

# Preserving the Kent State litigation materials for the future

The litigation surrounding the Kent State shootings generated a voluminous amount of material, including legal documents, investigative and interview reports, as well as articles and other publications.

When *Krause v. Rhodes* was settled in 1979, there were upwards of 85 boxes of documents. Two factors complicated the disposition of the materials. First, a court order was issued by Judge William K. Thomas in March 1979 which sealed certain documents used in litigation.

Second, the families and their ACLU attorneys were concerned that the materials be preserved for history, but they did not want to give the documents to a government-supported organization, such as the Ohio Historical Society, so great was their mistrust of Ohio's public officials that grew out of their search for justice.

The files were therefore promised to Yale University, and ACLU staff made every effort to comply with the court order to return certain documents to various investigative agencies. But due to the volume of the material, and the extremely limited funds and staff-

ing at the time, compliance with the court order could not be fully accomplished. All the materials remained sealed, with researchers and other interested parties unable to access any of the documents.

Then, in 2006, several circumstances came together to allow the remaining work to be completed. I had been pursuing a master's degree at Kent State University in Library and Information Science, and found I had a strong interest in archives. Also around that time, the ACLU of Ohio was gaining greater financial stability, such that the board of directors felt that funds and staffing could be devoted to this project.

So in 2006, I spent a month at Yale University organizing the materials and bringing them into compliance with the court order so that these important records could be open to researchers. Benson Wolman, along with Steve Keller, who was the paralegal on the case at the time, as well as current ACLU of Ohio General Counsel Lloyd Snyder, all provided me invaluable assistance in this work.

The ACLU of Ohio can be



*The aftermath of May 4, 1970. Photo reprinted with permission of the Akron Beacon Journal, with credit to Don Roese.*

proud not only of the settlement reached on behalf of the victims of the May 4, 1970 Kent State shootings, but also of the preservation of these important historical materials.

The work on the May 4 project

has led the ACLU of Ohio to establish procedures for ensuring that all of our historically significant records are preserved for future researchers.

*Ann Rowlett, Deputy Director*