

# **The Ku Klux Klan in Corydon, Indiana**

## **A Case Study**

### **Executive Summary:**

During September 1999, the small southern Indiana community of Corydon was faced with the prospect that the Ku Klux Klan was coming to their town to hold a public rally.

While many communities are content with dealing with only the security and public safety issues that are always present with such rallies, the citizens of Corydon were not. They had too much love and pride in their community to allow the Klan rally to cast it in an unfavorable and untrue light.

A group of citizens, who became known as the Community Unity Group, did not want the message of hatred and bigotry spread by the Klan at such rallies to go unchallenged. The Klan's message did not reflect the feelings of their community which prided itself in wanting and promoting diversity among its citizenry.

The Community Unity Group struggled with what would be the most effective way to respond to the rally. The goal was to turn what is often a negative for a community into a positive; to counter the Klan's message of hatred of minorities into a focus on "the beauty and the wealth that's inherent in diversity..." (Corydon Democrat Editorial).

What follows is the Corydon Story. Corydon's experience provides an excellent example for communities faced with a similar problem to follow.

Corydon dealt with its immediate problem of the Klan rally by promoting an alternative message of embracing diversity and fighting discrimination through community meetings and a newspaper ad encompassing a Resolution that affirmed the value and dignity of ALL people. (Appendix A) Citizens were encouraged to sign the Resolution and allow their names to appear in the ad. Approximately 2700 names appeared in the ad as supporters of the Resolution.

It is one thing for a community to come together to deal with an impending crisis. The citizens of Corydon certainly did that in a creative and positive way. However, Corydon's real story, and their greatest contribution to those of us interested in governing communities, is how they have determined to sustain the effort.

Contained herein is an account of how the citizens and the governmental agencies dealt with the many issues involved with the Ku Klux Klan's decision to hold a rally in Corydon as well as the Community Unity Group's continuing efforts to embrace diversity and combat attitudes and actions of discrimination.

## **The Klan in Indiana:**

According to the Anti-Defamation League, “The Church of the American Knights of the Ku Klux Klan, led by Jeffrey Berry of Butler, Indiana, is the most active Klan organization in America. While other Klan groups across the country are weakening and becoming less visible, the American Knights are flooding neighborhoods across the country with their propaganda and holding rallies in cities from the Midwest to the South.” Jeffrey Berry and his organization got a nationwide reputation from his appearance on the Jerry Springer Show. That action led to a marked increase in Klan memberships and donations.

Jeffrey Berry established the American Knights of the Ku Klux Klan in 1995, at a time when other Klan leaders were trying to improve their images by reinventing the Klan as a civic organization for white people. In contrast, Berry’s organization has consistently followed the traditional Klan model, with its crudely racist literature, its use of vile epithets at public rallies, and its combative stance. In the spring of 1999, Berry changed the name of his organization to the Church of the American Knights of the Ku Klux Klan.

During the last several years, Jeffrey Berry has traversed the country with his message, appearing at numerous events from Wisconsin to Texas. At an October 1998 rally in Jasper, Texas, Berry told the crowd, “We hate Jews, we hate niggers...I’m a Yankee and I have never heard the word thank you in the nigger vocabulary...we don’t like you niggers...tell me one thing your race has accomplished.”

Jeffrey Berry has also sought innovative ways to spread the Klan’s message. Across Indiana, and in Santa Rosa, California, Dallas, Texas; and Sarasota, Florida, Berry and his followers have stuffed Church of the American Knights of the Ku Klux Klan flyers inside free local newspapers and delivered them to the doorsteps of unsuspecting residents.

Jeffrey Berry’s opinion on the non-white race is shown in his comments: “Our opinion of a nigger, no matter what color they are, is a dirty, lowdown person who takes and takes and takes from society and does not give anything back. So, therefore, my definition of a nigger shouldn’t offend somebody because of their color. Me, if I see a black person, my theory is, my Mom always taught me, do not judge a book by its cover.”

In March of 1998, the Honorable Ellis Reid was the judge of the circuit court for Cook County, Illinois where Berry had to testify in a lawsuit to force the town of Cicero to halt its effort to prevent the Klan from holding a “political rally” there. Referring to Judge Reid, Berry commented that “now, this is one of the finest men I’ve ever met. Now he is black, but he’s no nigger.” Judge Reid had ruled in favor of the Klan’s rights of free speech and assembly

However, the American Knight website gives a different opinion. Among other views, it offers “100 facts” about black and white people. Some of these “facts” include:

- The IQ’s of American Negroes are from 15 to 20 points, on average, below those of American Whites
- Among human races numerous studies have been made of the comparative weight of White and Negro brains with results that fell within the range of about an 8-12 percent lower weight for the Negro Brain.
- Blacks are four and a half times more likely than Whites to be on welfare

### **Why the Klan Chose Corydon for a Rally:**

Telephone interviews were conducted with Klan members Bill and Chris (who declined to provide surnames) to determine the reason their group decided to hold a rally in Corydon. According to Bill and Chris, some Corydon citizens invited them to come to help protest an “injustice” against current and former employees at the Tyson Food Plant in Corydon.

The Klan members’ paraphrased version of the injustice they were fighting is as follows. Tyson Foods recently purchased Hudson Foods, which is located in Corydon. Tyson Foods immediately lowered pay rates and reduced benefits of existing employees. The employees went on strike. Tyson Foods then replaced the striking workers with Mexicans based in from Louisville, Kentucky. After the strike was settled, a number of the striking white employees lost their jobs to the Mexicans. The Klan feels that it is a great injustice against the white American workers that they lost their jobs to foreigners who will work for minimum wages and practically no benefits. “To make matters worse, the Mexicans cannot even speak English”.

The Klan claims that Tyson Foods continues to deliver two busloads of Mexicans from Louisville each day to work in the factory. They want Tyson Foods to send the Mexicans back to Louisville, rehire the white striking workers, and stop giving American jobs to foreigners.

At the time this case is being written, direct contact with Tyson Foods representatives has not yet been made but is still being pursued. Efforts to meet with Klan members proved unsuccessful. They agreed to meet in a public park in Salem at an appointed time but failed to show up.

We caution the readers that we can neither confirm nor deny the allegations made by Klan members Chris and Bill against Tyson Foods. We present these unsubstantiated allegations here only as their stated reason for the Klan holding a rally in Corydon.

### **Corydon Community’s Reaction to the Klan Rally:**

On September 11, 1999, the American Knights of the Ku Klux Klan rallied in Corydon, Indiana. A few weeks before the rally, the Klan announced to the media in the area that the rally would take place. Public reaction differed. Some people remained seemingly apathetic while others wanted to actively oppose the Klan and their rally.

Community Unity was formed by several members of local churches, under the leadership of Reverend David Cliburn. The group met in church conference rooms several times to determine how best to respond to the impending Klan rally. An elected committee chose group officers, and the posts of moderator, moderator-elect, secretary, and treasurer were selected. A budget for the group was established using funds from church and group members. Attendance at the Community Unity meetings averaged 25 people, with as many as 60 attending some meetings. People with various careers, backgrounds, and races comprised the groups. Local news and television media covered certain members.

Cliburn, head of the Presbyterian Church in Corydon, explained his reasons for organizing such a group to counter Klan actions. He was alarmed by previous Klan action in the Corydon area, such as distribution of its pamphlets at county festivals. Cliburn contacted the Southern Poverty Law Center, a non-profit organization based in Montgomery, Alabama, that combats hatred, from which he received a guide entitled “Ten Ways to Fight Hate: A Community Response Guide to Hate Crimes and Hate Groups.”

Community Unity in considering how to respond to the rally, voted at their meeting on August 11, not to organize a peaceful demonstration on the same day as the rally and not to ignore the rally. They decided that one of their first initiatives would be to place a full-page advertisement in the local newspaper, The Corydon Democrat, with a statement promoting community involvement, followed by a large number of signatures from various members of the Corydon community. Community Unity members collected about 2700 signatures. Donations from group members as well as from several area businesses and churches paid for the advertisement. The group was granted a 50 percent discount by the publisher of the newspaper. It was hoped that the running of an ad would prevent others in the community from acting rashly toward the upcoming rally.

Other ideas brought up during the Community Unity meetings included the organization of “diversity activities”: picnics serving ethnic foods, reaching out to the local Hispanic community, and organizing a diversity fair. The group also promoted alternative activities in the Corydon area that were to occur on the same day as the proposed Klan rally. The group’s goal was to persuade local citizens not to attend the rally, either out of conviction or curiosity (as they suspected the area youth might do). The Corydon Police Department discouraged the organization of an alternative demonstration, citing concern for public safety.

Community Unity adopted a ribbon campaign, aimed at showing solidarity in acceptance of diversity through the distribution and display of small plaid ribbons. Other ideas broached among group members included:

- Organizing drivers for Corydon citizens who felt threatened by the impending activity; to prevent such individuals from encountering possible harassment from Klan members on the day of the rally.
- Organizing volunteer guards for various sites around Corydon that might be targets for racists on the day of the rally, including certain schools and residences of community minorities.
- Creating a billboard expressing area unity.
- Striving to involve more minority residents of the Corydon community in Community Unity’s activities.
- Continued support of Martin Luther King, Jr. celebration services on or around January 16.
- Encouraging area schools to provide “diversity information” to their students.

As the rally neared, Community Unity began to stress more and more that area residents should not attend the Klan activity. Group members contacted area businesses and organizations to help them communicate this suggestion to their employees and customers.. Many of the group’s proposals were postponed due to time and organizational constraints. These postponements were reorganized to serve as a follow-up to the September rally.

While Community Unity’s efforts may be viewed as noble, the group’s actions were not without a degree of criticism. Certain group members expressed dismay over the implied non-secularization of the group. Since meetings were held in a church, led by a religious leader,

membership was mainly comprised of church members. There was also concern that this religious affiliation may have prevented some area residents from pledging their support for the group. Further, the contents of the petition submitted to the Corydon Democrat were criticized for the inclusion of a “homosexual acceptance” clause. A number of local residents believed that the statement implied that the petition signers must be accepting of the “homosexual lifestyle.” It was the inclusion of the clause that dissuaded many county residents from adding their names to the petition; this opinion is echoed throughout many letters written to the editor of the Democrat. Other residents did not sign the petition out of fear for retribution from Klan supporters. Finally, several members of Community Unity expressed a wariness that the efforts of the group would be curtailed or scaled back after the Klan rally took place. Such members hope the group will continue its efforts to promote area diversity and that its organization will not have been solely a response to the Klan rally.

Since the rally, Community Unity has continued its mission. A group meeting was held within days after the Klan rally. The activities leading up to September 11, were reviewed and the rally day’s events were scrutinized. It was reported that a large number of area residents, including several adolescents from a youth center, had spent the day at a neighboring county’s “Heritage Festival.” Such youths had worn clothing with diversity logos and later discussed their efforts with other center children. Several Caucasian employees of area businesses, including those of Tyson Foods, provided rides to fellow minority co-workers. Finally, five sites that had been designated as potential targets of hate groups were protected without incident.

In the midst of coming together to promote area diversity initially in reaction to the Klan activity, Community Unity, as well as the community as a whole, was struck with another crisis. A few days before the Klan rally, Carl “Buck” Mathes, a member of the Harrison County Council, made a comment, according to the Louisville Courier Journal, about the construction of some of the local 4H buildings being “niggardly-built.”

In response to the comments made by Councilman Mathes and the impending Klan rally, Maxine Brown, owner of the Leora Brown School, organized a forum to discuss “racial slurs.” The forum was organized through a “race relations initiative” out of Louisville, founded by Maxine Brown, called NETWORK (New Energy To Work Out Racial Kinks). NETWORK’s forum was sponsored by Leadership Harrison County. According to the Louisville Courier Journal as many as forty people attended the forum. Feedback from those attending was positive, stating that “having more programs on race, and forums that allow people to ask questions and talk in a non-threatening setting are a good idea.”

Community Unity members expressed satisfaction that the Klan’s actions of September 11 did not foster sufficient community support. Community Unity reached a consensus that the momentum generated by its members should continue; and a committee was appointed to organize an activity celebrating diversity, such as a festival and/or a picnic. Meetings were held for the Martin Luther King, Jr. celebrations. Educational sessions concerning diversity in area schools and organizations also were planned. Finally, a cultural diversity evening consisting of an ethnic choir and band was held. As of this writing, the efforts of Community Unity, a group that got its impetus from Klan threats, have not waned and are planned to continue well into the 21st Century.

### **Corydon Political Reaction to the Klan Rally:**

What is the proper role of a Town Council when an outside group, such as the Klan, is coming to hold a rally? Some members of Community Unity expressed the opinion that elected officials should have joined them in their efforts to oppose the Klan's rally and message.

Fred K. Cammack, President of the Town Council of Corydon was interviewed on Friday, October 29, 1999, regarding his involvement in the activities leading up to the Klan rally. Mr. Cammack was also questioned concerning his role as an elected official on the issues of diversity unification in the Town of Corydon.

Mr. Cammack expressed the opinion that the Klan rally was handled well. The town was committed to a goal of maintaining peace among residents, visitors and the Klan, while still allowing the Klan to exercise its constitutional rights. The elected officials felt that if order could be maintained, the rally would be short-lived and the Klan would be gone.

Upon being notified that the Klan would hold a rally in Corydon, a meeting was called which included elected officials of the town and county governments, members of various law enforcement agencies, officials of county and state departments of transportation, the city attorney, the county attorney, and representatives from Harrison County Hospital and Harrison County Emergency Management Agency. It was determined that this was a security issue best handled by the law enforcement agencies and not the town councilors or county commissioners. A small committee was selected from the attending groups and given the responsibility of handling security planning for the rally.

Mr. Cammack had concerns before the rally that tension between the Klan supporters and those with Anti-Klan sentiments would result in violence. His fears were laid to rest after the rally. While there had been angry words exchanged between the two sides, there had been no injuries or property damage resulting from the rally.

Mr. Cammack felt that the elected officials' proper role was in providing for the safety of its citizens and the town's visitors before, during, and after the event. He felt that race relations were very good in Corydon. He indicated that he was not sure why the Klan chose to come to Corydon to hold their rally. When told of the reasons given in the interview with the Klan members, he stated that there had been a strike at Tyson Foods but he could not verify the Klan's claim that strikers lost their jobs to imported Hispanics. Tyson Foods had, however, asked the Town Council to pass a resolution supporting their action of no longer providing paid break periods for employees. The Town Council refused the request.

As for the political reaction to Community Unity, Mr. Cammack stated that he feels the meetings are a good idea if the citizens want to help each other get along better with one another. Good relationships between citizens are always a positive thing. However, Community Unity meetings were not considered something with which the elected officials needed to be involved. The Town Council was not asked by Community Unity to take an active role in their efforts. Mr. Cammack felt it best not to try to combine the roles of the two groups. Many citizens had

expressed the opinion that Community Unity was overreacting and creating a problem where none existed. Actions from the Town Council that went beyond protecting the public safety could have added another element of controversy to an issue already threatening to divide the community.

Mr. Cammack felt that the Town Councilors do not believe that Corydon has any major racial problems. It simply is not a priority that the Council needs to address at this time. However, if Community Unity identifies problems in the community that the councilors could assist in solving, then he was sure they would be receptive to their suggestions.

As for Community Unity's concern that there is not more diversity in the makeup of the town's employees, Mr. Cammack stated that he was unaware that this was a problem or concern of the citizens. The Town Council welcomes applications from minorities for all vacant positions within the town government. The Town does not, however, experience a large turnover and thus few new job opportunities present themselves in any given year. He could not remember any African-American applying for a position with the Town lately. An Hispanic woman has been employed in the Town Hall as Head of Housekeeping since 1985.

### **Public Safety Events Regarding the Klan Rally:**

Jeffrey Berry informed the Town of Corydon that his group had decided to hold a rally in the downtown square of Corydon. This official notification prompted Corydon Police Chief Richard Yetter to assess the public safety issues involving a rally in his downtown square. His assessment involved mapping the downtown area, determining locations for participants, and how the downtown would be secured. Details as small as the town would remove all the bricks in a walkway so they could not be used as weapons during the rally were contemplated. The fact that the Klan wanted to conduct the rally on the old courthouse property resulted in the involvement of the Indiana Department of Natural Resources (INDNR), since this property was protected as a historical site. This was the first time that DNR personnel were involved in a Klan rally. Their involvement would prove to be beneficial, due to the fact that they could provide assets not available from other departments, for example, All Terrain Vehicles (ATVs). The success of their involvement will likely lead to their being asked to assist in other rallies.

Shortly after notification by the Klan, Dale Traugher from the Sellersburg State Police Post began holding informative briefings with Chief Yetter. These informal briefings led to formal strategic planning meetings where all stakeholders provided input in their particular area of expertise. This planning process was the essence of why there were no injuries or property damage as a result of the rally. These planning meetings were prefaced by a common belief that was later formalized as the mission statement for the rally:

The mission of all the participating law enforcement agencies for the Ku Klux Klan rally is to ensure that all citizens, including supporters of the Ku Klux Klan and their opposition, have the opportunity to exercise their rights of free speech, assembly, and peaceful demonstrations. Attending law enforcement agencies shall cooperate to protect the life, health, property, and rights of all persons interested and uninterested that are attending this rally, and to maintain public order.

The first planning meetings began with the basics of what had proved successful in the past. The ISP's assistance included background information on previous rallies, public safety techniques that have been successful and an overall standard operating procedure (SOP) for rallies. This SOP was the basis for the development of the final security plan for the Klan rally (Appendix B). This led to the question of how Corydon could implement the ISP SOP for Klan rallies in the downtown square. Numerous public safety stakeholders were involved in the planning process. These included both local and state agencies, as well as other public and private organizations. Local agencies involved included: Corydon Police and Fire Department, Corydon Mayor's Office and the City Attorney's Office of Corydon, Harrison County Police Department, Harrison County Prosecutor's Office, Harrison County EMS, Harrison County Department of Transportation and Harrison County EMA. State agencies involved included: the Indiana State Police, Indiana Department of Natural Resources and the Indiana Department of Transportation. Additionally, the Harrison County Hospital was an important potential stakeholder in this event. Each stakeholder brought with it technical expertise in its area of concern.

Issues discussed in the planning sessions included:

- Number of personnel each agency could provide
- What equipment would be needed
- What security measures would be implemented
- How order could be maintained
- How all participants, officers and property could be protected

In particular, issues such as the communication plan, the barricade plan and contingency plans were discussed. Regarding reference communications, it was determined that all units would use the Indiana Law Enforcement Emergency Network (ILEEN) as the primary radio frequency. It was decided that the alternate frequency would be the specific agency's internal net. Communication flow would be coordinated at the command center where all internal frequencies would be monitored along with ILEEN. As far as the barricade planning was concerned, it was determined to use county and state highway trucks to separate the opposition groups. Additionally, it was proposed that temporary fencing material would be used to control movement at the site of the rally. This fencing material allowed observation, but controlled movement. Contingency planning involved everything from disturbances within the viewing areas to disturbances at remote sites to occurrences as a result of the rally. This planning led to ensuring that the Harrison County Jail could house enough personnel if mass arrests occurred and the capability of the hospital in case of a mass casualty situation. Also planned were concerns of the community, mainly those of minority citizens who might become targets of violence. Expertise planning was conducted to ensure that quick reaction units knew the location and planned route to potential target homes. These planning sessions offered answers to these fundamental questions, but also raised many questions on how the ideas could be transferred into the details involved in site planning.

Since the original site for the Klan rally was downtown Corydon, the lead agency was the Corydon Police Department. It should be noted that throughout this process of planning, setup, and conduct of the event there was no "hierarchy of command." Even though the ISP possessed the experience in dealing with rallies, it did not assume complete control over the operations.

Nor did the local agencies become offended that a state agency was “coming in and telling them what to do.” All agencies involved simply offered their input and worked together as a team to accomplish the tasks at hand. Chief Yetter provided the details of the town square and ISP offered their opinion on how equipment and personnel should be placed. It was later agreed that the venue would be changed to the Harrison County Justice Center.

The new site at the Justice Center, although preferred by the local law enforcement agencies, offered its own challenges. First, the ISP SOP for Klan rally planning was based on the typical Indiana downtown square. This change of venue caused the revision of the entire plan. Of note, this would have been the opportune time for Corydon Police and other Corydon agencies to remove themselves from the planning and event commitments of the rally, since it was no longer within city jurisdiction. However, this was not the case. Corydon agencies continued their valued involvement in the rally.

Issues involved with site planning included issues such as:

- **Positioning of opposition groups:** County and highway trucks would be positioned between Pro- and Anti-Klan groups.
- **Positioning of media personnel:** Media personnel would be placed between opposition groups to facilitate coverage and to further protect adversarial participants.
- **Controlling traffic in and around the site:** This would be conducted using roadblocks established at various locations to control movement to the site. Additionally, officers would be stationed at the key intersections of S.R.62 and S.R.135 and the intersection of S.R.337 and S.R.135 to ensure that traffic kept moving and that no vehicles pulled over on the shoulder of S.R.135 to observe the rally. The plan also called for separate parking for both Pro-Klan and Anti-Klan participants. Furthermore, officers would be patrolling the area surrounding the site to prevent unauthorized movement across private property.
- **Controlling access into the site:** Two entrance points were planned, one at the North end and one at the South end. This coincided with the separate designated parking for Pro- and Anti-Klan participants. Anti-Klan participants would be informed to use the North entrances while Pro-Klan participants would be directed to use the South entrance.
- **Positioning of the quick reaction forces:** It was determined that the State Police Tactical Intervention Platoon would be positioned in the Justice Center to facilitate their reaction time.
- **Determining Klan debarking point:** Through knowledge of prior events, it was agreed that the KKK members would be more secure if they linked up at a predetermined location and were escorted to the site.
- **Determining where to place the command center:** It was planned that the Harrison County Prosecutor’s Office would be used as the command center.
- **Determining where to position emergency vehicles:** Emergency vehicles would be placed at locations within the gated area near the spectators and outside of the venue. Preplanned routes were then designated for the vehicles.

Once the site planning was completed, the next step was to rehearse the events of the rally. Prior to the event, rehearsals with all law enforcement agencies were conducted at an undisclosed location. They chose a site similar to the site of the event. This would allow for a somewhat direct transference of the training challenges from the actual site to the rehearsed site. This rehearsal not only allowed for information dissemination, but it also provided a practical exercise to highlight areas of concerns in the planning. Actions rehearsed included: responding to disturbances in the crowds, responding to a disturbance outside the rally, arrest procedures, crowd dispersal and insurance that all personnel understood their roles.

After the planning was complete, there was a need to find out where the barrier material and other necessary equipment would be procured. Private, along with public organizations were contacted with the hope that they could provide assistance. In fact, the fencing was obtained from a local hardware store and from a local farmer. County and state highway trucks were then used to move the fencing. Additionally, county and state highway trucks were utilized as barrier material in the viewing areas.

Site set-up began on the afternoon of September 10, 1999. Fencing was erected for the viewing areas initially. Starting on Saturday morning, the 11<sup>th</sup> of September, officers arrived at the Nazarene church and received their event briefing. Officers then deployed to their respective zones and the TIP conducted a sweep of the Justice Center area (Security Plan, Appendix C). Officers were instructed that upon arrival to their zones, they were to “immediately remove any unauthorized persons found in their zones” (Ku Klux Klan Rally Agenda, Appendix D).

Between 11:30am and 12:00 noon, Klan members arrived at the predetermined pickup site. Buses were on station to transport Klan members to the rally site. Prior to departure, all members were searched and reminded of what could be taken into the rally site. During the searches, all Klan members were videotaped to prevent the law enforcement officials from liability. Authorized items included one set of car keys and a wallet. No other items were allowed to be in anyone’s pockets.

At 12:30pm, Klan members were transported to the County Justice Center. Uniformed officers drove the bus and two marked units with two uniformed officers each provided escort to the rally site. Once at the site, the Klan was escorted to the Justice Center; meanwhile, the two officers assigned to the bus remained at the drop-off point.

Upon arriving at respective parking areas, spectators received a pamphlet indicating what items individuals would be permitted to carry into the viewing areas. Spectators were allowed to bring signs, but they could not have any sticks attached to them. Spectator admission was limited to the two entrance points previously described. At these entrance points, personnel were inspected using a handheld metal detector and a physical “pat down.” Two female officers were stationed at each entrance to search female spectators.

The rally proceeded as planned. The only modification was that additional officers were positioned along S.R.135 to expedite the traffic flow along that highway. Following the rally, Klan members were escorted back to their vehicles. To further prevent any altercations, only one side of the spectators was released at a time. This was initiated only after the Klan members had departed from the area. Additionally, extra officers were deployed to the released spectators’ side to ensure that the spectators departed the area to their vehicles. Traffic was controlled at the major intersections to expedite the departure of the opposing parties. Separate movement of the opposition groups limited their contact until they were on the highway, thus limiting the chance for altercations. Violence in previous rallies occurred most notably after the rallies, in the parking areas or in the areas just outside of the rally site (for example, at nearby gas stations). This plan limited the occurrence of violence by having the separate parking areas and by having planned routes to expedite traffic flow to the highway.

Public safety is the goal of all law enforcement in these types of events; not only the safety of the citizens, spectators, and Klan members, but also that of the officers involved. Extensive planning was conducted to avoid injuries and property damage at Corydon's rally. In all, over 100 officers participated in this event. These numbers normally exceed the numbers of spectators. However, this is the level of commitment that is needed to mitigate the possibility of an unfortunate occurrence.

### **Legal Considerations Regarding the Klan Rally:**

As with many issues governments face, legal matters had to be considered in Corydon's case. Corydon, Harrison County, and the State of Indiana had to adhere to their respective laws. The Ku Klux Klan had to adhere to the laws of these governmental entities as well.

#### **The Klan Must Be Allowed:**

The government ultimately must allow the Klan to hold its demonstrations in accordance with the First and Fourteenth Amendments to the United States Constitution. The First Amendment reads as follows:

*Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.*

Section One of the Fourteenth Amendment, below, applies the First Amendment to the states, including the state of Indiana:

*All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of the law; nor deny to any person within its jurisdiction the equal protection of the laws.*

The First Amendment asserts that Congress may not infringe upon citizens' rights to free speech and to peaceably assembling. The Fourteenth Amendment requires that states do not infringe upon these same rights. With the First and Fourteenth Amendments in mind, Corydon was required to allow the Klan to demonstrate. However, the Klan did not have complete control over the specifics of its demonstration. While Corydon was subject to laws allowing the rally, it was also armed with laws, or sometimes lack thereof, that helped it maintain civil order throughout the demonstration.

#### **What Communities Can Do:**

There was no law requiring Corydon to provide a certain level of police protection to Klan members. This left Corydon with the opportunity to determine for itself exactly how much of a police presence it wanted. In the history of Klan rallies, there have been many examples of Klan members being attacked even while police officers were attempting to protect them. A

recent rally in New York City attests to this. Corydon, like most communities faced with a Klan rally, chose to allocate a substantial number of police officers and equipment to the rally even though it was not legally required to do so. Corydon benefited from this action in that it reduced the possibility of disturbances such as fights or even riots.

Area officials determined that they did not want the Klan rally to occur in the downtown square, the site the Klan had decided to use. In finding an alternative site, officials had to ensure that the new site was at least as desirable as the square location. Otherwise, the Klan would have potentially had a basis for suing. Also, it must be noted that officials could not “hide” the Klan in some obscure, seldom traveled locale. Again, this would have been a basis on which the Klan could sue the community.

As previously mentioned, officials chose the Harrison County Justice Center along S.R.135 as the alternative site. It satisfied the above location considerations: it was more heavily traveled than the square. Access to the site for rally viewers was better than at the original square location. A common route to the square involves crossing a bridge that was undergoing repairs at the time. It was restricted to one lane, making travel to the square relatively difficult. In fact, a commonly used alternative route to the square required passing by the Justice Center on S.R.135.

For a variety of reasons, the Harrison County Commission decided that the Klan rally would not be allowed to occur on the square under any circumstances. It would take a very large police presence to secure the square. Construction along the south side of the Harrison County Courthouse was a safety concern. As mentioned, a commonly traveled bridge leading to the square was restricted to one lane, another safety issue. Downtown businesses would have had to close for much, if not all, of the day.

The decision not to allow the Klan to march on the square was not made lightly, as First Amendment issues made this a potential legal liability for the community. Corydon carries general municipal liability insurance, and it first called its insurance carrier to ask for advice. The carrier stated that, given the circumstances (particularly safety concerns and the existence of a suitable alternative site), it was legally permissible for Corydon to require that the Klan not demonstrate on the square. In fact, if the Klan sued regarding this matter, the insurance carrier would pay for all ensuing legal expenses.

The next step was to ensure that the Klan moved its rally location from the downtown square to the Justice Center. As stated above, the Klan was not going to be allowed to demonstrate on the square, presumably meaning that if the Klan arrived on the square a confrontation with the police might ensue. Not surprisingly, in officials’ estimations, this was not a desirable outcome. Rather, several local officials, including the County Commissioner’s attorney, Gordon Ingle, called Klan leadership and attempted to negotiate the matter. These negotiations proved successful, and the Klan agreed to move its rally to the Justice Center.

The Klan was subject to the same criminal laws that applied to all other citizens. While Klan members’ freedom of speech and assembly were protected, if they damaged property, then

they could be arrested and charged with the offense. On September 11, Klan members took no actions that resulted in arrests.

There was no permit system in either Corydon or Harrison County. If there had been, then the Klan would have been required to apply for a permit. If such was the case, the square location would have required a Town of Corydon permit, and the Justice Center would have required a Harrison County permit.

Since there was no permit system, it would have been legal for the Klan to arrive at the square on September 11 without giving Corydon any advance warning. For a variety of reasons, including its interest in publicity and police protection, the Klan usually provides due notice. However, the Klan could have set up on the downtown square without warning that Saturday morning and potentially caused a large disturbance. Corydon preferred to avoid such a situation, as evidenced by its decision to attempt negotiation with the Klan in efforts to move the rally site to the Justice Center. After speaking with its insurance carrier, the other option would have been confronting Klan members when they arrived on the square, which could have resulted in a disturbance and an unwanted lawsuit.

Although Klan members may not have been aware of this, they were also subject to a “No Trespassing” agreement between the Corydon Police Department and businesses and landowners in the vicinity of the Justice Center. Corydon collected signatures from these groups that allowed law enforcement officials to enforce no trespassing laws on their properties during the day of the demonstration. One of the stated purposes of this agreement, as expressed in the waiver itself, was to prevent damages to the properties.

### **Lessons Learned:**

The Klan came to Corydon to protest an economic issue that many unskilled workers are experiencing today as the country adjusts to changing economic times and free world trade. The Klan can find ready support on this issue by those who have lost or who fear losing their jobs. Unfortunately, the Klan and similar groups cast this issue in racial terms, blaming minorities and the government for creating the problem.

Pocketbook issues are very difficult for a community to resolve. Answers to economic conditions are often beyond the ability of the community to solve. Yet, it is the community that is often left to deal with the social issues created by changing economic conditions. It is also difficult for an individual to feel kindly toward someone who he/she feels has taken a job away from him/her. This is a fertile ground for Klan activity.

It is because of the changing economic times and the hardships that they are creating on American workers that groups like the Klan will continue to hold their rallies in our communities. Local governments and their citizens should prepare for this possibility.

Corydon’s experience is a good example for other communities faced with a similar situation. Some lessons that can be learned include:

- Leave security to the local and state law enforcement officials. Providing a ride-sharing plan for minorities to and from their work sites is a positive type of activity citizen groups can perform. Serving as “look-outs” at certain locations can also be helpful to law enforcement officials as long as it is planned with them and they know who is going to be where.
- Form a community organization to counter the Klan’s message of racial hatred, or racial separation, as they like to cast their position.
- Do not organize or encourage counter-demonstrations during the Klan rally. A counter-demonstration increases the risk of violence and/or gives the Klan much more coverage in the news media than the event would normally generate.
- Encourage citizens to ignore the Klan and stay away from the rally.
- Sponsor community activities away from the rally site that are attractive alternatives to the rally.
- Develop an ongoing program to address racial relations in the community.
- Determine the reason the Klan chose the community and attack that problem.
- If employees have lost jobs, help the families to adjust to unemployment and help them find other employment.
- Community groups should remain apart from local government to be most effective. However, the groups should develop a communications flow with the elected officials to bring to their attention community problems and suggested actions that the government could take to ease or correct the situation.
- Realize from the beginning that one of the biggest problems the community group will face is maintaining interest and participation after the initial crisis has passed i.e., after the rally is over.
- Community groups should choose a neutral meeting place, when possible.
- A plan for a major incidence happening as a result of the rally should be developed by the public protection services involved, as well as by area health care organizations.
- The community should have general liability insurance.
- Leaders should attempt negotiations with the Klan by determining community interests, Klan interests, and any conflicts arising from these interests.
- Community groups should develop a mission statement and a long-term plan (3-5 years) that states 3-4 objectives to be accomplished. This plan should be evaluated and updated annually to help maintain interest and participation within the group.

The best way for a community to keep the Klan from their doorstep is to identify, as early as possible, problems that the citizens are facing and let them know they are not alone in dealing with their situation. People turn to the Klan and the Klan’s message out of frustration and a feeling of helplessness. If the community is concerned and is attempting to help, the Klan will find a far more difficult situation in which to espouse their cause.

## **Acknowledgements**

This report would not have been possible without the special people listed below giving of their time, resources, and counsel:

The Community Unity members: David Cliburn, Leo Benton, Maryland Austin, Gary and Sandy Cooper, Trish Beddoe, Angela and Austin Fites, Steve Gilliland, Rose Hynes, Linda Runden, Jewel Brown, Terry Lawton, Paul Chiquito, Holly Cummings, Judy Melnick, Leslie Robertson, Deb Bulliett, Jane Kraff, Jean Brunner, Maxine Brown, Pam Bennett Martin, Darrell Voelker, Webster Oglesby, Randy Gianfagna, Charlie Wilfong, Leo Benton, Barbara Robinson, Cindy Shireman, Eddie Wallace, Mark Dicken, Mary Pate, Ron Russell, Marian Allen, Neal Kentch, Barbara Planck, Paul Greer, Inez Voyles, Marian Allen, Andy Lasky, Genarose Turner, Nell Moses, Robert Robinson, Ruth and Walter Hollis, John Wessic, Karolyn Mangeot, Jill Biel, Mogwedell Norman, Shirley Hawkins, Callie Zimmerman, Earlene Haeseley, Ray Saylor, Jackie Davidson, Kirby Bachman, Joy Lindauer, Diane Miller, Tulla VanGaasbeek, Brent Lewis, Ila Cornett

Police Chief Richard Yetter  
Sheriff Bill Carver  
County Attorney Gordon Ingle  
State Police Sgt. Dale Traugher  
President of Corydon Town Council Fred K. Cammack

A special thanks to Rev. David Cliburn, Linda Runden, Terry Lawton, Holly Cummings, and all the Corydon citizens who showed true “Hoosier Hospitality” during our visits.

To the Corydon Community Unity Group  
whose efforts to embrace diversity and combat attitudes and  
actions of discrimination in their community inspired this report

**THE KU KLUX KLAN RALLY  
IN CORYDON, INDIANA:  
A CASE STUDY**

Written By Graduate students  
Indiana University School of Public and Environmental affairs:

Courtney Alexander  
Martyn Bouwman  
Elizabeth Curtis  
David Gustafson  
Antoinette Kelly  
Brent Richards  
Mark Shubitz

Advisor:  
Orville W. Powell  
Clinical Associate Professor  
Indiana University

December, 1999

**APPENDIX A:  
THE RESOLUTION**

APPENDIX B:  
THE SECURITY PLAN FOR THE KU KLUX KLAN  
RALLY

APPENDIX C:  
THE RALLY AGENDA

APPENDIX D:  
A SAMPLE SPECIAL EVENT PERMIT  
APPLICATION