. Though white people made up most of Louisville populations, African Americans and immigrants composed most of the arrests. 855 white people were arrested between April 20, 1868 and December 31, 1868. This accounted for about 1% of the white population. However, within that same 9-month period, 524 African Americans were arrested. These arrests made up 19% of the total 2,796 people arrested. Throughout the decades of the 1860s and 1870s, African Americans never made up more than 16% of the total Louisville population. This trend continued in the 1870s. "In 1873 blacks accounted for 22 percent of the total arrests in Louisville, and by 1881 this had jumped to 32 percent."³⁶ Immigrants were also arrested at what appears to be a substantial rate. For example, the arrests of Irish immigrants "fluctuated from a high of 17 percent in 1873 to a low of 7 percent in 1881." This decrease in arrests coincides with the police department hiring Irish officers in the same period.³⁷

³³ George C. Wright, *Life Behind a Veil: Blacks in Louisville, Kentucky 1865 – 1930* (Baton Rouge, LA: Louisiana State University Press, 1985), 5.

³⁴ Wright, *Life Behind a Veil*, 35.

³⁵ Wright, *Life Behind the Veil*, 22 – 27.

³⁶ Wright, *Life Behind a Veil*, 71.

³⁷ Ibid.

1901 – 1922

As prevalent as in the late nineteenth century, segregation remained an issue throughout the next century. A May 11, 1914, city ordinance forbade Black and white citizens from purchasing homes in areas in which the other was the majority.³⁸ This measure was protested by local African Americans before and after its passage.³⁹ The local chapter of the NAACP and the executive branch of organization planned a test case to challenge the order in November 1914. William Warley, a Black lawyer and member of the local NAACP, purchased property on a predominantly white block. The seller was Charles Buchanen, a white real estate agent who also opposed the ordinance. In December of 1914 Buchanan's lawyer sued to test the city's segregation ordinance. The practice was upheld by the Kentucky Court of Appeals who in 1915 argued that the "ordinance was a proper exercise of the police power of Louisville's city legislators."⁴⁰ However, in 1917 the Supreme Court in a unanimous decision reversed Kentucky's ruling. In *Buchanan v. Warley* the justices argued that this "attempt to prevent the alienation of the property in question to a person of color was not a legitimate exercise of the police power of the State, and is in direct violation of the fundamental law enacted in the Fourteenth Amendment of the Constitution preventing state interference with property rights except by due process of law."⁴¹ This ruling would legislatively outlaw residential segregation in Louisville though it continued to be practiced throughout the city.

Segregation remained the standard practice in much of the state and it was not restricted to where one could live. Though allowed to work as fire fighters, policemen, and jail employees, people of color did so in segregated units. The Louisville Free Public Library's Western Colored Branch opened in 1908 as a library

³⁸ Klotter and Thompson, *A New History of Kentucky*, 335.

³⁹ Black Louisvillians organized a temporary chapter of the National Association for the Advancement of Colored People (N.A.A.C.P.) to organize and protest the proposed ordinance. A chapter of the organization was approved by the national branch in August of 1914. George C. Wright, "The NAACP and Residential Segregation in Louisville, Kentucky, 1914-1917." *The Register of the Kentucky Historical Society* 78, no. 1 (1980): 39–54. <http://www.jstor.org/stable/23378695>, 43 – 44.

⁴⁰ Wright, "The NAACP and Residential Segregation in Louisville," 48.

⁴¹ *Buchanan v. Warley*, 245 U.S. 60 (1917), <https://supreme.justia.com/cases/federal/us/245/60/>.

for African Americans.⁴² The Kentucky Derby, which had allowed Black jockeys to participate with many of them winning races, had become all-white after 1911. By 1924, parks were segregated in Louisville. "By the mid 1920s, then, Kentucky had segregated racing, transportation, parks hotels, theaters, library systems, orphans' homes, restaurants, funeral parlors and more."⁴³

In addition to communities of color, unhoused peoples were heavily policed, and homelessness was criminalized in the early twentieth century. A February 9, 1910, Louisville Police Department daily bulletin informed police officers to examine vacant houses for squatters. The bulletin stated, "Any negro, tramp, or suspicious looking person found upon or hanging about vacant property should be promptly arrested and charged with loitering."⁴⁴ The bulletin was repeated later that month to ensure that police officers continued arresting those who may be staying in vacant houses.⁴⁵ These orders seemed to be the standard for several years. In 1912, Chief H. Watson Lindsey instructed the police force that "tramps" and "vagrants" were not allowed to remain in the city.⁴⁶

Despite this disparity in policing marginalized communities, there was some progress within the police force regarding women and Black officers. On May 20, 1921, the first white female officer was appointed.⁴⁷ On March 22, Bertha Whedbee was the first African American woman appointed.⁴⁸ According to Morton Childress, a former LMPD captain and historian of the department, both women "were restricted to patrolling dance halls, apprehending thieves in downtown department stores, working with children, and performing female body searches." In addition to these gendered restrictions, women hired in the police department could "only be allowed

⁴² Cheryl Knott Malone, "Louisville Free Public Library's Racially Segregated Branches, 1905-35." *The Register of the Kentucky Historical Society* 93, no. 2 (1995): 159–79. <http://www.jstor.org/stable/23382628>, 161.

⁴³ Klotter and Friend, *A New History of Kentucky*, 334 – 335.

⁴⁴ "Daily Bulletin" February 9, 1910, University of Louisville Archives and Special Collections.

⁴⁵ "Daily Bulletin," February 28, 1910. UofL Archives.

⁴⁶ Childress, 12.

⁴⁷ Childress, 12.

⁴⁸ Childress, 12.

to work with members of their own race."⁴⁹ William D. Woods and Page C. Hemphill were the first two African American men appointed to the department's Detective Bureau but could only police African American communities. They were appointed on August 1, 1923.⁵⁰

⁴⁹ "Trailblazer': First Black Policewoman May Finally Get Her Gravestone," *The Courier Journal*, June 22, 2018.

<https://www.courierjournal.com/story/news/2018/06/22/louisvilles-first-african-american-policewoman-buried-unmarked-grave/717549002/>

⁵⁰ Childress, 68.



DAILY POLICE BULLETIN

DEPARTMENT OF POLICE, CITY OF LOUISVILLE, KY.



ESTABLISHED MARCH 17, 1000.

WEDNESDAY, JANUARY 5, 1910.

VOL. No. 10.

HON. WILLIAM O. HEAD, Mayor.
 EDWARD T. TIERNY, Chairman, Board of Public Safety.
 RUSH C. WATKINS,
 PENDLETON BECKLEY,
 H. WATSON LINDSEY, Chief of Police.

DEPARTMENT OF POLICE.

OFFICE OF THE CHIEF

LOUISVILLE, KY., Jan. 1, 1910.

GENERAL NOTICE.

Below is the monthly report of operator Heinzman who has charge of the books at the Central Station, for the month of December, showing the number of arrests made by the members of the Department during the month:

Attachment.....	7
Assault and Battery.....	2
Assault to Kill.....	1
Accessory to Malicious Cutting.....	2
Accessory to Malicious Shooting.....	1
Accessory to Robbery.....	3
Attempt to Rape.....	2
Arson.....	1
Bench Warrant.....	15
Begging.....	7
Bond Surrender.....	2
Carrying Concealed Deadly Weapons.....	16
Chicken Stealing.....	2
Converting Money.....	5
Detaining Woman.....	2
Defrauding Hotel.....	2
Disorderly House.....	3
Destroy or Private Property.....	3
Disorderly Conduct.....	262
Drunk and Disorderly Conduct.....	160
Drunk.....	127
Exposure of Person.....	2
Fast Driving.....	1
Fugitives.....	4
Grand Larceny.....	20
Gaming.....	6
House Breaking.....	12
Loitering.....	100
Lunacy.....	3
Maiming.....	1
Malicious Assault.....	19
Malicious Cutting.....	22
Malicious Shooting.....	12
Murder.....	3
Neglect of Children.....	7
Obtaining Goods by False Pretenses.....	3
Petit Larceny.....	45
Pointing Pistol.....	4
Rape.....	3
Receiving Stolen Property.....	2
Robbery.....	7
Peddling Without License.....	1
Selling Liquor Without License.....	5
Setting Up and Running Game.....	6
Selling Cocaine.....	4
Shooting at Without Wounding.....	5
Shooting in City Limits.....	4
Vending Lottery.....	2
Violating City Ordinance.....	9
Violating Sunday Law.....	18
Total.....	964
ARRESTS AT EACH STATION.	
First District.....	107
Central.....	613

Fourth District.....	53	Fifth District.....	52
Sixth District.....	77	Seventh District.....	62
SEXES.			
Male.....	833	Female.....	131
AGES.			
Under 20 years.....	103	From 20 to 30 years.....	396
From 30 to 50 years.....	377	Over 50 years.....	88
NATIVITY.			
U. S. white.....	446	Colored.....	507
Germany.....	1	Italy.....	3
France.....	1	Greek.....	2
Russia.....	4		

OUTSIDE.

Wanted, this check man at Elkerton, Ga. W. G. Reed, about 22 yrs., 5 ft. 5 in., 135 lbs., dark grey hair, heavy eyebrows, round smooth face, light complexion and hair, sometimes wears nose glasses, fond of women, wore a light suit, black derby hat, left December 20th, has a trunk and a large double suit case.

\$100 Reward—Wanted in Washington, D. C., on the charge of Grand Larceny, Thos. Lyons, 26 yrs., 5 ft. 7½ in., 167 lbs., sallow complexion, dark chestnut hair, pale blue eyes, smooth face, girl's and sailor's head on right forearm, neat dresser, is an electrician and boarding house thief. Photo. in Detective Office.

ESCAPED.

Look out for Walter Hardin, a yellow skin negro, who escaped from the Work House this morning. He is 30 years, 5 feet 8 inches, 165 to 170 pounds, lives in Congress alley between Twelfth and Thirteenth street.

Missing.

Patrolmen will inquire on their beats for one Eli S. Troy, who left his home in Philadelphia, Nov. 27 and was in Louisville last month. He is 18 years, 5 feet 10 or 11 inches, 183 pounds, brown eyes and hair, wore brown trousers, light brown coat, plaid cap. May be found with a man by the name of Kane, 25 years, 5 feet 2 inches. If located notify this office.

DESERTIONS FROM U. S. A.

\$50 reward for the arrest of these deserters:
 GEORGE A. NEWMAN, 30 years, 5 feet 7 inches, 137 pounds, blue eyes, light red hair, ruddy complexion; from "U. S. Army." Is a messenger.

LOCAL HAPPENINGS.

Walker and White of Central report the theft of a light grey stripe boy's coat and pants, property of L. E. Morefield at Second and Chestnut streets.

Wellman of the Third reports that last week a lot of brass was stolen off the machinery at the stone yard of Blatz & Krebs, Fourteenth and Walnut streets.

White and Walker of Central report the theft Friday night of two new saws (one No. 10 and the other No. 8 rip saw), one claw hammer wrapped with cord, also chisels and bits.

White and Walker of Central report that Monday night three shoeing hammers and four new rasps, 18 inches long were stolen out of the blacksmith of L. Kantlehner, 417 Center street.

Brown of the Sixth reports that yesterday afternoon about 2:30 o'clock at Seventh and Magnolia streets, Prince Livingston, 21 years, 5 feet 9 inches, 140 pounds assaulted Tom Mundford.

Bott and King of the Fifth reports the theft at the residence of Mrs. Rogers, 229 West Chestnut street of a double breasted blue serge coat with the name "M. L. Rhoads" in the pocket, one short black overcoat, one Julet razor and one safety razor.

Dalton, operator, reports the theft of a wood case, size 6 by 8, with leather handles, containing a storage battery, with two binding posts, one marked zinc and the other copper, "860" marked on the case, property of Dr. J. T. Dunn, 741 Second street.

Ross and Condeley of Central report that Monday afternoon a dark brown skin negro, about 5 feet 9 inches, 150 pounds, smooth face, wearing dark clothes, entered the room of L. Merrifield, at 733 West Chestnut street, and stole a dark blue coat and vest, made by Langan, and a dark green coat and vest, made by M. Cohen & Son.

H. WATSON LINDSEY,

Chief of Police.

Louisville, Ky., January 5, 1909.

Figure 3. The January 1910 Statistics of arrests highlight the disparity of arrests based on race. Though Black people made up only 17.4% of the Louisville population in 1910, they accounted for 53% of arrests in January of that year. University of Louisville Archives and Special Collections.

1923 – 1945

Scholars argue that residential segregation increased after the 1920s. Scott Cummings and Michael Price highlight several factors for this. According to their research, white working-class immigrants established their own neighborhoods including those of Germantown and Limerick. African Americans, who had traditionally been relegated to domestic servant jobs, could now use public transportation to commute throughout the city. They had previously lived in the homes of white employers in middle and upper-class neighborhoods. Additionally, many white citizens moved outside the city. "During the 1930s and 1940s, white middle-class residential areas were developed in the eastern, western, and southern portions of the city. Meanwhile, the influx of Blacks into the city increased population density and housing pressures in centrally located neighborhoods."⁵¹ This discrepancy in housing had grown substantially by 1940. In his research study of the city's Black community in the 1940s, J. Harvey Kerns, noted that "Among tenant-occupied units 23,984 whites had private bath and flush toilet compared to 2,174 nonwhite tenants." He further explained that "the problem among Negroes is more acute because of their inability to obtain available houses which are being constructed by private builders."⁵²

The population of Louisville grew substantially between the world wars. In 1910, the population was 223,928 and by 1940 the number had grown to 319,077.⁵³ During World War II a number of Louisvillians worked in the war time industries. In 1941 du Pont Nemours Company opened a smokeless powder plant about 14 miles away in Charlestown, Indiana. The Hoosier Ordinance Works also in Charleston and Quartermasters Depot in Jeffersonville began construction soon after. Louisvillians would travel to work in these industries. "By 1941 Louisville-area defense

⁵¹ Scott Cummings and Michael Price, "Race Relations and Public Policy in Louisville: Historical Development of an Urban Underclass." *Journal of Black Studies* 27, no. 5 (1997): 615–49. <http://www.jstor.org/stable/2784872>, 621.

⁵² Kerns, "A Survey of the Economic and Cultural Conditions of the Negro Population of Louisville," 52.

⁵³ 1940 Census of Population, 416.

employment was estimated at 38,000, other industrial employment had increased by eighteen percent and there were more defense plants yet to be built."⁵⁴

With the growth of the city, many problems remained, especially in policing. The *Louisville Leader* was the premier Black newspaper in the city. It was founded by I. Willis Cole in 1917 and ran until 1950 after his death. During that thirty-year period reporters regularly wrote about cases of police brutality in the Black Louisville community. An October 25, 1924 article detailed how a police officer killed a Black man. Hundreds came out to protest the murder.⁵⁵ In 1931, police officers arrested and beat a Black child who they accused of murder. The child was later acquitted of all charges.⁵⁶ In June 1939, two young Black girls were beaten by police and denied medical treatment.⁵⁷ In January of 1944, a white officer was cleared of charges after beating a Black woman.⁵⁸

1946 – 1964

Despite the number of racist and social problems prevalent in the city, there was some progress within the police department regarding Black officers. In April 1944, three African American police sergeants were sworn into the Louisville Police Department. William Scott, William Fred Downs, and Wilson A. Edwards would be the first Black men to serve in these prominent roles. The sergeants would "be utilized in the Negro districts in command of the largest group of Negro policemen in department history."⁵⁹ It seems as if all Black police officers were given more power in the 1940s. In his 1948 study of Black Louisvillians, J. Harvey Kerns, the Assistant Director of the Department of Research and Community Projects of the National Urban League, wrote that the chief of police informed him that Black officers were treated equally to white officers. He recounted, "Louisville Negro

⁵⁴ Luther Adams, "Way Up North in Louisville': African American Migration in Louisville, Kentucky, 1930 – 1970" (PhD. Dissertation., University of Pennsylvania, 2002), 69.

⁵⁵ *Louisville Leader*, October 25, 1924.

⁵⁶ *Louisville Leader*, May 9, 1931.

⁵⁷ *Louisville Leader*, June 24, 1939.

⁵⁸ *Louisville Leader*, January 15, 1944.

⁵⁹ "3 Negro Police Sergeants Sworn In," *Courier Journal*, April 15, 1944.

police officers and white officers have the same power to arrest any person guilty of a violation of the law, a policy contrary to that in most Southern cities, where Negroes are limited in their powers of arrest to Negro offenders and detaining white offenders under certain conditions."⁶⁰ Furthermore, in the fall of 1957, James M. Knight became the first African American officer "to take a physical training with white officers."⁶¹

However, these signs of progress occurred in the backdrop of the burgeoning Civil Rights Movement of the period. During the 1940s, 50s, and early 60s, Black and white Louisvillians organized for equal treatment in education, politics, housing, and public accommodations. Testing the 1954 *Brown v. Board of Education* ruling which had made segregated schools unconstitutional, the NAACP and organizers urged for the immediate integration of schools. However, it would take years of organizing and protests from organizations, Black leaders, the Black press, and teachers to integrate schools. Even then, only "token integration" took place in the 1954 school year in a city plan in which "school officials handpicked black pioneers to please whites and minimize conflict."⁶² Another success of the period was the passage of the 1963 open accommodations ordinance. K'Meyer writes that "the most important factor in the integration of public facilities in Louisville was the constant pressure toward the that end by black leaders, including the *Louisville Defender*, civil rights groups, sit-in protesters, politicians, and near the end, the African American members of the HRC (Human Relations Commission)."⁶³

1965 – 1980

When Black Louisvillians won the right to eat, buy, and shop where they pleased in 1963, it shifted their relationship somewhat with the police, who were now no longer charged with keeping Black people out of certain businesses and public

⁶⁰ J. Harvey Kerns, "A Survey of the Economic and Cultural Conditions of the Negro Population of Louisville, Kentucky and a Review of the Program and Activities of the Louisville Urban League," (National Urban League, January – February, 1948), 121.

⁶¹ Childress, 14.

⁶² K'Meyer, 60.

⁶³ K'Meyer, 109.

spaces. But relations did not change as much as many might have hoped. Only in 1965, for example, were Black and white police officers permitted to ride together in the same patrol car as partners, and that practice remained relatively rare throughout the 1960s.⁶⁴ Before that, the handful of Black officers on the force typically either walked a beat or (after 1961) rode motorcycles.⁶⁵

By 1965, despite having been desegregated for decades, the Louisville police force remained overwhelmingly white. A declining number of its officers lived in the communities they policed. In the four years from 1960-64, nearly 16,000 whites had left Louisville's west end as more and more Black people, whose population expanded amid historically crowded housing conditions, moved in. Many of those whites moved out of the city into Jefferson and surrounding counties, and police officers were part of that exodus.⁶⁶

Nor was it merely racial discrimination that plagued the department. In March of 1965, when four of the only sixteen women on the force requested to take the exam for promotion to sergeant, the police chief advised that the Civil Service rules stipulated that only "patrolmen" could take the exam.⁶⁷

Louisville police had gained plenty of experience hauling civil rights demonstrators away to jail in "paddy wagons" when masses of mostly Black high school students staged nonviolent sit-ins outside downtown stores starting in early 1961. Such protests continued frequently until the passage of the open accommodations ordinance in 1963.⁶⁸

But the local movement first saw large-scale violence only in its next major wave. The open housing movement of 1966-67 was massive in Louisville, drawing Dr. Martin Luther King Junior to the city on several occasions and bringing with him

⁶⁴ Childress, 18.

⁶⁵ See Shelby Lanier interview in Catherine Fosl and Tracy E. K'Meyer, *Freedom on the Border: An Oral History of the Civil Rights Movement in Kentucky* (Lexington: University Press of Kentucky), 161.

⁶⁶ That statistic is from Luther Adams, *Way Up North in Louisville* (Chapel Hill: UNC Press, 2010), 183.

⁶⁷ Childress, 18.

⁶⁸ Fosl and K'Meyer, pp. 80-92. Runette Robinson interview on p. 96 and many others mention police "paddy wagons."

national media attention.⁶⁹ The movement also garnered a more visible level of white participation, support, even leadership. Much larger marches now took place not only downtown but in multiple locations across the city and county. There, masses of white hecklers taunted and threw stones at the marchers, and in one case in the spring of 1967, King was among those hit in the head with a rock.⁷⁰ Additional controversy arose when movement leaders demanding a local open housing law threatened to disrupt the Kentucky Derby— “Louisville’s sporting, cultural, and economic centerpiece,” in the words of one historian.⁷¹

Crime in both Louisville and the nation had increased significantly between 1940 and 1965, for many reasons, including the new medium of television and greater sophistication and availability of guns. Yet people’s worries about crime, especially in urban areas, increased even more after it became a central, televised issue in the 1964 Presidential campaign.⁷² ⁷³ Politicians’ debates about the need to fight crime also grew in volume alongside the growth of collective Black pride and the Black Power movement, particularly after the establishment in 1966 of the Black Panther Party and its growth throughout the late 1960s.

Policing in the late 1960s and beyond cannot be separated, in fact, from the upheaval in Louisville and across American culture by about 1965 as Black people who had endured generations of discrimination increasingly demanded equal rights and inspired many other marginalized groups to do so as well. The militancy of 1960s social movements grew exponentially as the decade unfolded and as young activists learned firsthand how intractable were the institutions and practices. They sought to change, initially through nonviolent methods. Police were typically in an

⁶⁹ King’s younger brother, Rev. A.D. King, a leader for open housing, was pastor of the Zion Baptist Church in Louisville from 1965 to 1968.

⁷⁰ *Ibid.*, 17-38.

⁷¹ Samuel Abramson, “Disorder at the Derby: Race, Reputation, and Louisville’s 1967 Open Housing Crisis,” *Ohio Valley History*, Volume 15, Number 2, Summer 2015, quote from page 29. There turned out to be no major demonstration or disruption held on Derby Day.

⁷² Manning Marable, *Race, Reform, and Rebellion: The Second Reconstruction and Beyond in Black America, 1945-2006* (Oxford: Univ. press of Mississippi revised edition, 2007), 108.

⁷³ Seaskate, Inc., “The Evolution and Development of Police Technology: A Technical Report Produced for the National Committee on Criminal Justice Technology and the National Institute of Justice,” July 1998, 3. Available online at <https://www.ojp.gov/pdffiles1/Digitization/173179NCJRS.pdf>.

oppositional stance toward demonstrators, in part because they were on the front lines of trying to restore order in the face of increasingly large and angry rallies, marches, and acts of civil disobedience. Much of the law enforcement establishment therefore tended to see social protest as disruptive. They knew it as “civil disorder,” something to be controlled and minimized rather than as an expression of a legitimate grievance or injustice that required policy changes. The creation, for example, of SWAT (or Special Weapons and Tactics) teams in many cities’ police forces for the purpose of dealing with “high-risk situations” began in 1965 Los Angeles in response to the decade’s first major rioting there in Watts.⁷⁴

Nationally, Pres. Lyndon Johnson responded to widespread unrest by establishing both a Presidential Crime Commission and a National Advisory Commission on Civil Disorders in 1967. The latter became known as the Kerner Commission, and the report it issued in early 1968 found evidence across the nation of police brutality, inadequate economic opportunities for poor and Black youth, and a need for massive social investments. Most of those recommendations were ignored amid the turmoil that unfolded along with 1968. (That year, which some scholars have labeled as the most turbulent year in U.S. history, was soon rocked by two major assassinations, first Dr. King in April and then Presidential candidate Robert F. Kennedy that summer.) Funding for Johnson’s War on Poverty was already being cut due to the expanding costs of the Vietnam War. Instead, an omnibus crime control bill in 1968 authorized for the first time federal funding to state and local police agencies, in part to equip them with more riot gear and sophisticated weaponry.⁷⁵

Similar to the upsurges of 2020, the late sixties and seventies constituted a period of enormous tension between police and the Black community, in part because the rise of Black Power corresponded with more pushback both from Black communities against police brutality and from the police themselves, who often sought to quell dissent. By 1968, local faith and civil rights leaders both Black and white had over the past year filed numerous complaints criticizing police for targeted harassment of Black activists and general mistreatment of many Black people suspected of a

⁷⁴ Lt. Dan Marceau, “Police History: How SWAT got its Start,” published Sept. 2015 at <https://www.police1.com/police-history/articles/police-history-how-swat-got-its-start-A46mInV79ujHNIfW/>.

⁷⁵ “Evolution of Police Technology,” 3.

crime. Poor people in West Louisville, both Black and white, were “losing faith in the police,” according to Father Charles Tachau, a white Episcopal priest in the west end in 1967.⁷⁶

A host of U.S. cities saw rioting in the aftermath of Dr. King’s brutal assassination in Memphis on April 4, 1968. Louisville was no exception— and yet its local “civil disorder,” or “riot,” as it is referred to in most news coverage, took place not as a reaction to the murder of this revered civil rights leader, but in response to a pattern of police mistreatment that boiled over in May of 1968. On May 7, a police officer named Michael Clifford beat up a prominent local Black activist and realtor, Manfred Reid, after Reid interrupted a traffic stop to ask if he could help a friend, he saw Clifford interrogating. The resulting community tension simmered for three weeks as Clifford was first suspended and then reinstated following protests by the Fraternal Order of Police.⁷⁷

On May 27, a large crowd rallied at the corner of 28th and Greenwood in the heart of the Parkland neighborhood’s business district to protest Clifford’s reinstatement. As a single police car entered the intersection with its lights and sirens blazing, some youth threw bottles, and violence ignited. Within a couple of hours, looting widened, cars were set on fire, and the crowd had grown to encompass several blocks, moving toward downtown. The arrival the next day of the Kentucky National Guard to restore order merely worsened the unrest, which continued for several days amid martial law.⁷⁸

The result was a quarter million dollars in property damage, more than 450 arrests, and two young Black teens shot dead. Fourteen-year-old James Groves was gunned down by police, whose claim that he was caught looting and tried to flee was open to doubt when it was revealed that he was shot in the stomach. No authorities ever pursued charges despite community demands that they do so. Nineteen-year-old Matthias Browder was shot by a white business owner later

⁷⁶ Tracy E. K’Meyer, *Civil Rights in the Gateway to the South: Louisville, Kentucky, 1945-1980* (Lexington: University Press of Kentucky, 2009), 186 & 347, n.14.

⁷⁷ Info in this paragraph is from *Ibid.*, 187.

⁷⁸ Info in this paragraph is from *Ibid.*, 188-89.

cleared of any wrongdoing on the grounds that he was justified in defending his property.⁷⁹

Most local government officials and police blamed movement organizers for the riot, and Mayor Kenneth Schmied announced that “[the rioting] was planned and set up.” He blamed “outside agitator[s], looter[s], and rioter[s].”⁸⁰ Several of the rally organizers, along with a handful of other local civil rights leaders—all of them Black—soon faced conspiracy charges that got them arrested and garnered front-page news. The “Black Six,” as they became known, were charged with conspiring to blow up oil refineries in West Louisville. However, they did not even all know one another, and they ranged in their political affiliations from a radical who was a suspected FBI informant (James Cortez) to a middle-aged, middle-class woman well-known for her liberal civic advocacy (Ruth Bryant). The trial was moved to Hart County and then back to Louisville. Ultimately, despite much publicity and high bail amounts, the trial unearthed no evidence of a conspiracy of any sort. The defendants were found not guilty, and it appeared to many observers that the accusations were nothing but a “frame-up,” as movement people described it.⁸¹

Calls for greater “law and order” increased in the face of similar rioting across the nation during this time, becoming a powerful campaign slogan for Richard Nixon in his presidential run in 1968. As in Louisville, some of these uprisings were provoked by harsh police treatment toward Black and brown communities. Nonetheless, the national mood was shifting toward greater public support for “police crackdowns,” in the words of one local scholar.⁸²

In that context, little changed in 1969 when Roper Research Associates released a study commissioned by the *Courier-Journal* that documented the “dismal” state of Black Louisvillians’ living conditions and a “frightening” lack of white

⁷⁹ Info in this paragraph is from *Ibid.*, 190, and from the Southern Conference Educational Fund, “Lessons of Louisville” booklet, n.d., circa 1977, in authors’ possession.

⁸⁰ K’Meyer, *Civil Rights in the Gateway*, 192.

⁸¹ Info in this paragraph is drawn from *Ibid.*, 192-97 and from Hannah White, “‘Attracted by the Light but Repelled by the Heat’: The Final Years of the Southern Conference Educational Fund and the Turn to the New Communist Movement in the South,” Undergraduate Honors Thesis, University of Louisville, Submitted May 2021 (copy in authors’ possession).

⁸² See K’Meyer, *Civil Rights in the Gateway*, 219, for the quote.

acknowledgment or concern about that finding.⁸³ The dramatic low in police relations with the Black community that had surrounded the mass uprising and conspiracy charges thus continued through the remainder of the 1960s and into the 1970s. An episode of police allegedly beating a Black mother, Helen Wickliffe and her three sons, heightened community tensions. Police on the scene alleged that she had attacked them and that her three sons were "rioting." The incident stoked Black fears and discontent and could easily have escalated into another uprising like the one in May of 1968.⁸⁴ Yet the Wickliffe family's experiences are merely one among the many publicly documented incidents of problematic police confrontations with Black residents between late 1968 through 1980 and beyond (Additional Cases section).

Despite multiple surveys and interviews over the coming few years that documented Black residents' concerns over racially motivated police wrongdoing, no consensus formed to make major changes. The Human Relations Commission, an arm of local government established in 1962 to address racial and religious discrimination in the city, began investigating the matter in 1968 in the wake of the Parkland uprising.⁸⁵ That August, its director, Rabbi Martin Perley, initiated a community relations training for the police, but white officers resisted it vigorously with nearly three quarters of them expressing their disapproval in an exit survey.⁸⁶

Inside the police department, these sorts of racialized experiences reinforced the disproportionality of white male police officers despite the nominal inclusion of both Black and female officers for decades. In 1971, for example, no woman had been appointed a police officer for fifteen years, according to a local police historian.⁸⁷ To open the force to more Black candidates and in response to the many racist comments he heard inside the force following his entry into it in 1961, Shelby Lanier established the Louisville Black Police Officers Association in the early seventies. An outspoken civil rights advocate who was a leader in the local NAACP,

⁸³ Quoted in K'Meyer, *Civil Rights in the Gateway*, 217.

⁸⁴ *Ibid.*, 219.

⁸⁵ University of Louisville Anne Braden Institute for Social Justice Research with Metropolitan Housing Coalition, "Making Louisville Home for Us All: A 20-Year Action Plan for Fair Housing," 2013, 24. Available online at <https://louisville.edu/braden/files/FairHousingReportprinted2013.pdf>.

⁸⁶ Barbara Stallard, "Police Training Failed?" *Louisville Defender*, September 5, 1968.

⁸⁷ Childress, 15.

Lanier later filed a discrimination suit on behalf of both officers and candidates. He eventually won damages and succeeded in diversifying police personnel by the end of the 1970s.⁸⁸

By the early seventies, many civil rights gains had been institutionalized, but to truly create equal opportunity was clearly going to take more money and more long-term commitment than the American or local public were willing to commit. Some of those gains were badly undermined by the persistent, numerous, and increasingly serious complaints of police abuse mounted locally, met as they were with no corresponding changes in police policy toward dealing with minorities and the poor. A 1971 survey by the Louisville Urban League documented increasing citizen complaints of racism, the number of which climbed again by the League's follow-up survey in 1974.⁸⁹ In 1971, a coalition of community groups had also come together to lobby for the creation of a Civilian Police Review Board modeled on the sort the Kerner Commission had suggested in 1968, with nine representatives, including one from each of the seven targeted poverty areas of the city. Philadelphia and a few other communities had set up such bodies, advocates argued. But in the spring of 1972, the Board of Aldermen immediately and soundly defeated the measure amid heavy lobbying from the Fraternal Order of Police, who threatened that such a board would mean the end of Louisville Police. Community pressure, however, did not let up. In 1974, under the auspices of the Urban League, Louis Coleman set up a program to collect complaints and help people navigate police-related incidents.⁹⁰

Yet the number of troubling police harassment incidents against Black Louisvillians continued to rise. Court-ordered desegregation through a busing plan that consolidated Louisville and Jefferson County schools in 1975 led to additional major upheavals, massive protests, attacks on school buses and Black children, wreaking unprecedented violence that the police were charged with quelling.⁹¹

⁸⁸ Info on Lanier is drawn from "Shelby Lanier's Legacy," <https://www.whas11.com/article/news/local/black-history/shelby-lanier-police-inclusion-louisville-impd/417-17190eb6-05e0-4f7f-95ad-5297f5523e05>.

⁸⁹ Louis Coleman, "Viewpoint on Police Brutality," *Louisville Defender*, Feb. 21, 1974.

⁹⁰ Remainder of this paragraph is from K'Meyer, *Civil Rights in the Gateway*, 222-24.

⁹¹ On busing conflicts and the police, see *Ibid.*, pp. 265-71; see also "Making Louisville Home for Us All," pp. 27-28.

During and after that crisis, the civil rights community likewise continued to demand better police treatment, but throughout the 1970s they got very little response other than promises of good will from the police chief and, in 1976, an internal police task force on the issue that stalled, failing to produce results or change.⁹²



Figure 5: Originally used in *Kentucky's Black Heritage*, a 1970 publication of the Kentucky Human Rights Commission, this image and its caption convey the complex relationships between Open Housing activists and the police in 1966-67.

⁹² K'Meyer, *Civil Rights in the Gateway*, p. 224.

Viewpoint On Police Brutality

By Louis Coleman

Fatal Shootings

The Louisville Urban League met with the city police chief on February 7, regarding the rise of alleged police brutality and the use of excessive force in various target areas.

A list of incidents and names of officers who have used excessive amount of force in the target areas was presented to Chief Nevin. Police Chief Nevin stated he would direct his attention and work with the problem immediately. He stated to the delegation of LUL officials (Arthur Walters, John Arnold and Louis Coleman) that some of the Police Officers on the LUL list have already been removed.

The Louisville Urban League has pledged its support to the Louisville Police Department to identify policemen who use excessive force in target areas.

Police Complaints And Alleged Brutality On the Rise

Recently the Louisville Urban League finished a survey on police complaints and practices in target areas. The survey illustrated a rise in complaints against police officers since the 1971 survey of the Louisville and Jefferson County Human Relations Commission.

The following practices contributed to the rise:

1. Malicious beating of men, women, and youth where force does not have to be used.
2. Fatal shootings revolving around misdemeanor offenses where force shouldn't be required.
3. Harassment of the Junior and Senior High School youth by using abusive language.
4. Racial harassment when mixed couples are seen together, especially Black male and white female.
5. Stopping automobiles for misdemeanor violations and harassing citizens with abusive language, racial slurs, and excessive force.

The City of Louisville is confronted with some of the same police problems that are being exhibited nation wide, police abuse and misuse of authority. During in-depth interviews with several police officers, hot lines and victims who have filed complaints with the Urban League and other indigenous organizations, these areas of concern were mentioned most frequently.

Malicious beating

On July 28, 1973 Eric Scott, a paraplegic paralyzed from the neck down, stated "An officer grabbed me under the armpits and dragged me out of a car into the back seat of a police car because I couldn't provide him with my identification fast enough." Eric couldn't reach in his pockets, because of his physical condition.

On June 23, 1972 Eugene Smith wrote the Courier-Journal and Louisville Times on a case of malicious beating. Mr. Smith stated: "I saw two Louisville Police officers picking up a drunk man off the ground who was too intoxicated to walk. One officer wanted to throw the man over the wall to get him to the police car, but instead he dragged him down some steps. The man was handcuffed and his head was dropped quite hard to the street pavement; there were moments when they even pulled the man's hair, kicked him in the stomach, and one officer stood on his arm.

On July 3, 1972 Jerry Redmon was shot four times by two police officers. The officers had difficulty in subduing a nude man. The deceased mother commented again and again at the funeral that "he never hurt anybody."

Several other fatal shooting incidents have occurred in the target areas where youngsters were victims of fatal wounds for misdemeanors, e.g.:

Breaking and entering Zack autom (50 bullets and shotgun) Pellets were shot into a man in a high residential area.

Youngsters who did not halt in fleeing from an incident.

Harassment of the Junior and Senior High School youth by using abusive language.

James Smith, principal at Male High School, stated that a few years ago his 17 year old son was beaten and sprayed with chemical mace by police at Convention Center. This youngster told the police officers when they ordered him off the corner that he was waiting for his parents. Three officers dragged him into a small room, hit him on the head, hit him in the stomach and sprayed mace into his face causing severe chemical burns. It took three officers to subdue a 130 pound 5'6" 17 year old.

On July 17, 1972 Mr. & Ms. Carlus Nelson's son Danny was pulled over by police at 24th & Montgomery and taken in custody. When Danny's parents arrived to pick him up, his mouth was disfigured and bruises were on his body. Danny's offense was sniffing glue.

Several other offenses have been observed in Louisville this year. Police officers have been seen riding through the Park Duvalle and Southwick project with shot guns and other heavy equipment that was raised up to frighten residents in the area.

Racial Harassment when mixed couples are seen together.

Several incidents have been recorded on the insensitivity of some Louisville police officers accepting the idea and concept of interracial couples.

Recently a Black air traffic controller was beaten without provocation because he was with a white companion. The controller was thrown into jail along with his companion.

The latest incident was with the Salter youngster who was allegedly accused of rape and several other offenses because he was with a white companion.

Stopping automobiles for misdemeanor violations and harassing citizens with abusive language, racial slurs, and excessive force.

On July 5, 1972 Dr. Charles Davis was stopped by two Louisville Police Officers for a speeding violation (a half block from his house). Dr. Davis stated that he was verbally harassed, car searched, frisked by police, and detained for half an hour to see if his car was stolen. The car was towed in and Dr. Davis was arrested for an additional three hours the same morning.

In all of the above incidents police officers were reinstated and fault was found with the citizens.

In 1970 and 1971 when the Louisville and Jefferson County Human Relations Commission compiled its analysis report and complaint against police alleging harassment or excessive

use of force. Seventeen officers were allegedly guilty of excessive use of force.

As of 1974 the number has doubled of officers who have allegedly exhibited questionable behavior in various target areas. A list of these officers will be submitted to the police chief.

The following is the list of recommended solutions suggested by LUL.

There is definitely a great need for police officers to be closely scrutinized by the administration before being placed in any area and especially in target areas.

Secondly, there is a need for police officers who abuse and misuse

their authority in target areas to be transferred to other districts or resign to other type of work that is suitable to their personality.

Thirdly, annual psychological or oral tests should be given to officers to obtain their views and sensitivity on issues and problems concerning minority groups.

Fourthly, the community can assist by complimenting police officers (Black and white) when good job performance is shown.

Fifthly, the majority of inner city police officers live in the county and if police officers are to be accountable to residents in the inner city, they should live in the inner city.



GRADUATES OF THE Kentucky School of Mortuary Science received their diplomas at Walnut Street Baptist Church recently. Among the graduates were (front) left to right, Ms. Ruby Taylor McFarland of Owensboro, Ms. Mary L. H. Bellanette of Poplar Bluff, Missouri, (back) Walter C. Hurt of Lewisburg, Tennessee, Kenneth F. Creech of Louisville, Larry W. Pratt of Washington, D. C., and Dennis V. Lyons of Louisville.

Defender staff photo by Anthony Vincent

Figure 4: In this clipping of the *Louisville Defender* from February 21, 1974, Rev. Louis Coleman writes about the recent incidents of police brutality.

This February 21, 1974 clipping from the *Louisville Defender* (see Figure 4) reflects the frustration of Black critics of police brutality and lists a few of the multiple incidents of it from surrounding years. Its author is Louis Coleman, at the time a community relations advocate for the Louisville Urban League. By the 1990s Rev. Coleman was an outspoken Black activist minister, pastor of First Congregational Methodist Church, head of the Justice Resource Center, and a persistent voice against police brutality and for equal treatment.

1981 – 2000

In spite of an increasingly conservative cultural and economic climate, many of the social programs set up to reduce racial disparities and create more opportunities continued through the 1970s in Louisville and across the nation. But what one biographer has called the “conservative counterrevolution” came into full flowering by 1980 to propel Ronald Reagan into the presidency.⁹³

Reagan’s presidency (1981-89) was characterized by a dramatic realignment of federal spending priorities. His “trickle-down” economics consisted of massive tax cuts to more well-off households along with a costly military build-up at the same time social welfare programs ranging from food stamps to job and scholarship programs were reduced or ended in the name of shrinking the federal government and focusing on the private sector.⁹⁴

Social cutbacks limited the ability to enforce civil rights laws of government agencies such as the Kentucky Human Rights Commission or, locally, the Human Relations Commission. These policies had a host of wider consequences as well for Louisville and other local communities— and, indirectly, for local police forces. Examples include (1) elimination of the federal CETA job training program, leaving many poor and Black youth unemployed and without skill-building opportunities, and (2) deinstitutionalization of mentally ill people from mental hospitals, leaving many homeless, without stabilizing services, and/or subject to arrest from criminal

⁹³ Steven F. Hayward, *The Age of Reagan: The Conservative Counter-Revolution, 1980-89* (Crown Forum, 2009). A more accurate portrait of Reagan and his presidency is Wills, *Reagan’s America*.

⁹⁴ For a full explanation of “Reaganomics,” see Wills, *Reagan’s America*, ch. 39.

behavior when untreated.⁹⁵ As the 1980s unfolded, police officers inherited a greater number of social services as the social safety net diminished nationally and locally.

At the same time, deindustrialization also had an increasingly negative impact on the local economy and sense of possibility—with about 32,000 good-paying local industrial jobs lost in the 15 years until 1988.⁹⁶ GE and Ford laid off many, and large-scale industrial employers like International Harvester and Seagram's left the city. These were companies that had lifted many Black as well as white families out of poverty. Alongside these economic conditions, rhetoric popularized by President Reagan, who spoke often of "welfare queens" driving a Cadillac and having many children while depending on public assistance, heightened the stereotyping of poor Black communities.⁹⁷

All of these factors together fueled the resurgence of the Ku Klux Klan nationally in the late 70s and into the 1980s, and Louisville was no exception. In the summer of 1985, arsonists set fire to the home of a Black family, Robert and Martha Marshall, when they moved into the all-white Sylvania subdivision of the Pleasure Ridge Park area in the south county.⁹⁸ On the trees outside, they found the n-word and swastikas scrawled, along with "join the Klan" stickers. The resulting investigation led to the admission that among the new Klan leaders were a number of local police officers and sheriff deputies from Louisville, Jefferson

⁹⁵ On deinstitutionalization, see E. Fuller Torrey, "Ronald Reagan's Shameful Legacy: Violence, the Homeless, Mental Illness," *Salon*, Sept. 29, 2013. Available online at https://www.salon.com/2013/09/29/ronald_reagans_shameful_legacy_violence_the_homeless_mental_illness/.

⁹⁶ Cummings and Price, 626.

⁹⁷ Bryce Covert, "The Myth of the Welfare Queen," *New Republic*, July 2, 2019. Available online at <https://newrepublic.com/article/154404/myth-welfare-queen>.

⁹⁸ Josh Wood, "Louisville's Forgotten History of Police Officers in the KKK," *Leo Weekly*, Dec. 15, 2021. Available online at <https://www.leoweekly.com/2021/12/louisvilles-forgotten-history-of-police-officers-in-the-kkk/>. When two white men were arrested for the arson, more than 80 of the Marshalls' new neighbors in this previously all white neighborhood held a fundraising rally to help the men raise bail.

County, and several of the tiny municipalities that had their own small police forces across the metropolitan Louisville area.⁹⁹

In the post-WWII era, local newspaper reporters had discovered police membership in the Klan as early as January 1968, but the 1985 episode revealed the depth and breadth of police leadership in the KKK, and— in particular— in a Klan unit known as COPS (for Confederate Order of Patriots Squad).¹⁰⁰ These revelations triggered debates inside and out of the relevant police departments on whether police officers could hold membership in the Klan and simultaneously represent the public interest without racial bias. This was despite their acknowledged stance of being “pro-white” and in some cases putting forward images of anti-Black violence.¹⁰¹ Some officers reportedly resigned their Klan membership once it became public, others were transferred to non-public roles, some left their police jobs, but not all involved in the 1980s were required to make any changes whatsoever.¹⁰² Only in 2021, for example, were two Jefferson County sheriff’s officers—one a deputy, the other a captain who had been a Louisville police officer at the time—who had been named as Klan members in the Marshall investigation forced to leave their posts.¹⁰³

In any case, it is evident that racial tensions ran high within the police force as it diversified in the 1980s. In 1984, a year before the arson at the Marshalls’ home, the Louisville Police Department was under a federal court order to hire one Black officer for every two whites until it met a diversity goal. (That federal order lasted until 1989.) David James, an African American who later became a leader on

⁹⁹ Robert Marshall and Martha Marshall, Plaintiffs-appellees, v. Carl Ray Bramer, Billy Wayne Emmones, John Doe, and Unknown defendants K-1 Through K-50, Ku Klux Klan Members and Others who Participated in the Events Set out in This Complaint And Those Whose Names Are Unknown at This Time, Defendants, Alex Young, Nonparty-appellant, 828 F.2d 355 (6th Cir. 1987), US Court of Appeals for the Sixth Circuit - 828 F.2d 355 (6th Cir. 1987). Appeal brief available online at <https://law.justia.com/cases/federal/appellate-courts/F2/828/355/368664/>.

¹⁰⁰ *Ibid.*

¹⁰¹ Wood, “Louisville’s Forgotten History.” This article contains assorted 1985-86 clippings from the *Courier-Journal* coverage that document these points. See, for example, “Police Officers Explains Reasons for Joining Klan,” *Courier-Journal*, n.d.

¹⁰² *Ibid.*

¹⁰³ Andy Wolfson, “2 Jefferson County Sheriff’s Officers Revealed to have been in KKK are Leaving the Force,” *Courier-Journal*, n.d., circa 2021.

Louisville Metro Council, began his career as a Louisville police officer that year. Coming in, he experienced frequent racial slurs.¹⁰⁴

Another aspect of the Reagan years that had a profound impact on policing starting in the 1980s was the "War on Drugs." Richard Nixon had initially announced such a war in 1971 and created a new arm of government known as the Drug Enforcement Administration (DEA), a policing "resolute force" to enforce federal drug laws nationwide.¹⁰⁵ But the Reagan administration significantly expanded both the reach of the drug wars and the rhetoric surrounding illegal drug use. In 1986, in response, Congress passed mandatory minimum sentencing laws for possession of a variety of narcotics, with the penalty for crack cocaine much harsher than for powder. Crack cocaine was far more prevalent in Black communities whereas more affluent whites typically used the powder variety, making the racial disparities in sentencing fairly obvious.¹⁰⁶

Alongside the conservative mood in the nation, widespread social welfare cutbacks, persistent residential segregation, and measures such as the minimum sentencing disparities, the War on Drugs gave police a new mandate of sorts. SWAT teams had first been established in response to racial upsurges of the 1960s, but in the eighties they proliferated. Jefferson County police had created a SWAT team earlier, but Louisville established its own SWAT team in 1982.¹⁰⁷

With the unprecedented U.S. military buildup (outside major wartime) of the eighties came a new generation of military technology that also influenced policing. As of 1989, the police dispatch system in the city was thoroughly computerized.¹⁰⁸ By 1990 Louisville police had traded their older revolvers for new semi-automatic weapons for a new generation of greater firepower. The increased militarization of local police forces across the United States was formalized and advanced in a 1994 agreement with the Department of Defense to coordinate military and police technology.¹⁰⁹

¹⁰⁴ James is interviewed in *Ibid.*

¹⁰⁵ "War on Drugs" entry on History.com: see <https://www.history.com/topics/crime/the-war-on-drugs>. The DEA quote is from the DEA website: <https://www.dea.gov/careers/special-agent>.

¹⁰⁶ "War on Drugs" entry, History.com.

¹⁰⁷ Childress, 16.

¹⁰⁸ *Ibid.*, 17

¹⁰⁹ "Evolution of Police Technology," 9.

Collectively, these tough-on-crime measures and new mandatory sentencing laws caused an unprecedented rise in incarceration rates during the Reagan-Bush years. The number of people imprisoned nationwide for nonviolent drug offenses increased eight-fold between 1980 and 1997—from 50,000 to 400,000.¹¹⁰ Treatment rates did not climb similarly, however.

In Louisville, social movements against racism and other forms of discrimination remained active, although with reduced numbers and visibility compared to the 1960s. The Kentucky Alliance Against Racist and Political Repression and the Justice Resource Center (JRC), along with other community organizations, carried on their offensive against police brutality. Rev. Coleman, who now headed the JRC, kept many nonviolent protest tactics of the 1960s alive for the rest of the twentieth century and into the twenty-first. From the Kentucky Alliance sprang a new, more focused coalition known as Citizens Against Police Abuse (or CAPA), which publicized acts of police violence and continued to lobby for the creation of an enforcement-capable Civilian Police Review Board, but to no avail.

Meanwhile, inspired by Black freedom and women's rights campaigns, a new movement became visible locally in the 1980s to fight homophobia and discrimination based on sexual orientation and gender identity.¹¹¹ One of its early focus points was on protesting police harassment. This was in response to incidents (for example) such as one in Cherokee Park in the fall of 1986, when plainclothes police officers posing as gay solicited gay men for sex and arrested 24 of them.¹¹² A widespread and misinformed fear of AIDS infection heightened homophobia and

¹¹⁰ "War on Drugs" entry, History.com

¹¹¹ Louisville's first gay anti-discrimination organization was established in mid-1970, but the Louisville Gay Liberation Front (LGLF) was fairly short-lived. Its demise came about through various forms of community opposition, most notably by a police raid on the LGLF's "Gay Lib" house on Bonneycastle in 1973, resulting in the arrests of several of its leaders, some of whom were minors, on marijuana possession charges. See Catherine Fosl *et al* for the University of Louisville Anne Braden Institute for Social Justice Research, "Kentucky LGBTQ historic Context Narrative," 80. Available online at <https://www.fairness.org/wp-content/uploads/2018/05/FINAL-KY-LGBTQ-Historic-Context-Narrative.pdf>.

¹¹² *Courier-Journal*, October 4, 1986, "Homosexual activity leads to crackdown, 24 arrests in Cherokee."

held Louisville back from effectively addressing the early 1980s outbreak of this viral epidemic, which disproportionately affected gay men and IV needle users. While the first cases in Louisville were identified in 1982 and community-based treatment programs established by 1984, the paranoid fears of infection directed policies for longer. The Louisville police department, for example, issued protective gear in mid-1985 for officers to wear to avoid contact with any bodily fluid of possibly infected persons.¹¹³

Two years later, Police Colonel Richard Dotson met with representative of the Greater Louisville Human Rights Coalition (GLHRC), an LGBTQ equality organization, to discuss the queer community's problems with their treatment by police. They summarized the results of a 1985 survey of queer Louisvillians' impressions of policing in this way: "Louisville police responded insensitively at best and violently at worst, when dealing with the gay community."¹¹⁴

As the end of the twentieth century approached, equal rights laws now protected people from overt discrimination on the basis of race, sex, and other identity factors.¹¹⁵ Yet not all discrimination was overt, and even when it was, that was not always easily proven, less so as reductions in government stripped agencies such as the Kentucky Human Rights Commission of enforcement capacity. Many of the stereotypes about poor people and people of color continued to influence their encounters with authorities, especially police.

The savagery with which police handled African Americans, especially males, made national headlines with the Rodney King beating in Los Angeles in 1991. When an observer shared his video of the violence against someone who was trying only to flee, the four officers involved were charged with assault and using excessive force. Advocates of police reform were hopeful, but in the spring of 1992, when all were exonerated for assault and only one was convicted of excessive force, protest rallies took place across the nation, including Louisville.

¹¹³ Childress, 17.

¹¹⁴ "Louisville Police Chief Meets with GLHRC," GLHRC newsletter, v. 3, no. 6 (June 1987), 2. Newsletter in Catherine Fosl's possession.

¹¹⁵ The classes of persons protected by equal rights laws continued to expand in the late 20th century. For example, the passage of the Americans with Disabilities Act in 1990 added ability to the category of identities protected by law.

Although the U.S economy improved somewhat in the 1990s, more gains went to middle and upper classes, while conditions for poor and working people continued to be full of hardship. The limitations on government programs and solutions to combat poverty, discrimination, and drug abuse continued through the remainder of the century. An ideology of privatization had now been widely promoted for two decades, and it came to be what many expected. In the nineties, for example, programs to redevelop Louisville's housing projects (disproportionately located in West and downtown Louisville and commonly regarded as the sites of most of the city's crime) replaced older, large scale housing projects with newly built mixed-income communities built with the help of private investor dollars.¹¹⁶ The very poorest residents and largest families, however, became the most often displaced from these new complexes. As home to the majority of Louisville's African Americans and as one of the few parts of the city that legally permitted affordable housing, West Louisville continued its slide into greater unemployment rates, hypersegregation, and both over- and under-policing.¹¹⁷

Calls for a civilian review board continued to go unheeded, although they grew louder after the case of Adrian Reynolds, a young Black man who died in a jail cell after he was beaten and arrested on domestic violence charges by a Louisville police officer, Matthew Corder, on New Year's Eve 1998. Reynolds's mugshot that night, which later became a poster symbolizing the savagery he had gotten from Corder, showed how badly he had been beaten even before arriving to the jail. When he then turned up dead in the cell, beaten even more severely, his story became the focus of CAPA. The incident generated considerable publicity and community protest, and a corrections officer who was said to have stepped on Reynolds's head was charged with his murder. Timothy Barnes's first trial ended

¹¹⁶ "Making Louisville Home for us All," pp. 30-31.

¹¹⁷ *Ibid.*, 31-35. As for both under-and over-policing, this report details numerous incidences of over-policing. Yet historical archives also show repeated complaints from Black-women-headed families in public housing who throughout the post-WWII era could not access multiple city services, including prompt police response to distress calls. See, for example, K'Meyer, *Civil Rights in the Gateway*, p. 173. See also numerous examples in Aletia M. Robey, "The Bricks in Action: Women's Public Housing Activism in Louisville, Kentucky, 1958-1970," University of Louisville M.A. Thesis, 2014.

with a hung jury, then in the retrial he was found not guilty after only brief jury deliberation.¹¹⁸

It took nearly 20 more years, several more victims, and multiple excessive force investigations, but Corder, the officer who had beaten and arrested Reynolds, finally went to jail himself. Corder was convicted of federal civil rights violations after he left Louisville police force for policing in nearby Bullitt County and was found to have used excessive force on several other arrestees over the years since he had accosted Reynolds.¹¹⁹

On the eve of the twenty-first century, the police killing in May 1999 of Desmond Rudolph, an 18-year-old unarmed Black teen, inflamed police relations with the Black community to new heights.¹²⁰ Two of the four officers called to the scene (Chris Horn and Paul Kinkade) fired 22 shots at Rudolph, striking him ten times with six bullets to his head as he fled in what police suspected was a stolen vehicle. The officers' explanation that they feared Rudolph was about to run them down was questionable since the SUV's bumper was stuck in a post, and six of the bullets entered through a side window. Yet an internal investigation into their conduct that fall found them innocent of wrongdoing. Still, the incident might have gone by without significant repercussions, as had so many others, had not Police Chief Eugene Sherrard included Horn and Kinkade in a group of officers who received awards for outstanding performance the following spring. This time the community uproar that publicized the sordid events prompted action, and Mayor Dave Armstrong immediately fired the police chief, along with a harsh reprimand and an acknowledgment of a "culture" within the police that needed reforming.¹²¹

¹¹⁸ All info in this paragraph comes from Charla Young, "Barnes Trial is Over, but Controversy is Not," Oct. 17, 2002, WAVE-3 news: accessed at <https://www.wave3.com/story/976641/barnes-trial-over-but-controversy-is-not/>.

¹¹⁹ "Good Cop, Bad Cop—the Matthew Corder Story," WDRB news, Oct. 14, 2016. Accessed at https://www.wdrb.com/news/good-cop-bad-cop-the-matthew-corder-story/article_d177af98-0fa4-5bca-b2b7-17d180f97631.html. See also <https://www.justice.gov/opa/pr/former-deputy-bullitt-county-kentucky-sheriff-s-office-convicted-civil-rights-violations>.

¹²⁰ Laura Parker, "Fatal Shooting, Delayed Fallout Roil Louisville," *USA Today*, March 29, 2000: see <https://www.proquest.com/docview/408814192?accountid=14665&parentSessionId=s1gp9RyaoesbH4%2BXOBeJ0jqY4boo%2BqgcZewqvj1om5Y%3D&sourcetype=Newspapers>.

¹²¹ All remaining info in this paragraph comes from *Ibid.*

This troubling episode at the turn of the twenty-first century, however, also underscores the defensiveness of the police force and the power of the local Fraternal Order of Police. Minutes after the firing, leaders of the FOP put out a call for all personnel to report to police headquarters, and the city was briefly without police protection. Over the next few days, the FOP organized two mass marches to City Hall of uniformed officers who defended their colleagues' behavior and demanded the mayor's resignation. When that failed, they engaged in what many saw as an organized work stoppage, and arrests plummeted over the following weeks.¹²²

Desmond Rudolph's brutal death raised the profile of anti-Black police brutality, and it advanced public conversation about the need for reform and greater accountability and equity. But although the Louisville Board of Aldermen finally voted in 2000 to create a civilian police review group, voices like those of the FOP still prevailed in blocking its creation.¹²³ In fact, any significant change to police practices proved hard to come by. In the final fourteen years of the twentieth century, at least 58 misconduct complaints were filed against the Louisville Police Department, which were settled for a combined \$3.3 million, according to newspaper coverage.¹²⁴

2001 – 2023

The police killing of Desmond Rudolph under contested, highly troubling circumstances became one in a string of similarly alarming Louisville police killings of Black male suspects as the old century ended and the new one began. At least five more Black men died tragically at the hands of the Louisville police in the first

¹²²Likewise, in this paragraph: *Ibid.*

¹²³ Eleanor Klibanoff, "Louisville's 2-decade Fight for Civilian Oversight of Police," Louisville Public Media, July 2, 2020: accessed at <https://www.lpm.org/2020-07-02/louisvilles-two-decade-fight-for-civilian-oversight-of-police>. Although the civilian police review body passed the Board of Aldermen and they even overrode a veto by Mayor Dave Armstrong, the FOP filed and (in May 2001) won a lawsuit that stymied its establishment.

¹²⁴ Parker, "Fatal Shooting."

three years of the twenty-first century, triggering mass protests in front of the police department each weekend for months on end.

On June 25, 2000, as police officer Willie Williams patrolled Chickasaw Park just before dawn, he discovered 37-year-old Rodney Abernathy, a diagnosed paranoid schizophrenic, covered in blood from self-inflicted bludgeoning with a tire jack. Williams called for backup, and multiple officers responded. Abernathy, a large man over six feet tall weighing more than 200 pounds, grew agitated even in his wounded state and charged the officers, who pepper-sprayed him and hit him with batons. When he continued to approach, several fired on him, shooting him 14 times. When Abernathy—who was bleeding badly and had a fractured pelvis and two broken arms—allegedly still tried to attack, Officer Fred Helm fired a final fatal shot to his head. Again, the internal police investigation exonerated the shooters. A separate, non-binding Jefferson County coroner's inquest ruled it a homicide, though its panelists were split on the type of homicide—whether it had been reckless, justifiable, manslaughter, or "suicide by cops." The case also received multiple outside inquiries and disturbed many criminal justice experts and psychologists who were consulted. It raised questions about the mental illness phenomenon called "suicide by cops." The incident did provoke some changes: Louisville police thereafter were mandated to receive four hours of mental health training, and the department established "crisis intervention teams" designed to respond to mental health crises. City officials settled with the Abernathy family for \$600,000 after they filed a federal lawsuit following Abernathy's death.¹²⁵

The next problematic police killing of a Black male took place in January 2001. Eighteen-year-old Clifford Lewis lost his life though a high-risk traffic stop conducted by seven plainclothes detectives driving unmarked vehicles. Lewis was driving a van owned by his cousin, who was the person police actually sought. When police approached them, guns drawn, Lewis and his girlfriend, attempted to flee in the van, and officers fired on them as they fled, killing Lewis. The way the raid was conducted was wrong, most commentators observed— "violating

¹²⁵ All info on this case comes from Megan Woolhouse, "Special Report: Alternative to Deadly Force: 6 Fatal Shootings—Rodney Abernathy," *Courier-Journal*, Feb. 23, 2003. Accessed at <http://echo.louisville.edu/login?url=https://www.proquest.com/newspapers/headline-special-report-alternatives-deadly-force/docview/241078487/se-2?accountid=14665>.

nationally recognized standards” for such stops. Retiring Police Chief Greg Smith agreed, but he gave the offending officer only counseling and training in proper procedures because he “was under extreme stress and did not act maliciously.” A grand jury likewise declined to file charges.¹²⁶

Less than a month later, 20-year-old Antwan Bryant was killed by stray bullet fire issuing from the guns of two plainclothes Louisville detectives conducting a traffic stop. The car’s driver had pulled away from the police, striking one of them, and officers fired their guns after the car, fatally shooting young Bryant, who was seated in the back seat and one of three passengers in the car. No charges were filed.¹²⁷

In August 2002, 42-year-old Marshall Marbly, a mentally ill man living in his car, threatened police with a cane he said was a gun when they tried to get him out of his car. They broke out a window to mace him, shot pepper balls at him, and ultimately shot him dead when he continued to threaten them from within his locked car.¹²⁸

The attacks of September 11, 2001, that destroyed the World Trade Center and killed nearly 3000 Americans put the United States on high alert regarding issues of security in the new century. The resulting curtailing of multiple civil liberties may have contributed to the climate for policing that always seemed to err on the side of leniency when officers acted inappropriately. Regardless, the deaths described above and other, less lethal but still violent, encounters between LPD officers (often but not always white) and Black Louisvillians had by 2002 created a hardened

¹²⁶ All info on this case, including the quotes, comes from Andy Wolfson, “Special Report: Alternative to Deadly Force: 6 Fatal Shootings—Clifford Lewis,” *Courier-Journal*, Feb. 23, 2003. Accessed at

<https://www.proquest.com/docview/241077862?accountid=14665&parentSessionId=5%2Fsxga9fdkvigcEtXcVkvPzQWSQxOrG5fLznBWKdzZI%3D&sourcetype=Newspapers>.

¹²⁷ “Special Report: Alternative to Deadly Force: 6 Fatal Shootings—Antwan Bryant,” *Courier-Journal*, Feb. 23, 2003. Accessed at

<https://www.proquest.com/docview/241085539?accountid=14665&parentSessionId=szN4LsNIC4uaJc0sttOW5XDSqV4wfwcUG%2F6jFW6mTQ8%3D&sourcetype=Newspapers>.

¹²⁸ *Ali v. City of Louisville*, 395F Supp. 2D 527. Oct. 20, 2005, accessed at

<https://casetext.com/case/ali-v-city-of-louisville-2>. The events are reviewed in this brief for the lawsuit filed by Marbly’s brother.

climate of intense distrust of policing in the Black community and among the whites who stood in solidarity with it.¹²⁹

Next, on Dec. 5, 2002, came the police killing of 50-year-old James Taylor. Taylor was already in handcuffs behind his back, getting arrested in a Louisville apartment for illegal drugs, when Detective Michael O'Neil shot him 11 times, alleging that he did so in self-defense. Taylor had allegedly "lunged" at O'Neil and his partner with a box cutter he managed to get hold of. Two witnesses disputed the police account, but a grand jury declined to indict either officer.¹³⁰

On top of all the preceding incidents like it, the Taylor case prompted an upsurge of racial justice protest by Black activists and their white allies. The debate over a civilian police review group ignited again. After the initial approval had been thrown out by the FOP's lawsuit against it, local officials again tried to create a body like the one that activists had been lobbying for, though with more limited authority.

Then came the merger of Louisville and Jefferson County that took effect in January 2003 to create a new metropolitan, county-wide government. With the merger came some changes for police reform.

On the one hand, despite the Board of Aldermen's plan for a new Civilian Police Review board, it was not one of the laws carried over from the old city to the new merged city-county government.¹³¹

On the other hand, however, Louisville Metro Mayor Jerry Abramson responded to activist pleas to hire a new, more community minded police chief to head the newly created Louisville Metropolitan Police Department (LMPD), which officially became operational on January 6, 2003. That week Robert White came from his post as

¹²⁹ See, for example, Rev. Louis Coleman comments in Parker, "Fatal Shooting."

¹³⁰ "Grand Jury Reaches Decision in Taylor Case," WAVE-news, Feb. 24, 2003. Accessed at <https://www.wave3.com/story/1148248/grand-jury-reaches-decision-in-taylor-case/>.

¹³¹ K.A.Owens interview with Amber Duke.

chief of police in Greensboro, NC, to head the new department as Louisville's first African American police chief.¹³²

Abramson then announced the creation of a new, 11-member Citizens' Commission on Police Accountability. This body, while well-intentioned and led by Laura Douglas, a prominent Black woman attorney from the Chickasaw area, fell far short of what its advocates had sought. It not only lacked subpoena power but was not empowered to initiate investigations or take citizen complaints, only to investigate closed cases. Like many similar bodies set up in other U.S. cities, it was "built to fail," according to a *Washington Post* report later.¹³³ That Commission remains on the LMPD website as of this writing, having survived several controversies but still grappling with any effectiveness.¹³⁴

Coming in, Chief White had to have been well aware of the many charges of racial discrimination in policing that swirled around the new department he headed—and of the pain, anger, and dissatisfaction they had created for Louisville's Black communities and at least some of its Black police officers. As he took over, James Taylor's death had happened only four weeks earlier, and was still in the news while a grand jury investigated it.

From his earliest days on the job, White emphasized greater citizen involvement and promised to bring more "ethics and morality training" to the LMPD.¹³⁵ He obviously had a monumental task in front of him, but White won substantial good will by spending time in West Louisville and meeting with activist groups as well as multiple kinds of constituencies.

¹³² "Police Chief Says Farewell to Department," *Greensboro News-Record*, Jan. 3, 2003. Accessed at

<https://www.proquest.com/docview/407897842?accountid=14665&parentSessionId=pNyUU%2FSxKzHCVm4AJyTUSZQWX5cxGUhEOrsLQ00QEOo%3D&sourcetype=Newspapers>.

¹³³ Nicole Dungca and Jenn Abelson, "When Communities Try to Hold Police Accountable, Law Enforcement Fights Back," *Washington Post*, April 27, 2021. Accessed at <https://www.washingtonpost.com/investigations/interactive/2021/civilian-oversight-police-accountability/>.

¹³⁴ See <https://www.louisville-police.org/348/Citizens-Commission-on-Police-Accountabi>. For recent controversies, see Klibanoff, "Louisville's 2-decade Fight."

¹³⁵ Megan Woolhouse, "New Chief Vows to Stress Training, Involvement," *Courier-Journal*, Jan. 30, 2003.

Police shootings of Black men under problematic circumstances did not end under White's leadership, but the number of them did decline, and White responded differently. In January 2004, a white officer named McKenzie Mattingly shot 19-year-old Michael Newby in the back as Newby ran away from a drug buy sting operation Mattingly conducted in front of a liquor store. White immediately placed Mattingly on administrative leave and fired him four months later, determining that Mattingly had violated the department's use of force policy and that Newby was not an immediate threat to the officer's life or well-being.¹³⁶ (Mattingly was also arrested and tried for murder but was acquitted.)

Police relations with the Black community improved during White's tenure, but larger issues in the surrounding culture, including the increasing scope and technological sophistication of police equipment had a counter-effect. Since the 1960s, law enforcement researchers had sought to develop a generation of "less than lethal" uses of force.¹³⁷ Many of these were unsuccessful, but one that came into increasing use by the twenty-first century was the Taser, basically a variation of "stun gun" that delivers 50,000 volts into a subject's body or clothing. In 2005 LMPD became one of the first large police departments in the nation to "fully deploy" the use of 50,000-volt Tasers— and, according to a local TV news investigation of LMPD records, was soon averaging one tasing every two days.¹³⁸

That examination of 268 tasing records over an 18-month period found several disturbing trends. Although tasers were designed as an alternative to using semi-automatic guns to deter active aggression, in 62 of those cases, subjects had displayed no active aggression. Many civilians were tased during encounters with police for petty infractions such as expired tags, shoplifting a candy bar, or even

¹³⁶ "Louisville Officer Fired for Killing Black Teenager," NBC news, April 15, 2004, accessed at <https://www.nbcnews.com/id/wbna4752556>. After his firing and acquittal, Mattingly became a police officer in a different Kentucky community. This practice is common in policing and may likely be a contributing factor in what sustains what some know as a culture of brutality since an officer let go from one force may simply find another and persist in inappropriate, overly violent treatment of suspects, as did Matthew Corder after the beating and death of Adrian Reynolds.

¹³⁷ "Evolution of Police Technology," p. 37.

¹³⁸ "WLKY Investigates: Taser Use by Louisville Police," WLKY-news, Mar. 3, 2010, accessed at <https://www.youtube.com/watch?v=e4GZaj-tSaE>.

riding a bicycle with a flat tire. Only ten of the 268 were armed subjects, and 30 of those tased were mentally ill. Unsurprisingly, given the rampant racial disproportionality seen in local policing over previous years, 54% of those tased in the sample studied were Black or African American, far greater than the percentage of Black or African American residents of Louisville Metro.¹³⁹

The above investigation came about partly in response to the troubling and highly controversial taser-related death in September 2006 of 52-year-old Larry Noles, a Black ex-Marine who was reported as causing a disturbance at a White Castle restaurant in southwest Louisville. By the time the police arrived, Noles was standing naked and raving in the middle of the road. To subdue him, they tased him three times. Noles still was not immobilized after the second hit, which was a “dry stun,” applied directly to his shoulder. Noles dropped to the ground after the third tase and was rushed to Jewish Hospital, where he was pronounced dead.¹⁴⁰ The Jefferson County medical examiner ruled the cause of Noles’s death as “excited delirium,” not the repeated tasing.¹⁴¹

Although it remains a condition described under use of force policies in the LMPD manual (updated as of 2022), excited delirium was at the time controversial among medical professionals.¹⁴² Said to manifest as a combination of extreme agitation, violent behavior, and incoherence, this “syndrome” has since been discarded by both the American Medical Association and the American Psychiatric Association as a diagnosis because it cannot be verified by any medical test.¹⁴³

¹³⁹ All data in this paragraph is drawn from *Ibid*.

¹⁴⁰ The data in this paragraph up to and including this sentence come from James Zambroski, “Suspect Dies After Police Use Taser Three Times During Arrest,” WAVE-3 News, Sept. 5, 2006, accessed at <https://www.wave3.com/story/5365166/suspect-dies-after-police-use-taser-three-times-during-arrest/>.

¹⁴¹ Laura Sullivan, “Tasers Implicated in Excited Delirium Deaths,” NPR, Feb. 27, 2007: accessed at <https://www.npr.org/2007/02/27/7622314/tasers-implicated-in-excited-delirium-deaths>.

¹⁴² For LMPD stance on excited delirium, see <https://www.louisville-police.org/DocumentCenter/View/3416/SOP-9-1-Use-of-Force---09-19-22>.

¹⁴³ Markian Hawryluk, “Doctors Abandon Excited Delirium Diagnosis Used to Justify Police Custody Deaths,” CBS News, Oct. 16, 2023. Accessed at <https://www.cbsnews.com/news/excited-delirium-doctors-abandon-diagnosis-police-custody-deaths/#>.

Robert White departed LMPD in the fall of 2011 to head the Denver police department, and he was unwilling to take on the job again despite an appeal from Mayor Greg Fischer to do so in the aftermath of the tragic killing of Breonna Taylor in 2020.¹⁴⁴

Our historical research discusses only a few highlights from LMPD institutional harms of the most recent decade because such data is covered in some detail in the 2023 DOJ report. It is beyond the scope of this study to fully review the context and events surrounding the rise nationally of overt displays of white supremacy in 2017; the brutal shooting death of Breonna Taylor by Officer Myles Cosgrove in a wrongly issued no-knock-warrant raid gone wrong, or the police killings around the nation of Black and brown people in the weeks and months (and years) surrounding Taylor's death. Nor can we fully detail the global and local racial justice protest movement that followed amid the Covid-19 pandemic, or the harsh police treatment of protesters that rocked Louisville throughout the remainder of 2020. Suffice to say, it was those events and others that laid the groundwork for them that have propelled a study like this one.

A few points from the preceding years bear unpacking, however. Many of the institutional harms as a result of police violence discussed in this study have involved teens. These harms have been situated here mostly in relation to the victims' race, but their youth is also worth mentioning. Youth in general represent a group who have often been subject to exploitation by adults (and not only or even primarily by police).¹⁴⁵

In 2015, two youth in LMPD's Explorer program charged that they had been sexually abused by at least two police officers who headed the program. The Explorer program was originally planned as a collaboration between LMPD and the Boy Scouts of America to expose youth to careers in law enforcement. The

¹⁴⁴ Joseph Gerth, "Strike One: Greg Fischer Swings for One Police Chief and Misses," *Courier-Journal*, June 11, 2020.

¹⁴⁵ See, for example, various online report of Kentucky Youth Advocates, especially the 2023 Kentucky Kids Count Data Book, which also breaks down data by race and ethnicity, reflecting stark racial disparities in youth experiences connected to race and to low-income status: accessed at <https://kyyouth.org/wp-content/uploads/2023/11/2023-County-Data-Book.pdf>.

inappropriate and illegal behavior of LMPD Explorer officials seems to have begun as early as 2010, involving both boys and girls, and one officer (Kenneth Betts) left the force in 2014. But despite an LMPD internal investigation, the scandal was kept quiet, and no action was taken on the 2015 accusations. In 2017 the scandal widened, and the mayor shut down the program after a (former) youth participant filed a lawsuit claiming both sexual abuses and an LMPD cover-up of the misconduct. Ultimately at least three former policemen were convicted of child pornography, enticement, and/or sodomy and sentenced to either prison terms or, in one case, home incarceration. Between the resulting civil and criminal investigations and lawsuits stemming from them, eight police officers ended up implicated, and Louisville Metro settled in 2021, paying \$3.65 million in damages to the victims.¹⁴⁶

Sexual abuse stemming from LMPD was not confined to children either. In 2022, three women received a \$1.8 million settlement after coming forward three years earlier to accuse LMPD Detective Brian Bailey of having forced them, as they faced charges, either to become informants and have sex with him—or face criminal prosecution. Bailey, who was never criminally charged, had been investigated and cleared of the same offense in 2016.¹⁴⁷

Claims such as these have mounted up. The \$40 million Louisville Metro paid in civil litigation settlements from 2017-2022 in relation to LMPD dwarfs amounts paid in similar cities, and it costs residents beyond those directly affected by draining funds from public services, according to former LMPD officer and former Councilman David James.¹⁴⁸

If there is any remaining doubt in the reader's mind of the need to change the harmful institutional culture surrounding LMPD, particularly around issues of race, class, and gender, this section ends with a brief overview of a 2018 episode that

¹⁴⁶ Mike Trautmann, "A Timeline of Events in the Louisville Explorer Scouts Program Sex Abuse Scandal," *Courier-Journal*, Nov. 11, 2020.

¹⁴⁷ Jason Riley, "City pays \$1.8 million to 3 Women Who Accused Former Louisville Police Detective of Sexual Assault," Louisville Public Media, Oct. 26, 2022, accessed at <https://www.lpm.org/investigate/2022-10-26/city-pays-1-8m-to-3-women-who-accused-former-louisville-police-detective-of-sexual-assault>.

¹⁴⁸ James quoted in *Ibid.*

critics call “Slushygate.” Cell phone video and audio footage obtained by the daily newspaper shows what took place inside the unmarked police car of an “elite police unit” called Ninth Mobile, which was tasked with getting drugs and guns off the street in some of Louisville’s highest crime neighborhoods. The video revealed derogatory comments, scornful laughter, and appalling, cruel attacks that were part of a night’s work for two officers. In two dozen “unprovoked attacks,” Curt Flynn and Brian Wilson intentionally hurled their “slushy” drinks at innocent pedestrians whom they drove by, jeering and denigrating. All but one of the 18 geolocated attacks took place in West or South Louisville. The unit was disbanded in 2019, and the two officers were sentenced to federal prison in 2022.¹⁴⁹ But the video, still widely available online at the time of this writing, certainly tells a grim story of the kind of police culture that wrongly robbed Breonna Taylor and many, many others of their lives and gave rise to the need for a Truth and Transformation Initiative for Louisville Metro in 2023.

¹⁴⁹ Data for this paragraph comes from Josh Wood, “How a Group of LMPD Officers Went from ‘Elite Unit’ to Dousing Pedestrians with Drinks,” *Courier-Journal*, Dec. 20, 2023. Multiple other officers in the Ninth Mobile unit were implicated as part of a group text chain that received and commented on the cell phone videos, not only failing to report these illegal acts but passively participating in them as voyeurs. After an internal investigation, Police Chief Jacquelyn Gwinn-Villaroel suspended four other officers who knew and failed to report the attacks and a fifth who drove the car in some of them. One of those officers, Kelly Goodlett, a white female detective no longer with LMPD, also pled guilty in 2022 to federal charges of conspiring to falsify information in the warrant leading to the search of Breonna Taylor’s apartment that resulted in her brutal death on March 13, 2020: see Andrew Wolfson and Billy Kobin, “Former Louisville Cop Pleads Guilty to Lying on Breonna Taylor Search Warrant,” *Courier-Journal*, August 23, 2022.

Conclusion

Our archival-driven research into the history of policing in Louisville, covering over 200 years, reveals an entrenched pattern of institutional harm committed by the police on Black communities and several other marginalized communities. While the DOJ report, released in March 2023, comes to a similar conclusion about policing in Louisville for the period 2016-2021, our report reveals a much longer history underlying the present-day practices and culture of LMPD that has gained national and international attention. Focusing largely on the experiences of Black communities, we've uncovered repeated incidents of the police using disproportionate force and punishment, particularly beatings, and levying false accusations and charges against Black people, including children and teenagers. What stands out in the historical record is the frequency and regularity of such interactions. Indeed, our research indicates that abusive and excessively violent interactions between police and Black people in Louisville is not exceptional. Rather, it forms a consistent and systemic pattern across time, closely tied to broader issues of power and inequality.

During the period of legal racism, stretching from slavery through Jim Crow segregation, the police were charged with maintaining and enforcing racial hierarchies. One of the primary ways Louisville police carried out this mandate was by meting out disparate punishments, imposing harsher penalties, and excessively harassing and arresting Black people in comparison to the white populace. For example, our report documents how whipping as a form of punishment in the antebellum era was reserved for enslaved Black people and was not used at all on white people. Similarly, across the nineteenth and pre-civil rights twentieth century, there are clear discrepancies in the fines and bond amounts imposed on Black Louisville residents for the same "crimes" as white citizens. Because of anti-miscegenation laws, interracial couples also faced significant harassment at the hands of the police. Even with the hiring of the first few Black police officers in the early twentieth century, the disparate policing of Black communities persisted. In fact, a statistic from 1910 highlights major racial disparities in arrests: 53% of

those arrested in Louisville in January 1910 were Black, though the Black community was only 17.4% of the Louisville population. The historical record thus demonstrates, with repeated examples, major discrepancies in policing for Black communities vis-a-vis their white counterparts.

While the overturning of legal segregation and racial discrimination, thanks to the civil rights movement, ushered in the promise of racial equality in letter, Black communities continued on the ground and in practice to face racially disparate treatment in policing. In fact, archival evidence from the 1960s shows how Louisville police were largely antagonistic to the local civil rights movement, adopting an oppositional and confrontational stance against activists, marches, and rallies fighting for racial equality. This dynamic persisted into the late 1960s and early 1970s, exemplified by high profile cases of police brutality. For example, like other cities across the US, Louisville witnessed "rioting" in 1968, following the assassination of Dr. King. What set off a three-week period of "civil unrest" in Louisville, however, was not Dr. King's death directly. Rather, it was the police beating of prominent Black activist, Manfred Reid, in May 1968 and the lack of consequences for the white police officer. This episode was the proverbial straw that broke the camel's back, given repeated exhortations by the Black community of persistent mistreatment by the police. Polling from the period and community concerns expressed in Black newspapers highlight a consistent preoccupation with police abuse and, more broadly, a deep mistrust of the police. Yet, despite repeatedly drawing attention to rampant police misconduct, no major changes in policing were implemented. On the contrary, the post-civil rights period right up to the present depicts an intensification in policing practices and tactics that has disproportionately harmed Black, poor and working class, and various other marginalized communities.

In excavating historical patterns of institutional harm between the police and marginalized communities in Louisville, we have located this harm in its broader context. Doing so helps highlight both continuities and changes in the way policing is practiced and with what consequences for such communities. Policing, in many ways, mirrors and responds to larger dynamics of state and national level politics and changes in the economy and society. For instance, we have noted shifts in local policing in relation to political and economic transformations in the 1970s and 1980s, from Nixon's War on Drugs to the dismantling of social services and safety

nets by the Reagan administration. In this era, we see how policing takes on an expanded role, responding to the social and mental health needs of the citizenry, while deepening a punitive, militarized (e.g., the use of SWAT teams), and racially discriminatory approach to drug use. It is also unsurprising that there have been several links between the Ku Klux Klan and the Louisville and countywide police forces during this period, given the explicit racial coding of these national programs by the likes of Nixon and Regan and an overall climate of white reaction and resentment to the gains of the civil rights movements.

In highlighting institutional harm and connecting policing to the broader political, economic, and social context, our research also reveals a deep discrepancy in how this harm is talked about in official sources and mainstream newspapers vis-a-vis Black newspapers. Stretching back at least to the early twentieth century if not before that, Black communities, through various citizen and activist groups, and with the help of white allies, extensively documented, wrote about, protested, and expressed concerns around excessive force and racially discriminatory and abusive policing practices. These issues, however, were not taken up in any serious way by political elites and the police and were largely ignored by mainstream media institutions, barring periods of mass social movement activity. This report has sought to shine a light on the fact that police violence is no secret or aberration for Black communities; it has been an intimately understood and longstanding problem.

Having documented this troubling history, we want to end with a few suggestions, both for future research and for the possibility of public safety for all. We also want to underscore clear limitations of such a report, resulting particularly after Louisville Metro Government (LMG) requested an earlier date for the final study. The result, from a research perspective is an incomplete report that is somewhat uneven, i.e., fleshed out in much greater detail in some sections than in others. With the additional time we had anticipated when we began, we could have better attended to each historical time period and extended our focus beyond Black experiences to examine the policing of other marginalized communities. We could also have provided much greater depth of analysis of the data included here.

There are thus several possible directions for future work on this topic. Among others: the relationship between policing and Indigenous communities, from the

arrival of white settlers to the present; how policing reacts to nationality and religious status, including the specific experiences of immigrant populations; and the historical and ongoing ways policing interacts with queer and trans communities, women, people with disabilities, and poor and working-class people.

While it is beyond the scope of this report to offer policy proposals, our research does indicate certain paths of action over others, if we do wish to change the longstanding pattern of institutional harm embedded within policing in Louisville:

1. The police, as an institution, cannot fix itself. Internal measures and changes in the demographic composition of the police force, while better than no change, do not automatically lead to different outcomes in terms of patterns of harm and abuse.
2. To rebuild trust between the police and marginalized communities and to begin to undo entrenched patterns of harm, democratic mechanisms must be developed that provide transparency and accountability between the police and those they serve. A consistent through-line across the history of policing in Louisville has been the blatant unaccountability of police officers for their actions. In a democracy, citizens must have a say in the functioning of an institution that affects them. Given the outsized role that police play in the lives of marginalized communities, it is imperative that the police are accountable to these communities.
3. One small but significant step toward increasing accountability is to insist on a residential requirement for at least some proportion of the police serving a given community. In 1811, the earliest police in Louisville (“watchmen”) had such a requirement, but it was unfortunately not continued as the police force grew. A consistent plank among requested reforms from community watchdog organizations over the past century has been that more police officers reside in the areas of the county they serve.
4. The problem of policing cannot be untangled from the broader structural issues of inequality, racism, and poverty. The 1970s and 1980s shift to using police as the primary institution to deal with social, economic, and mental health issues must be undone through re-investment in social services, public

programming, and economic safety nets. Instead of merely increasing police budgets every year, money should be redirected to comprehensively cover the economic, social, education, and health needs of vulnerable communities in Louisville.

5. A process of amends including monetary compensation should be provided for victims of police abuse and to the communities that have faced intergenerational harm at the hands of the police.
6. The DOJ report and its recommendations must be taken seriously—not as an end, but as a starting point. We must, moreover, understand that report in relation to the longer history of policing we have documented here.

Index of Cases of Institutional Harm Throughout the History of Louisville’s Police Department

These are selected cases and should not be considered an exhaustive list.

	Publish Date	Marginalized Group/Issue	Brief Summary of the Event	Source Type	Citation & Archive
01	1832	African Americans, free people	Tom Smith, a free man of color, was tried by jury and found guilty and made to pay a fine of \$5 or “ten days in the city work house.” The standard fine was \$4 for white men.	“Mayor’s Court” Records	University of Louisville Archives & Special Collections
02	9 Apr 1832	African Americans, enslaved people	“Peter, a slave of Widow Gray’s taken up by the Watch is ordered five stripes for being out late at night under suspicious circumstances.” Only enslaved people were whipped	“Mayor’s Court” Records	UofL Archives & Special Collections
03	2 May 1862	Anti-Miscegenation Laws*	John Langer was arrested and fined \$200 for cohabiting with a Black woman. *Anti-Miscegenation Laws forbid romantic relationships between people of different races	Arrest Records of 1862	UofL Archives & Special Collections
04	5 Jun 1862	Women	Mary Maguire was arrested for drunk and disorderly conduct, fined \$200, and sentenced to a year in jail, which is much longer than men who’ve committed the same crime, who were fined \$100.	Arrest Records of 1862	UofL Archives & Special Collections
05	7 Jun 1862	Anti-Miscegenation Laws	George Fisher was arrested for “running off” with a fugitive enslaved woman from Tennessee.	Arrest Records of 1862	UofL Archives & Special Collections

06	9 Jun 1862	Anti-Miscegenation Laws	Baldwin Edwards was fined \$300 for “running away” with a slave of Thomas Quigley.	Arrest Records of 1862	UofL Archives & Special Collections
07	5 Jan 1910	African Americans	Breakdown of the arrests made in December 1909. Of 964 total arrests across districts, 507 were arrests of “colored” individuals.	Louisville Police Dept “Daily Bulletins”	UofL Archives & Special Collections
08	9 Feb 1910	African Americans	A general notice is given about the new rules and regulations for patrolmen who examine empty houses for squatters. “Any negro, tramp, or suspicious looking person found upon or hanging about vacant property should be promptly arrested and charged with loitering.”	LPD Daily Bulletins	UofL Archives & Special Collections
09	17 Nov 1917	African Americans, Children	A young Black girl was “struck, dragged and jailed by officers because she failed to give desired information.” This report came the same day Black citizens celebrated <i>Buchanan v. Warley</i> , the U.S. Supreme Court case that outlawed Louisville’s racial zoning ordinance.	<i>Louisville Leader</i> , newspaper	UofL Archives & Special Collections
10	21 Jun 1924	African Americans	Two Black teachers tried to take their students on a field trip to Iroquois Park and were denied access; assaulted and arrested. This represented the start of park segregation in the city; prior to this, all parks were open to all.	<i>Louisville Leader</i> , newspaper	UofL Archives & Special Collections
11	25 Oct 1924	African Americans	A police officer killed a Black man. A crowd of hundreds gathered to express their opposition to the shooting.	<i>Louisville Leader</i> , newspaper	UofL Archives & Special Collections
12	9 Jun 1928	African Americans	Two Black officers were released from jail after being held at a higher bond than the white officers who committed the same crime.	<i>Louisville Leader</i> , newspaper	UofL Archives & Special Collections

13	9 May 1931	African Americans, children	A Black child was wrongfully accused of murder and was beaten by the police while in custody. He was acquitted of his charges. (The defense lawyer accused the entire police department of lawlessness and disregard of the rights of African Americans.)	<i>Louisville Leader,</i> newspaper	UofL Archives & Special Collections
14	24 Jun 1939	African Americans, women	Two sisters were beaten by police and were denied immediate medical attention.	<i>Louisville Leader,</i> newspaper	UofL Archives & Special Collections
13	15 Jan 1944	African Americans, women	A white police officer was cleared of his charges after brutally beating a Black woman.	<i>Louisville Leader,</i> newspaper	UofL Archives & Special Collections
15	15 Mar 1947	African Americans	Two Louisville officers were charged with assault after beating a Black man, Ernest Rice who committed a traffic violation. When the Black man questioned why he wasn't just given a ticket, they began to beat him.	<i>Louisville Leader,</i> newspaper	UofL Archives & Special Collections
16	16 Aug 1947	African Americans	A Black man was beaten by a plain-clothed officer after he honked at the officer who wasn't moving at the green light.	<i>Louisville Leader,</i> newspaper	UofL Archives & Special Collections
17	6 Sep 1947	African Americans, women	A Black mother and daughter were in an altercation with a white child, arrested by a police officer for "disorderly conduct," and held at gunpoint.	<i>Louisville Leader,</i> newspaper	UofL Archives & Special Collections
18	13 Sep 1947	African Americans	A Louisville police officer shot and killed a Black man, George Kelly, after he refused their orders to stand up. The same officer who shot Kelly was accused of threatening a Black woman and calling her the n-word.	<i>Louisville Leader,</i> newspaper	UofL Archives & Special Collections

19	9 Oct 1948	African Americans	A young Black man was taking a walk on 21 st and Hale when Louisville Police officers approached him and attempted to force him to admit to break-ins in the area. The Mayor released a statement on the incident.	<i>Louisville Leader</i> , newspaper	UofL Archives & Special Collections
20	21 July 1955	Segregated neighborhoods	Carl Braden was convicted of "advocating sedition" for buying a house for Andrew Wade IV, an African American man on Dec. 31, 1954. The house was in an all-white neighborhood in what is today Shively.	<i>Louisville Defender</i> , newspaper	ProQuest Historical Newspaper
21	1961	African Americans, teenagers	Police Chief William Bindner labeled nonviolent sit-ins as "mob violence" and ordered not only arrests of demonstrators (mostly minors) but suggested merchant police to "swear warrants and detain them."	Book	K'Meyer
22	10 Dec 1964	African Americans	Two civil rights leaders from out of town were arrested and taken to trial for "blocking the sidewalk." Each protestor received a sentence of 30 days to 6 months for this petty offence.	<i>Louisville Defender</i> , newspaper	ProQuest Historical Newspaper
23	Jun 1966	African Americans, child	Police failed to respond in a timely fashion when a Black girl was attacked in Southwick Projects. Women residents organized and formed Citizen Action for More Police.	Book	K'Meyer, Page 173
24	May 1967	African Americans	Increased violence against marchers by open housing opponents resulted in charges of police failing to intervene and prevent violence.	Book	K'Meyer Page 137
25	7 May 1968	African Americans	Police beat up Black realtor Manfred Reid after he stopped to offer help to his friend, Black teacher Charles Thomas, who was pulled over by police on suspicion of robbery. Patrolman Michael Clifford was suspended, then (following FOP protests) reinstated.	Book	K'Meyer, Page 187

26	27-29 May 1968	African Americans, teenager	Fatal shooting by Officer Charles Noe of James Groves, 14. Police alleged the teen was looting and then running away, although he was shot in the stomach. No indictments or punishments were seen despite multiple community organizations' attempts to intervene to the police, mayor, and courts.	Book	K'Meyer, Page 190-191
27	Jun 1968	African Americans	Human Relations Commission (HRC) instituted community orations training sessions for police officers, but white officers objected, and trainings did not persist.	Book	K'Meyer, Page 221
28	1969 - 1970		HRC proposed to Mayor Kenneth Schmied stricter regulations on police use of firearms and adoption of a policy to require complaints about police behavior to be handled promptly and to allow complainant the right to an attorney and to cross-examination. Proposals were immediately vetoed.	Book	K'Meyer, Page 222
29	Jun 1971	African Americans	Two white medical students intervened when they saw police beating three Black youth in Smoketown.	Book	K'Meyer, Page 220
30	24 Jun 1971	African Americans	"The Citizens for Equal justice Committee," a coalition of Black civil rights organizations, met in the East End to discuss the rise in police brutality against young African Americans.	<i>Louisville Defender,</i> newspaper	ProQuest Historical Newspaper
31	1973 - 1974	African Americans	Louisville Urban League protested all-white police recruit class of 1973 and opened minority recruitment drive; Louisville Black Police Officers Organization filed ultimately successful anti-discrimination lawsuit against LPD.	Book	K'Meyer, Page 226-228

32	13 Dec 1973	African Americans	<p>An African American officer on the force was singled out and suspended for allegedly wearing his hair too long and having too long of a mustache.</p> <p>The officer, Shelby Lanier, who was suspended, was very outspoken and was the founder and president of the Black Policemen's organization. Believed to be racially motivated</p>	<i>Louisville Defender,</i> newspaper	ProQuest Historical Newspaper
33	Oct 1975	African Americans	250 Black people marched in support of busing to demand better treatment of Black students in formerly white schools and to ask for better police protection, with Officer Shelby Lanier charging that many in LPD held anti-busing sympathies.	Book	K'Meyer, Page 276
34	1976	African Americans	<p>Police recruit class was again all-white, and in 1979, a federal consent decree resulted, ordering that for every two white officers hired, one Black officer also had to be hired until the department attained 15% Black demographic.</p> <p>The court also ordered a similar promotion schedule to achieve 15% Black leadership. The decree gave the department until 1987 to meet those goals, but it still did not do so by the expiration date of the consent decree.</p>	Book	K'Meyer, Page 228-229
35	15 Sep 1977	African Americans/ Jewish people/ All other non-white people	An FBI document reveals the existence of a Ku Klux Klan "police unit" as late as 1976. The article states that an FBI investigation found that between 12 and 35 members of the Louisville city and Jefferson County police departments were members of the KKK. Clear violation of citizens constitutional rights.	<i>Louisville Defender,</i> newspaper	ProQuest Historical Newspaper

36	29 Jul 1985	African Americans	Arson fire set at home of Robert and Martha Marshall when they desegregated Sylvania neighborhood in Pleasure Ridge Park area, along with n-word and swastikas on trees outside.	Court Case	Justia.com
37	4 Oct 1986	LGBTQ	Plainclothes police officers posed as gay and solicited gay men for sex. All 24 men were arrested.	<i>Courier Journal</i>	ProQuest Historical Newspaper
38	May 1999	African Americans	Police fired 22 shots at Desmond Rudolph, striking him ten times with six bullets to his head as he fled in what police suspected was a stolen vehicle. Internal investigation into their conduct found them innocent of wrongdoing. Community outrage arose when the 2 officers received award for valor the next spring. The mayor fired police chief over this in March 2000.	Newspaper	New York Times
39	17 Oct 2002	African Americans	Adrian Reynolds, a young Black man died in a jail cell after he was beaten and arrested on domestic violence charges by a Louisville police officer, Matthew Corder, on New Year's Eve 1998.	News Broadcast	WAVE News
40	5 Dec 2002	African Americans	Police shot and killed 50-year-old James Taylor. Taylor was already in handcuffs behind his back, getting arrested in a Louisville apartment for illegal drugs, when Detective Michael O'Neil shot him 11 times, alleging that he did so in self-defense.	Newspaper	Courier Journal
41	5 Sept 2006	African Americans, Disabled	Police tasered Larry Noles 3 times. He died shortly after. Noles was a 52-year-old Marine veteran.	News Broadcast	WAVE-3

42	Mar 2017	Underage Minors (male & female)	Mayor Greg Fischer shuts down Explorer youth program of LMPD when lawsuit is filed alleging sexual abuse and harassment of minors by officers who ran the program. Officers face civil and criminal charges, eventually fired and convicted of child pornography, sodomy and/or enticement	Newspaper	<u>Courier Journal</u>
43	10 Mar 2021		The newspaper reported that 2 Louisville sheriffs, Capt. Mike Loran and Deputy Gary Fischer, were a part of Ku Klux Klan faction of police officers. This information was uncovered in a 1985 civils rights lawsuit	Newspaper	<u>Courier Journal</u>