

# Finding Aid to The HistoryMakers® Video Oral History with Walter Bailey, Jr.

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## Overview of the Collection

<b>Repository:</b>	The HistoryMakers®1900 S. Michigan Avenue Chicago, Illinois 60616 info@thehistorymakers.com www.thehistorymakers.com
<b>Creator:</b>	Bailey, Walter L, 1940-
<b>Title:</b>	The HistoryMakers® Video Oral History Interview with Walter Bailey, Jr.,
<b>Dates:</b>	July 28, 2010
<b>Bulk Dates:</b>	2010
<b>Physical Description:</b>	8 uncompressed MOV digital video files (3:08:31).
<b>Abstract:</b>	Lawyer and county commissioner Walter Bailey, Jr. (1940 - ) served on the Shelby County Commission for thirty-five years, and was involved with several important civil rights court cases, including the U.S. Supreme Court case Tennessee vs. Garner. Bailey was interviewed by The HistoryMakers® on July 28, 2010, in Memphis, Tennessee. This collection is comprised of the original video footage of the interview.
<b>Identification:</b>	A2010_089
<b>Language:</b>	The interview and records are in English.

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## Biographical Note by The HistoryMakers®

County commissioner and lawyer Walter Bailey was born in 1940, in Memphis, Tennessee. He graduated from Booker T. Washington high School and went on to attend Southern University on a football scholarship. The student sit-in protests against segregation were sweeping the South at this point and Southern University was no exception. Bailey's brother, D'Army Bailey, also attended Southern University and he became a leader of the Civil Rights Movement on campus. Bailey helped his brother with his civil rights organizing and went to protests with him, some of which were broken up violently. Southern University did its best to

badger the Baileys into giving up their protests and boycotts, eventually expelling his brother and shutting down rather than accepting back its students who had been arrested in various protests.

Undaunted, Bailey went on to receive his J.D. degree from the Southern University Law Center and founded the Walter Bailey law firm. Bailey was involved in several important civil rights-related cases, including the case that desegregated Shelby County public schools and the legal defense of Martin Luther King Jr. during the sanitation workers' strike in Memphis, Tennessee, in 1968. In 1985, Bailey served as lead counsel on the favorably decided Supreme Court case *Tennessee vs. Garner*, which forbid police officers' use of deadly force to make an arrest unless they had probable cause to believe that the fugitive posed a deadly threat to them or bystanders.

In 1971, Bailey was elected to an unexpired term on the Shelby County Commission and was elected to a full term in the same role in 1972. Bailey served in this capacity until 2006, when term limits required him not to run, and during his tenure on the commission he was elected chairman pro tempore and then chairman proper for two terms. While on the commission, Bailey fought to rename county parks that had been named after various members of the Confederacy. In 2010, once Bailey had waited the mandated period of time, he ran again for the Shelby County Commission and his victory was unopposed.

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## Scope and Content

This life oral history interview with Walter Bailey, Jr. was conducted by Larry Crowe on July 28, 2010, in Memphis, Tennessee, and was recorded on 8 uncompressed MOV digital video files. Lawyer and county commissioner Walter Bailey, Jr. (1940 - ) served on the Shelby County Commission for thirty-five years, and was involved with several important civil rights court cases, including the U.S. Supreme Court case *Tennessee vs. Garner*.

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## Restrictions

### Restrictions on Access

Restrictions may be applied on a case-by-case basis at the discretion of The HistoryMakers®.

## Restrictions on Use

All use of materials and use credits must be pre-approved by The HistoryMakers®. Appropriate credit must be given. Copyright is held by The HistoryMakers®.

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## Related Material

Information about the administrative functions involved in scheduling, researching, and producing the interview, as well as correspondence with the interview subject is stored electronically both on The HistoryMakers® server and in two databases maintained by The HistoryMakers®, though this information is not included in this finding aid.

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## Controlled Access Terms

This interview collection is indexed under the following controlled access subject terms.

### Persons:

Bailey, Walter L, 1940-

Crowe, Larry (Interviewer)

Stearns, Scott (Videographer)

### Subjects:

African Americans--Interviews

Bailey, Walter L, 1940---Interviews

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## Organizations:

HistoryMakers® (Video oral history collection)

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## Occupations:

Lawyer

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County Commissioner

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## HistoryMakers® Category:

LawMakers|PoliticalMakers

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## Administrative Information

### Custodial History

Interview footage was recorded by The HistoryMakers®. All rights to the interview have been transferred to The HistoryMakers® by the interview subject through a signed interview release form. Signed interview release forms have been deposited with Jenner & Block, LLP, Chicago.

### Preferred Citation

The HistoryMakers® Video Oral History Interview with Walter Bailey, Jr., July 28, 2010. The HistoryMakers® African American Video Oral History Collection, 1900 S. Michigan Avenue, Chicago, Illinois.

### Processing Information

This interview collection was processed and encoded on 2/5/2020 by The HistoryMakers® staff. The finding aid was created adhering to the following standards: DACS, AACR2, and the Oral History Cataloging Manual (Matters 1995).

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## Other Finding Aid

A Microsoft Access contact database and a FileMaker Pro tracking database, both maintained by The HistoryMakers®, keep track of the administrative functions involved in scheduling, researching, and producing the interview.

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## Detailed Description of the Collection

### Series I: Original Interview Footage

Video Oral History Interview with Walter Bailey, Jr., Section  
A2010\_089\_001\_001, TRT: 0:11:43 2010/07/28

Walter Bailey, Jr. was born on August 21, 1940 in Memphis, Tennessee to Willella Bailey and Walter Bailey, Sr. His mother was born in Arkansas in 1926, and worked as a licensed barber and registered nurse. She attended the former nursing school at John Gaston Hospital, now the Regional Medical Center, in Memphis, Tennessee. Bailey's father worked as a Pullman Sleeping Car Porter for the Illinois Central Railroad between Chicago, Illinois, Memphis, and New Orleans, Louisiana. Bailey describes both his parents' personalities and how he takes after his mother. Bailey's paternal grandfather, D.A. Bailey, was a carpenter, maintenance man, and neighborhood store owner. He sold cooking oil, canned goods, and household supplies, and built the home where Bailey was raised in South Memphis. Bailey's younger brother, HistoryMaker D'Army Bailey, is named after their grandfather. Bailey describes his experience attending Rosebud, a private elementary school, in Memphis with his brother.

Video Oral History Interview with Walter Bailey, Jr., Section  
A2010\_089\_001\_002, TRT: 0:28:25 2010/07/28

Walter Bailey, Jr. was raised in South Memphis, Tennessee in a neighborhood he calls Mississippi Walker. He describes the sights, sounds, and smells of the neighborhood. Bailey attended Rosebud, a private elementary school in Memphis, through the fifth grade. The school only had two instructors, Ms. Jordan and Ms. Williams. Bailey transferred to Larose Elementary, a public elementary school, in 1951 and remembers fighting with his new classmates. Bailey played in a neighborhood baseball league as a child, but was not very good at

baseball. He began playing football in sixth grade and worked out an agreement to practice with the Booker T. Washington High School football team as an elementary school student. Bailey attended Booker T. Washington High in Memphis and was a star football player. In 1958, he won an award given by WDIA Memphis Radio Station recognizing the grid-iron greats and took a photo with Elvis Presley. He describes his technique on the football field.

Video Oral History Interview with Walter Bailey, Jr., Section  
A2010\_089\_001\_003, TRT: 0:29:20 2010/07/28

Walter Bailey, Jr. graduated from Booker T. Washington High School in Memphis, Tennessee in 1958. At the time, the Memphis public school district was segregated and his football team only competed against the other black high schools in the city. Bailey describes his social life in high school and the lack of political discussion in his childhood home. Bailey was recruited to play football and given a scholarship to Southern University in Baton Rouge, Louisiana. He talks about notable black college football players from the 1950s. At Southern, Bailey majored in physical education, but performed poorly his first semester and was put on academic probation. Through his friends he developed an interest in current events and changed his major to political science. Bailey talks about a controversial professor, Adolph Reed, and the administration of university president Felton G. Clark who opposed the anti-segregation student demonstration led by Bailey's younger brother, HistoryMaker D'Army Bailey in 1959.

Video Oral History Interview with Walter Bailey, Jr., Section  
A2010\_089\_001\_004, TRT: 0:28:58 2010/07/28

Walter Bailey, Jr. remembers the segregation in Baton Rouge, Louisiana at the time he attended Southern University and describes the religious demographic of the school. In 1962, Adolphus Reed wrote, 'Crisis on the Negro Campus,' an article criticizing the president of Southern University, Dr. Felton G. Clark. In 1959, Bailey's brother, HistoryMaker D'Army Bailey, organized an anti-segregation demonstration at the university. In response, the school expelled his brother and other student

organizers and Walter Bailey, Jr. was ordered to move off-campus because of his involvement. Bailey transferred into the Southern University Law Center program in 1962 and earned his J.D. degree in 1965. He explains why he chose to become a lawyer. After failing the Louisiana bar exam, he moved home to Memphis, Tennessee, passed the Tennessee bar and joined HistoryMaker Russell B. Sugarmon and lawyer Archie Walter "A.W." Willis at their law practice. Early in his career, he won a housing discrimination lawsuit in Memphis.

Video Oral History Interview with Walter Bailey, Jr., Section  
A2010\_089\_001\_005, TRT: 0:28:25 2010/07/28

Walter Bailey, Jr. became involved in a Shelby County, Tennessee school desegregation case in 1966. He was also very involved in the American Civil Liberties Union (ACLU), working on cases representing the Veterans Against the Vietnam War and defending a magazine distributor in an obscenity lawsuit. In 1968, Bailey was selected by the National Association for the Advancement of Colored People (NAACP) to represent Reverend Dr. Martin Luther King, Jr. King, who had been given an injunction by the City of Memphis to prevent him from leading a rally for the Memphis Sanitation Union strike. King was assassinated before the rally could take place. Bailey talks about the assassination and its aftermath. In 1972, Bailey was elected Shelby County Commissioner. He explains how the NAACP Legal Defense Fund operates and talks about housing discrimination and white flight in Memphis, Tennessee.

Video Oral History Interview with Walter Bailey, Jr., Section  
A2010\_089\_001\_006, TRT: 0:29:48 2010/07/28

Walter Bailey, Jr. argued the Tennessee v. Garner case before the United States Supreme Court in 1985. The lead plaintiff in the case was fifteen year-old Edward Garner, who was shot in the back and killed fleeing a burglary scene in 1974. Garner's murder was emblematic of the surge in the use of deadly force for nonviolent felonies by the Memphis police in the 1970s. Bailey and lawyer Drew Days argued before the Federal District Court that Garner's shooting was unconstitutional. They lost, and appealed to the U.S. Supreme Court, who ruled in their

favor. The decision ruled an officer cannot use deadly force to subdue an unarmed fleeing felon. In 1989, Bailey was elected chairman of the Shelby County Tennessee Commission. He describes his responsibilities as chairman, and how he would like to see funds allocated in the Memphis public schools. He also talks about the election of Mayor Willie Wilbert Herenton, Memphis's first black mayor in 1989, and about black leadership in the Memphis community.

Video Oral History Interview with Walter Bailey, Jr., Section A2010\_089\_001\_007, TRT: 0:25:22 2010/07/28

Walter Bailey, Jr. started a campaign in Memphis, Tennessee to have the monuments commemorating Confederate politicians removed and have the parks named after Confederate politicians renamed. Confederate Park honors politicians involved in the Confederacy. Jefferson Davis, former president of the Confederate States of America, and Nathan Bedford Forrest, founder of the Ku Klux Klan, are both honored. Bailey critiques the handling of race issues by politicians in Memphis, Tennessee. He also talks about the 2008 election of HistoryMaker President Barack Obama, and about Tennessee politician Nikki Tinker's run for Congress in 2011. Bailey describes his hopes and concerns for the African American community in Memphis. He considers what he would have done differently in his life, his legacy and how he would like to be remembered.

Video Oral History Interview with Walter Bailey, Jr., Section A2010\_089\_001\_008, TRT: 0:06:30 2010/07/28

Walter Bailey, Jr. narrates his photographs.