Despite Protections, Targeted Evictions Are Happening in Louisville's Russell Neighborhood

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"Displacement is when you have a place to go. Banishment is when you have no place to go, except jail or death." - Ananya Roy

On June 2, hundreds of Louisville residents flooded the intersection of 26th and Broadway to honor the life of David McAtee, the owner of YaYa's BBQ who was murdered at the same spot less than 24 hours earlier by Kentucky National Guard troops who stormed the area alongside LMPD. Kwmisha Adams was in the massive crowd at the intersection that evening, not knowing her presence would set off a series of events that would land her in court two months later, fighting for her right to housing.

Adams, a single mother of four, had recently purchased a truck, excited for the freedom it would provide her family. But that night at 26th and Broadway, another driver hit her car and left the scene, leaving Adams alone with a wrecked vehicle. Due to protests that had erupted in the city and regulations to stop the spread of COVID-19, LMPD was not responding to non-injury accidents and tow companies were non-responsive, so she was left stranded in the center of Broadway. After several calls, a friend arrived and rigged a makeshift system with bungee cords to tow the damaged vehicle back to her apartment complex, City View Park on Place Noir. Relieved to have her vehicle home rather than abandoned in the middle of a busy intersection, Adams went to bed.

The trouble started the next morning, when a City View Park property manager from the CT Group, confronted Adams about the vehicle, demanding she remove it from the parking lot. The confrontation escalated with the property manager slapping a tow sticker on the window and calling a tow company. When Adams grew understandably angry at the prospect of her newly-wrecked vehicle being towed, the property manager called the police, claiming she and maintenance staff had been assaulted by Adams — an egregious claim disputed not only by Adams but also by witnesses and video footage. Adams was not shown the LMPD report and Adams was able to get the truck moved off of City View's property that day, less than 24 hours after the accident.

On June 17, two full weeks later, Adams was served with an eviction notice, giving her 30 days to vacate. The specific grounds for termination stated:

Resident engaged in dangerous criminal conduct that was a serious threat to health and public safety. That on or about June 3, 2020, resident engaged in loud, disorderly, and disruptive conduct and using physical force did physically accost with intent to imped [sic] and disrupt management's effort to address a public safety issue. The conduct resulted in the police [LMPD] involvement. Further, resident failed to comply with provisions of the House Rules & Regulations allowing an inoperable motor vehicle to remain parked on the property. Adams was never given the required 14 days to remedy the lease violation (and in fact, there was no violation, as the vehicle was moved within 1 day). Having been previously targeted by the CT Group for eviction, Adams was confident these false charges would again be dismissed. But when her case was called by Judge Jennifer Wilcox on August 6, things went much differently.

Due to the COVID-19 pandemic, Jefferson County District Court currently holds eviction court hearings via Zoom. Community members, as part of #occupyevictioncourt effort, have been observing the public hearings and taking notes on the proceedings. On August 6, Judge Wilcox did not allow observers into the 9:00 AM Zoom hearing until 9:35 AM, then called a single case before removing all observers, including a reporter from the *Courier Journal*, from the courtroom. It was then that she called Kwmisha Adams' case, which was held in its entirety in complete secrecy. The hearing lasted several hours and City View's eviction against Ms. Adams was granted. Adams says her witnesses were never called. She read a letter to judge Wilcox at an anti-eviction press release on August 12th documenting her side of the process.
When reached by the *Courier-Journal* for comment, Judge Wilcox responded with the following statement:

"I want to assure the public that the hearing for case 20-C-004237 was indeed public. The entire hearing was recorded and is available as a public record through the Jefferson County Office of Circuit Court Clerk, along with the complete case file.
I held this public hearing remotely by Zoom to observe the Supreme Court of Kentucky order regarding social distancing. A technical error on my part resulted in all participants being placed into the Waiting Room, which gave the appearance that the hearing was private. I was attempting to put one disruptive participant on the call, who was not a party in the case, into the holding area. But it was the first time I had used Zoom's Waiting Room feature on the eviction docket and I inadvertently moved all of the other participants into the Waiting Room as well."
With the sudden onset of COVID-19, judges have had to quickly become experts in remote technology so that the work of the courts can go on. We're working hard to serve the public during the pandemic and we appreciate everyone's patience as we master these new skills.

This explanation, specious at best, does not explain why observers were not readmitted into the hearing after several attempts. However, upon receiving this statement from Judge Wilcox, the *Courier Journal* declined to move forward with the publication of their story. But this case is much larger than a property manager targeting a tenant she dislikes or a judge claiming technical difficulties and barring observers from her courtroom. Ms. Adams'

apartment sits within Louisville's historically Black Russell neighborhood, the gentrification of which is covered at length in the four-part blog series Russell: What is the Right to Remain? Like most of the land directly west of 9th Street, City View is owned by an out-of-state corporation that has received large public subsidies for the demolition or renovation of low-income housing. The Washington DC-based Telesis Corporation, who owns City View, received a $1 million forgivable loan from Louisville Metro government in 2019 and another $1 million low-interest loan from the Louisville Affordable Housing Trust fund the previous year for a full renovation of the site. The purpose? To create more higher-income housing. The effect? Area median rents will increase, leaving more people cost-burdened and targeted for evictions.

As detailed in the blog post Russell: What is the Right to Remain? Part 3, a 2016 study found that even a $100 increase in median rent in a neighborhood is associated with a 15% increase in homelessness in urban areas. To be clear, the process of replacing low-income units with market rate housing contributes to the systemic removal of poor, Black residents and families from the area as a means to increase investment revenue — the very same tactics that contributed to the targeting and murder of Breonna Taylor over her friendship with Jamarcus Glover, whose Elliot Avenue home was described as one of the "primary roadblocks" to the city's Russell development project (Bailey and Duvall, 2020). And in a neighborhood with a median income of $15,000/year and where over 80% of residents are renters, this process of gentrification will continue to inflict violence via targeted evictions on Black single mothers like Kwmisha Adams.

Call to Action: Governor Beshear issued an executive order to halt evictions for nonpayment of rent and to stop setouts during the pandemic. To get around this order, landlords are coming up with creative ways to file evictions for reasons other than nonpayment – reasons that are often false – and Jefferson County District Court judges continue to grant these evictions. On top of that, the Jefferson County Sheriff's Office has stated its intent to ignore the Governor's order and enforce any eviction order it receives from the court.

Demand that Judges Haynie, Nicholson, Wilcox, and Wolf stop granting evictions immediately and that Jefferson County Sheriff Col. John Aubrey follow Governor Beshear's order to halt setouts. Nearly half of renter households in the state of Kentucky are at risk of eviction in the next 4 months. You can't be #healthyathome if you have no home.

#CANCELRENT #STOPKYEVICTIONS

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