



March 14, 2022 Hearing on RD-4720

**CAAPB Response to
Public Comments**

OAH Docket No. 65-9055-37789

**Regarding Proposed Revisions to Minnesota Rules Chapter 2400,
governing Commemorative Works on the Minnesota Capitol Grounds**

Revisor ID No. 04720

Capitol Area Architectural and Planning Board

Comment	Page
Hearing Comment 1 – Shelley Buck.....	3
Hearing Comment 2 / eComment 8 – Julie Blaha.....	4
Hearing Comment 3 – ThaoMee Xiong.....	5
Hearing Comment 4 – Christina Woods.....	6
Hearing Comment 5 – David Jordan Harris.....	7
Hearing Comment 6 – Lindsey Dyer.....	8
Hearing Comment 7 – Jonathan Gershberg.....	9
Hearing Comment 8 / eComment 7 – MaryMargaret Zindren.....	10
Hearing Comment 9 – Pat Thompson.....	12
Hearing Comment 10 – Dr. Heidi Swank.....	13
Hearing Comment 11 – Erin Campbell.....	14
Hearing Comment 12 / eComment 12 – Rosa Tock.....	16
Hearing Comment 13 – Linda Sloan.....	18
Hearing Comment 14 – Sia Her.....	19
Hearing Comment 15 / eComment 9 – Dana Badgerow.....	20
Hearing Comment 16 – Brandon Schorsch.....	22
Hearing Comment 17 – Ted Lentz.....	23
eComment 1 – Craig Smith.....	24
eComment 2 – Luke Hanson.....	25
eComment 3 – Ken Iosso.....	26
eComment 4 – Jessica Intermill.....	28
eComment 5 – Paul Mandell.....	29
eComment 6 – Colleen Sheehy.....	31
eComment 10 – David Brauer.....	35
eComment 11 – John Andreozzi.....	36

Hearing Comment 1– Shelley Buck

Transcript: Page 36, Line 16 to Page 38, Line 13

Hello, everyone. I greet you with a good heart and handshake. I am (*Dakota language spoken*), my Dakota name is Many Buffalo. My English name is Shelley Buck. I am Dakota from Prairie Island. And first, I'd like to thank Judge O'Reilly for giving me the time to speak on the proposed Capitol Area Architectural and Planning Board updates to the Minnesota rules. I also like to thank the Capitol Area Architectural and Planning Board for bringing forward the updates and for all the work that has gone into this.

The Prairie Island Indian Community agrees it is time that the process for commemorative works, both current and future, on the Capitol -- at the Capitol and on Capitol grounds reflect all of Minnesota. Everyone in the state of Minnesota should be able to voice his or her concerns to the Capitol Area Architectural and Planning Board. These updates show a sense of inclusion that has not been a part of the process before. We believe the proposal is reasonable and will allow more people to participate in the discussion of what is displayed at the Capitol and on the Capitol grounds. As of today, there is artwork in the Capitol that misrepresents my Dakota ancestors in the state's history and adversely affects the view of Native people, and as a result, contributes to the feeling by some that the Capitol is unwelcoming. The proposed updates to the rules would create an opportunity to increase public understanding of and dialogue about Minnesota's indigenous history.

Dakota people have been a part of the land now called Minnesota for centuries. Our creation story tells us that Minnesota is the birthplace for our people. We believe this process could help bring forward our concerns for representation at the Capitol and on Capitol grounds and help display the true cultural history of Minnesota. The Capitol is supposed to be the people's house, but not all the people in Minnesota feel welcomed there. It is time that changed.

Again, I would like to thank you for giving me the time to speak on this matter and urge you to consider the updated Minnesota rules. Pidamaya. Thank you.

CAAPB Response

Thank you for your comments of support for the proposed rule amendments.

Hearing Comment 2 / eComment 8 – Julie Blaha

Transcript: Page 39, line 6 to page 40, line 16.

My name is Julie Blaha, J-U-L-I-E, B as in boy, L-A-H-A. And I serve as Minnesota's state auditor. In addition, I had the honor of serving on the Decision Advisory -- the Decision Process Advisory Task Force.

So today, I'd like to focus on the need and the reasonableness of these rules. In my experience as both the state auditor and also as a parliamentarian for a number of nonprofit groups, I've seen that beginnings get a lot of attention but changes and endings get far less. Now, that can be particularly challenging as changes and endings are often more stressful and more complicated than beginnings. When emotions run high, like when discussing changes or removal of a work -- frankly, the changes or removal of anything in a life -- clear, fair, workable rules can calm difficult situations and chart a good path to solutions. This is why updated processes, particularly for modification and removal, are not just needed, but essential.

On reasonableness. To ensure that we came to a process that was reasonable, the makeup of the team that devised the rules had a wide range of experiences and opinions on commemorative works on the Capitol grounds, as well as diversity in terms of race, ethnicity, gender, wealth, and more. For instance, our team ran from artists like the incomparable Dr. Gwen Westerman, to math nerds like myself. Now, one outcome of that diversity is a set of rules that focuses on processes that are in plain language, that are logical, and workable. As such, I believe these rules are, again, both desperately needed and reasonable, and I hope that we all put them into effect. Thank you.

CAAPB Response

Thank you for your comment of support for the proposed rule amendments.

Hearing Comment 3 – ThaoMee Xiong

Transcript: page 41, line 9 to page 44, line 13.

Good afternoon, everyone. My name is Thao Mee Xiong. I'm the Executive and Network Director for the Coalition of Asian American Leaders. I want to thank you for giving me the opportunity to testify this morning.

THE COURT REPORTER: Do you want to just remember to spell your name. MS. XIONG: Oh, yes. My first name is spelled T-H-A-O, M-E-E is the first name; the last name is X-I-O-N-G.

I'll start with sharing a little bit about CAAL and who I am. The Coalition of Asian American Leaders, also known as CAAL, is a cross-sector, cross-ethnic, and cross-generational network of over 5,500 Minnesotans from across the state. We work to harness the power of our collective – the collective power of our communities to have a voice at the state legislature and different levels of government.

Asian Minnesotans are one of the fastest growing populations in the state and around the country. We currently have over 350,000 Asian Minnesotans here. Asian Minnesotans also encompass over 40 diverse cultural communities, and 60 percent of that Asian population are Southeast Asian. This is very unique and different from other parts of the country that have high populations of Asian Americans. Asian Minnesotans are also the state's youngest population with a median age of 29. This is significantly younger than the average Minnesotan age of 38.

I provide that context to provide – to help you understand why having a process that is inclusive and representative of the diversity in the state of Minnesota is extremely important for the future of Minnesota.

I want to thank the Capitol Area Architectural and Planning Board for bringing forward these proposals, which we support. And I want to thank Judge Ann O'Reilly for giving us the space to be able to provide public testimony.

I want to share that I started lobbying at the State Capitol in 2010. That was the first legislative session that -- where I was at the Capitol almost every day pushing for domestic violence policies. And during that time, the space, the people, and the feel was extremely different. I often felt isolated and excluded from the building and the communities that were there. Since the renovations in, I think now 2016 or 20 -- anyway, it's been awhile.

Since the renovations at the State Capitol, the feel of the State Capitol is completely different. It's been extremely welcoming to have rooms that are dedicated to different communities of color and to see different leaders of color represented. And then it's been amazing to see the diversity within our state legislature and the number of state legislators who are from communities of color.

And so with that, I want to say that, not only has the environment changed, but it's been extremely empowering to see the 2016 monument of the Hmong-Lao Veterans Memorial that went up. The process to get that memorial to go up took years and took a lot of financial community support in order to even get that passed under the Dayton Administration. But it has meant a lot to the Southeast

Asian community to have something that represents the participation and contributions that Asian Minnesotans have made in Minnesota and in the U.S.

So I'm reaching the five minute mark, and I want to conclude saying that CAAL supports the new process changes and agrees that the Board will benefit from having a process to consider the modification and/or removal of existing artworks in the Minnesota State Capitol grounds. We are grateful for this opportunity to speak and are available for questions or other comments. With that, I'll end. Thank you.

CAAPB Response

Thank you for your comment of support for the proposed rule amendments.

Hearing Comment 4 – Christina Woods

Transcript: Page 44, line 19 to page 47, line 13.

I am a member of the Bois Forte Nation in northern Minnesota, so Anishinaabe, and I live in my homeland in Duluth in Mesabikong. My name is Anamacikwe, and I'm known as Thunderbird Lady. I am the Executive Director of the Duluth Art Institute. I serve on the Minnesota State Capitol Arts Advisory Board, which is another branch, a legislative branch that oversees 12 areas within the State Capitol, and we do calls for art and we also manage, select the art that comes into the building in those 12 areas, although the pandemic has caused us to be on hiatus. We do utilize a very thoughtful and intentional inclusive lens. I also am newly appointed to the United States Senate Curatorial Advisory Board, working underneath the United States Senate Commission on Arts, and working with Senator Klobuchar as well.

I want to just read from the statement of need and reasonableness because I want to frame my comments through this. There is a paragraph that you can find on page 16, and it reads: *The Minnesota Capitol is a showcase for the stories of the state and its people over time and can bring recognition, representation, and pride to visitors. The current collection of commemorative works on the Capitol grounds represents only some chapters in the Minnesota story, while leaving other chapters untold and the characters not introduced.*

As a descendant of ancestors who have been in the area of Minnesota for thousands of years and as a citizen of the state participating in state government, I want to highlight that much of the work at the State Capitol either erases, unremembers, or overwrites the contributions of indigenous peoples within the state of Minnesota. And this is true not just for our communities and our culture, but for many others, mostly black and brown people who have played a large role in the formation of our state. And we continue to play a large role in the success of who we are as a collective of constituencies. I appreciate the opportunity to have a spot at the table today. And I also appreciate the opportunity to be a facilitator within the CAAPB task force seeking input and bringing the voice of our Native nations to this process.

I'm fully in support of these changes. And I want to highlight that I feel that not only to the point of the beginnings that Auditor Blaha spoke to, I believe that this plan encompasses a very well-rounded process and is pretty much approachable to any constituency who would have concern or a group of constituencies who want to bring forward their opinions and point of view on art and why something may need to be removed or something may need to be added. So I want to express that speaking for myself as being a part of group as a facilitator and as a resident of Minnesota and member of a Native nation, that this has turned out to be a very well-rounded and complete process with all the proper intersections and especially the intersection of inclusion for folks in Minnesota to have a say on what stories are missing and what stories should be added and which stories the state of Minnesota really ought to be including through art. Migwetch.

CAAPB Response

Thank you for your comment of support for the proposed rule amendments.

Hearing Comment 5 – David Jordan Harris

Transcript: Page 47, line 20 to page 49, line 11.

My name is David Jordan Harris, D-A-V-I-D, J-O-R-D-A-N; last name H-A-R-R-I-S. And I come to you as a citizen of Minnesota, as a working artist, and the Executive Director of RIMON, R-I-M-O-N, the Minnesota Jewish Arts Council, one of the many, many communities that make up the state of Minnesota. And I'm honored to be part of this conversation and impressed with the diligence and carefulness that's gone into the preparation of these rules.

I would like to speak briefly not about the how, the mechanism of how these rules will be executed, but the why, the reason behind them. We all praise Minnesota for its support of the arts. And that is my lens, looking at this work through the view of art and understanding how the arts build community. And one area of national leadership for Minnesota is our support of public art and all the art located on the grounds of the Capitol is public art. It belongs to the public and it expresses the public in its optimal manifestation. As we've heard from other speakers, it doesn't always work that way. So the question is, what constitutes the public, and I would say in this area, its values and its history.

As we learn in every election, the public is always in a state of flux, and that is a good thing. Yesterday's priorities and tastes may, at best, be out of step with the present; and at worse, those priorities and tastes may be offensive. I totally support the implementation of the proposed c

All art begins in a moment in time. It did not drop out of heaven. And it should be accountable to the times in which we live. So with that, I say thank you. I look forward to hearing the other speakers.

CAAPB Response

Thank you for your comment of support for the proposed rule amendments.

Hearing Comment 6 – Lindsey Dyer

Transcript: Page 49, line 15 to page 51, line 19.

Hello. My name is Lindsey Dyer, and that is spelled L-I-N-D-S-E-Y, D-Y-E-R.

I'd like to thank you, Judge O'Reilly, for allowing me this opportunity to speak today. I served on the Capitol Area Architectural and Planning Board Decision Process Advisory Task Force. Isn't that a mouthful? I would like to speak in support of the policy put forth here today. I also serve on the State Historic Preservation Office Review Board. I am from St. Paul, Minnesota. I am currently calling from Bristol, Rhode Island.

Professionally, I have served the public in leadership positions both in museums and libraries, and that includes Dakota County Library and the Minnesota Historical Society, where I worked in the historic sites division. I also have experience in the private sector, mainly Target in corporate communications. In these capacities, I've created and implemented an array of policies and processes that were established to keep people safe, keep organizations and their assets safe, and also protect the spirit of the common good.

The process and policy put forth today was created with care, consideration, and with the voices and experiences of Minnesotans from a variety of backgrounds. The CAAP Decision Process Advisory Task Force worked hard to ensure that the policy was accessible, written in plain language, and with clear process timelines. We wanted the public to be able to more easily interact with their government, also to be empowered by their voice so that when it's time for a proposed removal or modification of an existing work on the Capitol grounds, it's not a fire drill situation. The path is clearly laid out.

To give you an example that I have personal experience hearkening back to my library days, and something we are all very familiar with, and that is when a public library is approached by the community about a banned book -- in this case let's say Harry Potter in some states, as the example -- what happens? The public doesn't storm into a library and remove the book from the shelf. They understand that there is a process for this sort of thing. The process and policies surrounding the books in question or banned books are readily available to the public. The library and the public work together in conversation and professional review, with the policy as the structure to guide the process. Eventually, a decision is made, and with all sides of the conversation respectfully heard, we have a decision about Harry Potter.

I think I hope the same for the CAAP Board and the Minnesota State Capitol, and I urge that this policy be supported. Thank you.

CAAPB Response

Thank you for your comment of support for the proposed rule amendments.

Hearing Comment 7 – Jonathan Gershberg

Transcript: Page 51, line 24 to page 54, line 4.

Thank you, Judge O'Reilly. My name is Jonathan Gershberg. That's spelled J-O-N-A-T-H-A-N; last name, G-E-R-S-H-B-E-R-G. I am an organizer with the Jewish Community Action, a nonprofit that mobilizes the Minnesota Jewish community for justice for all.

I want to start by thanking the CAAP Board for forwarding these new, very necessary and clear rules for the addition, modification, and/or removal of commemorative works on the State Capitol lawn.

The Minnesota State Capitol is a site to celebrate democracy, to honor and encourage ordinary citizens to actively engage in public governance. It is the people's house. Yet right now, the people have very little say about what goes on or could come off the front lawn to the house. Without clear rules about modification or removal process for commemorative works on the Capitol lawn, visitors become passive consumers of commemorative works, unsure how they got there, the purpose they serve, and without any way of changing it. The current lack of rules around commemorative works on the Capitol grounds strips away citizen agency. This is not how we want Minnesotans to feel when they visit our public institutions, which run on citizen trust and engagement. If our most sacred document, the State Constitution, is able to be changed through a Capitol lawn commemorative works.

I'm glad to see these proposed rules from the CAAP Board, which lay out clear criteria for the modification or removal of commemorative works on the lawn, and I find the process for modification or removal to be very thoughtful and thorough.

In particular I appreciate subpart 9, criteria B, for removal, which is, and I quote: *the degree to which artwork misrepresents the state history or has the effect of significantly intimidating or adversely affecting a group of people*. We know that some artwork can, even unintentionally, serve to intimidate marginalized groups of people who visit the State Capitol, especially ethnic and religious minorities. By including this criteria, we can start a discussion about the impact that certain commemorative works have on communities, how they see themselves represented or excluded from the fabric of public narrative, the story of who we are and what Minnesota can be. Without it, those historically left out of the dealings inside the Capitol walls will once again be unable to see themselves in the art on our lawn.

So thank you, once again, Judge O'Reilly, and the CAAP Board for crafting these extremely necessary and needed rules. I support them and hope they will be adopted soon. Thank you.

CAAPB Response

Thank you for your comment supporting the proposed rule amendments.

Hearing Comment 8 / eComment 7
- MaryMargaret Zindren

Transcript: Page 54, line 7 to page 57, line 17.

Judge O'Reilly, Lieutenant Governor Flanagan, and members of the panel, thank you for the opportunity to testify today. My name is Mary-Margaret Zindren, and I am the Executive Vice President of the American Institute of Architects Minnesota (AIA Minnesota), the professional organization representing the state's more than 2,200 architects and design professionals. I am also the executive director of our local AIA chapters: AIA Northern Minnesota, AIA Minneapolis, and AIA St. Paul.

On behalf of AIA Minnesota's Board of Directors, I appreciate this opportunity to comment in support of the proposed Permanent Rules Regulating Capitol Area Commemorative Artwork, to be included in Minnesota Rules Chapter 2400. We believe that these rules and procedures will help to increase the degree to which the commemorative artworks displayed on our Capitol grounds resonate with Minnesotans; that they will result in stronger, more accurate, and more expansive representation of Minnesotans' experiences and valued histories.

Transparent and fair processes like those proposed in this regulation are an important step toward making architecture accessible to and resonant for everyone. We have seen the impacts of there being no clear process related to the removal, modification, or addition of commemorative artworks on the Capitol grounds – for example, in the illegal removal of art from the grounds and concerns raised about artworks not representing the full and true history of past events. We look forward to this much-needed process being established and implemented to create a collection that truly reflects Minnesotans' shared and varied histories and experiences.

It is evident that the Board conducted in-depth, detailed analysis that included substantial public engagement to develop these proposed rules. We believe they create a clear and reasonable roadmap for updates to the collection, with appropriate levels of flexibility and public engagement to ensure that the goals of the processes are met.

We were particularly pleased to see that both the full collection and the process established by these regulations will be reviewed on a 10-year cycle. This will ensure that both the process and the collection can evolve as Minnesota history continues to be created and more fully appreciated. We were also pleased to see provisions for compensation for design competitions, which makes it easier for more people to participate without undue burden.

Our one request to the Board is that it make extra efforts to ensure the process is effectively publicized once it is confirmed, and on an ongoing basis. There is great need to make sure the people of Minnesota understand that this process exists and how to engage with it. Without making significant efforts to create user-friendly and easy-to-find tools and information, it is possible that the admirable goals of this process may not be achieved as intended. Traditionally, -required public notices will likely not be enough to create the kind of engagement these rule changes mean to foster. We hope the Board will make significant efforts to ensure that all the necessary tools are in place to help this program succeed. We imagine this would include websites, FAQ documents that outline the process, media and

social media outreach when public input is required, and more. These steps are appropriately not part of the regulations themselves but will certainly be critical to ensuring implementation is as robust as possible.

Minnesota’s architects and design professionals will continue to be committed to supporting the CAAP Board and processes like these, which foster vibrant communities and architecture that endures. I am happy to answer any questions you have, or to provide written responses as needed to support your process. Thank you for your time and consideration.”

CAAPB Response

Thank you for your comment supporting the proposed rule amendments. You correctly note that “without making significant efforts to create user-friendly and easy-to-find tools and information, it is possible that the admirable goals of this process may not be achieved as intended.” You suggest a variety of communication tools to engage and encourage public input, such as the CAAPB website, FAQ documents, media, and social media. The CAAPB plans to use such tools to communicate with the public throughout each commemorative works review process, and it may be prudent to put this intent explicitly into the rules.

We appreciate your input and will take it into account as we consider potential revisions to the proposed rules.

Hearing Comment 9 – Pat Thompson

Transcript: Page 58, line 13 to line 21.

Hi. I'm Pat Thompson. That's P-A-T, T-H-O-M-P-S-O-N. And I'm a resident of St. Paul, and I think I'm the only person who is not representing an organization so far. I wanted to speak just to support the rules. The changes, I think they're tremendous. And I appreciate all the work that has gone into them. And I just wanted to say, I think it's about time. And I'm really short, and that's it. Thanks.

CAAPB Response

Thank you for your comment supporting the proposed rule amendments.

Hearing Comment 10 – Dr. Heidi Swank

Transcript: Page 59, line 12 to page 63, line 17.

Good morning. Thank you, Judge O'Reilly, Lieutenant Governor Flanagan, and members of the CAAP Board for this opportunity to testify this morning.

I'm Dr. Heidi Swank. I am the Executive Director of RETHOS Places Reimagined. We're a regional historic preservation nonprofit based in Minnesota.

Our organization was founded in Minnesota in 1981. Over the 40 years that we have worked in historic preservation, we have worked in and among many of the difficult stories that make our state. In 2020, with the murder of George Floyd, we saw some of these stories catapulted to where they should be in our public conversations and discussions. However, we also know that Minnesota's struggle around equity and racial equality goes back, as it does for every state in our union, much further than this. The history of our entire country is based in conflict and struggle around equity. For too long, we've avoided full and real conversations around race and equity in our country. We have avoided pulling these conversations into the public sphere. It seemed too uncomfortable, too difficult. But in all honesty, such avoidance only served to keep those in power comfortable, and this silence made divisions worse, increased inequity, and created a space in which George Floyd, Philando Castile, Breonna Taylor and others lost their lives.

Therefore, we welcome this much-needed change in how the public engages with our history. Commemorative works that appear on our Capitol grounds are important means for our state to publicly say who we are. Changing the rules to include public participation is the most important step that this body could take to ensure that we are engaging in difficult conversations, that we understand that talking about these issues is how we move forward from this point in our history. Thank you for taking this step.

I do have one technical comment regarding the process for the addition of artworks. In looking at the process for modification and removal, I see a clear space for public engagement. However, in the rules for adding art, the language is a bit more vague. In subpart 3D, there is mention that, quote: The Board must hold a public hearing. And in F it states that the Board must lay out, quote: the plan for informing and engaging stakeholders. I would suggest that in D, that it state that time will be set aside for public comment in this hearing, and that in F, I would also suggest that the plan be made explicit in the rules so the public can get used to a single plan and know how to and when to engage with this body.

Again, thank you so much for allowing RETHOS to testify. We appreciate it and support these changes.

CAAPB Response

Thank you for your comments and general support for the proposed rule amendments. More specifically, you made suggestions related to two areas of the proposed rules. This response addresses each suggestion separately.

Comment Suggestion 1: You suggested that there be specific opportunity for public notice and input during the application review step described in **Subp. 3D, line 7.3:** *“D. After board staff and advisers identify a site for the proposed artwork, the board must hold a public hearing and must affirm through board vote that the proposal meets all of the conditions under subpart 2. The board must notify the applicant of the board's final decision.”*

The term “public hearing” has a specific meaning. It is a meeting that requires public notice and opportunity for public comment before and during the hearing meeting. However, this term is not familiar to all people, and may be confused with “public meeting” which can have various meanings. It may be helpful to clarify the intent of each in the rules.

Comment Suggestion 2: You suggested that there be specific opportunity for public input during the application review step described in **Subp. 3F, line 7.12** *“The applicant must work with board staff and the architectural advisers to develop a design framework document that includes:...”* However, this step is technical in nature and not a good opportunity for public input. There may be other better places in the rules to clearly identify opportunities for public participation in review of applications.

We appreciate your input and will take your suggestions into account as we consider potential revisions to the proposed rules.

Hearing Comment 11 – Erin Campbell

Transcript: Page 63, line 20 to page 65, line 22.

Good morning. For the record, my name is Erin Campbell. I serve as an Assistant Commissioner at the Department of Administration. I want to thank you for the opportunity to make comments on the proposed CAAPB Rules before you today.

The Department of Administration is grateful that the CAAPB has brought forward these Rules for consideration and agrees that the Board would be well served to have a process to consider the modification or removal of existing artworks on the Minnesota State Capitol grounds.

These Rules are important to the Department of Administration for a few reasons.

- Per Minnesota State Statute 16B.24, Admin is responsible for maintaining and operating state buildings and grounds in the Capitol Area. Admin also oversees construction and capital improvement projects in state buildings, including the addition or removal of monuments. Finally, Admin maintains the monuments on the Capitol Complex.
- Over the years, Admin has received inquiries from members of the public seeking removal of monuments. Admin has never been the right entity to receive those requests and has always sent them along to the CAAPB for consideration.
- The lack of a clear and well-defined process has caused confusion. As a result, Minnesotans have not been able to have their voices heard on these important matters. There has been an understandable frustration with the current process, or lack thereof.
- Minnesotans are better served when we offer transparent processes where Minnesotans can be heard. These new rules provide for such a process.

Five years ago, the Department of Administration oversaw the restoration of the State Capitol. Improvements were made to the building to ensure it would last another 100 years. We celebrated with a Grand Opening that welcomed all Minnesotans back to the People’s House. The theme of that celebration was “My MN Capitol”. Our vision was that all Minnesotans would see this as a physical space that belonged to them. Where they are welcome. In order for that to be true, we need to ensure Minnesotans have an opportunity to weigh in on their experience on the Minnesota Capitol Complex. And we need checks and balances and the occasional review to ensure the Capitol Complex remains a safe and welcoming place for all.

For these reasons, Admin believes the proposed CAAPB Rules are needed and reasonable. And we are proud to endorse them.

CAAPB Response

The Department of Administration is a valued partner of the CAAPB in implementing commemorative works on the Capitol grounds. Thank you for your comment supporting the proposed rule amendments.

Hearing Comment 12 / eComment 12 – Rosa Tock

Transcript: Page 66, line 4 to page 69, line 14.

Muy buenos días a todos y a todas. Good morning, Judge O’Reilly, and members of this panel. My name is Rosa Tock and I am the Executive Director of the Minnesota Council on Latino Affairs. As a state agency, the Council advises and informs state government on issues that are relevant and critical to Latino communities in the state, including their visibility, representation, and celebration of our achievements and contributions to the state.

Thank you for the opportunity to have the Council commenting on the updates to the Minnesota Rules brought forward by the Capitol Area Architectural and Planning Board. These updates are timely. I believe that the board, and for that matter, the state of Minnesota, will be well served to have a clear process to consider the modification or removal of existing artworks on the Minnesota State Capitol grounds.

As someone who frequents the capitol complex as part of my job, I have always navigated the area with a certain ease, but I understand why so many in the public and the community we serve might feel intimidated not only by the space, but also because there’s very little on the Capitol grounds that relates directly to ordinary citizens or reflects the diverse cultures and generations that are today’s Minnesota. As far as I know, there’s not a single artwork reflecting Latinx on the capitol grounds or the capitol building.

Before the pandemic and the riots after the murder of Mr. George Floyd, I was always amazed at how open the capitol complex was to the public. I come from a country where elected officials are very distant from the people they serve. One of the most important and cherished characteristics of the capitol is its openness and its direct connection with the other buildings where people can attend hearings, ask for assistance, and meet with their representatives. The approachability and accessibility criteria is thus a useful and reasonable criteria to include in order to make this beautiful space, especially the Capitol mall, one that can be welcoming and enjoyable for all.

As for the other criteria, I think that the proposals by the task forces on inclusion is a huge step forward. The focus on social and cultural context, equity and diversity, and representation will, over time, lead to a capital complex that will help every Minnesotan see themselves as having contributed to the state. I think of the busses of young people who tour the capital, more than half of whom are girls and nearly a majority now are students of color. What do these young people think when they see the art and monuments? Can they imagine themselves as actors in state government? This new set of rules will, we hope, help every bus load of students see themselves or people like themselves as crucial builders of this state.

The rules associated with community feedback and assessing the cultural or historical impact in removal of an existing artwork are also significant. Here I ask that the Planning Board intentionally and consistently seek out an array of voices that make our diverse Latino/a communities. No community is monolithic, and this is particularly true of Latino/as.

Finally, the process is also clearer and provides a roadmap for individuals and organizations to know how to request modifications or additions on the Capitol grounds. I would suggest that both this process and the forms be available in other languages. I believe that each one of these criteria are reasonable and very much needed. Rules are important, but it is critical that the rules are fair and lead to greater representation of our diverse communities, respecting everyone’s history, and dignifying all Minnesotans’ presence and their cultural and political contributions to the state, and that must include our diverse Latinx communities.

Thank you very much for your hard work and your service.

CAAPB Response

Thank you for your comment supporting the proposed rule amendments.

Hearing Comment 13 – Linda Sloan

Transcript: Page 70, line 2 to page 72, line 17.

Good morning, good morning. Good morning, Judge O'Reilly and Planning Board. My name is Linda Sloan. And for the record, that's L-I-N-D-A, S-L-O-A-N. And S as in Sam.

I'm the Executive Director for the Council for Minnesotans of African Heritage. Thank you for the opportunity to speak regarding the proposed changes to the rules governing the addition, modification, and removal of artwork on the Capitol grounds. This is definitely a great step in the right direction.

Having artwork that is culturally reflective of the various communities within the state is key to the perception and experience of inclusion. Currently, there are over 483,000 individuals who identify as being of African heritage. Due to projected demographic changes, this number is expected to continue to increase. People of African heritage make a significant contribution to the state of Minnesota and have an estimated economy of \$14 billion. There is an expectation that when we go to the Capitol, that we are going to our Capitol, and as we look around, that we will see images that reflect the African heritage community.

We appreciate the insertion of equity, diversity, and inclusion in the process of the initial applicant review. However, it shouldn't stop there. It should be throughout the process, starting with ensuring that the staff is diverse and understands cultural nuances. In addition, all throughout the design process, artist selection, removal process, basically wherever there is decision-making authority, there should be diversity to ensure that there is equity. Process information should be clear and intentionally communicated to communities of color.

The issue of applicant funding should also be addressed. Marginalized communities might not have access to funding for additions. However, their idea might be worthy of selection. How do you ensure that these suggestions are able to be executed?

And last, under the removal of artwork, the cultural and historical impact statement, the language of significantly intimidating or adversely affecting a group of people definitely needs to be included. However, it should be more clearly defined. For example, there are some people who don't want slavery taught in schools because they believe it is intimidating to some students. Unfortunately in America, we sometimes avoid the facts, the ugly truth. However, these historical moments, no matter how horrific, are important and need to be mentioned in order to reduce the likelihood that they will be repeated. And then if we find that the state has honored individuals who have participated in heinous acts, then the artworks should be removed swiftly.

Thank you again for your work on this amendment that addresses some concerns regarding diversity, equity, and inclusion, and for allowing me to just speak freely. We support this amendment. And just as a reminder, the ethnic councils are always available for consultation regarding issues that impact our communities. Have a good day.

CAAPB Response

Thank you for your comment supporting the proposed rule amendments, and for your specific suggestions related to the ongoing engagement of diverse communities at all steps in the commemorative works process.

Your concern about funding requirements for applications was also mentioned by other commenters. Specifically, that it creates an imbalance in access between economically advantaged groups and disadvantaged groups. At this time, the State does not have a dedicated funding source for commemorative works activities, and therefore can only implement self-funded applications. Perhaps this concern can be addressed in partnership with public, private, and philanthropic partners.

Hearing Comment 14 – Sia Her

Transcript: Page 72, line 25 to page 76, line 20.

Thank you, Judge O'Reilly, and 1 members of the Capitol Area Architectural and Planning Board for allowing me to address you this morning, or afternoon now.

My name is Sia Her, and that's spelled S as in Sam, I as in igloo, A as in apple. And my last name is spelled Her, H as in her, E as in egg, and R as in run. And I serve as the Executive Director of the State Council on Asian Pacific Minnesotans.

As my two colleagues have articulated, my agency and the other two ethnic councils are non-cabinet executive branch agencies charged by the legislature with the statutory duty of advocating on behalf of, in my case, Minnesota's more than 350,000 strong Asian American and Pacific Islander communities. We also serve as an advisory body to the legislative and executive branches of government. And it is in this advisory capacity that I address you today.

As an agency, we believe that the CAAP Board is taking the appropriate steps to examine and propose a public process for the addition of new artworks or the modifications and/or removal of existing artwork located on the Capitol grounds. Commemorative art is one of the very public ways that we tell our story to ourselves and to visitors. That art shows not just who we are, but who we think we should be. My favorite history teacher reminded us that in ancient days, the definition of what it meant to be a citizen was "one who is welcome in the walls." The walls provided a chance for shelter, for safety, and for belonging. It meant that one mattered; that one was equal. Art in the Capitol and on the Capitol grounds is a way of conferring citizenship, of saying that people as individuals and groups matter. As such, a clear and transparent process for commemorative artwork provides an opportunity to allow for Minnesota's cultural and ethnic communities to see themselves woven into the tapestry of our great state. Commemorative artwork has significant power in shaping the stories we tell ourselves about who we are as a community and as a collective state.

The Capitol is understood by the many leaders of our diverse ancestry communities as the seat of government, the place where powerful Minnesotans convene to shape and reshape the conditions that allow for the American and Minnesotan way of life. As such, when members of our community see themselves represented in the work on the Capitol grounds, they see their stories being told to all Minnesotans and, therefore, validated.

As an examples of Capitol ground art, the Special Forces in Laos Memorial has served as a beacon to our Southeast Asian diaspora communities. For Hmong and Lao American communities, the memorial stands as a permanent recognition by our government of their contribution to our country. The memorial educates and provides all who visit the Capitol, as well as the state's highest leaders and public officials, of the sacrifices made by so many in the pursuit of freedom and democracy, and the memorial honors the plight of refugees, in this case, the Lao and Hmong. The Special Forces in Laos Memorial also serves as a destination, expanding the reach of the people's house to not just those in St. Paul but across our great state and across the nation. Since its erection, community members have travelled significant distances to visit the memorial and subsequently to tour the people's house. They begin to see and understand themselves as part of state government, rather than existing outside of it.

They see themselves as welcome within the walls. This sense of celebration and belonging could be harmed through other works that do not reflect the inclusive spirit of works like the Special Forces in Laos Memorial. Therefore, just as there is an open and public process for the creation of artwork that uplifts community voices, there must also be a process for the modification or removal of works that are to the detriment of that democratic spirit.

Our Council strives to advise state government on matters of importance to Asian Americans and Pacific Islanders, and in doing so, advocating on behalf of these Minnesotans. In our role as the advisory and advocate for this community, we support the CAAP Board taking the appropriate steps to examine and propose a stakeholders engagement process for the addition of new artworks or the modifications and/or removal of existing artwork on Capitol grounds.

Thank you so very much for your time this afternoon, and I will, of course, submit my written comments to the eComments site as requested by Judge O'Reilly. Thank you.

CAAPB Response

Thank you for your comment supporting the proposed rule amendments.

Hearing Comment 15 / eComment 9
– Dana Badgerow

Transcript: Page 76, line 24 to page 79, line 21.

My name is Dana Badgerow and although I am the newest member of the CAAPB, I am speaking today giving my perspective as a public member of the CAAPB Decision Process Advisory Task Force, and reflecting upon the process the Task Force used to reach its recommendations.

First, I want to note that as a white woman of privilege, and having served two Republican Governors as Commissioner of Administration, I did not fully appreciate the significance of the issue of potentially controversial commemorative works on our Capitol grounds. I became initially oriented to the issue when, as a public member of the State Capitol Renovation Commission, my eyes were opened and we dealt decisively with works of art in the Capitol, especially several controversial and historically inaccurate paintings in the Governor’s Reception area.

But I did not realize going into the Task Force work how compelling was the need for a disciplined and fair process for removal of a commemorative work, which need of course was brought sharply into focus following the forced removal of the Christopher Columbus statue.

Any process like this requires strong leadership and a wide variety of viewpoints. Chair Dr. Gwen Westerman brought not only her impeccable credentials as an academic and author, she was even-handed, fair and thorough as she led the Task Force through its work. The diversity of the group was notable, and most compelling for me were the voices of the Indigenous members as they brought their perspectives on how certain historical figures, when celebrated, can today evoke painful emotions.

We looked at how other states and jurisdictions have handled these issues, and while we found a very few exemplars of fair and well documented processes, we knew we were plowing some new ground. I was particularly taken with the notion of re-contextualization—placing a commemorative work in a context taking into account all aspects of the person’s life and works, and giving a balanced view of those works to include both intentional and inadvertent harm caused to peoples and races, particularly when viewed against current notions of fairness and equity. It was also clear that we needed to provide a clear set of standards by which these works can be considered, or reconsidered, and I believe the Task Force compiled a well-reasoned set of such standards. It was also important that the rules allow for a diversity of voices to be heard, which due process is certainly present in these rules.

There is no question in my mind that there is a need for this process. And the resulting rules changes, I believe, allow for an open and constructive method for assessing the full context of any commemorative work—both existing and new.

CAAPB Response

Thank you for your comment supporting the proposed rule amendments.

Hearing Comment 16 – Brandon Schorsch

Transcript: Page 79, line 25 to page 85, line 12.

Thank you. My name is Brandon Schorsch, spelled B-R-A-N-D-O-N; last name is Schorsch, S-C-H-O-R-S-C-H. And thank you for letting me testify today on these rules.

In my professional work, I study specifically contemporary extremist movements, specifically white nationalism. And one of the things that I found really incredible about this process and about these rules is that, as I believe the previous person who just finished their testimony, Ms. Badgerow mentioned, many places don't-- have not or did not have rules to deal with the removal or the recontextualization of monuments. And we've seen time and time again over the last several years where public concern and public debate has come out around many monuments around the country, not just in Minnesota. But because many of these processes did not exist to begin with or were so complicated, it allowed opportunities for political -- for political showboating, but also for extremist movements to come in and use these discussions as an opportunity to go and hijack moments. The events in Charlottesville in 2017 are an example of that where there were discussions about removing some Confederate monuments and those extended discussions allowed for an opportunity for extremist groups to move in and try to hijack the public space.

I'm very excited to see rules like these coming into effect, although I do have a couple of concerns mainly with making it clear to the public once any rules become official. I know several people have mentioned the importance of plain language. I'd like to go one step further beyond that. Not only is plain language important, but a good design is really important. In my studies, I've studied things like civic design, the Center for Civic Design mainly focuses on elections and making elections language easier to navigate because not only are most people not familiar with legalese, but also there's a lot of complicated if/then statements that are often within official rules and administration. And making sure that these things can be unwrapped and easily brought to the public, and then also easily translated into other languages. It's hard to translate legalese into another language. Meanwhile, it is much easier to translate plain language statements into a myriad of other languages.

And that's where things like -- these are the two spots that I have concerns about, and only the concern of how they're reflected to the public as these come up. First is in the standards section subpart 1(b)(3), about the every 10 years concept -- reviewing existing commemorative artwork as needed every 10 years to gather public input and ensure that it's meeting the intents of these rules.

Just as an everyday person, I'm looking at that thinking, does that mean that these discussions can only happen once every 10 years, as discussions may change very quickly in the public as new information is learned about artists or figures. It may be a part of -- it may be in the interest of the Board to go and review these things again even though they may have just reviewed them a few years prior. So that's question number one, what does that 10-year timespan look like? Is it a closed book the moment that a review comes through, or is it something that can be returned to in extreme circumstances?

And my second question is about just how it would be reflected to the public. When we get to subpart 6, it states the conditions for modification or removal. And my main question is just about item

A (line 12.4 in the PDF), *“There has been a sustained overwhelming and documented public objection to an artwork.”* And just thinking ahead to how the public may interpret that, is what each of those words may mean for members of the public. You know, is "documented" only applicable to formal complaints that are mentioned in the rules, i.e. removal request by applicants, you know, through the website or whatever method of public engagement that this Board produces? And of course, what time or frequency allows something to be sustained? Like what -- how do we consider what is sustained? And lastly, what amount of public outcry or comments would be considered overwhelming?

I know that those aren't things that can really be stated in rules. These are meant to be guiding principles. But as the public engages with these rules as they come into effect, having these a little more clear to members of the public as they're navigating this process may be something that is very welcome.

But again, I wholeheartedly support this entire process. It's very exciting to see this and to see that rules are coming into effect where we can have public discussions and public debate around these things rather than being caught with our shoelaces tied together, unable to really respond to when there is public outcry around public artwork.

CAAPB Response

Subp. 1B (3), line 5.5 reads *“(3) review existing commemorative artwork as needed or every ten years to:...”*

The phrase "as needed or every ten years" enables review to happen more frequently than every 10 years, and addresses your concern about 10 years being the minimum frequency for review.

Subp. 6A, line 12.4 reads *“A. there has been sustained, overwhelming, and documented public objection to the artwork;...”*

Overwhelming may be ambiguous and could be interpreted strictly or leniently. It also does not address if the sentiment comes from a variety of people or from a focused interest group. Your comment expressed concern that the word “overwhelming” could be ambiguous and hard to interpret as a threshold for meeting that application requirement. More specifically, that it might be interpreted to set such a high bar that no application would ever meet the standard. Other comments expressed the same concern and it may be prudent to find an alternative term.

We appreciate your input and will take it into account as we consider potential revisions to the proposed rules.

Hearing Comment 17 – Ted Lentz

Transcript: Page 85, line 15 to page 89, line 25.

I am the President of the Cass Gilbert Society, and I am -- also had served on the Public Engagement Task Force and was very familiar with the background work with Carl Crawford who has spoken before.

And I -- number one, the request and proposal, I think, is absolutely terrific. And speaking as someone who I was co-chair or participant in five of the public meetings and heard -- and ended up writing summaries that totalled 3 to 40 pages; I don't recall the exact total. Of that, I was really -- I'm very impressed with the work that was done and I would really like to compliment Gwen Westerman and her team on taking what were very broad-brushed conversations and bringing it down to 11 points for modification and 11 points for removal, I think is one of the best editing programs I've experienced. So I really want to congratulate them.

What I think is really, for me, became an important subpart of this discussion, though, is that the -- it's a good -- it's important to be able to do this, but implicit behind all of this work, especially in the commemorative art, is that it's hard to understand. I think of the Roy Wilkins Memorial, which is an incredible work of art. And yet, I've taken people through that and several ask, younger people but sometimes people my age in their 70s, say, Who was Roy Wilkins? What's the background? And I found myself going to the Minnesota Historical Society's information desk and asking about the pamphlet I was told they had, and no one could find it that day and I'm told that it later showed up. And when I did find one, it had -- it was -- had been written 10 years earlier. So, you know, I'm saying that because for me, there is several important messages that having this program put in place and having the discussions around it and having the conversations with many people in those public meetings, they increasingly -- they often said, I've been there for protests. I walked by the place. I really don't understand what it is. Is it possible to get more interpretive material? And my thinking is, yes, that really should be the very next step. And in fact, I feel it's become -- it almost seems imperative that that happened for the memorials and monuments that sit outside the building.

But beyond that, what I think is an important part that needs to be -- should be repeated or reminded is that with the restoration and preservation of the existing Capitol, there were approximately 40,000 square feet of space that were added inside the building that are now available for public display of art. And Christine is one of the people on that committee and had spoken of setting up exhibits, and it takes awhile, making certain it's done well. So there have been exhibits on the third floor, all of which have been taken down with COVID and nothing new has gone on. However, about half of the 40,000 square foot addition is in the basement area. And what many people now forget is that prior to the restoration, with the exception of construction plywood corridors or painted stone corridors in the narrow basement areas and a single staircase that took you from the basement to the ground floor, now this basement alone has about 20,000 square feet of space that is totally open to the public. Though corridors, what now are public corridors, were four and five feet high prior to the construction, and they are now eight feet high because the floor level was excavated and taken down. So we have -- the future is very bright for the state, especially with the Capitol becoming a -- the people's house. It is the -- we

have a chance to tell the story. And I just -- I feel anxious to know that suddenly we have a process of getting people involved, and much of the complaints, anxiety I hear from people relates to misunderstanding about what's really there. And we --

I think it's easy for many people to understand why people want to remove the Columbus statue. It is a little more difficult to understand why people want to remove the Lindberg monument. And I think there are good reasons for wanting to reconsider that but also extraordinarily good reasons for having it reinterpreted and having people say, oh, well, never mind. I think that we can work with -- if we understand that, et cetera.

So overall, I think this is a wonderful step that has to be taken, but I really feel committed and hopeful that either the Governor -- Lieutenant Governor's Office or the CAAP Board, or typically it's been in the Minnesota Historical Society -- but -- and I know they're in charge. They have the responsibility for the Capitol. But I feel that there is -- you know, there is an opportunity for changing the narrative, for making it accessible to kindergartners and sixth graders and high school kids, making all of those documents -- and that's -- you know, I'm repeating myself so I should stop at this point.

But I -- again, I think we have a -- it's a great start. But what gets me excited is being able to address -- just changing the rules will not address many of the things that I heard in the public meetings that we held, and I would like to just -- I'm trying to address that. So that's it.

CAAPB Response

Thank you for your comment supporting the proposed rule amendments.

eComment 1 – Craig Smith

“It's great to formalize this. I'm glad to see that works must be of lasting statewide significance to Minnesota and respectful of all Minnesotans. It is prudent to wait until an honored person has passed, but I would prefer more representative memorials that do not focus on an individual.”

CAAPB Response

Thank you for your comment, which indicates support for the proposed rule amendments. The proposed rules do not prevent individuals from being commemorated, but the trend in recent works added to the grounds has been to commemorate events and groups.

eComment 2 – Luke Hanson

“I think this proposed language is quite good. It is important to have a transparent and easily-understandable process for the addition, modification, and renewal of commemorative artwork on the Capitol grounds. My one quibble is with Subpart 6.A. under "Conditions for Modification or Removal of an Existing Artwork" (on page 12 of the PDF): the requirement that public objection to the artwork be "overwhelming." I worry that this could be too high of a standard. On the other hand, I can't think of a better word to replace "overwhelming." On the whole, I think the criteria for addition and modification/renewal are thoughtfully written and well-balanced.”

Rules Reference - Luke Hanson

Subpart 6A, line 12.4: Subp. 6. Conditions for modification or removal of an existing artwork.

The board must consider requests for the modification or removal of an existing commemorative artwork if one or more of the following conditions apply: A. there has been sustained, overwhelming, and documented public objection to the artwork;

CAAPB Response

Thank you for your comment. We will consider the word "overwhelming" and whether or not it correctly addresses the intent of the rules. If you think of an alternative word or words to suggest, please reply to this response. We also welcome any thoughts you have on what level or type of public objection to a work is appropriate for considering modification or removal.

eComment 3 – Ken Iosso

"I appreciate having clear rules for adding or removing monuments on the capitol grounds and I appreciate all your careful work to put these together. They are reasonable and detailed. I have 3 minor questions:

1. Subp. 3.E. (lines 7.8) [*"...applicant must raise money or otherwise pay for the cost of conducting a design competition."*] there is reference to an applicant for a new monument being required to have a design contest. That's a great way to do it, but it is a burden of both time and money for the applicant. Could they identify an artist and a design before coming to you?
2. Subp. 7.D. (line 14.7) refers to "both applicants." Who are the two applicants? The applicant and the appointed representative?
3. Subp. 7.I. (line 15.16) seems to suggest that the applicant for the removal of an offending statue has to help fund its removal. That doesn't feel exactly right. If the statue causes their community pain and they had no part in its placement, it feels like added weight to ask them to raise money to take it down. Thank you!"

CAAPB Response

Thank you for your detailed review of the proposed rules and questions. I will reply to your questions 2 and 3 here and reply later on question 1.

Reply to question 2 - The word "*both*" is a typo. It was intended to read "*The committee must give the applicant the opportunity to testify at the hearing.*" This typo will be addressed in revisions to the proposed rules.

Reply to question 3 - Other people have expressed your same concern about the proposed rule language which states "*the applicant [for a modification or removal request] must demonstrate that funding for the project, consistent with the estimated budget, is committed.*" It is something we have thought a lot about. At this time, there is no designated funding to assist applicants with the cost of commemorative works activities. However, public, private or philanthropic donors could step in with funding assistance for applicants.

Reply to question 1 – Your question about the time and money required for a design competition is a good one and warrants some explanation, which follows.

Competitions in the Capitol Area have a long tradition and are a statutory requirement for new buildings and art works over a certain dollar value. Recent state reforms for equity in contracting have improved access to design competitions and hiring for small, minority and woman owned businesses. Since commemorative works projects are managed by the State, funds for the work are remitted to the State, and the State oversees all purchasing and hiring consistent with state policies and practices. Requiring

an open and competitive process for selection of a commemorative work designer has multiple benefits which ensure that:

- alternative concepts are considered.
- the best value designs for the investment are chosen.
- access to and opportunity for a range of teams and designers, who are proactively informed of the competition through state vendor outreach to certified small, minority and woman owned businesses.
- a broad and diverse group of stakeholders and the public are informed of the design process and can provide input or participate in a design committee.
- the design team is experienced and qualified (or licensed as is necessary in some cases), which reduces a range of financial and safety risks during and after implementation.
- ensures that the principles and concepts established for the urban, architectural and landscape design of the Minnesota State Capitol mall and grounds are accounted for.
- a consistent and fair process is used for the selection of designers, under the procedures established in Minnesota Rules Chapter 2400 for the Capitol Area Architectural and Planning Board.

Ultimately, CAAPB staff have observed, over years of experience with the design and implementation of public projects, that a well-run open, competitive designer selection process ensures the best possible project for the people of Minnesota, and often saves money in the long run.

We appreciate your suggestions and will take them into account as we consider potential revisions to the proposed rules.

eComment 4 – Jessica Intermill

“In the summer of 2020, when Minnesotans pulled down the statue of Christopher Columbus, some—including sitting legislators—expressed anger that the objectors chose direct action over a petition process. But in 2020, as now, there was no petition process to seek removal or even modification of an existing monument. There was no path describing who to address such a petition to and no clarity around what criteria that decision maker would apply. The lack of civil process invited civil disobedience. Today, though, the proposed charts a path forward. As a member of the Decision Process Advisory Task Force, I am most proud of our work to draft the proposed part 2400.2703 Subps. 6-9. The subparts offer a clear entry point for civic participation in commemorative-art decisions for the Capitol area grounds, and creates a public space for Minnesotans to explore the meaning of our monuments within the context of known criteria.”

CAAPB Response

Thank you for your comment supporting the proposed rule amendments.

eComment 5 – Paul Mandell

“2400.2703, Subp. 2C artwork is respectful of the diversity of Minnesotans

I understand if names are used as with Veterans memorials, or images, as with Workers Memorial, representation is inclusive, such diversity can be shown; but with either, for instance, HHH, how can diversity be reflected? Or is there some test that proves lack of respect, in the negative? For instance, does Columbus show a lack of respect, hence, the problem? I raise this merely as a question for the wording.

2400.2703, Subp. 5G Materials for the artwork..... if water features and in-ground lighting are included.....an applicant must deposit money.... at least 20 percent of construction costs.

Is the part about 20 percent of construction costs in contrast to or redundant to Subp. 3I?

2400.2703, Subp. 7D The commemorative artwork review committee...other methods. If the applicant is no longer available...

My question here is that I believe the reference to ‘the applicant is no longer available’ was actually meant to refer to those associated with the original artwork/memorial as opposed to the applicant pushing the modification or removal. That would make sense since I believe the intent is to give air hearing to those who created the original memorial that is the subject of the possible modification or removal, as they invested time and money and should be able to clarify original intent. That party might not be aware that their memorial is being considered for changes and would be in the best position to answer to any concerns or complaints; and, as donors of the work to the State, have a vested interest.”

CAAPB Response

Regarding **Subp. 2C (line 5.16)**, the term "respect" has a common meaning as a noun and a verb, conveying that something or someone is held in positive regard. Determining what qualifies as 'respect' or 'lack of respect' is subjective by nature and therefore should be evaluated by a diverse group of people from different perspectives. Arriving at a decision with a diverse group of people is a more inclusive and engaged method of determining if something would be supported by "reasonable person." In Merriam Webster, the Legal Definition of reasonable person is “a fictional person with an ordinary degree of reason, prudence, care, foresight, or intelligence whose conduct, conclusion, or expectation in relation to a particular circumstance or fact is used as an objective standard by which to measure or determine something.”

Thank you for observing that the language in **Subp. 5G (line 11.10)** *“If water features and in-ground lighting are included in an artwork, an applicant must deposit money into a maintenance and operating fund that is at least 20 percent of construction costs”* is redundant with the language in **Subp. 3.I.** *“Upon selection of a designer and design concept by the design review group and before design and construction begin, the applicant must deposit with the Department of Administration enough money to*

complete the project as designed and an amount equal to 20 percent of the total estimated construction costs to cover the cost of operation, repairs, and maintenance of the work over time. ...”

Thank you for noting that the “applicant” referred to in **Subp. 7D (line 14.2)** of the proposed rules ought to be the original applicant or sponsor group of the work when it was installed. The purpose is to ensure that someone who understands the background and intent of the original work is notified and can share that information in the public meeting. The proposed rules language should be revised to clarify the intended “applicant” and their role.

We appreciate your input and will take it into account as we consider potential revisions to the proposed rules.

eComment 6 – Colleen Sheehy

“I write on behalf of myself as an arts professional, American studies scholar, and Executive Director of Public Art Saint Paul to comment on the proposed rules changes for removing, adding, or altering public sculpture and monuments on the Capitol grounds.

I applaud the significant effort that was invested to the two task forces and the public who attended the community engagement meetings and provided comments, desires, and feedback. The process developed by the task force is commendable, especially considering that there was not a process before. These rules provide a clear path if a person or group object to a current monument or if they want to propose new ones. It proposes that the rules and commemorative works be reviewed every ten years to keep the process and the Capitol area in line with changing ideas and values. Overall, these rule changes provides a path toward a State Capitol grounds where all Minnesotans feel welcome and included in Minnesota history.

Much has been happening with the monument landscape of the United States in recent years, and I think it’s important to reference the work of Monument Lab, a nonprofit based in Philadelphia, which completed a national audit of monuments, funded by the Mellon Foundation with these key findings (also see <https://monumentlab.com/audit>)

KEY FINDINGS

I. MONUMENTS HAVE ALWAYS CHANGED

II. THE MONUMENT LANDSCAPE IS OVERWHELMINGLY WHITE AND MALE

III. THE MOST COMMON FEATURES OF AMERICAN MONUMENTS REFLECT WAR AND CONQUEST

IV. THE STORY OF THE UNITED STATES AS TOLD BY OUR CURRENT MONUMENTS MISREPRESENTS OUR HISTORY

The new rules for the MN State Capitol grounds will help Minnesotans tell new stories of our history and of the participation and achievements of Minnesotans of all cultures and will perhaps shift the landscape to less militaristic content, as requested by many from the community engagement meetings.

My specific comments:

2.12: States that commemorative works must have “lasting” historic and cultural significance.

Change “lasting” to “long-term” to allow for new beliefs and opinions that develop over time.

2.14: Good to recognize that commemorative works can be event-based, temporary, or long-term and length of time for each is described in 3-14.

5.15. change “lasting significance” to “long-term significance.”

11.1. I find the statement that “the message of the artwork must be clear and understandable” to suggest that only representational imagery will be acceptable. This is limiting. Many profound expressions can be conveyed through abstraction, with the Vietnam Memorial on the National Mall being a prime example. Perhaps add a phrase that artworks are not limited to representational imagery.

11.4 I think this list of what materials an artist needs to use is too prescriptive and does not allow for new materials that have been developed or that might be used. In public art, artists are trying to advance the field to rely less on extractive processes that require energy-intensive processing that contributes to climate change. It’s best to leave the door open to new ways of working.

12.4: In this section on modification or removal of existing artwork, I find the requirement that these actions can proceed only if “there has been sustained, overwhelming, and documented public objection to the artwork” sets an impossible bar for modification or removal. I don’t think it’s in the public interest for artwork to be based on a popularity contest that requires “overwhelming” consensus in public opinion. Some artworks may honor individuals who held and espoused reprehensible beliefs or engaged in reprehensible practices. There are ethical and moral elements to the commemorative works that need to be taken into account. The removal or modification should be based on respect for people’s beliefs and histories and a desire to represent our true history in the present. What kind of people do we admire today? We shouldn’t be bound today by what figures people in the past admired.

Perhaps change “overwhelming” to “significant.” That word can mean significant numbers but also significant reasons or arguments for removal or modification.

17.9 I respect that the rules are recognizing the needs of the contemporary community, not people of the past. If past heroes are to continue to be admired, people of the present determine that based on our current beliefs.

Thank you for your work that allows more public input and opportunity for change in the commemorative landscape at the MN State Capitol.”

CAAPB Response

Thank you for your comment of general support for the proposed rule amendments. Your questions and suggestions on specific parts of the rules are welcome and have been considered.

Regarding Subp. 19d. C, line 2.12 and Subp. 2B, line 5.15: "Significance" is a noun and "lasting" is the adjective that qualifies the noun. Merriam Webster defines "lasting" as "existing or continuing a long while". Therefore, "lasting significance" is an appropriate term to describe significance that is long-term. The language is intended as a threshold for making decisions about works that are intended to be in place for awhile on the grounds, as opposed to selecting a work whose subject we anticipate will be short-lived in significance. This same intent is the rationale for waiting at least 10 years after someone's death to commemorate them. It give time and distance with which to better understand the lasting significance of the person. The language does not preempt future change that may come from new beliefs and opinions.

Regarding Subp. 5F, line 11.1: "Clear and understandable" refers to the message of the work, not the physical character of the work. An abstract work with appropriate signage or interpretive information would meet this criterion.

Regarding Subp. 5G, line 11.4: The CAAPB rules are not designed to prohibit new materials. The language in lines 11.6 to 11.8 -- "The board must give preference to an artwork using stone, such as granite or limestone, for key features, vertical elements, flooring, and surfaces.is in the existing policy." - identifies a preference for stone in certain elements of the work but does not require it and allows for other materials. The preference for incorporating some stone encourages compatibility with the predominant use of stone as a unifying element with other works and the Capitol building.

We appreciate your input and will take it into account as we consider potential revisions to the proposed rules.

eComment 10 – David Brauer

“Testimony to the Minnesota Capitol Area Architectural and Planning Board

David Brauer Board chair, Jewish Community Action March 14, 2022

Dear Capitol Area Architectural and Planning Board members,

Thank you for enabling discussion of updates to Minnesota Rules. I and JCA strongly support creating a process to consider modifying and removing state Capitol grounds artworks, and clearly establishing a process to consider new works.

As a former journalist, I’ve spent many days at the state Capitol and countless hours strolling the grounds to relieve the pressure of a work day. Watching school kids herded behind their teacher, or adults silently contemplating a monument, any momentary controversy would almost imperceptibly recede in my consciousness, replaced by timeless principles undergirding Minnesota’s democracy.

And yet, as we’ve learned in recent years, not everything at the Capitol upholds the timeless values of respect, representation, and reconciling past injustices. I have seen people stroll thoughtfully through the grounds, only to be startled not by a revelation but by a story misrepresented or omitted. The U.S. constitution speaks of a “more perfect union” and as we recognize faults - some fueled by a xenophobia of an earlier time - it is vital there be a thoughtful, transparent process to modify and augment that which honors our legacy.

I and JCA believe in Minnesota; in its bravery to continually examine itself. At our best, we set fair rules, predictable and usable for all, to inspire Minnesotans toward a nobler future. Thank you opening the door to make this possible.”

CAAPB Response

Thank you for your comment supporting the proposed rule amendments.

eComment 11 – John Andreozzi

“Heroes, Statues, and Columbus by John Andreozzi rev 10/11/21

When I was a child, my family often visited my grandparents in Lackawanna, New York. At the entrance to their neighborhood was a stone column topped by a bronze bust of Christopher Columbus, as if he stood guard over the Italian enclave.

Generations of Italian Americans have demonstrated their ethnic pride at parades and banquets on Columbus Day. Hundreds of monuments have been dedicated to Columbus, and a multitude of Italian organizations bear his name. Since the first Columbus Day celebration in New York City in 1866, Italians in towns throughout the United States have used October 12th to proclaim their contribution to American society. The movement to honor Columbus as a hero was led by Irish and Italian immigrants. Native Americans, however, have denounced him as a villain, and some of them tore down the Columbus statue in St. Paul in 2020. (1) We will explore how Columbus became an icon to Italian and Irish immigrants, examine his heroic and villainous traits, and suggest actions regarding the Columbus statue in St. Paul. (2)

Columbus, The Italian and Irish Hero

Columbus's landing in the West Indies in October 12, 1492 was very significant because it marked the permanent linkage of the western hemisphere with the "Old World." Columbus began the immigration of 40 million Europeans to the United States, which emerged as a cultural transplant of Europe. (3)

Columbus, as a Roman Catholic, was one of the few non --W ASPs (White Anglo-Saxon Protestants) among the traditional American heroes, and this was well-noted by Italian and Irish Catholic immigrants. The Irish migration began in the 1840s and within 50 years they represented the most numerous segment of the Roman Catholic Church in America and dominated its leadership positions. The flow of Italian immigrants began in 1880 and peaked between 1900 and 1924. Both groups suffered systematic discrimination in Protestant America. They each wanted to uphold their social honor and be allowed to join mainstream America. In their quest for acceptance, they latched onto the anointed American "discoverer" - the Irish to his Catholic religion and the Italians to both his religion and ethnicity. (4)

Irish priests organized the Knights of Columbus in 1882, and ten years later Italians in New York City unveiled a huge statue of Columbus. Since then, Italians have erected hundreds of memorials and held annual parades and banquets on October 12th. While there was usually friction between the Irish and Italians, they successfully lobbied 43 states and the federal government to create Columbus Day holidays. In Minnesota, Italians collected nickels and dimes to finance the statue of Columbus by sculptor Carlo Brioschi which was placed on the state capitol grounds in 1931. Twenty-five thousand Italians from throughout the Midwest attended the event which was broadcast nationwide on radio. Along with the Knights of Columbus, the Italians'

Columbus Memorial Association lobbied for the state holiday that was declared in 1945. (5)

As with most European immigrants, Italians had overcome the more severe aspects of

their minority status within three generations. Before 1945, Italians and their children endured police violence, lynchings, slum housing, dangerous working conditions, and the daily insults of bigots. The Italians, Irish, and other European ethnic groups were eventually accepted as full citizens, their skin color guarantying this status. That has not been the case for Native Americans, Blacks, and other people of color. This is one example of white privilege - the systematic advantages that white Americans have that are denied to people of color. The Italians and Irish are integral parts of the European American community which is now challenged by people of color to acknowledge the history of racism and to end the institutional racism that persists to this day. For Native Americans in particular, this means we must examine the deeds of Christopher Columbus. (6)

Columbus: Hero and Villain

Since the 1960s many historians have written about what Native Americans have voiced for centuries: the United States has been brutal in its treatment of Indians. It began with Columbus's four voyages to the West Indies. While previous generations of European Americans may have been ignorant of Columbus's treatment of the Taino Indians, we are not. I respect the efforts of our Italian forbearers, including my grandparents, whose donations paid for the many Columbus monuments and whose activities promoted the advancement of Italians in America. We and other European Americans cannot, however, continue to venerate Columbus.

It is time we take a more realistic look at America's traditional heroes and avoid the temptation to make them sound perfect. We can recognize both the good and bad deeds of all our traditional heroes - for example two of our found-ing fathers, George Washington and Thomas Jefferson, owned slaves, yet they helped create a nation that proclaimed all people are equal (a goal we continue to struggle with). (7)

Columbus the Hero

Columbus, too, had both positive and negative traits and actions. He was heroic in the following ways:

- A keen observer who gained an understanding of the water and wind cur-rents in the Atlantic Ocean
- A good navigator, with an uncanny skill of "dead reckoning," who made four voyages from Spain to the West Indies, and provided a route for others to follow.
- Political skills in dealing with monarchs: he convinced the King and Queen of Spain to finance his voyages
- His voyages permanently linked the "Old World" with the western hemisphere, which changed the course of world history. The "Columbian Exchange" began as the plants, animals, culture, human populations, diseases, and technologies of the two worlds were transferred. Europe received tomatoes and tomato sauce, tobacco, chocolate, and white potatoes and the Americas received wheat, barley, rice, and apples, as well as horses and cows. (8)

Columbus the Villain

A number of Columbus' deeds in the West Indies were infamous. These were often done in keeping with the practices of the colonial powers in Europe.

The motives driving these voyages of discovery were to expand the territory controlled by the Spanish empire, bring gold and other riches to Spain's treasury and to Ferdinand and Isabella personally, and also to reward Columbus with 8 10% of all the riches. (9)

According to the "discovery doctrine," any territory not held by European royalty, or whose inhabitants were not Christian, could be claimed by European explorers. Upon first landing in the Caribbean Columbus declared he was taking possession of the islands in the name of the king and queen of Spain. (10)

Columbus' task was to convert the Taino Indians to Christianity and thus make them loyal subjects of Spain who would be put to work searching for riches to send to the motherland. This was based on the concept of compulsive universality- "that Christian truths were universal and permitted no deviations among believers, non-believers, or people who had not yet encountered the faith." (11)

The first voyage (1492- 1493) saw comparatively friendly relations between Columbus and the Taino Indians. Columbus noted how peaceful and generous the natives were, and that they lacked Europe's advanced technology in ship-building and military weapons. In his diary he wrote that with 50 men he could rule the Tainos, and he did take seven Indians captive to serve as guides. (12)

The second voyage (1493 - 1496) was a virtual invasion fleet of 17 ships transporting up to 1500 gold-seeking men, military weapons, and also horses, which the Taino Indians had never seen before. This small army conquered much of Hispaniola (the island now home to Haiti and the Dominican Republic). Columbus and his lieutenants ordered that every Taino Indian over 14 years of age mine gold or produce cotton. There was little gold to be found on Hispaniola prior to 1499, and those who did not meet the quota were punished with whippings, and in later years with hands chopped off. This led many tribes to rebel. (13)

With the failure of the tribute system Columbus initiated a land-grant program in which land occupied by a Taino tribe was given to a Spanish master who had absolute power, and often demanded that his subjects find gold, or raise cotton or sugar in addition to their traditional crops. The initial lands granted were those of Taino tribes which had been defeated in battle by Columbus' men, and, following the European practice, became slaves. Other land-grants involved peaceful tribes. Columbus assumed that the land automatically included the Tainos living on it, and this was just another form of slavery, and some Spanish masters took it a step further to buying and selling slaves despite the king and queen forbidding this practice. The Tainos reacted to this system by producing only small amounts of gold and cotton, and limited garden crops. (14)

Columbus had to send something substantial back to Spain to show the monarchs he was holding up his end of the deal. Since there was little gold found, he shipped 5,000 Taino slaves to Spain and its colony in the Canary Islands. This, however, left too few Indians in Hispaniola, which angered the Spanish land-grant overseers who had been promised by Columbus that Taino gardens would provide their food. The Tainos continued to rebel by running off into the mountains, where they were hunted down by the Spanish, or committed mass suicide. Those Taino tribes which warred against the Spanish were crushed by soldiers utilizing two animals that terrified the Indians - horses (cavalry), and attack dogs that literally tore people to pieces. These battles often turned into massacres. (15)

The hard labor, excessive cruelty by Columbus' men, and unsuccessful rebellions took a high toll of Taino lives, and the shipment of slaves to Spain made the situation even more dire. So, Columbus sent raiding parties to neighboring islands to kidnap Indians for slaves. The Bahama Islands appeared deserted by 1516. To further complicate the situation Columbus spent much of his time at sea looking for a passage to Japan and China, leaving inexperienced lieutenants, such as his two brothers, in charge on Hispaniola. When he returned in 1494 he found that settlers as well as and Tainos had revolted, and several Spanish and Taino leaders had been hung. (16)

Columbus, an effective captain at sea, was an ineffective governor on land. He mismanaged the food supplies sent from Spain and vacillated on how to settle disputes -sometimes excusing Spaniards or Tainos who did not follow his dictates, other times having them jailed or hung. He organized a military campaign against the Taino rebellions, and then ordered other troublesome settlers hanged. He took no action against settlers who raped or kidnapped Taino women and children and sold or traded Taino slaves. By this time, he followed the monarchs' position that religious conversion and conquest were "inseparable processes." This and their other policies mentioned above, ignored all the rights of the Taino people, yet the queen insisted that Columbus treat the Indians well and then convert them into obedient Christian servants. He sent word back to her that Tainos were treated well and would soon become Christians and be released from bondage -none of which was true. (17).

On his third voyage (1498 -1500) Columbus arrived in Hispaniola and once again found wars with the Tainos caused by an increase in Spanish brutality, as well as factions of settlers fighting among themselves. These conflicts escalated in 1499 when large deposits of gold were finally discovered. Columbus again had several rebellious Tainos and troublesome settlers hung. Ferdinand and Isabella could not tolerate the execution of Spaniards, and Columbus and his two brothers were brought back to Spain in chains. Columbus was able to convince the monarchs that he would change his ways, but he was stripped of his position as governor of Hispaniola and was banned from going there. He was given several ships and made his fourth voyage (1502 - 1504) during which he explored the seas south of Hispaniola. He died in Spain in 1506. (18)

By 1496 half of the Tainos on Hispaniola -up to 500,000-were dead. In 1508, there were 60,000 Tainos living on the island, and the number dropped to 500 in 1548. The Spanish continued to force Indians on nearby islands into slavery and by 1550 the West Indies were virtually depopulated. The Spanish began to import African slaves to replace the Tainos in 1505. Over the next 365 years roughly 11 million Africans were shipped to the Americas. The European conquest of North, Central, and South America during that same period led to the death of 50 to 90 % of the total indigenous populations. (19)

Some historians state that Columbus was a devote Christian and did not plan to commit genocide. But by accepting the European concepts of the discovery doctrine and of compulsive Christianity he came to see Tainos as subjects of Spain who refused to discard their native beliefs and were therefore primitive and subhuman, which justified their enslavement. And in weighing his Christian beliefs against the emphasis on accruing gold, he chose to focus on the gold and the need for enslavement of the Tainos. He was, as Robert Royal states, "a product of an increasingly pathological European culture that united religious aims and greed." In doing so he initiated the process of genocide in the West Indies. Many Native Americans died from the diseases that Columbus and other Europeans unknowingly passed on to them, but slavery and brutal treatment directly killed thousands of Tainos, or caused the degradation and hopelessness that led to mass suicides. According to the United Nations, genocide is a "process of deliberately inflicting conditions that caused the partial or complete destruction of a group of people" by means of :

"killing members of the group, causing serious bodily or mental harm, subjecting the group to conditions that cause its destruction in whole or part, imposing methods to prevent births, forcibly transferring children to another group."(20)

Columbus was a man of his times who followed a pattern begun by the Spanish and Portuguese in Africa and the Canary Islands. He chose gold over the Christian value of love. Indeed, several writers have noted that what most perplexed the Tainos about the Europeans was their "coldness, their hardness, their lack of love." These are not traits that are heroic or to be celebrated. One definition of a

hero is someone who can see the potential for a better future and work to change current society. Columbus did not choose this course in his relations with the Tainos. (21)

The crucial issue in 2021 is that European-Americans acknowledge the genocidal acts of the past and how these fueled the new forms of institutional racism present in America today. And we should honor heroes whose actions exemplify the ideals in our Constitution, such as: liberty and justice for all. It is also important to identify the shortcomings of men and women chosen as heroes --there are no perfect human beings, and it is dangerous to define any person as superior or without flaw.

Christopher Columbus, the hero, was a skilled navigator whose voyages led to the permanent linking of all the world's continents. He was also a villain who led the first European genocide of indigenous people in the Americas. Unmasking the myths of Columbus and later European "heroes" who committed similar or more tragic acts against indigenous people represents an important first step in creating a United States, as well as a global community, in which all humans are treated with respect, even those who are different or unpopular.

Dealing With Columbus Monuments

Many Italian Americans feel that official Columbus Day holidays with parades, numerous monuments, and many organizations named after Columbus give the ethnic group its due recognition. This has been true since 1892 when the huge monument in New York City drew national attention. Now all this has come into question, especially here in Minnesota where we have a large Native American presence. The fate of the Columbus statue in St. Paul, now in storage, will soon be decided by a state commission. (22)

I recommend that the Columbus statue be preserved and again set up with a large, attached plaque that both credits him with forging the permanent link between the eastern and western hemispheres, and condemns his genocidal campaign against Native Americans. This could be located at or near the state capitol building. More importantly, if Native Americans wish, one or more memorials can be constructed that honor the state's tribal nations and relates how they see the effects of the arrival of Europeans in Minnesota and the United States. Perhaps this (these) can be located near the Columbus statue. It could then serve as a place to have formal presentations and encourage informal discussions about appreciating and respecting the many cultures that together make our history and create our future. (23)

There should be other related displays, such as:

- Describing the similarities and differences between white minority groups, such as the Irish and Italians in the past, and Jews and Muslims today, as compared to racial minorities-African Americans, Native Americans, Asian Americans, and Latinos--since the 1600s.
- Define the workings of institutional racism.
- Outline what white privilege means.

Identify Other Heroes

Throughout the history of the West Indies and the United States scores of individuals have promoted justice, equality, and peace. Guarionex, a Taino chieftain had a compromise plan to address Columbus' unrealistic demand that each Indian produce a specific amount of gold. He offered to feed the Spanish colonists if Columbus cease his demands for gold. The offer was rejected. Although Columbus did cut in half the amount of gold each Taino was to produce, it still was an impossible goal to attain. (24)

Two Spanish priests spoke out against the cruel treatment inflicted upon the Tainos 20 years after Columbus's first voyage. In his sermons Antonio de Montesinos beseeched the Spanish colonists: "Are these Indians not men? Did they not have rational souls? Are you obliged to love them as you love yourselves?" (25)

Bartolome de Las Casas documented the atrocities against the Tainos and pressured the Spanish monarchs to order their officials to treat the Indians more humanely. He also advised that African slaves be substituted for the Tainos, but he later acknowledged this idea was a mistake. (26)

It is time to acknowledge that the official versions of American history have distorted the story of Columbus and the fate of Indians and other people of color. We have all been deceived in this manner and our anger should be directed at the myths and their white authors, not at racial minorities. And more importantly our sense of justice must insist the story of racial relations in our county be told accurately. Only then can our nation heal its wounds.

We Italian Americans have plenty of heroes to honor. Here's a small sample:

Francesca Cabrini (1850-1917), born in Lombardia she became a nun, and immigrated to the United States in 1889. She established orphanages, schools, and hospitals for Italian immigrants living in the tenements of Americas cities, and also visited immigrants in western mining camps and rural areas of south. She was assisted in her work by nuns of a religious community that she founded- the Missionary Sisters of the Sacred Heart of Jesus. A naturalized citizen, she was the first American canonized by the Catholic Church. (27)

The son of an Italian father and a Jewish mother, Fiorello LaGuardia (1882 -1947), was a congressman who fought against nativism, racism directed at blacks, and anti-Semitic movements. He pushed for minimum-wage laws, workers compensation, the abolition of injunctions used in labor disputes, freedom of speech for all minority groups, and was an outspoken critic of the bigoted immigration law passed by Congress in 1924. He was mayor of New York City from 1934 to 1945. (28)

Congressman Vito Marcantonio (1902-1954), represented a Manhattan district that included the largest Italian community in the nation, as well as Puerto Rican and black neighborhoods. The son of immigrants, Marcantonio campaigned for civil rights, fair employment practices, improved public housing, and humane immigration laws. Speaking for his poor and working-class constituents, he declared that "the great problem of the 20th century is how to organize our economy so that the abundance is enjoyed by all its citizens. (29)

Footnotes:

1. John Yewell, "The Day, the Pledge, the Myth," in John Yewell, Chris Dodge, Jan DeSirey, *Confronting Columbus: An Anthology*, 1992, p. 170
2. A number of the basic ideas in this article are taken from a piece I wrote 29 years ago: "We Need New Heroes," *Colors*, September/October, 1992, pp. 10 -11.
3. Robert Royal, *Columbus and the Crisis of the West*, 2020, p. 252. John Andreozzi, "We Need New Heroes," p. 10.
4. Patrick I. Blessing, "The Irish," p. 528; and Humbert Nelli, "The Italians," p. 547, in Stephan Thernstrom, Ann Orlov, and Oscar Handlin, eds., *Harvard Encyclopedia of American Ethnic Groups*,

1980. For a description of the assimilation process see: John Andreozzi, *The Italians of Lackawanna, New York, Steelworkers, Merchants, and Gardeners*, 2009, pp. 161-170.

5. John Andreozzi, "We Need New Heroes," p. 10; John Andreozzi, *The Italians of Lackawanna, New York*, op. 195 -205; Rudolph J. Vecoli, "The Italians," in June Drenning Holmquist, ed., *They Chose Minnesota: A Survey of the State's Ethnic Groups*, 1981, p. 463.

6. Wikipedia defines white privilege as: The implicit or systematic advantage that people who are deemed white have relative to people who are not deemed white.

7. Hugh Thomas, *The Slave Trade: The Story of the Atlantic Slave Trade: 1440 - 1870*, 1997, p. 551; Wikipedia: George Washington and slavery.

8. John Mohawk, *Discovering Columbus: The Way Here*, in John Yewell, Chris Dodge, Jan DeSirey, *Confronting Columbus: An Anthology*, 1992, pp. 26 -27; and Laurence Bergreen, *Columbus: The Four Voyages, 1492 -1504*, 2011, pp. 222 - 223;

9. Laurence Bergreen, *Columbus, The Four Voyages: 1492-1504*, p. 287; John Noble Wilford, *The Mysterious History of Columbus: An Explanation of the Man, the Myth, the Legacy*, 1992, pp. 96 -97.

10. John Mohawk, "Discovering Columbus: The Way Here," pp. 27 -28.

11. *Ibid*, p. 24.

12. Samuel Eliot Morison, translator & editor, *Journals and Other Documents on the Life and Voyages of Christopher Columbus*, 1963, p 68; Robert Royal, *Columbus and the Crisis of the West*, p. 74.

13. Laurence Bergreen, *Columbus, The Four Voyages: 1492-1504*, p. 284. Ward Churchill, "Deconstructing the Columbus Myth," in John Yewell, Chris Dodge, Jan DeSirey, *Confronting Columbus: An Anthology*, 1992, p. 153; Kirkpatrick Sale, *The Conquest of Paradise: Christopher Columbus and the Columbian Legacy*, 1990, p. 155; Hans Koning, *Columbus: His Enterprise, Exploding the Myth*, 1991, p. 71.

14. Laurence Bergreen, *Columbus, The Four Voyages: 1492 -1504*, 200 -201, 283 -284; Felipe Fernandez-Armesto, *Columbus*, 1991, p.137 - 141; Robert Royal, *Columbus and the Crisis of the West*, p. 107.

15. James Loewen, "Columbus in High School," in John Yewell, Chris Dodge, Jan DeSirey, *Confronting Columbus: An Anthology*, 1992, p. 97. James Loewen, *Lies My Teacher Told Me About Christopher Columbus: What Your History Books Got Wrong*, 2014, pp. 36-38. Alfred W. Crosby, Jr., *The Columbian Exchange: Biological and Cultural Consequences of 1492*, 1972, pp. 81,95. Laurence Bergreen, p. 204. Jose Barreiro, "A Note on the Tainos," in John Yewell, Chris Dodge, Jan DeSirey, *Confronting Columbus: An Anthology*, 1992, p. 41.

16. James Loewen, "Columbus in High School," p. 97; Laurence Bergreen, *Columbus, The Four Voyages: 1492 -1504*, p. 284.

17. Felipe Fernandez-Armesto, *Columbus*, pp. 107, 137 - 138; Robert Royal, *Columbus and the Crisis of the West*, p. 29. Laurence Bergreen, *Columbus, The Four Voyages: 1492 -1504*, p. 276.

18. James Loewen, *Lies My Teacher Told Me About Christopher Columbus: What Your History Books Got Wrong*, p. 39. John Noble Wilford, *The Mysterious History of Columbus: An Explanation of the Man, the Myth, the Legacy*, 1991, pp. 237 - 238.

19. Ward Churchill, "Deconstructing the Columbus Myth," p. 156; James Loewen, "Columbus in High School," p. 97; John Noble Wilford, *The Mysterious History of Columbus: An Explanation of the Man, the Myth, the Legacy*, p. 195. Hugh Thomas, *The Slave Trade: The Story of the Atlantic Slave Trade*, p. 862. Laurence Bergreen, *Columbus and the Crisis of the West*, p. 205.
20. Ward Churchill, "Deconstructing Columbus," p. 156; Laurence Bergreen, *Columbus: The Four Voyages*, p. 284; Robert Royal, *Columbus and the Crisis of the West*, p. 106; Rafael, Christopher Columbus, *The Hero*, 2020, p. 211; Wikipedia-United Nations definition of genocide.
21. Kirkpatrick Sale, *The Conquest of Paradise: Christopher Columbus and the Columbian Legacy* p. 151.
22. John Andreozzi, *Italian-American-Experience.com*, lists over 10,600 Italian organizations founded in the United States since 1820, many of them named for Columbus. In Minnesota, 20 % of the 277 Italian organizations founded since 1883 bear the Columbus name.
23. The idea about placing monuments in a manner to encourage discussion is in: Peter Decarlo and Mattie Harper, "Minnesota, we need to talk about our Columbus monument," *MINNPOST*, 9/11/20, p. 21.
24. Jose Barreiro, "A Note on the Tainos," p. 34.
25. John Noble Wilford, *The Mysterious History of Columbus: An Explanation of the Man, the Myth, the Legacy*, p. 190.
26. *Ibid*, p. 192.
27. Mary Louise Sullivan, "Cabrini, Mother Frances Xavier (1850-1917)," in Salvatore J. LaGumina, Frank J. Cavaoli, Salvatore Premeggia, Joseph Joseph A. Varacalli, eds, *The Italian American Experience*, 2000, pp. 88 -89.
28. Stefano Luconi, "LaGuardia, Fiorello H. (1882 -1947), *ibid*, pp. 331-332.
29. Salvatore J. LaGumina, "Marcantonio, Vito (1902 -1954)," *Ibid*, pp. 356-357.

A summary of the attached article *Columbus: Hero, Villain, Or Both*

Landing in the West Indies in 1492, Columbus symbolically began the immigration of 40 million Europeans to the U.S. As a Catholic, he was the only non- W ASP among the traditional American heroes, as noted by the wave of Irish Catholic immigrants in 1840s, and that of the Italians which began in 1880. Both groups endured discrimination, and in search of acceptance embraced the "discoverer."

The Irish and Italians convinced 43 states and the federal government to create Columbus Day holidays. In Minnesota, Italians financed the statue which was placed on the state capitol grounds in 1931. The state holiday was declared in 1945.

I believe that it is crucial that we who have venerated Columbus and used his name to enter mainstream society must examine all of his deeds.

The heroic Columbus:

- He understood the air and water currents in the Atlantic Ocean
- A good navigator, he made four voyages to the West Indies.
- Political skills: he convinced the King and Queen of Spain to finance his voyages.
- His voyages permanently linked the "Old World" with the western hemisphere changing the course of world history.

The villain: Columbus applied the existing pattern of European colonialism.

- any territory not inhabited or ruled by Christians could be claimed by European explorers
- Christian truths were universal and permitted no deviations
- Columbus failed to convert the Tainos to Christianity and to be loyal subjects, which led the Europeans to treat them as lesser human beings
- Columbus' men raided nearby islands to capture more slaves to replace those who had died
- these behaviors constituted genocide, the first of many in the Americas.

The crucial issue today is that Irish, Italians, and other European-Americans acknowledge the genocidal acts in our history and how these relate to today's institutional racism.

Columbus had two accomplishments, one famous, the other infamous. He informed people in the "Old World" of the presence of the western hemisphere, and indigenous people in the Americas of the "Old World." This led to a recognition of the global system of continents and their populations. Yet he also led men to own slaves and to commit genocide, which became the model for the European conquest of the Americas

The statue: we must recognize both the good and bad deeds of all our traditional heroes and avoid the temptation to describe them as perfect. As concerns the Columbus statue in St. Paul I recommend: the statue be set up with a large plaque listing both his positive and negative deeds.

If Native Americans wish, one or more memorials can be constructed that honor the state's tribal nations and state how they view the arrival of Europeans in Minnesota. Perhaps this (these) can be located near the Columbus statue. It could then serve as a place to have formal presentations and encourage informal discussions about appreciating and respecting the many cultures that together make our history and create our future."

CAAPB Response

Thank you for your thoughtful comments on who we choose to celebrate in our public spaces, based on shifts in perspective and understanding over time.