

Busted: The Case of the Denver Police Department

Noel: *Lost Highways* from History Colorado is made possible by the Sturm Family Foundation, proud supporters of the humanities and the power of story-telling for more than twenty years. And by a major grant from the National Endowment for the Humanities: Exploring the Human Endeavor.

[Music]

Jason: All right. I am so excited to actually see these in person. I've heard about him for a long time, Melissa. What do we, what are we looking at?

Melissa: So we have the Sam Howe collection here at History Colorado, and it's over 70 ledgers that Sam Howe compiled over his career starting in about 1883. That's when he actually started scrapbooking per se; gluing newspaper articles into books. But the articles go back even to about the 1860s and

Noel: This is History Colorado's Chief Creative Officer, Jason Hanson, and Director of Collections Access, Melissa de Bie. They're looking at these giant ledgers or scrapbooks that were put together by one of Denver's earliest detectives.

Maria: Some of these books are more than five inches thick, and are full of handwritten notes, newspaper clippings, mugshots, and macabre scenes.

Melissa: He was actually a marshal first and then became one of Denver's first policemen and then became one of the first detectives, and at various points over his career was often, he was chief of detectives and retired in about 1921.

Maria: The first Sherlock Holmes story was published in 1880, right around the same time Howe was compiling these criminal scrapbooks.

Jason: This, to me, sounds a lot like what I remember reading in those stories where Sherlock would go to his files and pull out some article from the London Times that would, like, illuminate.... "Oh, if we had remembered that this happened, we would have seen clearly what's going on here. This is Professor Moriarty at work!" But Sam Howe was actually already doing that when Arthur Conan Doyle published his first story, right? Like, he's, he's on that wavelength in the 1880s, building a Sherlock-like system.

Noel: De Bie says there are crime collections like this all across the country.

Melissa: But this one is, is really unique because he started this so early, and I think it was a model for other places around the country that then mimicked this and even in looking across the country. And again, you're talking about no computers, no major communication networks other than getting on a train or a boat and going around or using the mail. This is what he was doing. He was creating computer databases, and the FBI didn't even do this until around 1930.

Maria: And the clippings in them are the stuff of murder mysteries and true crime podcasts.

Jason: 2222 California Street, there was a gruesome murder. A husband murdering his wife, cutting her throat with a razor. And then 10 minutes later, committed suicide by drinking poison.

Noel: For all the morbid fascination they hold now, though, these books were used as crime fighting tools. And Melissa de Bie can't help but wonder what Sam Howe didn't cut out.

Melissa: I mean, he was doing his job, but he had to have had a passion to be doing it in this way and with the lens that he was using and his, you know, analytical mind, what was he excluding? There, you know, there are, there are articles in here about runaways and different types of crimes. So what was he not cutting out of the paper? What was he ignoring?

[Theme Post]

Noel: From History Colorado Studios, this is *Lost Highways, Dispatches from the Shadows of the Rocky Mountains*. I'm Noel Black.

Maria: And I'm Maria Maddox.

Noel: This season we've been talking about justice in the west—from the lynching of Preston Porter, Jr. in Limon in 1900 to the role of Mother Jones in trying to stop the Ludlow Massacre.

Maria: Of course you can't talk about justice in the west, or anywhere in America, without talking about policing. Now, two years after the murder of George Floyd sparked protests and calls for drastic reform or defunding the police in the summer of 2020, very little has changed.

Noel: It was another death of a Black person at the hands of the police. Another body and another name to add to an ever-growing list that includes Michael Brown, Elijah McLain, Breonna Taylor, and so many more. . People in the streets all over the country wanted answers to why black people, overwhelmingly, have been singled out, and often killed.

Maria: But many have been asking how we got here in the first place. Why do we have police? How did they come to have so much power? What happens when they abuse that power?

Noel: And why is it so hard to hold them accountable when they do? If we were to change the way policing, and community safety are done in America, what might that look like? And how might it be accomplished?

Maria: On this episode of *Lost Highways*, we'll consider all of these questions through the lens of the Denver Police Department as we look back at the establishment of police forces, how their role in communities has changed over time, and what happens when they abuse their power.

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Noel: Sam Howe's ledgers, full of clippings and photos of gruesome scenes and terrible deaths, are an early form of an archetype at work. Whether it's Sherlock Holmes, or Phillip Marlowe, or Veronica Mars, almost everyone can conjure the idea of a detective in their minds. No clue, no data point, no dot is too small to connect for the true detective.

Maria: And in the end, when all the dots have been connected, it will form a web with a criminal already caught up in it.

Noel: From a contemporary perspective, Howe's book seems prescient at a time when we all live in endless webs of internet cookies, facial recognition software, and closed circuit surveillance.

Maria: Howe's ledgers mark the earliest impulses of policing: to collect data on people, draw connections, and believe that those connections will lead us to catch thieves, con artists, murderers, and maybe even serial killers.

Noel: And sometimes they do.

Maria: But as the whole world saw on May 25, 2020: who we suspect and who we profile, can play an outsized role in who we believe to be guilty, and what punishment they might deserve.

Noel: And as Melissa de Bie couldn't help wondering when she looked through the ledgers: Who wasn't in the pages of Howe's web?

[Music]

Noel: If any objects illustrate the fine line that police walk between the power they have to enforce the law and the temptation to break it, it might be the badges housed at the Denver Police Museum.

Dean Christopherson: Some of our oldest badges at date, all the way back to the Old West. Some of them are kind of unique.

Maria: This is Dean Christopherson. He's a member of the Denver Police Department and the founder and past president of the Denver Police Museum. The museum is housed at DPD's Headquarters in what was once the intake space for juveniles, and the old holding cells now store police memorabilia.

Noel: Modern badges, says Christopherson, are just stamped with a die and have the enamel lettering applied on top. But if you look closely, these badges are different.

Dean Christopherson: When you look at this badge, you'll see the outside edge, you'll see the tiny little rivets that are on there. And if I were to take this out, you'll see that the eagle is soldered on separately and that everything on here is all handmade by a jeweler. Every little bit of engraving, and it is cast out of 14 karat gold. Command officers back in the day would have between 14 to 24 karat gold badges, depending on your rank.

Maria: Police could've gotten custom-made gold badges for any number of reasons.

Dean Christopherson: There's a little history from different angles on that where your loyal troops, if you were a good chief and they respected you, would pitch in and they'd get one made for you. Or the citizens would pitch in and get one made for you. Or depending on how you oversaw the other elements of the City, sometimes your buddies in the organized crime would get one for you, depending on how much of a blind eye you turned to some of the things that were going on.

Noel: Right there, on the chest: a favor, or maybe even a bribe, in plain sight, winking at you from one of the most potent symbols of law and order.

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Noel: Law and order is not a recent concept. The Code of Hammurabi, a collection of 282 rules written in stone by the Babylonian king, dates back to the 1700s BCE. And The Code of Ur-Nammu is even older, dating back as far as 2100 BCE. And civilizations around the world have long had various ways of dealing with people who don't follow the rules.

Maria: But when people talk about the history of modern policing as it's known today, one name almost always comes up: Sir Robert Peel. Robert, Bob, and his Bobbies.

Noel: Peel helped create the London Metropolitan Police Department in 1829. It was a major departure from feudal practices of law enforcement where the wealthy and powerful could impose their own self-serving and subjective notions of justice on their subjects.

Noel: Peel's model of policing relied heavily on military order, but not military force. He believed in the prevention of crime through the use of patrolling officers and good community relations. The emphasis was less on arrests and more on making sure crime didn't happen in the first place.

Maria: And he developed nine principles to guide what he believed should be the relationship between the police and the public.

Noel: To paraphrase one of Peel's most famous of those principles: the police are the public and the public are the police.

Noel: In other words, as Peel saw it, police are a reflection of society, responsible for modeling and upholding the highest values and laws; not set apart from it, or above it.

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Maria: Professor Alex Vitale teaches sociology at Brooklyn College and the CUNY Graduate Center. He also coordinates the Policing and Social Justice Project. He says that Peel's ideas were very much an outgrowth of the rise of democracy in Europe, and they soon made their way to the northern US.

Alex Vitale: So the model of policing that emerges in the northern part of the United States is heavily influenced by British domestic policing. The London Metropolitan Police, created in 1829 become a model for managing this kind of influx of rural populations and reforming them into a stable urban industrial working class.

Noel: But Peel's model wasn't all bowler hats, whistling, and twirling nightsticks. He'd developed it as a form of colonial control.

Alex Vitale: He had been in charge of the English occupation of Ireland, which was a colonial project where he creates the Irish Peace Preservation Force, which then becomes the precursor to the London Metropolitan Police.

Noel: When that model moved across the Atlantic, it transformed.

Alex Vitale: So policing in the United States develops in kind of three overlapping trajectories. In the North, policing emerges to manage the massive influx of European immigrants who are being kind of molded into a stable industrial workforce.

Maria: In cities like New York, Boston, and Chicago, police were often tasked with preventing immigrant workers from organizing labor unions and tamping down vice.

Noel: But in the South, says Vitale...

Alex Vitale: Policing emerges as a system for managing slavery. In the big cities of the South, like Charleston, Savannah, and New Orleans, slaves actually work outside the home of their owners and travel to, to and from work on public streets and often outnumbered the local white population.

Noel: Police forces in the South often managed mobile slave populations, says Vitale, and prevented them from sharing information.

Maria: But in the west...

Alex Vitale: Policing emerges primarily in relationship to colonialism. The removal and sometimes extermination of indigenous populations by forces like the Texas Rangers and then also the forced removal of traditional Mexican and Spanish landholders to make way for white settlement. So we see throughout the 19th century the emergence of police forces in direct relationship to these three larger social economic processes.

Noel: Federally appointed marshals and locally elected Sheriffs would step in, often as police forces of one in little towns and settlements along the transcontinental railroad.

Maria: Denver became one of those towns during the gold rush in the late 1850s, says Dean Christopherson.

Dean Christopherson: Here's a thumbnail sketch on the history of the Denver Police Department. In 1858 people started drifting out here looking around expansive territory. We were part of Kansas territory. So the nearest civilization was Leavenworth. So if you look at a map today, you can see how far away Leavenworth, Kansas, is all the way over to the other side of Kansas. That's a long way. There was no law enforcement out here. There was.... The military was sporadic at best, with a couple of forts scattered along the way. But then people came out here exploring and they found gold. So once that news got around, then people started coming out in droves. So some of those early

pioneers, 1859, sort of setting up...and if you've ever seen the show *Deadwood* on HBO. That's set in the 1870s. That would be considered a modern city compared to what Denver was, for the most part. Muddy, nasty people living in holes that they dug in the side of the creek beds.

Noel: The first marshal was elected in 1859.

Maria: And then more marshals were added. And soon a local police force grew in Denver as it had in other cities.

Noel: In most places at the time, whether they were small towns or big cities, police were often locally controlled. And corruption – giving a gold badge to your favorite officer, for example – was rampant.

Maria: Alex Vitale says that started to change in 1898 when the US began its nearly 50-year occupation of the Philippines. New military techniques and procedures that were effective for colonial rule were brought back and implemented around the country.

Alex Vitale: And that model of professionalization involves more technology, more training. And the idea here is that they attempt to take policing out of the control of neighborhood level political and economic leaders and turn it over to larger jurisdictions, citywide political leaders or statewide political leaders. And so this reform movement results in the creation of new policing courses, textbooks and a whole

discourse around police professionalization that kind of sets the tone for 20th century policing.

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Noel: In the 1920s, police departments across the country faced new internal and external challenges to maintaining public trust.

Maria: Policing prohibition was a high stakes new task for officers around the country. It was during this time, says Dean Christopherson, that the arms race between police and mobsters began.

Dean Christopherson: When the bad guys started carrying machine guns, the police had to start carrying machine guns. So it's always been that way. We always reflect what's out there that we have to deal with on a regular basis, because in the old days, basically your local police officer had a 38 caliber revolver and with six shots. John Dillinger and the crew would come to town armed with machine guns, Browning automatic rifles and Colt 45 semi-automatic pistols and the local policeman would hear the alarm go off at the bank. He'd run down there. There'd be five guys with automatic weapons and he'd go bang, bang, bang, bang, bang, bang, bang, and he'd be out of ammo. And these guys would open up with machine guns.

Noel: The 1920s were one of the deadliest decades for policing in America. And in Denver during that time, the 2nd Ku Klux Klan found a welcome home. Unlike the first

Klan in the south, the 2nd Klan was more opportunistic with its scapegoating and recruitment.

Maria: In Colorado, along with black communities and Jews, they also targeted Catholics, Mexican Americans, and immigrants, and began to actively recruit white protestants to join law enforcement.

Noel: In the ledgers of the Denver KKK members that History Colorado digitized last year, for example, there are more than 50 references to "police" as a profession.

Maria: And the influence went to the highest levels of command:

Noel: After avoiding a recall with the Klan's support in 1924, Mayor Benjamin Stapleton later appointed a Klansman with no qualification as police chief.

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Maria: The Denver Police Department did have Black officers in the 1800s. But it remained segregated well into the 20th Century. Black officers worked in Black neighborhoods and were rarely promoted into leadership roles.

Noel: Then, after World War II, many returning soldiers and Military Police Officers joined police departments.

Noel: Dean Christopherson says that the military style professionalization of police in the United States accelerated after World War II.

Dean Christopherson: Everything that they tried in the military starts transitioning down to police departments of public safety, whether it's emergency equipment, lighting, sirens, radios in cars, portable radios.

[Music]

Noel: In the late 1950s, as police departments across the country became more and more uniform in their culture and protocols, the Denver Police Department was rocked by a corruption scandal that made national headlines.

Maria: It was so damaging that it's still taught as a cautionary tale at the police academy to this day.

Dean Christopherson: It's a tale of how things can go horribly wrong in a paramilitary organization. And so what happened, you know, after World War Two and Korea, at some point in the mid to late 50s, there were a group of officers inside the department that from we understand it, started responding to burglaries.

Noel: It started small. A few steaks pilfered from a butcher. Cash. Clothing.

Dean Christopherson: And then pretty soon a group of them started to actually conduct burglaries on duty. They would break into the place and then, you know, scoot out, come back around and be the responding officer or meet the responding officers there and help out with the investigations and everything.

Maria: They'd use their positions as police officers to gain information on a location. They'd note the type of safe or a building's layout. And they'd cover for each other.

Noel: This went on for years until, as the story goes, in a chase after a burglary, a stolen safe fell out of a getaway car's trunk. Two law enforcement officers were in that car.

Dean Christopherson: And that kind of was a catalyst for the investigation that came out. So slowly over the course of the next several months, between 60 and 61, they had started putting more and more pieces together, getting more and more names, linking more and more people. And by 1961, they pretty much exploded with the arrests. As it progressed, the investigation wound up that 47 Denver police officers were charged criminally or served time.

Maria: *Life Magazine* ran several stories about the crimes. But the scandal created a lasting suspicion of the police that went far beyond Denver.

Dean Christopherson: I came from a small town in the Midwest, and my dad lived in a small town in Minnesota, and I remember calling him in 2000 and saying, "hey, Pops.

Denver PD just offered me a job.” He said, “Denver, ain't that where the burglars were?” That's 2000, and he's up in the Midwest in small town Minnesota, and he remembered that story.

Maria: Despite growing up in East Denver, where Latino people were often disproportionately profiled and arrested by the police, Lou Lopez had always wanted to be a cop. And in 1955, after serving in the Korean War, he joined a department, which had very few Latino officers.

Noel: Here he is in an interview recorded by the Voces Oral History Center at the University of Texas at Austin's Moody College of Communication in 2011, where he shared his memories of that time on the DPD in the mid-1950s and early 60s.

Louis Lopez: I can recall one time I was on a roll call and there was a comment made by somebody behind me about standing next to this other fella. That was another patrolman saying, “You're standing next to a Mexican.” And the comment on this officer was, “It's all right because I have my Mexican repellent on.”

Maria: Like many minorities, Lopez, who went on to become a detective, felt he had to work twice as hard to get half the respect that his colleagues got.

Noel: And some of those fellow officers, he found out later, were corrupt.

Louis Lopez: I'd be out working my butt off, working off duty. And these guys would be riding around in newer automobiles and taking vacations to Vegas, going off on their days off and spending it on the lakes in their motor boats, that type of existence of very clannish and very cliquish. Those were the guys that were involved in burglaries right here in the city of Denver, in uniform, going in and out of the markets in the middle of the night, cutting safes open, walking away with the, with the contents of the safe. Officers outside on duty, watching over them and keeping in touch with the radio. That was the type of stuff that that went on in those days. It was a sickening event. I almost left the police department in 1965 as a result of that.

[Music]

Noel: The corruption that tarnished Denver Police Department badges in the 1950s and early 60s was hard to wipe clean.

Maria: Nationally televised beatings of civil rights activists and anti-war protestors across the country in the 1960s only made things worse.

Noel: In Denver at that time, a notorious traffic cop with a scowling John Wayne face joined the DPD. His nickname alone still conjures some of the worst kinds of police abuses: Buster.

Maria: Soon after he joined, Patrolman James "Buster" Snider quickly became infamous as tNoelhe quote "Hottest Pen in the West" for the dizzying number of traffic

tickets he could write in a single day.

Maria: He's still infamous around Denver for harassing young people, especially in the Latino community. And if you search online for his name, you'll see stories pop up on blogs, Facebook, and in news articles.

Maria: But when we asked people to talk about him on tape? We got a lot of "no's."

Noel: Decades after the tickets, decades after his time on the force, many people are still reluctant to talk about him on the record.

Maria: But we did find a few.

Michael Rappe: Okay. Well, I'm Michael Rappe. I'm a retired Denver police officer. I was appointed on January 1, 1986, and I retired... May 16, 2016. So I served 30 years.

Maria: Like so many teenagers, Rappe spent time cruising downtown Denver with friends.

Michael Rappe: Back then, Denver was much different than it is now. It was, it was smaller, it was more Midwestern. And it was still a large city but for example, 15th and 16th streets were streets. There wasn't a 16th Street Mall, so you would cruise downtown.

Noel: Over the years, Buster fine-tuned his methodology.

Michael Rappe: Buster would, would stay in the loop, and he would be writing these equipment violations or just any kind of ticket you can imagine. I mean, he could write 150 tickets in a night. He would stop 15 cars at, at a time and pull them all over, and he'd start at the first car and get the drivers' licenses and he'd just go all the way down. And Buster had all of his tickets in a file folder. He would pre-sign them all, like, like the books came in 25, so he'd pre-sign six books.

Maria: The tickets were for minor things. And Rappe had his own run-ins with Buster as a youth.

Michael Rappe: I got one for failure to signal and one for honking the horn. So I knew that was two of his violations, because I got those. And I remember when I was going through the background process in 1985, one of the detectives was snickering. She said "These has to be Buster tickets," because the only thing I had on my record was the two tickets. And she said, "This has to be Buster tickets." I said they were Buster tickets, and we just shared a laugh.

Noel: After Rappe joined the force, he ended up working a shift with Buster.

Michael Rappe: I don't even know what his motivation was. But his thing was would just go out and basically.... I mean, today it would be harassment, you know, of traffic stops. And I don't think, you couldn't do it today. People wouldn't wait. They'd drive off.

Maria: But while the number of tickets Buster wrote was memorable, there was sometimes more to his stops than keeping unruly teenagers in line.

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Maria: There were hints about Buster's behavior in the articles that came out about him over the years.

Noel: According to the Denver Post, he resigned suddenly in 1968 after he, quote, "took 17 minutes to talk to a citizen about an unofficial matter." After that, he moved around a lot, working in Denver, then Thornton, and Grand Lake.

Maria: And then, he was back in Denver in 1975, writing tickets again until he got moved to North Denver after more complaints.

Noel: A few years later, in 1979, the *Post* said, the Chicano community around Sloan's lake complained that Snider was harassing them. He was back at it—writing tickets for minor offenses.

Maria: He was still writing tickets into the 1980s. *The Denver Post* reported in February, 1981 that while most officers wrote nine tickets an hour, Buster wrote more than 100.

Noel: He told the paper at the time: “I have reasons I write tickets—and it ain’t to be a champ... I just wanna give them 10 hours for an eight hour check.”

Maria: Wherever he landed, he seemed to draw attention and stir controversy, whether for his ticket writing or his behavior on duty.

Noel: In a 1983 profile of Buster that ran in the *Post*, he called members of the LGBTQ community “heathens.” He rebuffed questions about prejudice in his ticket writing, and, a year later, he was involved in a lawsuit over the dispersal of activists at Columbus Park.

Maria: A heads up: this next part contains descriptions of sexual assault and other disturbing details.

Noel: In 1984, after more than 20 years as a traffic cop working on various Colorado police departments, Snider’s motives for relentlessly ticketing motorists, especially young people, were abruptly called into question. *The Denver Post* reported that he had allegedly forced a woman to have sex with him in his patrol car, and he’d been charged with assault.

Maria: The article says that Snider denied it, but the District Attorney at the time said that because there were no witnesses, it was her word against his, and it couldn't be proved.

Noel: But the FBI started looking into potential civil rights violations.

Dean Christopherson: And they basically fired him at that point. So he was stripped of his pension and anything else. And he had a couple more run-ins with the law, over the course of that time.

Noel: Six months later, another victim came forward and said that Snider had raped her three times in 1980. According to a February 23, 1985 article in *The Denver Post*, Snider allegedly said to her, "Don't you tell anybody, or I'll find you." His partner said that the woman was, quote, "Forward." He was acquitted.

Maria: After that, he tried to get his job back, but was denied. Then in 1988, he made headlines again when he was charged with kidnapping a 20-year-old woman.

Noel: Newspaper articles at the time reported that he'd offered her a ride while she was biking to a convenience store. When she declined, he forced her into his car at gunpoint. But she managed to get away after begging him to stop for cigarettes, and the store clerk called the police.

Maria: This time, he was convicted, for menacing and assault. He was given 90 days house arrest and 4 years of probation.

Noel: After 20 years, and who knows how many hundreds of thousands of tickets Buster Snider wrote, his pen went cold. But not before further eroding public confidence in the police.

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Noel: Though the Denver Police Department had Black officers from its beginnings, it wasn't until the late 1970s and early '80s that a concerted effort was made to promote them to leadership positions.

Charlie : Good morning. Time once again for a visit with Art Dill and, this morning, guests from the Denver Police Department and Chief Ardill. [00:00:07]

Maria: Here, in this interview from Denver radio station 56 KLC in 1978, which we got from the Denver Public Library's Western History Collection, you can hear the moment when that changed.

Radio Station Interview: Chief Bill, will you introduce the people you have with you? Well, thank you, Charlie, because on Friday afternoon in the manager's safety's office with the mayor and others, we had a historic first in the realm of the Denver Police

Department and we had our first promotion of a Black to the rank. Captain Chris Wilkerson has been a very valued member of our department 21 years.

Noel: Wilkerson spoke positively about his time on the force, but it had taken more than a decade since the Civil Rights Act was passed for the DPD to make him the first black captain. And he had some advice for young police officers.

Chris Wilkerson: Yesterday's police officer is running like hell to try to stay abreast of obsolescence. And if we, if we hesitate just to take a deep breath, everything has gone beyond us. I'm sure that this is so with anyone in law enforcement, especially those of us in the command. We have decisions coming out of the court, improved and innovative patrol procedures, new equipment, different kinds of discoveries coming out in the human relations area. And we have to stay abreast of it. If we don't, we'll be swept aside.

Maria: Being swept aside had long been a concern for Black officers.

Noel: In 1972, Carol C. Hogue, the first Black female police officer to join the DPD, sued for racial and sexual discrimination, paving the way for more women and officers of color after her.

Maria: The Hogue Decree, as it was known, required the police department to hire at least one female officer for every four male officers, and mandated that 20% of officers

had to be minorities.

Noel: Dr. Tracie Keesee was one of the women of color who joined the police academy under the Hogue Decree in 1989, 11 years after Chris Wilkerson's promotion.

Maria: After serving for 25 years with the DPD, Keesee is now the Senior Vice President of Justice Initiatives and Co-Founder of the Center For Policing Equity. But at the time, she remembers, she just needed a job.

Tracie Keesee: And so as I'm filling out the forms, I'm thinking to myself, you know, you have to put down people who can vouch for your character that you know, they want to make sure you haven't been arrested and all those things. And I don't list my mother. I actually listed my great grandmother. And, you know the background investigator going through my paperwork with me, and he asked me, Is your mother still living? Do you want to put your mother down? And I said my mother will not be helpful. She will tell you anything she needs to say to make sure I don't make it through this process, which she thought was unusual.

Noel: Her mom was raised in Georgia during a time when the idea of a black woman being a cop wasn't just unusual, but almost unthinkable.

Tracie Keesee: In her experience, it was one of the police is coming to your house in Georgia. One or two things is going to happen. Someone is going to be taken away and you're never going to see them again. Or there is going to be some kind of event that is

not going to leave the family as a whole. And so, you know, she's going to say there's something physically wrong with me that I can't do the job or you know it, it'll be something. And so my great grandmother is probably going to be your best bet.

Noel: Raised in Denver, Keesee says that she joined because she'd been brought up to give back to the community. And being a police officer seemed like a good way to do that. What she didn't realize at the time was that despite the Hogue Decree, the department still had few female recruits.

Maria: And even fewer black female recruits.

Tracie Keesee: There were only five people of color in my, in my academy class, I was the only woman of color in that class. I had come to learn that my presence there was due to the Hogue Decree, which I had I did not know, and that that had tainted my presence. I did not know that. There were very few, very few. And so there were five of us that were there, under the Hogue Decree. I had no idea even what that was or what that meant. But others did.

Noel: We asked her what they taught new recruits about the DPD's history at that time.

Tracie Keesee: Very little history was talked about. There was a little thing on the burglary scandal, and there was a conversation in that scene, burglary scandal thing, about how Denver officers used to drink on duty and still go to work. And that was about it.

Maria: She doesn't remember any reference to the history of the Klan, nothing about black officers being segregated on patrols in Five Points. And not a thing about the Hogue Decree.

Tracie Keese: There was none of that conversation at all. None of that.

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Noel: Shortly after Keese joined the DPD, the Violent Crime Control and Enforcement Act, better known as the 1994 crime bill was passed. Written in part by then-Senator Joe Biden, and signed into law by President Bill Clinton, it ramped up The War on Drugs and the trend toward mass incarceration that began with racially charged, quote, "tough on crime" rhetoric during the Nixon administration in the early 1970s.

Maria: Hundreds of thousands of new police were sworn in around the country. And more officers of color were added to police departments.

Noel: But many new state and federal prisons were ALSO being built at that time, and the US continued to disproportionately incarcerate people of color.

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Noel: In 2002, a different kind of scandal shook the public's trust in the Denver Police Department when it came to light that they had been spying on citizens since 1953.

Maria: Like Sam Howe had done with his crime ledgers in the 1800s, The DPD had been keeping tabs on, and finding connections between broad swathes of people with little discernible connection to those who reviewed the files.

Noel: In 2000, a group of Denver activists trying to raise awareness about sweatshop labor practices in Nicaragua decided to go to a Kohl's store in Golden and spray paint a bunch of clothes. And, being that it was December, they wore Santa costumes.

Maria: Doug Bohm was one of those Santas. He was arrested and eventually charged in Jefferson County. But while preparing his defense, his attorney obtained documents that the Denver Police Department had shared with Jefferson County law enforcement, which included what would later known as the "Spy Files."

Noel: The "Spy Files," were a collection of intelligence reports created by the Denver Police Department. They contained names and information about thousands of people they thought were worth tracking for one reason or another. Doug Bohm was one of those names.

Doug Bohm: They had the residents of an apartment building next to where I used to work, like like just names of just addresses and people and phone numbers like in this. Like it was just a complete sweep of just anybody that was in a perimeter around me in my entire life, going back to the mid 90s or even earlier.

Maria: On March 28, 2002 The ACLU challenged the City and County of Denver for the DPD's decades-long practice of spying and keeping records of law-abiding citizens and activists.

Noel: On February 7, 2003, Denver decided to release the files to individuals who were listed in them and, according to the ACLU, "more than 300 people" showed up to see if they were on the list.

Maria: Phil Ross was one of the activists who came to see if his name was in the files that day.

Phil Ross: We flooded the police department at midnight that night and made them work all through the night and gave us all our files. Most of the files were very, very redacted. It was horrible intelligence. You were standing by somebody at a demonstration and all of a sudden you're associated with them. They had me associated with people that I had no idea who they were.

Noel: Here's a clip from Denver news station KCNC with reporter Raj Chohan from the time.

Raj Chohan: Activist Barbara Cohen was stunned to find 18 pages on her political activities... Good thing they're not charging by the page. She wasn't too happy to find out she's been associated with an outlaw biker gang.

Barbara Cohen: "Trust me. I've never been on a motorcycle."

Reporter: But the report did get many of her political activities right. That's the problem.

Barbara: I am very angry. I have never been arrested at any demonstration. I've always participated in peaceful demonstrations.

[Music]

Noel: While advances in technology have changed policing since its beginnings, smartphones with video cameras and wireless internet have allowed citizens to begin policing the police, in ways that would've been almost unthinkable 20 years ago when Denver native Theo Wilson got beat up by the police.

Maria: Wilson is an activist, poet, and the host of History Channel's new show *I Was There*.

Noel: We interviewed him for our episode "The Original Black Klansman" about Dr. Joseph Westbrook, who infiltrated Denver's KKK as a light-skinned Black man in the 1920s.

Maria: When we spoke to him, Wilson told us the story of the night he got beaten up by the police on August 15, 2003.

Noel: Wilson was at a club in Denver when a fight broke out. When the cops arrived, he was looking for a friend when the police singled him out and handcuffed him.

Theo Wilson: They pushed me through the crowd of people who were leaving the nightclub and up some stairs. And in this nasty stairwell, at the top of it was the place where they count their money, and began to kind of just slap me around and punch me in the ribs with my handcuffs hands cuffed behind my back and I thought I was going to die. I was pretty certain that, you know, this was going to be how I ended. And I was crying and total tears.

Maria: Though the police eventually let him go, Wilson, who grew up in Denver's Park Hill neighborhood, knew he could easily have been yet another black person killed by the police – long before George Floyd.

Theo Wilson: So yeah, that was the beginning of some trauma for me but frankly, all my friends have gone through it at some level. Some had it worse than me. Some had it much worse than I did, up into death, which would happen eight years later with my friend Alonzo Ashley. But it was almost a rite of passage. Like yeah you got beat up by the cops? So did I. That was certainly an emasculating experience that it took me a lot to recover from.

Noel: George Floyd's murder in 2020 didn't come as any surprise to Wilson. But the fact that white America saw it, saw the brutality of it, and couldn't deny it—the fact they finally believed what Black and Brown people had been telling them for centuries, did.

[Music]

Noel: Smartphones and social media may have helped the world see the kinds of everyday violence and harassment that people of color in the US experience: that they were born into a police ledger, that the color of their skin made them lifelong suspects in a crime that was committed against them from the time their ancestors were enslaved. And being believed is nice, but that hasn't changed much, says Alex Vitale.

Alex Vitale: Generally, the pattern has been that over the last 40 or 50 years, we've seen a bipartisan commitment to austerity, to dialing back the social safety net, to reducing investments in public expenditures like housing, health care, education at a time when economic inequality has been increasing. But throughout that period, police spending has increased. As has prison spending.

Noel: The problems with policing aren't about "a few bad apples" like Buster Snider, or any single incidence of corruption. Cops are people. They're imperfect humans, capable of good and bad like all the rest of us, even when they have their badges on.

Maria: The larger problem with policing, says Vitale, is “systemic.” It’s something like psychologist Abraham Maslow’s saying: If your only tool is a hammer, you tend to see every problem as a nail.

Maria: On a day to day basis, says Vitale, police are tasked with responding to a growing list of incredibly nuanced problems with their hammers.

Alex Vitale: It’s going on mental health crisis calls. It’s chasing homeless people out of their encampments. It’s managing kids in the hallways of schools, and it has very little to do with what we think of as serious crime.

Noel: Few expect quick fixes for these systemic problems with policing, but many have grown impatient with the persistent lack of significant change or action.

Maria: Reforming the police, which means more money and more training, has seldom been enough to solve the larger structural problems.

Noel: But trying to do things differently isn’t easy. In Minneapolis, for example, where George Floyd lived, politicians seemed poised to reallocate many police resources to other community safety agencies and social programs. But they’ve since backpedaled.

Maria: People, and especially the police, hear the word “defund” or “abolition” and can’t imagine that it means anything beyond the loss of safety and jobs. Here’s former DPD Officer, Dr. Tracie Keesee of the Center for Policing Equity:

Tracie Keesee: When police officers hear abolish the police, they're hearing it in multiple ways. The first way and the most hurtful way is that you're saying get rid of me and my pension and my way of life and the work that I chose. That's the first thing that they're hearing. The other way that they're hearing it, that you're calling me a racist, that's the only reason why you're trying to get rid of me.

Maria: The problem with defunding or abolishing the police may be the language itself, says Alex Vitale.

Alex Vitale: Abolition has to be understood as a process. There is no magical switch that tomorrow we're going to stumble upon and we're just going to turn it off. And then poof, all police disappear and everybody's on their own.

Noel: Framed in the positive, it’s about funding community safety that actually makes people safer.

Alex Vitale: We have a massive system of policing, and what we're trying to do is to reduce its scope and intensity in as many ways as we can do that by replacing it with better alternatives. So the goal is to create more public safety than we have now, not

less. And we do that by investing in a whole set of community based interventions that have shown real success in addressing public safety problems while we work on larger, transformative changes in these profound systems of inequality.

Maria: Whether that's achievable or not, doing nothing doesn't feel like an option for most people working for change.

Noel: Here in Colorado, State Representative Leslie Herod had worked on criminal justice reform before. But she knew something was different in the summer of 2020.

Leslie Herod: And so I think the combination of COVID and the murder of George Floyd really led people to question, you know, why is society continuing to be this way? We can't ignore it or be ignorant to this. We know it continues to happen. We need to get out there. We need to take to the streets and we need to do better and demand better. And so what we saw was not only the black community fighting for the Movement for Black Lives, but white folks and brown folks and Asian folks and those with disabilities and queer people and poor people and rich people all coming together to take to the streets and some in protesting for the first time ever.

Noel: Herod was inspired by the outpourings of grief and support on Colorado's streets that summer, and she authored Colorado House Bill SB20-217, which will go into effect on July 1, 2023

Noel: The legislation will require all local law enforcement and State patrol agents to activate body-worn cameras when responding to calls for service. And if the use of force from an officer results in bodily injury or death, the recordings of their body-worn cameras will have to be released to the public within 21 days of receiving a complaint.

Maria: It also bans the use of pepper-spray or tear gas without issuing proper warnings for crowds to disperse. And it forbids the indiscriminate use of less-lethal weapons against protestors.

Noel: And while the bill doesn't fully address many of the issues of police accountability, it's part of the larger efforts to bring systemic change to Denver policing.

Noel: Here's Julia Richman, the Chair of Denver's Citizen Oversight Board, or COB, which is filled with residents who are tasked with overseeing the city's public safety department and the independent monitor.

Julia Richman: The mission of the COB is to foster a systemic change towards cooperative, just and accountable relationships between the community of Denver and its law enforcement and public safety enterprise.

Maria: She says that the Board focuses on what she calls "system level change."

Julia Richman: Why that matters is because that system change creates structures, processes and behaviors that help to reduce the likelihood that that single bad actor escapes through any process of hiring or continues to work in a jurisdiction after such behavior takes place.

Noel: One of the Denver programs that has great promise to bring about that system level change, says Richman, is the Support Team Assisted Response Program, or STAR program. Instead of police, STAR sends a group of behavioral health workers, EMTs, and others to help people dealing with mental health crises, substance abuse issues, and problems related to poverty.

Julia Richman: So that is really civilians interacting with people at the point of crisis versus police interacting. And they, you know, they don't carry guns and they're trained on mental health issues. They're trained on these sort of critical challenges that people are facing. And so it really is putting the right resource at a challenge versus asking the police to do that.

Maria: The program is still small, but it'll soon expand to be city-wide.

Julia Richman:] Of course, if you look at the number of STAR team members compared to the number of commissioned officers, those two numbers are not the same. It's expensive to move away from the status quo, even if the status quo isn't working.

Noel: For Dr. Tracie Keesee, the most important way to do that is to return to one of Sir Robert Peele's original principles and ensure that those entrusted with our community safety are not apart from, but a part of and accountable to the communities in which they live and work.

Tracie Keesee: And if you want trust in the community, you know, it's going to have to be different, and you're going to have to invest, and you're going to have to get on the ground, and you have to ask those people who need it the most. And you have to trust those people to do it. Trust those people to name it. And you're going to have to trust them.

[Music]

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Noel: Tyler Hill composed the music for this episode, and our theme is by Conor Bourgal.

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Noel: Finally, thanks to the entire staff at History Colorado. Thanks for listening. I'm Noel Black.