

2018

# Monument Avenue Commission Report



Prepared for the Office of the Mayor and  
City Council, City of Richmond, VA

7/2/2018

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## Introduction

In June 2017, Richmond Mayor Levar M. Stoney announced the formation of a commission to determine what to do with Confederate monuments located on historic Monument Avenue. Throughout the United States, many cities were grappling with what to do with Confederate symbols in public spaces. The issue rose to greater public consciousness due in large part to the murders of nine parishioners in Charleston, SC by a young, self-proclaimed white nationalist adorned with images of the Confederacy- most notably a battle flag.

What happened in Charleston was not the primary provocative moment in Richmond. The issue of Confederate images and symbols on the public landscape has surfaced in Richmond multiple times over the years. For decades- if not a century- groups and individuals have advocated removing or modifying the monuments for a variety of reasons- most notably because each honors those perceived as traitors to the United States and enduring symbols of white supremacy. Conversely, advocates fervently want the monuments to be left exactly as they are because they consider each reflections of ancestral, historical and artistic pride. When planning began for the UCI World Cycling Races in the fall of 2014, the organizers' decision to include Monument Avenue as a major venue was met with strong reaction and a question: how will the world view Richmond?

The statues on Monument Avenue have been a source of pride and shame for the City's residents from the time of their installations. As the City has become more ethnically, politically and socioeconomically diverse, tolerance for the monuments' artistic and cultural meaning has shifted over time. In essence it is a question of whether or not Monument Avenue reflects the citizenry and its values. It is for these reasons the Commission was formed and tasked to determine how best to reconcile a particular landscape viewed as both sacred and profane.

During the course of this work, the Monument Avenue Commission has mined almost two thousand letters, devoted considerable time in public forums and tirelessly researched to ensure this report reflects our diverse public and the best scholarship to craft a solution that is best for Richmond. This report is the first comprehensive review of Monument Avenue commissioned by the City in over 50 years.

On behalf of the entire Commission, we would like to thank the thousands of area residents who took the time to share their passions, thoughts and suggestions. We'd also like to thank members of the education, arts and culture, and history communities for providing expertise, support and resources to assist in this process. A special thank you to City staff assigned to help us navigate things we couldn't have imagined. Finally, we'd like to thank Mayor Levar M. Stoney and members of the Richmond City Council for entrusting each of us with this profoundly important work. As difficult as it has been over the past year, it has been an honor to serve.

Christy S. Coleman  
Co-Chair

Dr. Gregg D. Kimball  
Co-Chair

## II. Commission Charge

The following guidelines were announced by Mayor Levar M. Stoney June 22, 2017 at a press conference announcing the formation of the Monument Avenue Commission:

The charge of this Commission shall be:

- 1) To solicit public input and make recommendations to the Mayor's Office on how best to tell the real story of these Monuments;
- 2) To solicit input on changing the face of Monument Avenue by adding new monuments that would reflect a broader, more inclusive story of our history;

Mayor Stoney expanded the scope of the Commission during remarks given August 16, 2017 in response to events in Charlottesville.

- 3) To include an examination of the removal and/or relocation of some or all of the monuments.



### III. Commission Members

#### **Co-Chairs:**

Christy Coleman - CEO, American Civil War Museum

Christy is a museum professional with a distinguished career spanning 30 years. She has held leadership positions at the Charles H. Wright Museum of African American History in Detroit, the Colonial Williamsburg Foundation and the Baltimore City Life Museums. She has been with the ACWM and its predecessor organization since 2008.

Dr. Gregg Kimball – Library of Virginia, Director of Public Services and Outreach

Gregg is a scholar, public historian and the author of “American City, Southern Place: A Cultural History of Antebellum Richmond.” Prior to his role at the Library of Virginia, Gregg also worked as staff historian for the Valentine Museum providing valuable original research for many exhibitions and program initiatives.

#### **Commissioners:**

Hon. Andreas Addison- Richmond City Council, 1st District

Andreas holds a Political Science degree from Virginia Tech and a MBA from University of Richmond. Always interested in public service, his goal is to bring best practices and new ways of thinking to the operations of City Hall. Andreas focuses on improving public engagement, enhancing government accountability, collaboration, and transparency.

Dr. Edward L. Ayers - Tucker-Boatwright Professor of the Humanities and President Emeritus of the University of Richmond

Ed is a renowned historian of the American South and a pioneer in digital scholarship projects. He has won a number prestigious awards including; the Carnegie Foundation for the Advancement of Teaching, The National Humanities Medal and a Finalist for The National Book Award and Pulitzer Prize, the Bancroft Prize and most recently, the Lincoln Prize for “The Thin Light of Freedom.”

Stacy Burrs, Development Consultant

Stacy Burrs is a successful business consultant with an eye toward vibrant arts and culture as hallmarks of great cities. He has served in leadership roles at Venture Richmond and the Black History Museum and Cultural Center of Virginia. He has been active in the community serving several arts, culture and social service organizations and boards throughout the region.

Sarah Shields Driggs – Architectural and Art Historian

Sarah holds degrees from Tulane University and the University of Virginia. She currently serves on the City of Richmond's Public Art Commission and has served on other preservation and educational boards and commissions over the years. She has worked as a writer and editor and, among other projects, is one of the authors of "Richmond's Monument Avenue."

Hon. Kim Gray, Richmond City Council, 2nd District

Kim is a graduate of the prestigious Sorensen Institute for Political Leadership at the University of Virginia, and is a graduate of Leadership Metro Richmond. Other civic roles include membership in The Junior League of Richmond and the Historic Jackson Ward Association. In 2008 she was elected to the Richmond School Board, where she served as the 2nd District Representative for two terms. She is serving her first term as a member of City Council.

Dr. Julian Hayter - University of Richmond (Leadership Studies)

Julian is a historian whose research focuses on mid-20th century U.S. history and politics within the broader context of modern African American history, and the American civil rights movement. His writing and research draws attention to mid-20th century voting rights in Richmond, Virginia and in the border South; the implementation of the Voting Rights Act; and the unintended consequences of African American political empowerment and governance post-1965.

Dr. Luranett Lee-Public Historian and Consultant

Luranett is a professor at the University of Richmond in two schools: The Jepson School of Leadership Studies and the School for Professional and Continuing Studies. She is also a 2017 Community Trustbuilding fellow in the Initiatives of Change/Hope in the Cities, an international organization engaged in racial healing and understanding. She serves on several boards including the Virginia Foundation for the Humanities and Virginia's 1619 Commemoration.

Coleen Butler Rodriguez- City Resident and Marketing Specialist

Coleen is a former marketing executive and small business owner who currently lives on Monument Avenue. She has renovated five historic houses and is active in historic preservation across Virginia. She holds degrees from The University of Virginia and The VCU School of Business. She serves on the Board of Advisors of Historic Richmond Foundation, the Board of Trustees of the Roller-Bottimore Foundation and is a member of the Monument Avenue Preservation Society.

**Advisor:**

Julie Langan-Director of the Department of Historic Resources

Julie is an experienced historic preservation professional and nonprofit administrator. She's previously held leadership positions with regional and local preservation nonprofits and two state historic preservation offices in Virginia and Arkansas. Ms. Langan has taught historic preservation at the University of Mary Washington College and Virginia Commonwealth University.

## IV. Guiding Principles

The following principles best reflect the Monument Avenue Commission (MAC) approach which guided its work and conclusions.

### **A Transparent Process:**

To encourage a diverse range of public input, several methods should be deployed to ensure as much inclusion as possible. Too many residents believe the creation and/or consideration of any public art or engagement process is not always democratic or inclusive. Best efforts should take precedent while recognizing no process will be perfect nor achieve perfect consensus.

### **Comprehensive Historical Narrative:**

Richmond's history is diverse. Any telling of that history must be inclusive of the people who made it the vibrant city it is today. A holistic narrative requires coming to terms with elements of history that are far more cautionary than celebratory, more tragic than triumphal and recognizing- in some cases- these opposing concepts can exist around the same subject.

### **Importance of Public Art:**

All great cities have public art to adorn, teach and reflect its history, culture and values over time. Richmond has an opportunity to affirm its commitment to public art through effective stewardship, preservation and periodic review. Great cities acknowledge public art is not a luxury but rather essential to its growth, enrichment, health and vibrancy. It is just as important as good schools, libraries, robust economy, sound infrastructure and responsive government.

### **Change is Inevitable:**

As a community evolves, so does what it values. When public art- owned and sustained by public funds- becomes offensive to large groups of its citizenry, the city has a responsibility to make reasonable efforts to address those issues. Major works of art are an expression of a community's collective self and *de facto* represent that community to the larger world.

### **Partnerships are Vital:**

Expertise comes in a variety of forms. It is critical to align with partners who can assist moving processes and outcomes forward. By encouraging meaningful and mutually beneficial partnerships across disciplines with established and newer voices, innovation and creativity can flourish often providing dynamic solutions to a range of complex issues.

## V. Executive Summary

During a press conference at City Hall June 22, 2017, Mayor Levar M. Stoney stated:

“Monument Avenue is one of Richmond’s most beautiful streets. Along with Jackson Ward, it is one of only two National Historic Landmark Districts in the City. Every year, thousands of tourists flock to it, thousands of Richmonders run down it, and still more travel its leafy, cobblestoned lanes on the way to work and home every day. It’s been described as one of the most picturesque grand boulevards and urban residential neighborhoods in the world. But my fellow Richmonders, something is wrong with this picture. It’s the story told by the Confederate monuments that give the street its famous name and have defined its landscape for more than a century. That story is, at best, an incomplete story – equal parts myth and deception.”

In the course of his remarks, he announced the formation of the Monument Avenue Commission (MAC). A deadline of October 2017 was set reflecting an expectation of two or three public discussions followed by deliberations among commissioners to form the recommendations around context and adding new statues. However it became clear from the overwhelming public response, emotions were running high over the subject. Within hours of the initial announcement, letters, emails and calls were received from City residents and other interested parties expressing their opinions on the matter. Those initial responses were reflected three primary questions; 1) Why desecrate the beauty and history of Monument Avenue? 2) Why is removal not a consideration? or 3) What does ‘context’ mean?

As with all things, nothing happens in a bubble. It was not surprising the public response was as swift and visceral as it was. In the two years prior to the Commission’s formation, cities across the country- and particularly in the South- were grappling with what to do with Confederate symbols on the public landscape. All were in response to the murders of nine parishioners at the Emanuel African Methodist Church in Charleston, SC by a self-proclaimed white nationalist in June 2015. Public outcry over images of the murderer with Confederate flags and other paraphernalia resurfaced long-held conflicts over the imagery. Like Richmond, these cities often contended with flashpoints over these symbols. For many, the time had come for careful examination of how to move forward. Within a few weeks of the Charleston tragedy, several cities made the decision to remove Confederate flags from the public landscape and buildings but the conversation quickly turned to statuary.

The first major Southern city to seriously review what to do with its Confederate statuary was New Orleans, Louisiana. For decades grassroots organizations fought for the removal of the Liberty Park Memorial that flagrantly celebrated the massacre of black residents as retaliation for Reconstruction. But the city was also home to other statues celebrating Confederate military and political heroes. In May 2015 (one month prior to the events in Charleston), New Orleans’ City



Council voted to remove all of its Confederate statues from city parks. The city set up a task force to determine how best to proceed as legal challenges mounted.

In defiance of the city's leadership, its standing Monumental Task Committee (an organization charged with maintaining the city's monuments and plaques) issued its response arguing the Council's decision to remove the statues, "stripped New Orleans of nationally recognized historic landmarks." In a public address May 17, 2017, the city's Mayor Mitch Landrieu responded to that criticism by stating, "These statues are not just stone and metal... They are not just innocent remembrances of a benign history... To literally put the Confederacy on a pedestal in our most prominent places of honor is an inaccurate recitation of our full past, it is an affront to our present, and it is a bad prescription for our future." Between April 24, 2017 and May 19, 2017, New Orleans removed four prominent statues and began the process of renaming dozens of public schools bearing the names of Confederate icons.

With Richmond's public interest so high and increasing, it was critically important to communicate MAC's work in a timely fashion and provide a means by which the public could engage with it. The website [www.monumentavenuecommission.org](http://www.monumentavenuecommission.org) was established in June 2017 providing links for public comment, information about commissioners, meeting dates and more. As planning got underway, it was incumbent for MAC to remain as informed as possible about what was happening around the country- both in terms of processes and actions. The goal was to provide as transparent and equitable of a process as possible to offer options to the City's leadership.

Planning for the first public meeting began in July 2017. Initially, the Commission formed work groups to get public input to determine the best processes moving forward and to establish a baseline (of sorts) around the key outcomes expected. Over the course of ten months, public input was received in a variety of formats which proved highly useful. In the course of the work, it became abundantly clear the majority of the public acknowledges Monument Avenue cannot and should not remain exactly as it is. Change is needed and desired. The public offered many fascinating ideas, and the majority seemed to favor a multi-faceted approach.

In the meantime, cities across the country were taking action according to their jurisdictional constraints or lack thereof. The Southern Poverty Law Center (SPLC) issued a report titled "Whose Heritage: Public Symbols of the Confederacy" which was updated June 4, 2018 (<https://www.splcenter.org/20180604/whose-heritage-public-symbols-confederacy>). The report found that 110 Confederate Monuments, names or symbols were removed from public spaces- most notable parks, courthouse and names of schools and roads. However, more than 1700 remain- most in the states making up the former Confederate States of America or its boarder states. However, these statues can be found throughout the United States. Of that 1700+, the SPLC report maintains more than 300 are in Virginia, Georgia or North Carolina. A 2016 report from the Department of Historic Resources to the Governor of Virginia put the number of Confederate

memorials/statues at 136 as recorded in the Virginia Cultural Resource Information System. Monument Avenue's Confederate statues are considered among the most significant in the country.

However, more than 30 cities removed confederate statues-none of them in Virginia- and did so within months of the Charlottesville incident. They include: Baltimore and Annapolis, MD; Daytona Beach and Bradenton, FL; Louisville and Lexington, KY and Brooklyn, NY. Memphis, TN exploited a loophole in its state law protecting the monuments. The Memphis City Council sold the property on which a statue of Nathan Bedford Forest stood which enabled them to remove it. The Tennessee legislature retaliated by withdrawing funds from the city. Durham, NC is the only city where a statue was removed by civilian action. Despite the fact many of these statues were originally sponsored by and funded with support from the United Daughters of the Confederacy, there is only one instance where that group has paid for the removal of a statue from public space. A Gainesville, FL chapter of the UDC relocated a statue known as "Old Joe" to a nearby cemetery.

Relocating statuary is a challenging proposition. A few cities have done so, and most have put them in storage facilities. With the national conversation gaining momentum, there were a number of people who said, "Put them in a museum!" The reality is most museums simply do not have the capacity- financially or spatially- to accept and properly care for monuments- particularly those of significant scale. In addition, Confederate statues may not align with the mission of a given art or history museum. Other suggestions have been to place them in cemeteries.

In addition to cities, a number of universities began removing Confederate-related names from buildings and streets. Among the most notably are the University of Mississippi and University of Texas-Austin. UT-Austin removed four statues placing all but one in storage. After months of conservation, UT's Briscoe Center of American History placed the Jefferson Davis statue on display in its galleries. UT-Austin's President stated, "While every historical figure leaves a mixed legacy, I believe Jefferson Davis... played a unique role in the history of the American South that is best explained and understood through an educational exhibit." (<https://www.texasmonthly.com/the-daily-post/jefferson-davis-back-ut/>)

Additional information about actions taken throughout the country can be found at <http://www.foxnews.com/us/2018/06/19/which-confederate-statues-were-removed-running-list.html> and

[https://en.wikipedia.org/wiki/Removal\\_of\\_Confederate\\_monuments\\_and\\_memorials](https://en.wikipedia.org/wiki/Removal_of_Confederate_monuments_and_memorials)

In addition to Jefferson Davis, the majority of statues removed depict Robert E. Lee, Thomas J. "Stonewall" Jackson and Nathan Bedford Forrest, P.G.T. Beauregard and J.E.B. Stuart.

In contrast, several states enacted new legislation between 2015 and 2017 designed to prevent any alteration or removal of the Confederate statuary including Alabama, Mississippi, and Tennessee. Other states throughout the South already had legislation preventing or greatly restricting any

actions regarding monuments. Virginia's laws are the oldest dating to 1902. North Carolina changed its laws in 2015 in response to the Charleston massacre placing a caveat that any removal must be approved by a two-thirds majority of its legislature. Efforts to overturn this type of legislation have failed in these states including in Virginia. The clear challenge with these laws is most monuments are located in major cities. Cities tend to be more ethnically diverse, younger, more politically and socially progressive and have values different than what they perceive as those associated with the statues. The idea of giving localities control of these and other issues often fall on less than sympathetic ears at the State level. The same is true for Richmond.

Formal demographic analysis of those who came to the meetings did not occur prior to the May 2018 gatherings. But we did note only two meetings were either all black (with one or two white persons present) or all white. Collectively, it is reasonably safe to estimate approximately 75-80% of attendees at all the public meetings or work sessions were white. The remaining attendees were predominately African American with a few others self-identifying as multiracial, Native American or Latino during open commentary. Anecdotally, there was a wide range of ages present at every meeting except one. What is critically important to understand is the range of views expressed was not monolithic or stereotypically reflective of these demographic markers.

During the course of the meetings, it became abundantly clear there were a number of historical inaccuracies being repeated by the public throughout the public meeting process about a number of topics related to the monuments. The Commission drew on the collective historical knowledge and collections of the Commonwealth's preeminent state historical institutions, resulting in the website "On Monument Avenue" (<https://onmonumentave.com>). Likewise, the Commission drew on the collective research and publications of the scholarly community and other documented studies of Confederate memorialization.

Given all we heard, read and learned, the Commission strongly endorses a comprehensive approach that creates an environment (and City) that celebrates the contributions of many diverse groups and acknowledges the darker chapters of the City's past. A holistic narrative acknowledges the emotional realities the Monument Avenue statues represent. However along with other assets within the City, there is a tremendous opportunity. It is also extremely important to note a large majority of respondents advocate for a substantive development of the Shockoe Bottom area that focuses on the Devil's Half Acre/Lumpkin's Jail sites and the businesses that profited from the enslavement of African-descended people.

The options presented reflect these issues and more. Implementation of the options presented will require coordination between various groups within City government (Planning Commission and the Public Arts Commission) and- equally important- groups outside of it to help. The Commission also acknowledges one of the options presented will require a closer examination of existing law, outcomes of pending litigation and legislative action. The MAC Recommended Options and Opportunities for the Mayor and City Council can be found at the end of this report.

## VI. MAC Public Engagement Process

Shortly after the press conference announcing the formation of the Commission, questions immediately turned to how will it engage the community. Some thought the very composition of the Commission lacked a diversity not of gender or ethnicity, but rather lacked grassroots representation. This comment came from both from Confederate heritage organizations and black arts, culture and social justice groups. Others felt MAC should be proactive and invite prominent individuals, influencers and groups to meet with it. After some discussion, the Commission resolved that such invitations could violate the very spirit of an open public process. Given the initial charge, it seemed prudent to hold open forums to gauge public sentiment so that we could craft language for contextualizing the monuments and solicit suggestions for adding new monuments.

Planning for the first public meetings began in July 2017. Commission members were assigned to four teams each with a particular responsibility to inform a larger public comment session planned for August 9, 2017. The four teams were tasked with the following:

Historians Review Group: Provide additional historical background on existing monuments and information on community-proposed additions to Monument Avenue. (Gregg Kimball, Ed Ayers, Julian Hayter and Luranett Lee.)

Community Engagement Group: Establish rules for community engagement and how the public sessions should be structured. (Jon Baliles, Stacy Burrs, and Kimberly Gray.)

State of Confederate Memorialization Group: Find out what other communities and institutions are doing around the country to address Confederate memorials and monuments. (Andreas Addison, Ellyn Parker, Christy Coleman, Anedra Bourne.)

New Monuments and Interpretation Group: If monuments are added, where can they best be erected and interpreted? What are our interpretive options? (Bobby Vincent, Sarah Driggs, Coleen Butler Rodriguez.)

The work group sessions included public comment but were much smaller in scope. The largest gathering had about 30 members of the public present. Several individuals attended all four meetings. At a working session held August 7, 2017, the full Commission met to discuss initial findings, review the two hundred plus letters and emails received at that point and to determine what additional information was needed. It was prior to this meeting the Commission received a draft of the City Attorney's findings. During the course of the discussion, it was apparent public knowledge around these and other issues was limited. In setting the agenda for the August 9<sup>th</sup> public

comment meeting, commissioners resolved to provide as much information to the public as possible, while yielding the bulk of the time for public feedback.

In the week leading up to the August 9 meeting, it was becoming clear there were groups organized to dominate the discussion. The suggestion offered by community members during the public engagement work session was implemented. The lottery-like system was set to grant two minutes to each randomly selected speaker who signed in upon arrival at the venue. Held at the Virginia Historical Society (now known as the Virginia Museum for History and Culture), the public comment portion of the meeting became (by many accounts) less than fruitful. Filled to capacity with 500 attendees, several hundred more people were turned away from the venue. Regrettably, the meeting became a shouting match between those with opposing points of view of “leave them alone” or “take them down”. It is important to note, early responses from online submissions reflected these views as well. Unfortunately as the meeting wore on, it became extremely difficult to maintain the order hoped for to gain insights into what course was best for Richmond’s Monument Avenue.



Photo by Scott Elmquist

Four days later, another tragic event changed the tenor and course of the Commission’s work. On August 13, a “Unite The Right” rally led by several white nationalist and white supremacy organizations descended on Charlottesville, VA in opposition to that city’s plan to remove a statue to Robert E. Lee. Thousands of counter-protesters appalled by what they considered an assault on decency rallied in opposition. With tensions at a fever pitch, a “Unite the Right” protester deliberately drove his car into crowds of counter-protesters as they were leaving their event. He injured dozens and murdered a young woman with his car. A State of Emergency was declared and all eyes were on Charlottesville. Many other Southern cities pondered, could it happen here too? With America in a state of shock, there was little denial for the majority that Confederate symbols and statuary were inextricably tied to white supremacy- and perhaps may have always been. The question remaining was what could be done about it?

Within days of the Charlottesville event, the Mayor of Baltimore decreed its monuments were to be immediately taken down and placed in a city storage facility. Other cities followed suit with well over fifty Confederate monuments being removed, covered or destroyed by vandalism between August and September 2017. It was also during this time Mayor Stoney amended the Commission's charge to allow consideration of removal of the statues. The MAC had to rethink its approach in concert with city leadership. In the interest of public safety, the Commission postponed its scheduled September 13, 2017 meeting to allow for a cooling off period. The Co-Chairs scheduled a new working session for November 14, 2017. In the interim, members of the Commission were asked to continue their group work and share any updates and public statements from various professional organizations. In addition, members were asked to remain diligent in reviewing new letters being posted via online submissions and share others that came via traditional mail.

Perhaps the most important outcome of the November 14, 2017 work session was the decision to extend to various community groups the offer of hosting MAC at their venues for the next round public meetings. The logic behind this decision was historic, artistic, preservation, social justice, heritage, faith-based and others could set their own agendas when interacting with the Commission. The intent for this format was literally to put the MAC in the community's hands. The meetings could be as intimate or large as the requesting organization chose. Initially, nine organizations/groups submitted requests through the online portal and via email to the Co-Chairs. It was at this meeting that the City Attorney officially released his final opinion regarding the monuments.

However, there was some confusion around what constituted a 'public' meeting. By making a request to MAC, some groups misinterpreted that their event would be reserved for their members/guests only. The reality was different. The open meetings laws for the City and State are quite clear. Any gathering of three or more commissioners constitutes a public meeting and the public must be allowed entry to the venues capacity- even if that public is not allowed to speak during proceedings. This key clarification led five of the groups to cancel their events. Three returned along with a few new groups requesting instead only one or two commissioners attend a gathering.

From these meetings, the comments and information shared ultimately reflected sentiments expressed in the letters received and comments made in previous discussions. Overall the exchanges between these groups and commissioners were civil but no less passionate and thoughtful. All meetings began with opening statements or position announcements by the particular group. Among the eight meetings held, one was a formal facilitated process for all attendees. One was a full presentation where no interaction was wanted or expected from the commissioners. Two involved position announcements with a question and answer session with commissioners. The remaining gatherings can best be described as question and answer format after brief updates from MAC about

its process to date and when it expected to conclude its work. Through these meetings at least 300 more people were actively engaged.



Photo by Scott Elmquist

Considered a successful addition to the public engagement process, the Commission began planning for its final round of larger public comment meetings. Conversations also continued with members of the arts and cultural committees in the Richmond region and around the country to best determine next steps and options. The Co-Chairs strongly advocated for professional facilitators to help guide the structure of these meetings and to garner necessary input from the public. With the request granted, commissioners prepared presentations reflecting the results of their research and creating graphics to best illustrate what was learned. All this data was shared in public meetings held May 10, and May 19, 2018 and included in various sections of this report.

In all, the Commission received over 1800 letters via email and online submission and gained written, polled or verbal feedback from over 1200 people in public forums. The results of all means of public engagement are relatively consistent but did shift over time. However, there were for main opinion groups. Below each are predominate statements for each sentiment.

- A) Keep the monuments and make no changes to them
  - Represent my heritage
  - Are a sacred space akin to a burial ground
  - Are works of art
  - Represent war heroes
  - Should not be erased as ISIS would do
  - Are not about slavery
  - Removal would have negative economic impact (tourism, national boycott of RVA)
- B) Keep the monuments and add context or new monuments
  - Should be kept as a teaching tool
  - Must be preserved as symbols of hate so no one ever forgets
  - Should contain context of when, by whom, and why they were erected
  - Should be considered for forgiveness

- Should tell an inclusive story of all the people of that period –slaves, women, spies, union, fallen soldiers
  - Should represent the ideas of all the people of a society if they are on public land
  - Context or new monuments must be as large and imposing as these to be effective
- C) Relocate the monuments
- Should be in a place where you choose to see them and learn about them
  - Placement on Monument Avenue inherently prevents a broader context because of the statues' grandiosity and places of honor
  - Could be put in a "Fallen Monuments" Parks as other countries have done
  - Make it difficult for large corporations to attract employees from other areas because of Confederate adoration
  - Are appropriate for a cemetery or a battlefield
  - Should be in a Jim Crow Museum
  - Removal would be the first step in repairing relations in our city
- D) Remove the monuments
- Are a painful reminder to a large portion of Richmond's population of the history of enslaved people
  - Have no place in a city of the future
  - Must be judged as statues of the Jim Crow era when they were erected (1890-1920s)
  - Are relics of white supremacy
  - Were formalized as racist symbols after the Alt-Right rallies
  - Were erected to rewrite the past and bolster the Lost Cause narrative

It is extremely important to understand that with little exception, there is a range of nuance in the letters and comment cards written. Many reasons were given for each opinion, but what became clear was that even if people wanted the same outcome for the monuments, their reasons for those outcomes were very different.

For instance, the first two groups wanted to keep the monuments on Monument Avenue, but those in the first (A) group typically wanted them to stay for reasons of heritage or support for the men on the statues and their Confederate history. The second group (B) typically wanted to use the statues as a teaching tool to tell the story of the era in which the statues were erected and the impact of the statues on the City and nation. Within groups B and C that wanted to add context to the statues, the latter did not think the statues should remain in such a visible location, but should be put in a museum or battlefield. The last two groups (C and D) both believed the statues should be removed, but group D believed the monuments should be sold or destroyed, and not displayed anywhere because they are painful and shameful remnants of a racist ideology. While one can make presumptions that there really are only four options, the responses of the public are actually far more nuanced. It became important to the Commission to delve deeper to understand that nuance.



In compiling information about which individuals or groups should become a part of the new narrative on Monument Avenue, there were several suggestions- any one of which would be welcomed. The Word Cloud graphics below show the top suggestions received.



At the last two public meetings (5/10/18 and 5/19/18) participants were able to vote in the four categories which emerged from the online input. The results of these meetings confirmed the major trends which emerged from the website.

Website submissions/letters:

- 22.4% stated to keep the monuments with no changes
- 26.7% stated to keep the monuments and add context or additional monuments
- 16.6% stated to relocate the monuments
- 18% stated to remove the monuments

Last meeting polling results:

***if you had to choose between these options, which do you think is the best option for the city and region.***

	Responses			
	May 10th Percent	May 10 <sup>th</sup> Count	May 19th Percent	May 19 <sup>th</sup> Count
Keep the existing monuments just as they are, make no changes	18.06%	13	7.5%	3
Keep existing monuments as they are, but add context and/or new ones	44.44%	32	35.00%	14
Relocate the monuments to a different place	12.50%	9	12.50%	5
Remove the monuments from Monument Avenue	22.22%	16	22.50%	9
I am not sure what is best.	2.78%	2	0%	0
Other/Combination			22.50%	9
<b>Totals</b>	<b>100%</b>	<b>72</b>	<b>100%</b>	<b>40</b>

If anything is abundantly clear, it is the vast majority of the public acknowledges Monument Avenue cannot and should not remain exactly as it is. Change is needed and desired. The public offered many fascinating ideas, and most seemed to favor a multi-faceted and highly creative approach.

## VII. A Brief History of Monument Avenue

Monument Avenue is Richmond's version of the grand, City Beautiful Boulevard. Although divided boulevards (some with sculpture punctuating the medians) were built in other cities in the United States at the end of the nineteenth- and early twentieth centuries, no other boulevard had a commemorative theme. And, to add to the unusual character of the street, the theme honored the defeated rebels in a civil war.

Monument Avenue's unique combination of community planning, commemoration and architecture makes it nationally significant and qualifies it as a National Historic Landmark. However, being an NHL does not encase it in amber, never to be touched. Whether or not alterations would affect its status as a landmark depends on what they are and how they are interpreted by the NHL board. The Arthur Ashe Monument had already been added when Monument Avenue was declared a landmark, so the NHL board obviously recognizes that change happens in a healthy city. Change can also make history, especially at such a prominent site. By the time Ashe was unveiled, the people in Richmond who had the power to erect monuments to their heroes had changed.

Rarely are monuments erected immediately after an event or a death. Usually a few years have passed and the groups that commemorate the event are presenting their point of view as it has evolved. They have processed the event, decided what was important about it, and they deliberately choose to display and immortalize the parts that they want history to remember. Monuments are made to educate and to persuade. We erect monuments to events that are overwhelmingly important to us, and interpret them in the way we would like them to be remembered.

Almost immediately after Robert E. Lee died in 1870, discussions began about memorials. During the next two decades visions of the final sculpture began to emerge from competitions and proposals. At the same time, the artistic, cultural and political movements that shaped the late nineteenth century had time to surface. Many different artistic and political movements influenced Monument Avenue's development, but all of them drew on symbols, events and cultures of the past with the intent of shaping the future.

Creating a divided boulevard to frame the Lee Monument was the concept of a Richmond real estate developer, but it fed the dreams of those who hoped that Richmond could be re-imagined as a capital of the New South, a center for thriving business and a portal to the future. In order to reach that ideal, the past would have to be recognized, honored and somehow dignified. To be readmitted to the Union on a truly equal level, the South would have to justify their actions during the war. The Lost Cause, as that justification became known, became a persistent campaign that persuaded generations of Americans that the South's actions were based on a constitutional right to defend their economy and way of life. It depoliticized the war by focusing on the perceived nobility of

individual leaders like Lee, Davis and Jackson. Their personal virtues and great sacrifice were highlighted and their cause downplayed. States' rights, a concept outlined in the Constitution, became the justification for secession. Secession was deemed necessary to preserve an economic system that enslaved millions. Slavery was often painted either as a necessary evil or as a charitable gesture—meant to provide a better, more useful life for the enslaved than they could provide for themselves. This was all intended to help the South walk away from defeat and humiliation and reenter American life with dignity. Creating a great avenue as a site for the monument to Lee was an added bonus, as was the fact that Lee Circle was donated to the commonwealth. The later monuments all stand on city property.

The monument to Lee was unveiled on May 29, 1890, twenty years after his death. Marius Jean Antonin Mercié, the sculptor who won the commission, was one of the most famous artists in the world at the time. He was asked to portray Lee as a stoic, noble man astride a strong horse. He was very careful to provide not just a beautiful, heroic sculpture, but also a realistic portrait. During the unveiling ceremony, the speeches depoliticized Lee, instead praising his strength of character and great sacrifices.

By 1907, when the next monuments were dedicated, a depression and the Spanish-American War had passed. Virginia's new state constitution of 1902 had restored white supremacy by disenfranchising African-Americans and working-class whites, and in 1907 there was a spike in lynching across the region. By that time, Atlanta had effectively become the capital of the New South. Richmond, however, was a sentimental favorite to physically embody the Lost Cause, and Monument Avenue was a new street, with a lot to offer. The monuments to J. E. B. Stuart and Jefferson Davis were erected on either side of Lee and unveiled during the same Confederate reunion in 1907, forty-two years after the war ended.

J. E. B. Stuart was sculpted by Frederick Moynihan and unveiled on May 30, 1907. The resurgence of white supremacy provided an atmosphere in which the depiction of Stuart could be much more aggressive than that of Lee. In his pose, reining his horse in and brandishing a sword, Stuart leads a charge.

Richmond sculptor Edward Virginius Valentine was chosen to portray Jefferson Davis. It was unveiled at the same reunion, on his birthday June 3, 1907. Davis's pose depicted him giving the speech in which he resigned from the United States Senate. In that speech, which is quoted on the entablature behind him, he referred to the states' rights guaranteed by the Constitution as the justification for secession. It has been noted many times that Davis is the only monument on the avenue that honors a non-Virginian. The setting, designed by prominent Richmond architect William J. Noland, provides a monumental stage that balances the equestrian statues around it. The name of the allegorical figure on top of the column behind Davis, Vindicatrix, was based on the word vindicate—reinforcing the goals of the Lost Cause.

Frederick William Sievers, another Richmond sculptor, was selected to sculpt Thomas Jonathan “Stonewall” Jackson, whose monument was unveiled on October 11, 1919. Jackson’s serenity and spirituality are key to the portrait, which seems incongruous considering its placement above one of the busiest intersections in the Fan. The sculptor conferred carefully with veterans to be sure the portrait was accurate. By this time, Jim Crow laws and policies had effectively quashed any of the progress made by African-Americans in the decades after the war, and the message conveyed by the Jackson monument could afford to be more subtle, presumably based on his character rather than his military deeds. The year before the unveiling, World War I had ended, with over 41,000,000 dead. Also in 1918 over 3% of the world population had died in a flu epidemic, including at least 500,000 Americans, and possibly even more than had died in the Civil War. It had been fifty-four years since the end of the war.

Matthew Fontaine Maury’s monument was commissioned to honor his scientific achievement, rather than his service to the Confederacy. Richmonders struggled to gather sufficient funds to build the monument until the United Daughters of the Confederacy stepped in and raised money from schoolchildren, a nickel at a time. Sievers received this commission as well, and the monument finally was unveiled on November 11, 1929. Once again, the achievements of a Confederate were being praised on Monument Avenue—this time, sixty-four years after the end of the Civil War.

The unveiling of Arthur Ashe on July 10, 1996 changed the earlier message of Monument Avenue by introducing a modern, African-American hero, a hero for a whole different group of Richmonders. The Richmond sculptor Paul DiPasquale had been chosen by Ashe himself, but many disagreed with the lack of a competition, the design and the location of the monument. Partly because so many people attended meetings to protest its placement on Monument Avenue, City Council decided it was time to change the message of the street. The Civil War had been over for 131 years.

The sculptural collection on Monument Avenue had grown organically—each one individually. Of course as each Confederate monument was built, it became easier to imagine the next but there was never any rule or ordinance dictating that the Confederacy would be the only message.

Monument Avenue was built by groups looking both to the past and to the future. Each group honored their heroes, positioning themselves politically in their various times. The Lost Cause, a propaganda campaign, inspired the enthusiasm that drove people to look back, past larger, more recent wars to continue to mourn the loss of one that was fought to preserve the enslavement of other humans.

## VIII. A Complicated Legacy

While we have been diligent in documenting the specific histories of the individual monuments and the avenue that emerged, we also concur with the American Historical Association's *Statement on Confederate Monuments* (August 2017) that emphasizes "the imperative of understanding historical context in any consideration of removing or recontextualizing monuments, or renaming public spaces." The following discussion lays out our fundamental understanding of this context. We present here the consensus of most professional historians as well as new research carried out by the Commission.

Many meanings can attach to a monument or memorial. Hollywood Cemetery's rough-hewn pyramid at the site of the Confederate section of the burial ground speaks to the tremendous loss of life the white South suffered during the war. The Ladies Memorial Association who funded it just a few years after the war certainly felt that loss intensely and personally. Typical of early memorialization efforts, mourning and loss permeated these monuments and ceremonies.

Likewise, the old soldiers who came to the Richmond's statue dedications traveled there to pay tribute to their "chieftain" and to bond with their former comrades-in-arms. Once in the former Capital of the Confederacy, they and their relatives heard tributes to "Great Generals and Christian Soldiers," speeches that reflected themes of bravery, leadership, and faith that still resonate with white southerners. No doubt their northern contemporaries felt similar emotions while attending the erection of statues to a panoply of Union heroes. With an aging population of veterans and national reunification, whites in both sections took part in a nation-wide frenzy of monument building and memorialization.

That the white men and women present at these events felt these things is not in dispute, but it does not obviate the larger meanings of these monuments and their context. For example, Confederate veterans were explicitly and frequently extolled in racialized terms as exemplars of the "Anglo-Saxon" South. African Americans viewed the monuments quite differently, and, as described later in this report, their opinions were ignored by monument builders. In this aspect, most northern veterans were complicit. The Blue and Gray handshakes on former battlefields recorded in photographs and grainy film are between whites. Reconciliation and the reassertion of white rule in the South went hand-in-hand.

At the root of the "Lost Cause" Movement and Confederate memorialization was a sustained and deliberate effort to reshape the memory of the Civil War, its causes, and the role and nature of slavery. Southern veteran, memorial and heritage organizations stood at the forefront of this movement. They censored books, patrolled newspaper articles, and erected highly ideological monuments, such as the tribute in Harpers Ferry to Heyward Shepherd, an African American killed by John Brown's raiders, styled the "Faithful Slave Memorial." The sanitizing of textbooks in

Virginia persisted well into the late twentieth century. It should be no surprise, then, that the Commission heard such opinions in our listening sessions, despite several generations of academic scholarship that have largely corrected the historical record.

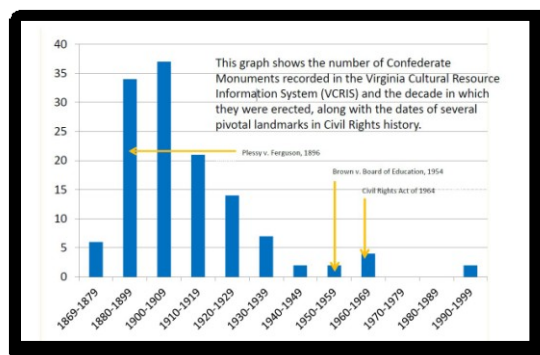
Monument Avenue reflects these ideological positions in subtle and not-so-subtle ways. An inscription on the Jefferson Davis Monument, for instance, styles the Confederate president as a “Defender of the Rights of States,” deflecting the question of slavery. Such revisionism puzzled some former Confederates. John Singleton Mosby, Virginia’s famed Confederate guerrilla leader, reported to a friend that he noticed one “Lost Cause” apologist claiming that “the charge that the South went to war for slavery is ‘a slanderous accusation.’” Mosby mused, “I always understood that we went to War on account of the thing we quarreled with the North about. I never heard of any other cause of quarrel than slavery.” Mosby wrote this with not a hint of regret at his decision to join the Confederate cause.

Mosby’s view of the war and slavery makes us face another uneasy reality. Celebrations of the Confederate States of America were and are rooted in an unshakable believe in the rightness and righteousness of the Cause; but if Davis, Jackson, and Lee had been victorious, what would have been the result? If the Confederacy’s constitution is its foundational document, one result is beyond question—perpetual slavery for millions of people of African descent and of millions more yet unborn.

### Jim Crow, Disenfranchisement and Confederate Memorialization

The largely successful efforts to recast the Confederate past not only made the monuments possible but also were instrumental in fashioning a brand of history that has cast a long shadow over Southern and American memory. In fact, built largely in an era of African American disenfranchisement, racial violence, and Jim Crow segregation, the monuments reflect the dominance of those who constructed a new apparatus of white supremacy after the demise of slavery.

The building of Confederate monuments was, for the most part, a 20th century endeavor. A 2016 study by the Virginia Department of Historic Resources that accompanies the report of Governor McAuliffe’s Monuments Work Group shows that the chronology of Virginia’s Confederate memorialization follows the national pattern documented by the Southern Poverty Law Center in its recent report on Confederate symbols nationwide. A bar graph accompanying the VDHR report shows



the peak of Confederate monument building between 1900 and 1909.

Historians consider the early twentieth century to be the nadir of Southern and American race relations. White Southerners used the power vested in state and local governments to systematically divest African Americans and poor whites of the right to vote. This process had profound implications for the future of public and private space. In fact, Confederate memorialization gained momentum at the very moment when, due to the 1902 Constitution, Virginia's segregationist leaders used poll taxes and understanding clauses to eliminate African Americans voters from the formal decision-making process. Disenfranchisement was not just essential to Southern redemption and segregation; poll taxes ensured that Confederate monuments could be erected without a popular mandate. Assertions that these movements were not connected are belied by the Constitution's exemption of Civil War veterans and their sons from the 1902 constitution's voting restrictions.

Race relations and disenfranchisement continued to influence Confederate memory well into the mid-twentieth century. Similar to national trends, Confederate memorialization in Virginia enjoyed a brief revival during the Civil Rights era, as the fight for African American equality gained significant momentum. Both the chronological chart in the report of the Virginia Department of Historic Resources and the SPLC's national chronology show this brief surge in Confederate memorialization. This, too, is hardly a coincidence. Historian Robert J. Cook has shown how even the national commemoration of the centennial of the Civil War was riven by conflicts related to interpretations of the war filtered through the lens of the battle for Civil Rights.

### Silenced Voices in an Undemocratic Commonwealth

The convergence of disenfranchisement and monument building also underscores the AHA's assertion that "nearly all monuments to the Confederacy and its leaders were erected without anything resembling a democratic process. . . . African Americans had no voice and no opportunity to raise questions about the purposes or likely impact of the honor accorded to the builders of the Confederate States of America." This was especially true in Virginia, perhaps the most undemocratic state in the Union in the twentieth century based on the small size of its electorate and the control exerted by a powerful Democratic machine. Indeed, Virginia's 1902 Constitution was never submitted to a popular vote as was the Reconstruction-era Constitution of 1869 (popularly called the Underwood Constitution). Disenfranchisement in Virginia lasted well into the mid-twentieth century and profoundly influenced the nature of decision-making in the Commonwealth. In fact, it is impossible to separate Confederate memory from the blanket disenfranchisement of Jim Crow segregation. For most of the twentieth century, large percentages of Virginians had no say in who and what was commemorated.



The few African American voices that managed to be heard in Virginia's public debates on Confederate memorialization before the advent of Jim Crow are worth considering. A significant number of African Americans served in Virginia's post-Civil War legislature until the 1890s. Representing many thousands of Virginians from across the state, their reaction to early efforts at Confederate memorialization speak loudly. In an 1875 House of Delegates vote on an appropriation for receiving and placing a Thomas J. "Stonewall" Jackson statue in Capitol Square, eleven African American members of the body voted "no" along with three white Republicans. Even earlier, a controversy broke out in the House of Delegates in 1871 regarding a portrait of Robert E. Lee in civilian clothing that was offered to the state for display in the Capitol. The Commonwealth sought an appropriation of \$600 for the portrait but Senator Frank Moss, an African American legislator from Buckingham County, objected. A newspaper reported that Moss stated that as "Gen. Lee had fought to keep him in slavery . . . he couldn't vote to put his picture on these walls." As with the Jackson appropriation, the majority white body approved the expense.

One of the members of the Virginia House of Delegates who objected to the Jackson statue appropriation was Peter Jacob Carter of Northampton County on Virginia's Eastern Shore. A former soldier in the United States Colored Troops, Carter embodied the thousands of Virginians, black and white, who fought bravely and honorably to preserve the United States and yet won no memorial erected by state or locality. It would be left to African American private philanthropy to sponsor the one major memorial in Virginia to the USCT soldier. During the depths of the Jim Crow Era, Norfolk citizens built a Civil War monument in the segregated West Point Cemetery that also featured a plaque honoring Spanish-American War veterans. Erected in 1920, it is surmounted by a life-sized bronze statue of Norfolk native Sergeant William H. Carney, Congressional Medal of Honor recipient and color bearer for the legendary 54th USCT Regiment.

Having been removed from the political decision-making process, African Americans used print media to voice their opposition to Jim Crow, the Lost Cause, and Confederate monuments. What remains, in fact, are glimpses of black Americans' deep opposition to Confederate memory. John Mitchell, Jr., pioneering newspaper editor, banker, and civil rights advocate, provides us with the most eloquent elaboration of African American opposition to Confederate memorialization in Virginia. Sidestepping the mainstream, white establishment through his newspaper the Richmond Planet, Mitchell published excerpts from other African American newspapers decrying the rise of Confederate memorials. While on the Richmond City Council, Mitchell voted against the use of local funds for the statues. He also registered his disapproval of the Lee monument in his weekly newspaper: "The South may revere the memory of its chieftains. It takes the wrong steps in doing so, and proceeds to go too far in every similar celebration. It serves to retard the progress in the country and forges heavier chains with which to be bound. All is over." Mitchell understood the power and importance of memorials and memory; he also sensed that the other side of the coin of Confederate valorization was second-class citizenship for blacks.

## The Role of History in the Public Square

We hope that the history presented here and on the Commission's website "On Monument Avenue" provides citizens with a common base of knowledge for discussing Monument Avenue and other examples of Confederate memorialization in the city of Richmond. The history also supports telling the story of the avenue in a variety of styles of interpretation and creating a robust dialog with the monuments. What the history cannot do is provide a definitive answer to the question of whether the monuments are appropriate as a representation of the city and its residents. It would be hypocritical for us to bemoan the lack of a democratic process in Richmond's and Virginia's past and then usurp the power of our present citizens by making these decisions. We recommend a close reading of this report's conclusions regarding public comment and civic engagement for a better understanding of how the Commission gauged the opinions of the city's people.

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## IX. Richmond and Virginia's Legal Monument Parameters

When the Commission began its work, one issue couldn't be ignored. At the turn of the twentieth century, Richmond City Council and the Virginia General Assembly each enacted laws to allocate funds to construct and later accept the respective statues as property of the City or State. These laws were specifically designated to fund, erect and protect Confederate monuments as indicated in the language. At various points the Commonwealth of Virginia reinforced these laws. The most pertinent language as it relates to Monument Avenue includes a law enacted in 1904 and another in 1950. The latter was most recently amended in 2010. The full language of these laws can be found in the Appendix- section B.

ACTS OF ASSEMBLY. CHAP. 29.—An ACT ... Approved February 19, 1904. 1. Be it enacted by the general assembly of Virginia, That the circuit court of any county be, and it is hereby, empowered, with the concurrence of the board of supervisors of such county entered of record, to authorize and permit the erection of a Confederate monument upon the public square of such county at the county seat thereof. And if the same shall be so erected, it shall not be lawful thereafter for the authorities of said county, or any other person or persons whatever, to disturb or interfere with any monument so erected, or to prevent the citizens of said county from taking all proper measures and exercising all proper means for the protection, preservation, and care of the same.

§ 15.2-1812. Memorials for war veterans.

A locality may, within the geographical limits of the locality, authorize and permit the erection of monuments or memorials for any war or conflict, or for any engagement of such war or conflict, to include the following monuments or memorials... If such are erected, it shall be unlawful for the authorities of the locality, or any other person or persons, to disturb or interfere with any monuments or memorials so erected, or to prevent its citizens from taking proper measures and exercising proper means for the protection, preservation and care of same. For purposes of this section, "disturb or interfere with" includes removal of, damaging or defacing monuments or memorials, or, in the case of the War Between the States, the placement of Union markings or monuments on previously designated Confederate memorials or the placement of Confederate markings or monuments on previously designated Union memorials.

### **Current Code of Virginia for Monuments to War Service Veterans**

§ 15.2-1812. Memorials for war veterans.

A locality may, within the geographical limits of the locality, authorize and permit the erection of monuments or memorials for any war or conflict, or for any engagement of such war or conflict, to include the following monuments or memorials: Algonquin (1622), French and Indian (1754-

1763), Revolutionary (1775-1783), War of 1812 (1812-1815), Mexican (1846-1848), Confederate or Union monuments or memorials of the War Between the States (1861-1865), Spanish-American (1898), World War I (1917-1918), World War II (1941-1945), Korean (1950-1953), Vietnam (1965-1973), Operation Desert Shield-Desert Storm (1990-1991), Global War on Terrorism (2000- ), Operation Enduring Freedom (2001- ), and Operation Iraqi Freedom (2003- ).

The governing body may appropriate a sufficient sum of money out of its funds to complete or aid in the erection of monuments or memorials to the veterans of such wars. The governing body may also make a special levy to raise the money necessary for the erection or completion of any such monuments or memorials, or to supplement the funds already raised or that may be raised by private persons, Veterans of Foreign Wars, the American Legion or other organizations. It may also appropriate, out of any funds of such locality, a sufficient sum of money to permanently care for, protect and preserve such monuments or memorials and may expend the same thereafter as other funds are expended.

Code 1950, § 15-696; 1962, c. 623, § 15.1-270; 1982, c. 19; 1988, c. 284; 1997, c. 587; 1998, c. [752](#); 2005, c. [390](#); 2010, c. [860](#).

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

Patrons can use the Code of Virginia set in the Government Documents room to historically follow the Code regarding monuments back to the Acts of Assembly on the following pages.

**Historical Acts of Assembly for Confederate Monuments –  
On Hathitrust –**

<http://www.Hathitrust.org>

**Published Acts of Assembly, 1904, page 62**

<https://babel.hathitrust.org/cgi/pt?id=njp.32101073363473;view=1up;seq=68>

**Link to entire Acts of Assembly publication for 1904:**

<https://hdl.handle.net/2027/njp.32101073363473>

**Archived Enrolled Bills – 1904, p. 118, Barcode 1076137**

Text:

ACTS OF ASSEMBLY. CHAP. 29.—An ACT to empower the circuit court and board of supervisors of any county to authorize and permit the erection of a Confederate monument upon the public square at the county seat thereof. Approved February 19, 1904. 1. Be it enacted by the general assembly of Virginia, That the circuit court of any county be, and it is hereby, empowered, with the concurrence of the board of supervisors of such county entered of record, to authorize and

permit the erection of a Confederate monument upon the public square of such county at the county seat thereof. And if the same shall be so erected, it shall not be lawful thereafter for the authorities of said county, or any other person or persons whatever, to disturb or interfere with any monument so erected, or to prevent the citizens of said county from taking all proper measures and exercising all proper means for the protection, preservation, and care of the same.

**Published Acts of Assembly, 1910, pp. 21-22 (begins at the bottom of p. 21)**

<https://hdl.handle.net/2027/uc1.a0001749811?urlappend=%3Bseq=25>

Link to entire Acts of Assembly publication for 1910:

<https://babel.hathitrust.org/cgi/pt?id=uc1.a0001749811;view=1up;seq=5>

**Archived Enrolled Bills – 1910, pp. 42-43, Barcode 1076144**

Text:

ACTS OF ASSEMBLY. CHAP. 17.—An ACT to amend an re-enact an act entitled an act to empower the circuit court and board of supervisors of any county to authorize and permit the erection of a Confederate monument upon the public square at the county seat thereof, approved February 19, 1904, and to add thereto another section authorizing the board of supervisors to appropriate whatever sum or sums of money that may be necessary, out of any funds belonging to said county, or to make a special levy and appropriate the money derived therefrom for the completion of or the erection of a monument to the Confederate soldiers of said county upon the public square at the county seat, or elsewhere at the county seat, and to appropriate from time to time sufficient of the county funds to permanently care for, protect and preserve the same. Approved February 9, 1910. 1. Be it enacted by the general assembly of Virginia, That the circuit court of any county be, and it is hereby, empowered, with the concurrence of the board of supervisors of such county entered of record, to authorize and permit the erection of a Confederate monument upon the public square of such county at the county seat thereof. And if the same shall be so erected it shall not be lawful thereafter for the authorities of said county, or any other person or persons whatever, to disturb or interfere with any monument so erected, or to prevent the citizens of said county from taking all proper measures and exercising all proper means for the protection, preservation and care of same. 2. And the board of supervisors of any county in this Commonwealth be, and they are hereby, authorized and empowered to appropriate a sufficient sum or sums of money out of the funds of any such county to complete or aid in the erection of a monument to the Confederate soldiers of such county upon the public square thereof, or elsewhere at the county seat; and they are also authorized to make a special levy to raise the money necessary for the completion of any such monument, or the erection of a monument to such Confederate soldiers, or to supplement the funds already raised or that may be hereafter raised by private persons, or by Confederate veterans, or other organizations, for the purposes of building such monuments; and they are also authorized and empowered to appropriate from time to time, out of

any funds of such county, 2. sufficient sum or sums of money to permanently care for, protect and pre-serve the Confederate monument erected upon the public square of any such county, and to expend the same therefor as other county funds are expended. ~ 3. An emergency existing by reason of the fact that many of the counties are ready to begin work on monuments and desire to make the appropriation at once, this act shall be in force from its passage.

## **X- Recommended Options and Opportunities**

**To solicit public input and make recommendations to the Mayor's Office on how best to tell the real story of these Monuments.**

**Based on the public input received and the thoughts and consensus of Monument Avenue Commission Members, we offer the following recommendations:**

- A. Add prominent permanent signage at the public right-of-ways adjacent to the Matthew F. Maury, Thomas J. "Stonewall" Jackson, Jefferson Davis, and J.E.B. Stuart, monuments that reflect the historic, biographical, artistic, and changing meaning over time for each. Based on the City Attorney's Opinion dated November 14, 2017, this should be an achievable goal in a relatively short span of time. There are a number of prominent academic historians who can draft the content for approval by either the Public Art or Planning Commissions.
- B. Given that the Robert E. Lee Monument is owned by the Commonwealth of Virginia, similar permanent signage can be placed in the City's right-of-way or sidewalks bordering it. This approach will ensure pedestrian and traffic safety.
- C. Work with the museum community to create a permanent exhibit that takes a far deeper dive into the history of the monuments and the people depicted. These organizations have collaborated to mine their collections and produced a website with online exhibition, reading materials and resources and a blog. An opportunity may exist to place a permanent outdoor exhibit in the median strip. A temporary exhibition could be produced for the courtyard of the Branch House Museum, located adjacent to the Davis Monument.
- D. Work with Richmond Regional Tourism and the Department of Economic Development/Office of Tourism to create a new video for the City's website that can also run in hotel rooms. In addition to all the City's assets, it can frame Richmond's entire monument landscape as an example of its diversity and modernity. It will provide an opportunity to showcase the entire landscape as it exists and in the near future (i.e. Emancipation Statue, Virginia Women, and Native Americans) as well as ensuring the narrative about Monument is consistent and historically accurate.
- E. Produce a mobile app with the information found on the new signage.

**To solicit input on changing the face of Monument Avenue by adding new monuments that would reflect a broader, more inclusive story of our history;**

- F. Create new contemporary works that bring new and expanded meaning to Monument Avenue by immediately engaging artists locally and internationally. Richmond is blessed with a vibrant and diverse creative community. Independent artists can create works to be installed along several stretches of the Avenue on a permanent or rotating basis. This approach allows for new and powerful interpretations. In addition, VCU's MoB Studio has received a significant grant from the National Endowment for the Arts to re-imagine Monument Avenue. Solicitation for design concepts has begun with submissions expected fall 2018.



- G. Commission a monument that commemorates the resilience of the formerly enslaved. However, the Commission suggests taking the concept further by creating a work dedicated to soldiers of the United States Colored Troops. These troops were predominately formerly enslaved men who seized the opportunity to free themselves, their families and millions of others by shouldering arms. The juxtaposition to the Confederate Statues could be a powerful statement. In particular, many respondents strongly suggested honoring the 14 Medal of Honor winners noted for their bravery at New Market Heights- seven of whom were Virginians. Individuals recommended in large numbers for new monuments include Maggie L. Walker (a statue was installed at Broad and 2<sup>nd</sup> in July 2017), Doug Wilder, Elizabeth Van Lew, Gabriel, John Mitchell, Jr. and Oliver Hill.
- H. Partner with Initiatives of Change to submit the next phased proposal to the Kellogg Foundation's Truth, Racial Healing and Transformation (TRHT) program. Richmond is one of only ten cities/regions across the nation to be chosen for this major funding and programmatic opportunity. At the core of the TRHT is a charge to dismantle notions of a hierarchy of race and white supremacy through substantial narrative change. TRHT's commitment acknowledges modern social, political, education and economic disparity and injustice are rooted in these supremacist notions which have built into the virtually every institution. Kellogg funding could be used to support a number of the options presented. This goal is more long term, but reflects aspirational goals expressed best by Mayor Stony: "... the legacy that will endure, are the people we build, the minds we enlighten and the hearts we open on both sides. When we do that, we will not just have a few new monuments. We will have thousands – LIVING monuments to understanding, inclusiveness, equality and promise.
- I. The Commission strongly recommends the City take a proactive and holistic approach to Richmond's monuments and statuary in order to rectify the historical silences in the city's landscape. The memorialization and historical interpretation of Shockoe Bottom are key to an honest reckoning with this aspect of the city's past. Many citizens urged us to support efforts to create a robust and thorough telling of Richmond's key role in the domestic slave trade. The Commission agrees that this should be a priority for our community.

**To include an examination of the removal and/or relocation of some or all of the monuments.**

- J. Pending litigation or changes in state law- which the City may choose to initiate or support- remove the Jefferson Davis Monument. Of all the statues, this one is the most unabashedly Lost Cause in its design and sentiment. Davis was not from Richmond or Virginia. The statue of Davis was created by Edward Virginius Valentine at his studio on Clay St which is part of the Valentine Museum. The Vindicatrix statue which sits at the very top can be relocated to a cemetery- perhaps with Davis's grave at Hollywood Cemetery. The plaques adorning the columns may be held in storage or returned to the United Daughters of the Confederacy which is the organization that raised funds to construct the piece. The remaining pedestals and mounts could be repurposed for a new monument or artistic work.

**XI. Appendix- A**  
**Mayoral Press Releases Establishing and Amending Monument Avenue  
Commission**

REMARKS BY MAYOR LEVAR M. STONEY - JUNE 22, 2017

Good afternoon. Thank you all for coming.

Monument Avenue is one of Richmond's most beautiful streets. Along with Jackson Ward, it is one of only two National Historic Landmark Districts in the City.

Every year, thousands of tourists flock to it, thousands of Richmonders run down it, and still more travel its leafy, cobblestoned lanes on the way to work and home every day.

It's been described as one of the most picturesque grand boulevards and urban residential neighborhoods in the world.

But my fellow Richmonders, something is wrong with this picture. It's the story told by the Confederate monuments that give the street its famous name and have defined its landscape for more than a century.

That story is, at best, an incomplete story – equal parts myth and deception. It was written in stone and bronze more than 100 years ago – not only to distort history by lionizing the architects and defenders of slavery, but also to perpetuate the tyranny and terror of Jim Crow and usher in a new era of white supremacy.

These inanimate objects were designed to do what the Confederate generals and the racist ideologues they depict could not – keep the free African people of Virginia in bondage.

The Lost Cause was their story – and they stuck to it.

But it was not history.

Monument Avenue was a real estate development that began with the Lee Statue in 1890, and it succeeded -- as a development venture AND in fabricating the "Lost Cause" ideology as truth.

In fact, it was nostalgia masquerading as history. But over decades this nostalgia became embedded and subsequently a part of our history, part of the false narrative – the alternative facts, if you will -- that we will begin to fact check, starting today.

I got into politics and government to give a voice to the voiceless and right wrongs. When I was running for office, I said that these Confederate statues require context – that is, an explanation of what they actually are – who built them, why they were built and how they came to preside over the culture of this city.

Ladies and gentlemen this is our time, and it's our responsibility, to set the historical record straight.

These will be difficult discussions, but we need to have them.

It is my belief that without telling the WHOLE story, these monuments constitute a default endorsement of a shameful period in our nation and in our city – one that does a disservice to the principles of racial equality, tolerance and unity we celebrate as values in One Richmond today.

And that is why I am pleased to announce the creation of the Monument Avenue Commission.

The job of this commission will be to solicit public input and make recommendations to the Mayor's Office on how to best tell the real story of these Monuments.

We have assembled a distinguished and experienced team of experts – a number of them who are here with us today. Historians, artists, authors and community leaders who will guide this process.

I am honored to announce that Christy Coleman, CEO of the American Civil War Museum, and Greg Kimball, Director of Education and Outreach for the Library of Virginia, have agreed to serve as Commission co-chairs.

The City is also fortunate to have as commission members: Councilman Andreas Addison, Ed Ayers, Stacy Burrs, Sarah Driggs, Councilwoman Kim Gray, Julian Hayter, Laurant Lee, and Coleen A. Butler-Rodriguez.

And I am grateful for the leadership and willingness of David Ruth, Superintendent for the National Parks Service in Central Virginia, and Julie Langan, Director of the State Historic Preservation Office at the Virginia Department of Historic Resources, to serve as ad hoc advisors to the Commission.

The commission will hold two public meetings before the end of September, and dates, times and locations will be announced in the coming days. Residents will also be able to offer suggestions and input on a web site that has been created: That site is: [www.monumentavenuecommission.org](http://www.monumentavenuecommission.org)

In addition to taking on the responsibility of explaining the monuments that currently exist, I have also asked the commission to look into and solicit public opinion on changing the face of Monument

Avenue by adding new monuments that would reflect a broader, more inclusive story of our city. That is our goal.

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I know there is pain in the history of our city. For many African Americans, that pain is personal. As an African American and the Mayor of this City, I am keenly aware that the past walks with us every day.

William Faulkner said: “The past isn’t dead. It’s not even past.”

This is about our future. And if we want to redefine our city’s future, we must correct the mistakes of its past in the present.

Sheffield Hale, the President and CEO of the Atlanta History Center, said: “The past has much to teach us about who we are, and where we are – if we let it.”

We have a chance to advance the truth, the complete truth, by using these symbols not for celebration, but as tools to educate. I wish these monuments had never been built, but whether we like it or not, they are part of the history of this city. And removal would never wash away that stain.

And the need to educate and explain our history has never been more important than it is today. We live in an age of alternative facts and fake news, Holocaust deniers and 9/11 conspiracy theorists, spouting manipulative and misguided narratives designed to build walls between us, not bridges.

Whether they are cast in concrete or birthed in the cyber soup of social media, the hate that built them will not go away just because you tear it down, turn it off or unfollow it. That is especially true when it comes to issues of race in our country.

Recent surveys on our monuments and recent demonstrations in other parts of the country tell a story of division, and affirm the idea that racism doesn’t start, nor will it end, because of some statues on a tree lined street – it resides in hearts and minds.

And the way to change hearts is to educate mind

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Right now many people probably drive past these statutes and are impressed by their scale and grandeur.

But they don’t realize that at the same time the statues on Monument Avenue were being erected between 1890 and 1919, the rights of African-Americans were being systematically removed.

In 1867, roughly 106,000 African American men were registered to vote in Virginia. By the time of the Virginia Constitutional Convention of 1902 there were 147,000 African American men registered.

By 1905 there were fewer than 10,000.

Between 1867 and 1895, nearly 100 black Virginians served in the two houses of the General Assembly or in the Constitutional Convention of 1867–1868. By 1889, there were four black legislators left.

By the turn of the century, as Jim Crow took hold, there were no more black legislators in Virginia... until 1968.

Right now, you won't find that on any monument on Monument Avenue.

But the legacy of the long retreat from democracy that these Monuments commemorate lingers in our City to this very day.

See, having a complete history is important.

My recent visit to Montpelier, the home of our 4th president, James Madison, has set an example that is worthy of mention.

With the help of a generous benefactor, they just completed a massive renovation of the grounds that included restoration of the South Yard of the estate, where 281 slaves once toiled and suffered.

The people behind the restoration, and Montpelier's important new exhibit, the "Mere Distinction of Colour" believe that telling the complete story of our past is the bridge to a more enlightened future.

So, aside from telling the truth to what already exists, what does a "complete story" look like?

Well, I think we should consider what Monument Avenue would look like with a little more diversity.

Right now, Arthur Ashe stands alone as the only true champion on that street.

Nevertheless, Richmond's history includes other champions, of course – like the United States Colored Troops – who marched into this city on April 3, 1865 and raised the American flag.

And there are champions in modern times, like Oliver Hill, a defender of equality, who led and won one of the most important civil rights battles in our nation's history  
Richmond is unique among cities in many respects in how it has handled its complex and conflicted Civil War and Civil Rights history.

We WERE the Capital of the Confederacy and ARE the city of the first African-American Governor elected in the United States – L. Douglas Wilder.

We have expanded the conversation and understanding of history and erected a Reconciliation statue acknowledging this city's role in the Triangle Slave Trade in Shockoe Bottom.

And we are moving forward developing a plan to commemorate the Devil's Half Acre and Richmond's African Burial Ground along Shockoe Creek.

We have a statue of Abraham Lincoln and his son Tadd next to the American Civil War Museum, the only museum dedicated to telling the story of the Civil War from multiple perspectives: Union and Confederate, enslaved and free African Americans, soldiers and civilians.

Next month we will dedicate a new statue of Richmond's own Maggie Walker on Broad Street, and next year, an Emancipation statute will be commemorated on Brown's Island.

These are all important projects, and symbols that help educate and build a bridge to understanding by offering a more complete history.

But let me suggest another strategy to balancing the historical ledger in our City through.

Let's make our next monument a new school.

A new community center.

An alternative to public housing that restores dignity and pride of place.

America's history has been written and rewritten; and our struggle with race in this country persists – not because public monuments rise or fall, but because fear makes people falter.

But what lasts, the legacy that will endure, are the people we build, the minds we enlighten and the hearts we open on both sides.

When we do that, we will not just have a few new monuments. We will have thousands – LIVING monuments to understanding, inclusiveness, equality and promise.

They are the ones who will know the difference between myth and fact. They will know the difference between history and nostalgia.

They will embrace just causes -- not lost causes, and write the next chapter in the history of our city.

That is the opportunity before us. Telling the complete story of Monument Avenue is one very important step on the road to building One Richmond.

So, let's get to work and Make It Happen.

Thank you.

#### REMARKS BY MAYOR LEVAR M. STONEY- AUGUST 16, 2017

When I spoke about the monuments earlier this summer, it was from an optimism that we can take the power away from these statues by telling their true story, for the first time.

As I said in June, it is my belief that, as they currently stand without explanation, the confederate statues on Monument Avenue are a default endorsement of a shameful period in our national and city history that do not reflect the values of inclusiveness, equality and diversity we celebrate in today's Richmond.

I wish they had never been built.

Still, I believed that as a first step, there was a need to set the historical record straight. That is why I asked the Monument Avenue Commission to solicit public input and to suggest a complete and truthful narrative of these statues, who built them and why they were erected.

When it comes to these complicated questions that involve history, slavery, Jim Crow and war, we all must have the humility to admit that our answers are inherently inadequate. These are challenges so fundamental to the history of our country, commonwealth, and city that reducing them to the question of whether or not a monument should remain is, by definition, an oversimplification.

But context is important in both historical, and present day, perspectives. While we had hoped to use this process to educate Virginians about the history behind these monuments, the events of the last week may have fundamentally changed our ability to do so by revealing their power to serve as a rallying point for division and intolerance and violence.

These monuments should be part of our dark past and not of our bright future. I personally believe they are offensive and need to be removed. But I believe more in the importance of dialogue and transparency by pursuing a responsible process to consider the full weight of this decision.

Effective immediately, the Monument Avenue Commission will include an examination of the removal and/or relocation of some or all of the confederate statues.

Continuing this process will provide an opportunity for the public to be heard and the full weight of this decision to be considered in a proper forum where we can have a constructive and civil dialogue.

Let me be clear: we will not tolerate allowing these statues and their history to be used as a pretext for hate and violence, or to allow our city to be threatened by white supremacists and neo-Nazi thugs. We will protect our city and keep our residents safe.

As I said a few weeks ago, our conversation about these Monuments is important. But what is more important to our future is focusing on building higher-quality schools, alternatives to our current public housing that provide dignity and safety for all, and policies to provide opportunities for all Richmonders to succeed.



## Appendix- B State Laws Regarding Confederate Memorials

### Current Code of Virginia for Monuments to War Service Veterans

§ 15.2-1812. Memorials for war veterans.

A locality may, within the geographical limits of the locality, authorize and permit the erection of monuments or memorials for any war or conflict, or for any engagement of such war or conflict, to include the following monuments or memorials: Algonquin (1622), French and Indian (1754-1763), Revolutionary (1775-1783), War of 1812 (1812-1815), Mexican (1846-1848), Confederate or Union monuments or memorials of the War Between the States (1861-1865), Spanish-American (1898), World War I (1917-1918), World War II (1941-1945), Korean (1950-1953), Vietnam (1965-1973), Operation Desert Shield-Desert Storm (1990-1991), Global War on Terrorism (2000- ), Operation Enduring Freedom (2001- ), and Operation Iraqi Freedom (2003- ).

The governing body may appropriate a sufficient sum of money out of its funds to complete or aid in the erection of monuments or memorials to the veterans of such wars. The governing body may also make a special levy to raise the money necessary for the erection or completion of any such monuments or memorials, or to supplement the funds already raised or that may be raised by private persons, Veterans of Foreign Wars, the American Legion or other organizations. It may also appropriate, out of any funds of such locality, a sufficient sum of money to permanently care for, protect and preserve such monuments or memorials and may expend the same thereafter as other funds are expended.

Code 1950, § 15-696; 1962, c. 623, § 15.1-270; 1982, c. 19; 1988, c. 284; 1997, c. 587; 1998, c. 752; 2005, c. 390; 2010, c. 860.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

Patrons can use the Code of Virginia set in the Government Documents room to historically follow the Code regarding monuments back to the Acts of Assembly on the following pages.

### Historical Acts of Assembly for Confederate Monuments – On Hathitrust –

<http://www.Hathitrust.org>

### Published Acts of Assembly, 1904, page 62

<https://babel.hathitrust.org/cgi/pt?id=njp.32101073363473;view=1up;seq=68>

### Link to entire Acts of Assembly publication for 1904:

<https://hdl.handle.net/2027/njp.32101073363473>

**Archived Enrolled Bills – 1904, p. 118, Barcode 1076137**

Text:

ACTS OF ASSEMBLY. CHAP. 29.—An ACT to empower the circuit court and board of supervisors of any county to authorize and permit the erection of a Confederate monument upon the public square at the county seat thereof. Approved February 19, 1904. 1. Be it enacted by the general assembly of Virginia, That the circuit court of any county be, and it is hereby, empowered, with the concurrence of the board of supervisors of such county entered of record, to authorize and permit the erection of a Confederate monument upon the public square of such county at the county seat thereof. And if the same shall be so erected, it shall not be lawful thereafter for the authorities of said county, or any other person or persons whatever, to disturb or interfere with any monument so erected, or to prevent the citizens of said county from taking all proper measures and exercising all proper means for the protection, preservation, and care of the same.

**Published Acts of Assembly, 1910, pp. 21-22 (begins at the bottom of p. 21)**

<https://hdl.handle.net/2027/uc1.a0001749811?urlappend=%3Bseq=25>

Link to entire Acts of Assembly publication for 1910:

<https://babel.hathitrust.org/cgi/pt?id=uc1.a0001749811;view=1up;seq=5>

**Archived Enrolled Bills – 1910, pp. 42-43, Barcode 1076144**

Text:

ACTS OF ASSEMBLY. CHAP. 17.—An ACT to amend an re-enact an act entitled an act to empower the circuit court and board of supervisors of any county to authorize and permit the erection of a Confederate monument upon the public square at the county seat thereof, approved February 19, 1904, and to add thereto another section authorizing the board of supervisors to appropriate whatever sum or sums of money that may be necessary, out of any funds belonging to said county, or to make a special levy and appropriate the money derived therefrom for the completion of or the erection of a monument to the Confederate soldiers of said county upon the public square at the county seat, or elsewhere at the county seat, and to appropriate from time to time sufficient of the county funds to permanently care for, protect and preserve the same. Approved February 9, 1910. 1. Be it enacted by the general assembly of Virginia, That the circuit court of any county be, and it is hereby, empowered, with the concurrence of the board of supervisors of such county entered of record, to authorize and permit the erection of a Confederate monument upon the public square of such county at the county seat thereof. And if the same shall be so erected it shall not be lawful thereafter for the authorities of said county, or any other person or persons whatever, to disturb or interfere with any monument so erected, or to prevent the citizens of said county from taking all proper measures and exercising all proper means for the protection, preservation and care of same. 2. And the board of supervisors of any county in this Commonwealth be, and they are hereby, authorized and empowered to appropriate a sufficient sum or sums of money out of the funds of any such county to complete or aid in the erection of a


monument to the Confederate soldiers of such county upon the public square thereof, or elsewhere at the county seat; and they are also authorized to make a special levy to raise the money necessary for the completion of any such monument, or the erection of a monument to such Confederate soldiers, or to supplement the funds already raised or that may be hereafter raised by private persons, or by Confederate veterans, or other organizations, for the purposes of building such monuments; and they are also authorized and empowered to appropriate from time to time, out of any funds of such county, 2. sufficient sum or sums of money to permanently care for, protect and pre-serve the Confederate monument erected upon the public square of any such county, and to expend the same therefor as other county funds are expended. ~ 3. An emergency existing by reason of the fact that many of the counties are ready to begin work on monuments and desire to make the appropriation at once, this act shall be in force from its passage.

Appendix- C  
Legal Opinion of the Richmond City Attorney



**CITY OF RICHMOND**  
INTRACITY CORRESPONDENCE

TO: Monument Avenue Commission

FROM: Allen L. Jackson  
City Attorney 

DATE: November 14, 2017

RE: War Monuments

The Commission has asked for an analysis of the rights and obligations of the City with respect to the Monument Avenue statues. To the extent possible, this memorandum focuses on these particular structures, but a discussion of the broader issues presented when one considers other Civil War monuments located in the City has been provided to provide context. Please note that answering certain questions about some of these structures, especially statues not located on Monument Avenue, requires additional case-by-case analysis.

To summarize my conclusions, no such monuments may be removed except at the risk of exposure to legal liabilities until either the courts or the General Assembly provide clarity to certain generally applicable state laws. Some monuments, including the Monument Avenue statues, may not be removed without still further action by the General Assembly to negate restrictions contained in the City Charter. Finally, placing permanent markers near the monuments that provide contextual information about them, and do not either disturb the monuments themselves or interfere with the ability of reasonable people to view them, would likely be viewed as being consistent with state law without further action by either the courts or the General Assembly.

As a threshold matter, the Lee Monument and the surrounding circle belong to the Commonwealth of Virginia. The 1899 resolution of the General Assembly that authorized the governor to accept the gift of the statue promised that the state would “hold said statue and pedestal and ground perpetually sacred to the monumental purpose to which they have been devoted.” Thus, without the consent of the state, the City has no legal authority to take action on or with respect to that property.

The remaining war monuments lie in the right of way of Monument Avenue. Absent some evidence showing the contrary, any structure permanently affixed to real estate the way these monuments are affixed would presumptively be considered the property of the City as a matter of law. In addition, various City resolutions affirmatively approved the locations and erection of the Stuart (Sept. 19, 1904), Davis (Oct. 14, 1904), Jackson (Mar. 3, 1915) and Maury (June 17, 1921) monuments; some of these resolutions or other enactments provided direct financial support for either construction or land acquisition or both. Thus, a legal analysis begins with a discussion of the rights and duties of the City with respect to property owned by the City.

Initially, please note that the ordinance accepting the Jackson monument (Mar. 3, 1920) included a commitment on the part of the City to care for and maintain the monument in perpetuity. However, I am aware of no further documentation of that commitment, e.g., a deed of gift or contract.

Turning then to the City's rights with respect to property that, like these structures, it owns, section 2.03(g) of the City Charter authorizes the City to "sell, lease or dispose of, except as otherwise provided in this charter and in the Constitution and laws of the Commonwealth, land, buildings and other property of the city, real and personal." Section 2.03(h) authorizes the City to "control and regulate the use and management of all property of the city, real and personal." Section 4.02 of the Charter reserves the exercise of these powers to the City Council.

In other words, the City Council has discretion to manage and control the property of the City, unless that discretion is somehow constrained. The issue presented here is whether some provision of the City Charter or of the Constitution and laws of the Commonwealth does so. The short answer is, both the Charter and general state law constrain the City's discretion.

First, the City Charter limits the exercise of the City's authority. Section 17.04 requires the Planning Commission "to make and adopt a master plan" for land use in the City. Section 17.05 then provides, "[i]t shall be the further duty and function of the commission to preserve historical landmarks." This section then distinguishes "statuary and other works of art which are or may become the property of the city" from "historical landmarks." While the Charter requires preservation of the latter without exception, it assigns to the Commission the responsibility to "control the design and location" of statuary and their "removal, relocation and alteration." Following adoption of a master plan by the Commission, section 17.06 requires submission of the plan to City Council for its consideration and approval.

It seems self-evident that the Monument Avenue monuments would be considered "historical landmarks" regardless of the ways in which they are currently perceived by different segments of the community, and they certainly would have been so viewed when the City Charter was first enacted in 1948. Today, they are considered by the National Park Service to be contributing objects to the Monument Avenue Historic District, a National Historic Landmark. They are not merely "statuary" as might be said of some war monuments. Moreover, two of them (Stuart and Davis) are explicitly associated with their specific locations on Monument Avenue (Stuart Circle and Davis Avenue). Thus, absent a change in the City Charter or the enactment of legislation that overrides all such charter provisions generally, it is my opinion that the City must preserve these structures in place as a part of its master plan.

Secondly, generally applicable state law (Va. Code §§ 15.2-1812, 15.2-1812.1 & 18.2-137) contains limitations on actions by localities, or people permitted, hired or contracted by them, to "disturb or interfere with" certain war monuments and memorials, and defines the phrase, "disturb or interfere with," to include "removal of, damaging or defacing monuments or memorials." It provides for various legal remedies, including the award of damages "for the purposes of rebuilding, repairing, preserving and restoring" a structure. It permits the recovery of punitive damages for "reckless, willful or wanton conduct resulting in the defacement of, malicious destruction of, unlawful removal of, or placement of improper markings, monuments or statues on memorials for war veterans." It authorizes an award of attorney's fees in favor of the party who initiates the litigation and prevails. Lastly, it imposes criminal sanctions on any

person who “unlawfully destroys, defaces, damages or removes without the intent to steal any property, real or personal, not his own, or breaks down, destroys, defaces, damages or removes without the intent to steal, any monument or memorial for war veterans described in § 15.2-1812.”

Some have suggested that these provisions of state law may not apply to monuments or memorials erected in cities prior to 1997. The Circuit Court for the City of Danville issued a ruling to that effect in December, 2015. A petition for appeal to the Virginia Supreme Court was rejected without the Court issuing an opinion explaining the legal basis for its action.

However, the persuasive value of the opinion as precedent may be open to question. The Circuit Court also ruled that these statutes had no application at all to the case before it, which it said in its final order involved a monument to a building rather than a monument to a “war, conflict, engagement or war veterans.” This aspect of the final order could be viewed as rendering the order’s prior comments about the retroactive application of section 15.2-1812 to be non-binding dictum, i.e., “an observation or remark made by a judge in pronouncing an opinion upon a cause, concerning some rule, principle, or application of law, or the solution of a question suggested by the case at bar, but not necessarily involved in the case or essential to its determination.”

It is also of interest to note that, when he announced his ruling, the judge in the case stated from the bench, “I don’t believe . . . that the General Assembly intended to allow the City of Richmond to tear down the statues on Monument Avenue.”

More recently, in June, 2017, the Circuit Court for the City of Charlottesville preliminarily enjoined that city from removing a statue of Robert E. Lee from a city park based on these same statutes. Although the order is only temporary, the legal standard permitting entry of such an order requires a court to find that the complaining party is likely to prevail on the merits, and the court explicitly made this finding. Moreover, in a letter opinion dated October 3, 2017, the Circuit Court overruled preliminary motions raising the same issues, continued its injunction in effect as to the Lee statue and extended the injunction to the Jackson statue. Nevertheless, the litigation remains pending and active, and the Court’s injunction order also explicitly announced an openness to revisit at trial its finding that these statutes apply.

Finally, the Attorney General of Virginia opined in a letter dated August 25, 2017, that section 15.2-1812 “may or may not prohibit the locality from [removing or relocating a war or veterans monument].” It concurs with the opinion of the Danville court that section 15.2-1812 has no application to monuments erected in cities prior to 1997 but notes that a locality “must consider a number of potential restrictions that may [nevertheless] apply.” Strikingly omitted from the opinion are 1) any discussion of the inherent ambiguity in the use by section 15.2-1812 of the pronoun, “such,” i.e., does “if such are erected” in the second sentence refer to “monuments or memorials for any war or conflict” or only to those structures that were “authorized and permitted” by the locality pursuant to the first sentence of the statute<sup>1</sup>; 2) any

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<sup>1</sup> The relevant paragraph of section 15.2-1812 provides in full, “A locality may, within the geographical limits of the locality, authorize and permit the erection of monuments or memorials for any war or conflict, or for any engagement of such war or conflict, to include the following monuments or memorials: Algonquin (1622), French and Indian (1754-1763), Revolutionary (1775-1783), War of 1812 (1812-1815),

discussion of the criminal sanctions imposed by section 18.2-137 for actions taken with respect to monuments and memorials “described in” section 15.2-1812, rather than those “authorized by” that section; and finally, 3) any mention at all of the preliminary injunction order entered by the Charlottesville Circuit Court. In the final analysis, the opinion provides only a few specifics, and concludes by saying, “[c]areful investigation of the history and facts concerning a particular monument in a given locality should be completed to determine what, if any, restrictions might apply.”

In any event, opinions issued by Circuit Court judges and the Attorney General, while persuasive, do not constitute binding authority; indeed, in its October ruling the Charlottesville Circuit Court explicitly rejected the opinion of the Attorney General and conclusion reached by the Danville Circuit Court. Thus, without a final substantive decision of the Virginia Supreme Court, the current state of the law must be characterized as uncertain. Although relief may alternatively be available from the General Assembly, new legislation would not likely take effect until at least July 1, 2018. Given the risk that the City could be subjected to substantial financial consequences and its employees even subjected to criminal sanctions if a court should find that sections 15.2-1812 and 18.2-137 in fact apply, I have recommended that until the law has been clarified, either in the courts or in the legislature, the City should adopt a conservative approach and comply with these arguably relevant provisions of state law.

Accordingly, one must next determine what it means to “disturb or interfere with” a monument. The General Assembly added language to the statute in 1998 to make it clear that the limitation includes “removal of, damaging or defacing” the structures to which it applies. But except to say what that phrase includes, the statute offers no other definitions. When courts confront a situation where no special meaning has been stated, the general rule is that ordinary dictionary meanings apply. The Merriam-Webster dictionary lists several meanings for “disturb.” The first meaning is “to interfere with,” which obviously is not helpful in this case. However, the second meaning is “to alter the position or arrangement of” a thing. Merriam-Webster’s principal definition of “interfere with” is “to stop or slow (something): to make (something) slower or more difficult.” As a usage example, Merriam-Webster suggests “*All of the noise was interfering with my concentration.*”

From these comments, I suggest that a structure to which these statutes apply may neither be moved nor removed. It may not be damaged or defaced, i.e. its appearance may not be marred or spoiled. Whether a court would consider it damaging to replace a plaque currently

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Mexican (1846-1848), Confederate or Union monuments or memorials of the War Between the States (1861-1865), Spanish-American (1898), World War I (1917-1918), World War II (1941-1945), Korean (1950-1953), Vietnam (1965-1973), Operation Desert Shield-Desert Storm (1990-1991), Global War on Terrorism (2000- ), Operation Enduring Freedom (2001- ), and Operation Iraqi Freedom (2003- ). If such are erected, it shall be unlawful for the authorities of the locality, or any other person or persons, to disturb or interfere with any monuments or memorials so erected, or to prevent its citizens from taking proper measures and exercising proper means for the protection, preservation and care of same. For purposes of this section, ‘disturb or interfere with’ includes removal of, damaging or defacing monuments or memorials, or, in the case of the War Between the States, the placement of Union markings or monuments on previously designated Confederate memorials or the placement of Confederate markings or monuments on previously designated Union memorials.”

affixed to a monument presents a reasonable question that would likely require litigation to resolve.

Further, views of a monument may not be so obstructed, i.e. interfered with, that a reasonable person would have difficulty seeing it.<sup>2</sup> Nevertheless, the monuments, other than the Lee statue, remain the property of the City, and the median of Monument Avenue in which they are located, other than circle surrounding the Lee statue, remain the City's property as a part of the City's right of way. In my opinion, placing permanent markers near the monuments that provide contextual information about them, and do not either disturb the monuments themselves or interfere with the ability of reasonable people to view them, would be unlikely to be held to be a violation of state law.

Finally, if it is determined that the placement of some type of markers or signage is appropriate, please keep in mind that it may become necessary to seek review by the Public Art Commission, the Commission of Architectural Review, the Urban Design Committee, the Planning Commission or some combination of these bodies depending on the nature of the added structures.

Please let me know if you have further questions.



## Appendix-D

### **Report of Governor McAuliffe's Monuments Work Group (2016)**

#### **RECOMMENDATIONS FOR COMMUNITY ENGAGEMENT**

#### **REGARDING CONFEDERATE MONUMENTS**

##### **Introduction**

Across the Commonwealth and globe, monuments are the focal points of localities and powerful sources of cultural identity. The events, ideals, and people we choose to memorialize are a reflection of our history and values. At their best, monuments educate viewers about the past and inspire a sense of shared purpose and history; at their worst, they can spread inaccurate information, appeal to our basest nature, and divide us.

Because of their physical and philosophical significance, monuments can be a source of considerable controversy. In some cases, information has been uncovered or reinterpreted in the collective consciousness, changing the connotations and perceptions surrounding a monument. With the passage of time, we often come to realize that memorials tell only part of a story, use language that has shifted, or are biased in their presentation.

Nowhere in the United States is a frank and constructive dialogue more necessary or fraught with potential controversy than here in Virginia, home to two Confederate capitals and 136 monuments to the Confederate States of America (CSA).<sup>1</sup> Because of our rich history and the prevalence of Confederate iconography, Virginia is uniquely positioned to host robust locallevel conversations regarding the appropriate treatment of memorials relating to the Civil War or other contentious conflicts. If carried out effectively, the Commonwealth's approach will serve as a model and inspiration for other states.

During the 2016 General Assembly session, Governor McAuliffe vetoed HB 587, which would have overridden the authority of city governments to remove or alter war memorials erected before 1998. The bill was intended to address a 2015 decision by Virginia's 22<sup>nd</sup> Judicial Circuit regarding a local ordinance, adopted by Danville's City Council, to restrict the types of flags flown on municipal property. The resultant removal of the Third National flag of the Confederacy from Sutherlin Mansion, the last capitol of the CSA, spurred legal action by the Heritage Preservation Association and other local groups. Judge James Reynolds found that an amendment extending state-level legal protections to war monuments in all localities (rather than just counties, as was previously the case) did not apply

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<sup>1</sup> See Appendix A, Presentation Prepared by the Virginia Department of Historic Resources.

retroactively. This decision, which was not taken up by the Virginia Supreme Court, left open a legal avenue through which the Commonwealth’s cities could remove or alter war memorials erected prior to the 1998 amendment. Since Virginia’s most recent Confederate monument was erected in 1995, this finding affects all existing Confederate monuments in Virginia cities.

Governor McAuliffe is committed to preserving both Virginia’s historic resources and the local autonomy necessary for the legitimate discussions currently occurring throughout the Commonwealth. Recognizing her experience as a former Mayor and her leadership in Virginia’s historic preservation efforts, the governor directed Virginia Secretary of Natural Resources Molly Ward to convene a diverse work group to consider the issues that arose in the debate over HB 587. The group was asked to pull together resources and best practices to help willing localities foster a constructive dialogue about their monuments. This report is the product of that effort.

### **Work Group Membership and Schedule**

Work group members were selected to represent as wide a range of views and stakeholders as possible. Their first meeting was held on August 24<sup>th</sup>. After initial presentations by representatives from the Virginia Office of the Attorney General and the Virginia Department of Historic Resources, both of which are attached hereto, two smaller breakout groups were formed to consider specific sub-topics in greater detail. The composition of those groups is shown in the table below.

<p><b>Civic Engagement:</b></p> <ul style="list-style-type: none"> <li>• Clyde Haulman, former Mayor of the City of Williamsburg</li> <li>• Catherine Hudgins, member of the Fairfax County Board of Supervisors</li> <li>• Carmen Taylor, past President of the Virginia State Conference of the NAACP</li> <li>• Retired Rear Admiral Craig Quigley, Executive Director of the Hampton Roads Military and Federal Facilities Alliance</li> <li>• Delegate Charles Poindexter, Virginia House of Delegates</li> </ul> <p><b>Staff:</b></p> <ul style="list-style-type: none"> <li>• Bob Brink, Senior Legislative Advisor</li> <li>• Erik Johnston, Deputy Policy Director</li> </ul>	<p><b>Qualifications and Options:</b></p> <ul style="list-style-type: none"> <li>• Kathleen Kilpatrick, retired Executive Director of the Capitol Square Preservation Council</li> <li>• Christy Coleman, CEO of the American Civil War Museum</li> <li>• Dr. Edward Ayers, President Emeritus of the University of Richmond</li> <li>• Dr. Oliver Hill, Professor of Experimental Psychology at Virginia State University</li> <li>• Delegate Matthew James, Virginia House of Delegates</li> </ul> <p><b>Staff:</b></p> <ul style="list-style-type: none"> <li>• Julie Langan, Director of the Virginia Department of Historic Resources</li> <li>• Angela Navarro, Deputy Secretary of Natural Resources</li> </ul>
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The Civic Engagement breakout group met again on October 5<sup>th</sup> to further develop recommendations regarding an effective structure and strategy for public conversations about war memorials. The Qualifications and Options breakout group met on October 19<sup>th</sup> to consider what types of monuments localities might want to address and appropriate supplementary materials that might assist them. The work group met again in full on November 14<sup>th</sup> to offer their final recommendations.

### **Civic Engagement**

The Civic Engagement breakout group did not agree on whether localities should have the authority to alter or remove monuments, but did unanimously back inclusive community discussion as an important piece of any related decision-making process. All participants agreed that it was of the utmost importance that the public be able to share their concerns and hear the opinions of their neighbors in a constructive and civil conversation. The recommendations below are designed to assist localities as they develop their public input processes, meeting schedules, and approaches.

#### ***Recommendation 1: Start from the same page; include an educational component.***

Finding consensus is easier after starting from a common jumping-off point. Local stakeholder processes should begin with an educational component to ensure a shared understanding of relevant history and the conversation's overarching objective. Instead of a passive presentation, participants should be encouraged to actively engage and interact with their peers. An initial focus on facts will help develop the effective lines of communication necessary to constructively and respectfully discuss more contentious and emotionally charged topics further into the process.

A number of universities throughout the Commonwealth have an abundance of experience and resources that may assist in providing the necessary educational information. The history departments of these universities can present information through the lens of a neutral and respected resource. In addition, the Virginia Department of Historic Resources may be consulted to provide historical and contextual information regarding the monument under discussion.

#### ***Recommendation 2: Ensure that all stakeholder groups are represented.***

First and foremost, consensus building requires an inclusive dialogue. There is no one correct list of stakeholders, but there are models for ensuring the process reaches out to all relevant stakeholder groups. Particular effort should be made to bring in voices previously excluded from community decision-making, including racial minorities, women, and young people. Key individuals and groups should be contacted directly before broader outreach

through public meetings. Having all interested people at the table is crucial for developing solutions that work for the community on the whole.

Intellectual diversity is just as important as demographics when getting input from stakeholders. The Veterans of Foreign Wars, the American Legion, Vietnam Veterans of America, and countless other organizations exist to support and represent our nation's veterans. Heritage organizations like the United Daughters of the Confederacy were instrumental in the erection of many of the contentious monuments and continue to exert considerable influence within communities. As the premier advocate for African Americans, the NAACP brings a wealth of understanding and long-ignored insight to the conversation. When a local affiliate of the aforementioned organizations is not available, regional or state-level groups can be brought in to ensure a truly representative dialogue. The perspectives of these and many other groups, as well as the individuals that comprise them, cannot be neglected if a lasting consensus is to be reached.

Many localities are already home to local-level historical societies and commissions with detailed knowledge of local lore and regional history. The potential contributions of these groups cannot be discounted if communities hope to foster an effective, truly representative discussion capable of addressing the specific considerations applicable in their local context. Additionally, the Virginia Foundation for the Humanities has built considerable goodwill in diverse communities across the Commonwealth. In many contexts, its participation in local-level discussions may help foster constructive conversations in which all parties feel comfortable participating.

***Recommendation 3: Ensure the process is conducive to conversation.***

A worthwhile stakeholder process does more than bring the relevant groups into the same room; it sets the stage for a productive conversation. Considering a media strategy early in the process is a useful step for preventing unnecessary hostility among participants as the conversation develops. Forums, particularly those held in small community settings, are very effective at fostering a constructive dialogue. Icebreakers and other facilitated activities reinforce the shared humanity of participants and offer an important opportunity for seemingly opposed sides to get acquainted.

People should feel empowered to participate, but need to know the group's final decision is not entirely up to them. Discussions should include an agreed upon and explicitly defined process for making decisions. A strong moderator (as discussed in more detail below) is critical for maintaining order and keeping conversation constructive – professional facilitation can be exceedingly effective, but is not always possible. The conversation should be civil at all times.

People don't need to agree in order to be respectful – don't let it get personal.

Starting small with neighborhood and civic association meetings is a potentially useful strategy. Dominant personalities should be divided between groups to ensure opportunities for a far-reaching and inclusive dialogue among different stakeholders – the loudest voice isn't necessarily the most important. Participants with conflicting views should be required to work together with a focus on breaking down barriers. Don't get distracted by tangential issues; there are numerous paths discussions of this nature can take. Always bring the conversation back to the issue at hand. When tensions flare, remind everyone that they are neighbors and return the focus to the shared objective.

Sometimes the best public input comes later in the stakeholder process. The extremes on any issue are often quickest and loudest to comment, but thoughtful though less vocal citizens may share useful insights as the process continues. Don't rush the conversation; it's worth taking the time to find a solution that truly works for the community.

***Recommendation 4: Reach out to other communities, professional facilitators, and other resources.***

There are multiple resources available to localities engaged in community discussions on this topic. These include resources from other localities that have undertaken similar community engagement processes as well as professional facilitators and foundations with experience in this space.

Many localities in Virginia have been grappling with issues surrounding their monuments for years. Some of these communities have created commissions, study groups, and other forms of engagement that produced recommendations on process and potential solutions. Localities should be encouraged to share information regarding the processes undertaken and lessons learned.

In addition, professional facilitation from neutral third parties is a viable tool for localities. It may be helpful to find a facilitator that is not from the particular community under discussion so that the person may be viewed as unbiased. It is also important to find facilitators with a background in issues of both history and race. Foundations and higher education institutions may provide such services.

**Qualifications and Options**

The Qualifications and Options breakout group was tasked with developing recommendations regarding the appropriate categorization of contentious monuments and the options available to localities. The group's deliberations revealed a series of potentially useful insights for localities wrestling with their history.

***Recommendation 5: Monuments should be preserved – at least somewhere.***

As it has been for the general public, the removal of monuments was a source of disagreement among work group members. While participants shared a personal preference that monuments be preserved and interpreted in place, some felt localities should ultimately have the freedom to develop solutions that work for their communities. All agreed that if discussions arise regarding the removal of a monument, its long-term care and appropriate curation as a museum artifact at a qualified facility must be considered. It was noted that, given the potential for considerable costs and limited funds at the local level, localities may focus on options other than removal. The group was unified around a belief that, good or bad, these monuments represent an important part of our history worth remembering.

***Recommendation 6: Signage can provide context and reveal previously untold stories.***

Significant people, perspectives, and events from the past are frequently misremembered or entirely omitted from the public consciousness and conversation. All breakout group members agreed that interpretive signage offers opportunities to educate the public while keeping historic resources intact and in place.

Many people envision Virginia's Confederate monuments as having sprung from the blood-soaked earth immediately following the Civil War. In actuality, the majority were erected between 1896 and 1914 in the "separate but equal" era that followed the United States Supreme Court's decision in *Plessy v. Ferguson*. Information about the people and events memorialized, as well as the context of the monument's construction, would go a long way towards changing communal perceptions.

Though the group felt that aesthetic judgements regarding signage should be left at the local level, they recognized the need for a consolidated list of possible funding sources. Because of Virginia's unique historical significance, there may be opportunities for localities to pursue outside funding from national foundations, federal grants, and other sources. Furthermore, as signage is developed, all work group members agreed that the Virginia Department of Historic Resources should be consulted regarding the content and aesthetics.

Additionally, local-level decision makers need to be made aware of new technologies that, like the interactive app developed in Birmingham, Alabama, allow visitors to discover and meaningfully interact with the history around them. The group supported the development of a shared resource to guide localities in search of funding, strategies, and technological solutions, including information regarding potential legal considerations.

***Recommendation 7: Reflect the diversity of Virginia through monuments.***

Virginia has a rich history that includes heroes of all colors and creeds. Ensuring that our monuments reflect this diversity is crucial as we work to bridge historical divides between people and communities. While the costs of erecting monuments are often astronomical, an

effort should be made to ensure that the people and ideas memorialized are broadly representative of our commonwealth, culture, and values. Given the many Confederate monuments and the disproportionate historical veneration of men, it will likely take decades if not generations to successfully diversify Virginia's monuments. Localities should also consider other ways to memorialize underrepresented groups, including naming opportunities for roads and schools.

***Recommendation 8: Take advantage of existing resources and expertise.***

The commonwealth is home to a host of historians employed by governments, universities, and private institutions. The Virginia Department of Historic Resources has the legal authority to review historical signage on all public and, with the consent of the landowner, private property. There is already a panel of historians from outside the government responsible for reviewing highway markers; a similar process could be used for interpretative signage.

According to work group membership, most historians would be honored to be asked to volunteer for this responsibility and would happily accept the commitment that entails. The Department of Historic Resources would welcome and embrace the administration of this process. In the view of the group, the Department of Historic Resources would ideally function as a repository for best practices and lessons learned while maintaining a historical record of ongoing discussions. These insights would ideally be delivered in the form of a Frequently Asked Questions document with information about the potential costs of removal and the steps necessary for proper curation should that route be pursued.

In addition, since its creation in 1872, the National Park Service has served as our nation's storyteller. By necessity, the agency has developed considerable expertise regarding the appropriate treatment of the more checkered elements of our country's past. While the group ultimately did not support the use of National Register standards for the categorization of monuments and evaluation of historical significance, all agreed that there were many lessons to be learned from the ways in which the National Park Service has addressed these issues.

**Conclusion**

The work group met in full for the last time on November 14, 2016 to review and revise the draft report prepared by Secretary of Natural Resources Molly Ward and her staff. While not all members agreed unanimously or completely on every point, everyone involved appreciated the civil and informative nature of the group's dialogue and felt the process had rendered meaningful results. All expressed support for inclusive community discussions modelled after the conversation in which they had just participated.

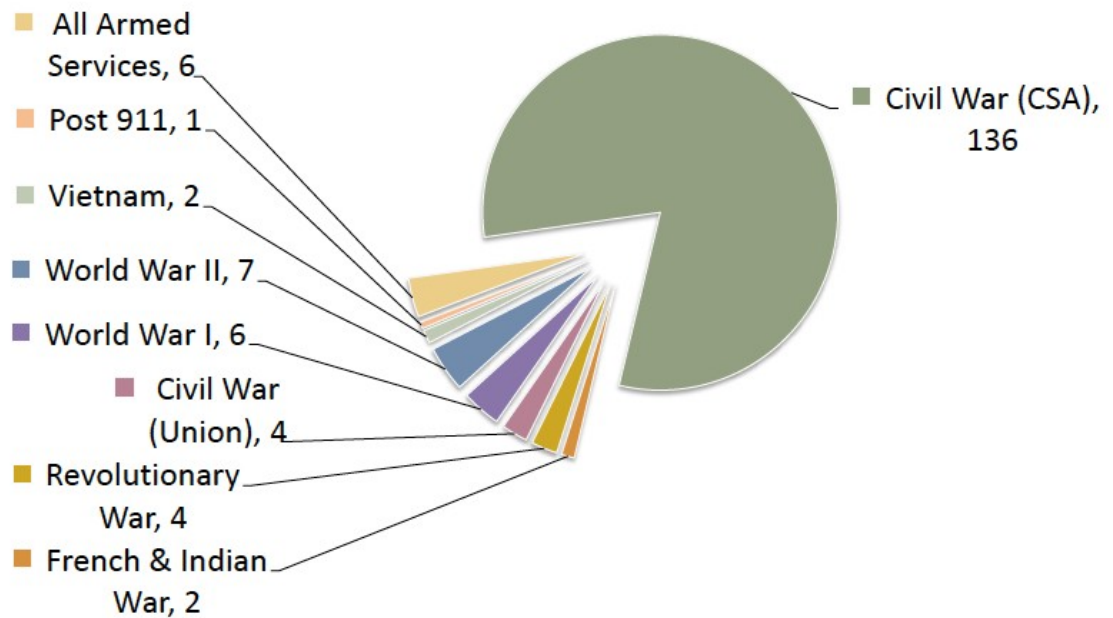
The assembled experts felt strongly that this report should be considered as a living, breathing document and a mere starting point for discussions at the local level. While it was not directly the charge from the governor, the recommendations provided herein could be applied to discussions regarding other types of war memorials or other forms of memorialization. A consensus opinion was reached that, ultimately, decisions regarding the appropriate treatment of monuments rest within the communities that house them.



## Appendix E- Virginia Department of Historic Resources Data (2016)



168 War Memorials in Virginia are currently recorded in the Virginia Cultural Resource Information System (VCRIS) maintained by DHR. Of this total, 81 percent pertain to Confederate participants in the American Civil War.



## Disposition of Virginia's Confederate Monuments



Parksley Confederate Monument ,  
Accomack County

Of the 127 jurisdictions of the Commonwealth, 98 have Confederate monuments (77%)

- 65 are located in Registered Historic Districts
- 15 are in Cemeteries
- 5 are along byways/highways
- 3 are in Church Yards
- 3 in Parks, and
- 1 is in Capitol Square Park

## Appendix F-Statements from Historical, Preservation, and Museum Organizations Regarding Monuments

### **American Historical Association Statement on Confederate Monuments (August 2017)**

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*The tragic events in Charlottesville, Virginia, have re-ignited debate about the place of Confederate monuments in public spaces, as well as related conversations about the role of Confederate, neo-Nazi, and white supremacist imagery in American political culture. Historians have been a vocal presence in these discussions, and the American Historical Association is compiling an ongoing [bibliography of the diverse perspectives of AHA members](#).*

*The AHA has also released the following statement, approved by AHA Council August 28, 2017, about the role of history and historians in these public conversations. Rather than seeking to provide definitive answers to the questions posed by individual monuments, the AHA emphasizes the imperative of understanding historical context in any consideration of removing or recontextualizing monuments, or renaming public spaces.*

[Download statement \(PDF\)](#)

#### **The following affiliated societies have endorsed this statement:**

American Association for State and Local History  
American Journalism Historians Association  
Berkshire Conference of Women Historians  
Chinese Historians in the United States  
Committee on LGBT History  
Coordinating Council for Women in History  
Forum on European Expansion and Global Interaction (FEEGI)  
French Colonial Historical Society  
Labor and Working Class History Association  
National Council on Public History  
New England Historical Association  
North American Conference on British Studies  
Organization for American Historians  
Social Welfare History Group  
Society for French Historical Studies  
Society for Historians of the Gilded Age and Progressive Era  
Society for Italian Historical Studies  
Society for the History of Children and Youth (SHCY)  
Society for the Study of Southern Literature  
Southern Historical Association  
Western Association of Women Historians  
Western History Association  
Western Society for French History  
World History Association

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The American Historical Association welcomes the emerging national debate about Confederate monuments. Much of this public statuary was erected without such conversations, and without any public decision-making process. Across the country, communities face decisions about the disposition of monuments and memorials, and commemoration through naming of public spaces and buildings. These decisions require not only attention to historical facts, including the circumstances under which monuments were built and spaces named, but also an understanding of what history is and why it matters to public culture.

President Donald Trump was correct in his tweet of August 16: “You can’t change history, but you can learn from it.” That is a good beginning, because to learn from history, one must first learn what actually happened in the past. Debates over removal of monuments should consider chronology and other evidence that provide context for why an individual or event has been commemorated. Knowledge of such facts enables debate that learns “from history.”

Equally important is awareness of what we mean by “history.” History comprises both facts and interpretations of those facts. To remove a monument, or to change the name of a school or street, is not to erase history, but rather to alter or call attention to a previous interpretation of history. A monument is not history itself; a monument commemorates an aspect of history, representing a moment in the past when a public or private decision defined who would be honored in a community’s public spaces.

Understanding the specific historical context of Confederate monuments in America is imperative to informed public debate. Historians who specialize in this period have done careful and nuanced research to understand and explain this context. Drawing on their expertise enables us to assess the original intentions of those who erected the monuments, and how the monuments have functioned as symbols over time. The bulk of the monument building took place not in the immediate aftermath of the Civil War but from the close of the 19th century into the second decade of the 20th. Commemorating not just the Confederacy but also the “Redemption” of the South after Reconstruction, this enterprise was part and parcel of the initiation of legally mandated segregation and widespread disenfranchisement across the South. Memorials to the Confederacy were intended, in part, to obscure the terrorism required to overthrow Reconstruction, and to intimidate African Americans politically and isolate them from the mainstream of public life. A reprise of commemoration during the mid-20th century coincided with the Civil Rights Movement and included a wave of renaming and the popularization of the Confederate flag as a political symbol. Events in Charlottesville and elsewhere indicate that these symbols of white supremacy are still being invoked for similar purposes.

To remove such monuments is neither to “change” history nor “erase” it. What changes with such removals is what American communities decide is worthy of civic honor. Historians and others will continue to disagree about the meanings and implications of events and the appropriate commemoration of those events. The AHA encourages such discussions in publications, in other venues of scholarship and teaching, and more broadly in public culture; historical scholarship itself is a conversation rooted in evidence

and disciplinary standards. We urge communities faced with decisions about monuments to draw on the expertise of historians both for understanding the facts and chronology underlying such monuments and for deriving interpretive conclusions based on evidence. Indeed, any governmental unit, at any level, may request from the AHA a historian to provide consultation. We expect to be able to fill any such request.

We also encourage communities to remember that all memorials remain artifacts of their time and place. They should be preserved, just like any other historical document, whether in a museum or some other appropriate venue. Prior to removal they should be photographed and measured in their original contexts. These documents should accompany the memorials as part of the historical record. Americans can also learn from other countries' approaches to these difficult issues, such as Coronation Park in Delhi, India, and Memento Park in Budapest, Hungary.

Decisions to remove memorials to Confederate generals and officials who have no other major historical accomplishment does not necessarily create a slippery slope towards removing the nation's founders, former presidents, or other historical figures whose flaws have received substantial publicity in recent years. George Washington owned enslaved people, but the Washington Monument exists because of his contributions to the building of a nation. There is no logical equivalence between the builders and protectors of a nation—however imperfect—and the men who sought to sunder that nation in the name of slavery. There will be, and should be, debate about other people and events honored in our civic spaces. And precedents do matter. But so does historical specificity, and in this case the invocation of flawed analogies should not derail legitimate policy conversation.

Nearly all monuments to the Confederacy and its leaders were erected without anything resembling a democratic process. Regardless of their representation in the actual population in any given constituency, African Americans had no voice and no opportunity to raise questions about the purposes or likely impact of the honor accorded to the builders of the Confederate States of America. The American Historical Association recommends that it's time to reconsider these decisions.

**Maryland Museums Association Statement on Confederate Monuments and Memorials:  
Aug 22, 2017, by Maryland Museums Association**

The Maryland Museums Association encourages museums, historic sites, and cultural attractions across the state to be resources for accurate historical information and context regarding confederate statues; to be leaders in facilitating difficult, but important discussions about them; to provide safe, welcoming spaces for such discussions to take place; and to engage with and listen to the communities of which they are a part. As an organization, we unequivocally condemn violence, hatred, bigotry, and racism of any kind.

**Statement on Confederate Memorials: Confronting Difficult History**  
**Statement from National Trust for Historic Preservation President and CEO Stephanie Meeks**

In recent months, many communities have been vigorously debating anew the impact, meaning, and propriety of Confederate memorials and symbols in the public space. We have received questions from across the political spectrum about our stance on this.

At the National Trust, we believe that historic preservation requires taking our history seriously. We have an obligation to confront the complex and difficult chapters of our past, and to recognize the many ways that our understanding, and characterization, of our shared American story continues to shape our present and future.

That goes for the Civil War, our nation's bloodiest and most divisive conflict, as well. There are currently hundreds of monuments to the Confederate cause in America. They exist in 31 states, including far-flung places such as Massachusetts, Pennsylvania, Arizona, and Montana. Schools and streets all over America bear Confederate names.

While some of these monuments were erected shortly after the war by grieving Southern families to honor the valor of fallen leaders and loved ones, many more were put in place for a more troubling purpose. Decades after the war, advocates of the Lost Cause erected these monuments all over the country to vindicate the Confederacy at the bar of history, erase the central issues of slavery and emancipation from our understanding of the war, and reaffirm a system of state-sanctioned white supremacy.

Put simply, the erection of these Confederate memorials and enforcement of Jim Crow went hand-in-hand. They were intended as a celebration of white supremacy when they were constructed. As recent rallies in Charlottesville and elsewhere illustrate, they are still being used as symbols and rallying points for such hate today.

We should always remember the past, but we do not necessarily need to revere it.

These Confederate monuments are historically significant and essential to understanding a critical period of our nation's history. Just as many of them do not reflect, and are in fact abhorrent to, our values as a diverse and inclusive nation. We cannot and should not erase our history. But we also want our public monuments, on public land and supported by public funding, to uphold our public values.

Ultimately, decisions about what to do with offending memorials will be made on a case by case basis at the community level. Some memorials can be moved, others altered, and others retained as seen fit. Whatever is decided, we hope that memorials that remain are appropriately and

thoughtfully “re-contextualized” to provide information about the war and its causes, and that changes are done in a way that engage with, rather than silence, the past--no matter how difficult it may be.

We should always remember the past, but we do not necessarily need to revere it. As communities work to determine the appropriate balance, we hope they move forward in a transparent, deliberative, and inclusive way that embraces the complexity here, examines many possible alternatives, and allows for a thoughtful community dialogue that gives all sides a chance to be heard.

### **National Park Service**

On moving off-unit monuments to NPS lands:

Outside of the District of Columbia and its environs, commemorative works must be authorized by Congress or approved by the Director of the National Park Service. The National Park Service discourages the placement of commemorative works in parks that can divert attention away from the important resources and values for which the parks were established. Absent a waiver from the Director of the National Park Service, new commemorative works will not be approved for placement in Civil War parks except where specifically authorized by Congress.

Inside the District of Columbia and its environs, the Commemorative Works Act prohibits the establishment of commemorative works unless specifically authorized by an act of Congress.

Background only:

Absent a waiver of the second paragraph of section 9.6.2 of Management Policies (2006), "with regard to Civil War parks, new commemorative works will not be approved, except where specifically authorized by legislation." The Director could, however, approve a commemorative work for groups that were not allowed to be recognized during a commemorative period.

Section 9.6.1 of Management Policies very clearly lays out that before the Director makes a decision on whether or not to approve a commemorative work, he or she will evaluate if there is a compelling justification between the park and the person or event, and if the proposed work is the best way to express that association. In general, the NPS discourages the use of commemorative works in parks.

**Appendix G-**  
**Southern Poverty Law Center Report on**  
**Confederate Symbols June 4, 2018**

The full report can be reviewed

<https://www.splcenter.org/20180604/whose-heritage-public-symbols-confederacy#findings>

## FINDINGS

It's difficult to live in the South without being reminded that its states once comprised a renegade nation known as the Confederate States of America. Schools, parks, streets, dams and other public works are named for its generals. Courthouses, capitols and public squares are adorned with resplendent statues of its heroes and towering memorials to the soldiers who died. U.S. military bases bear the names of its leaders. And, speckling the Southern landscape are thousands of Civil War markers and plaques.

The South even has its own version of Mount Rushmore — the Confederate Memorial Carving, a three-acre, high-relief sculpture depicting Jefferson Davis, Robert E. Lee and Thomas “Stonewall” Jackson on the face of Stone Mountain near Atlanta.

There is nothing remotely comparable in the North to honor the winning side of the Civil War.

For decades, those opposed to public displays honoring the Confederacy raised their objections, but with little success. A notable exception was a Southern Poverty Law Center suit that, relying on an obscure state law, led to the removal of the Confederate battle flag from the Alabama Capitol in 1993. Another was a 2000 compromise between South Carolina lawmakers and the NAACP that moved the flag from its perch above the Capitol dome to a monument on the State House grounds.

But everything changed on June 17, 2015 — just five days short of the 150th anniversary of the last shot of the Civil War.

That day in June, a white supremacist killed nine African-American parishioners at the “Mother Emanuel” church in Charleston, a place of worship renowned for its place in civil rights history.

As the nation recoiled in horror, photos showing the gunman with the Confederate flag were discovered online. Almost immediately, political leaders across the South were besieged with calls to remove the flag and other Confederate symbols from public spaces.

In the weeks that followed, it became clear that hundreds of public entities ranging from small towns to state governments across the South paid homage to the Confederacy in some way. But there was no comprehensive database of such symbols, leaving the extent of Confederate iconography supported by public institutions largely a mystery.

In an effort to assist the efforts of local communities to re-examine these symbols, the SPLC launched a study to catalog them. For the final tally, the researchers excluded thousands of monuments, markers or other tributes that were on or in battlefields, museums, cemeteries and other places that are largely historical in nature. In this second edition of the report, the SPLC has identified monuments and symbols not included in the first report and removed those reported erroneously.

Here are the most salient findings:



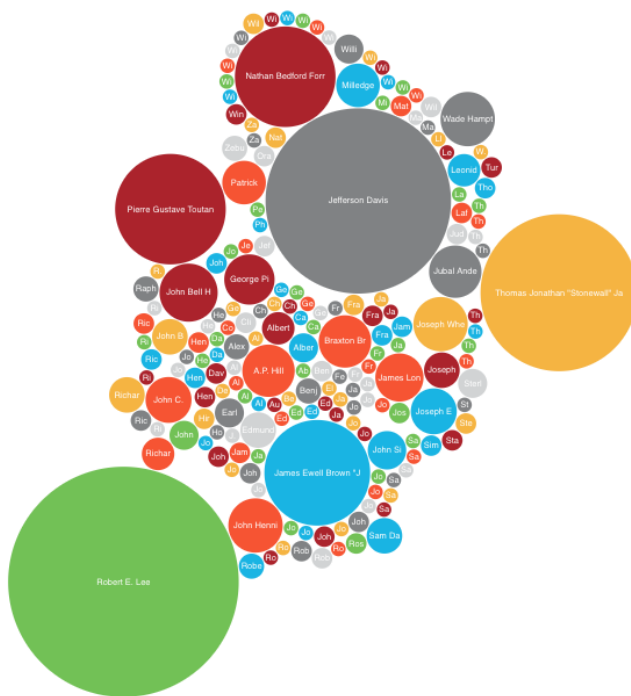
## 1. There are more than 1,700 symbols of the Confederacy in public spaces.

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The study identified 1,728 publicly sponsored symbols honoring Confederate leaders, soldiers or the Confederate States of America in general. These include monuments and statues; flags; holidays and other observances; and the names of schools, highways, parks, bridges, counties, cities, lakes, dams, roads, military bases and other public works. Many of these are prominent displays in major cities and at state capitols; others, like the Stonewall Jackson Volunteer Fire and Rescue Department in Manassas, Virginia, are little known.

Among the approximately 180 individual Confederates honored with monuments and place names, Robert E. Lee is by far the most prominent, with a total of 221. He's followed by Jefferson Davis (149), Stonewall Jackson (113), P.G.T. Beauregard (57) and J.E.B. Stuart (49).

**Symbols to the Confederacy with Known Honorees**



## 2. There are 100 public schools named after prominent Confederates.

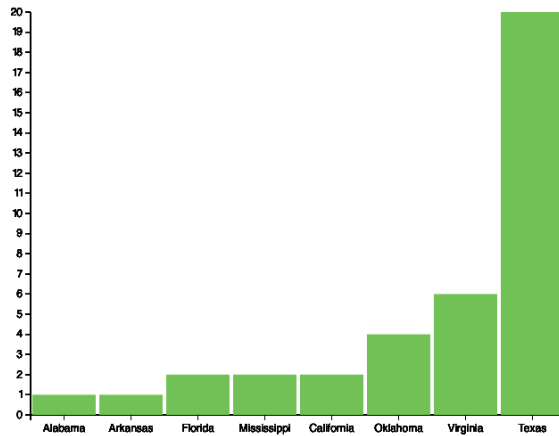
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Of the 100 schools named for Confederate leaders, those honoring Robert E. Lee are the most numerous (38), followed by Stonewall Jackson (15), Jefferson Davis (11), Nathan Bedford Forrest (8) P.G.T. Beauregard (7) and J.E.B. Stuart (2).\*

At least 32 of these schools were built or dedicated from 1950 to 1970, broadly encompassing the era of the modern civil rights movement.

The vast majority are in the states of the former Confederacy, though Robert E. Lee Elementary in East Wenatchee, Washington, is an interesting outlier. And, until their names were changed in 2016, two elementary schools in California (Long Beach and San Diego) were named for Lee. The Long Beach school was renamed in honor of a local labor activist.

All School Name Changes by State and Year



**3. There are nearly 800 Confederate monuments and statues on public property throughout the country, the vast majority in the South.**

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The study identified 772 monuments at county courthouses, town squares, state capitols and other public venues. The majority (581) were dedicated prior to 1950. Twenty-nine were dedicated between 1950 and 1970. Thirty-eight were dedicated or rededicated after 2000.

Many of these are memorials to Confederate soldiers, typically inscribed with colorful language extolling their heroism and valor, or, sometimes, the details of particular battles or local units. Some go further, however, to glorify the Confederacy’s cause. For example, in Abbeville, South Carolina, a monument erected in 1906 is inscribed with a poem that reads, in part: *“The world shall yet decide, in truth’s clear, far-off light, that the soldiers who wore the gray, and died with Lee, were in the right.”*

Three states stand out for having far more monuments than others: Virginia (108), Georgia (115) and North Carolina (97). But the other eight states that seceded from the Union have their fair share: Alabama (60), Arkansas (41), Florida (26), Louisiana (32), Mississippi (52), South Carolina (58), Tennessee (42) and Texas (68).

These monuments are found in a total of 23 states and the District of Columbia. Outside of the seceding states, the states with the most are Kentucky (24), Missouri (13) and West Virginia (9). Monuments are also found in states far from the Confederacy, including Arizona (4). There was even a Confederate monument in Massachusetts, a stalwart of the Union during the Civil War, but it was removed from Georges Island in Boston Harbor in 2017.



**4. There were two major periods in which the dedication of Confederate monuments and other symbols spiked — the first two decades of the 20th century and during the civil rights movement.**

Southerners began honoring the Confederacy with statues and other symbols almost immediately after the Civil War. The first Confederate Memorial Day, for example, was dreamed up by the wife of a Confederate soldier in 1866. That same year, Jefferson Davis laid the cornerstone of the Confederate Memorial Monument in a prominent spot on the state Capitol grounds in Montgomery, Alabama.

But two distinct periods saw a significant rise in the dedication of monuments and other symbols.

The first began around 1900, amid the period in which states were enacting Jim Crow laws to disenfranchise the newly freed African Americans and re-segregate society. This spike lasted well into the 1920s, a period that saw a dramatic resurgence of the Ku Klux Klan, which had been born in the immediate aftermath of the Civil War.

The second spike began in the early 1950s and lasted through the 1960s, as the civil rights movement led to a backlash among segregationists.

**5. The Confederate flag maintains a publicly supported presence in at least five Southern states.**

In 2015, Confederate flags were removed from the capitol grounds of South Carolina and Alabama following the Charleston church massacre. However, the survey identified seven public places in five former Confederate states where the flag still flies or is represented.

The most prominent is the Mississippi state flag, adopted amid the onset of Jim Crow in 1894. It conspicuously incorporates the Confederate battle flag into its design. In addition, emblems that adorn the uniforms of Alabama state troopers contain a likeness of the flag.

Also, there are four county courthouses where the flag still flies: Grady and Rabun counties in Georgia, Carroll County in Mississippi, and Walton County in Florida.

## **6. Ten major U.S. military bases are named in honor of Confederate military leaders.**

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All of the 10 military bases named for Confederate leaders are located in the former states of the Confederacy. They are Fort Rucker (Gen. Edmund Rucker) in Alabama; Fort Benning (Brig. Gen. Henry L. Benning) and Fort Gordon (Maj. Gen. John Brown Gordon) in Georgia; Camp Beauregard (Gen. P.G.T. Beauregard) and Fort Polk (Gen. Leonidas Polk) in Louisiana; Fort Bragg (Gen. Braxton Bragg) in North Carolina; Fort Hood (Gen. John Bell Hood) in Texas; and Fort A.P. Hill (Gen. A.P. Hill), Fort Lee (Gen. Charles Lee) and Fort Pickett (Gen. George Pickett) in Virginia.

## **7. Eleven states have 22 Confederate holidays or observances in their state codes; five states have a total of nine paid holidays in 2018.**

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In 11 states, 22 Confederate holidays or observances are written into the state code, but only nine of those holidays, in five states, are officially observed.

Alabama and Mississippi each have three Confederate holidays in which state employees are given a day off, though in some cases they are combined with other holidays (Lee's birthday, for example, is celebrated on the same day as Martin Luther King Day).

The nine holidays officially observed in 2018 are: Alabama (Robert E. Lee Day, Confederate Memorial Day and Jefferson Davis' Birthday); Mississippi (Robert E. Lee Day, Confederate Memorial Day and Jefferson Davis' Birthday); South Carolina (Confederate Memorial Day); Texas (Confederate Heroes' Day); Virginia (Lee-Jackson Day).

The other states that have Confederate holidays in their state codes are: Arkansas, Florida, Kentucky, Louisiana, North Carolina and Tennessee.

Georgia struck Lee's birthday and Confederate Memorial Day from its official state calendar in August 2015 and replaced the names with the term "state holiday." Arkansas in 2017 decoupled Robert E. Lee Day from Martin Luther King Day and made it a standalone, unpaid holiday marked with a gubernatorial proclamation.

## **8. More than 100 monuments and other Confederate symbols have been removed in 22 states and the District of Columbia since June 2015.**

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The survey identified 110 Confederate symbols removed since the Charleston massacre, including 45 monuments and four flags, and name changes for 37 schools, seven parks, three buildings and seven roads. Among them was the Confederate battle flag that had flown at the South Carolina State House grounds in Columbia for 53 years.

Texas led the way (31), followed by Virginia (13), Florida (9), Tennessee (8), Georgia (6), Maryland (6), North Carolina (5) and Oklahoma (5). Eighty-one removals were in former Confederate states.

Some removals were highly contentious, like in New Orleans, where the city in 2017 removed three prominent statues honoring Robert E. Lee, Jefferson Davis and P.G.T. Beauregard.

## Appendix-H Online and Traditional Mail Submissions

The Commission received almost 2000 letters via email and traditional mail. However, the vast majority were submitted through the online submission portal on the website [www.monumentavenuecommission.org](http://www.monumentavenuecommission.org). These online submissions can be viewed at anytime. Below are a few of the submissions received directly through the Office of the Mayor or to the Co-Chairs of the Monument Avenue Commission. They have been randomly selected but reflect a range of opinions expressed over the past year.

### **Katherine Woltz**

Nonetheless, after careful thought, I think the statues should remain because they serve as a reminder what America should NOT do, and with the Mayor's contextual plaques and additional statues that will tell both sides of the story (ie. both black and white stories, and also how the North shared in this shameful legacy whereby fortunes on both sides were built on the backs of blacks), is a fantastic idea and I hope this will be enacted.

### **Donna Tocci**

The monuments should stay. Richmond is unique as it was the capital of the confederate states and whether we like it or not that can never be changed. I think the addition of more statues showing a variety of notable persons from Richmond is a great idea. I'm sure there are many to choose from. Adding context to the signage is going to be tricky. I do think it's a good compromise just difficult in the execution. People are going to have to come to the table and have rational, open discussion. As long as everyone respects that a workable solution can be found.

### **Lance Warren**

**Message:** I urge the Commission to endorse adding context to the existing monuments in a way that is intrinsic to the viewing experience—whether when viewed by pedestrians or drivers. Contextualization should be impossible to miss; it should become a fundamental aspect of the monuments, a lens through which—only through which—they may be seen and studied.

Perhaps this would take the form of glass panels arranged around a monument, with etching that depicts the faces, writings, and struggles of 19th-century black Richmonders who knew that the cause of "states rights" quite clearly meant "states' rights to enslave." Such an installation would be unmissable even when driving down Monument Avenue en-route to a meeting—a daily, subtle reminder, even to motorists so quickly transported elsewhere, of the lessons that the monuments today fail to teach.

Whatever the ideal form, achieving the goal of unmissable contextualization will require the work of artists, designers, and urban planners—categories of professionals underrepresented on the Commission appointed in June 2017. Likewise, a crucial step toward effective contextualization must be the appointment or hiring, as necessary, of individuals with demonstrated experience in designing, planning, and adapting memorial public art. Those on the Commission should be there; they're sensibly included. But they're missing colleagues critical to getting this right. Just as one wouldn't effectively address a medical problem by seeking advice from a group of advisors mostly

comprised of people who aren't doctors, we shouldn't tackle what Mayor Stoney rightly calls a "stain" on our past and present without substantial input and guidance from professionals trained to do exactly what the job requires.

### **Felix Gestel**

**Message:** 1. Why would we waste tax money to remove art? While at the same time losing one of RVA's tourist draws & then, wasting more tax dollars to replace them. Our school system is in crisis, our public transportation is laughable, and our roads & public housing are literally falling apart. We should prioritize our public funding to address real, everyday problems.

2. Recently, it occurred to me that we should utilize the sidewalks that surround each of the monuments (engrave/mold the message into the slabs of concrete). Dependent on font size, we could have a whole lot of commentary/contextualization that everyone could read as they walked around each of the monuments, and I think it would look great.

3. Why not add more diverse historical figures of RVA/VA (James Armistead Lafayette, Dred Scott, Joseph Jenkins Roberts, Mary Elizabeth Bowser, Booker T. Washington, Oliver Hill, the Lovings, etc)? I think it would be pretty cool to be able to drive out of the city and see a physical testament to our evolution as a society. It should be noted that I wanted to see Maggie Walker's statue on Monument, but I can understand the rationale behind the chosen location.

4. I recognize the nefarious intent behind our monuments, but to that I say, "Why not take that intent out from under them?". Take the monuments that were intended to idolize these figures and make them stand for what they truly are - Grave reminders of one of the darkest periods in our history that help to insure that we never make the same mistakes again.

5. Where does removal of art for the sake of offense end? Will we go on to remove every public reference to historical figures that committed terrible acts? If that is the case, then we will need to remove many of our Founding Fathers' and former Presidents, as many were guilty and/or complicit in some form of hegemony, terrorism, genocide, discrimination, etc. People will get offended in life. That is one of its few guarantees.

As a lifelong resident of RVA, I never perceived our monuments as honoring the figures. I have always looked at them as historical markers, helping to insure that the unforgivable mistakes of our ancestors are never repeated.

### **David Conmy**

**Message:** Thank you very much for engaging the citizens of Richmond on this topic. While I've always enjoyed the beauty of Monument Avenue, its juxtaposition with glorifying some of the wrong sides of history is unbalanced and short-sighted. To me, Monument Avenue should continue the trend of adding more recent, modern Richmond heroes to its corridor such as the addition of Arthur Ashe, which I believe occurred in the 1990s. In doing so, Monument Avenue could become an evolving representation of the rich, living history of Richmond.

As it stands now, it only tells a short but significant and biased side of Richmond's history. We're so much better than that! I can think of countless Richmond heroes who should have the honor of

being part of the new Monument Avenue: Elizabeth Van Lew, Edgar Allen Poe, Gabriel Prosser, the Valentines, Pochahontas and Chief Powhatan, Lewis Ginter, Mary Wingfield Scott, and, yes, even more modern heroes such as Dave Brockie from Gwar and David Martin, founder of the Martin Agency.

Chronologically, from Arthur Ashe forward, Monument Avenue could then become Richmond's way of bestowing its highest posthumous honor upon the citizens who have made it into the wonderful, unique place we all cherish so much. Furthermore, because its a public space, perhaps new proposed additions to Monument Avenue could be decided upon via a voter referendum.

This would lead to better engagement of the community in helping to tell our story going forward and also create more significant buy-in by Richmond citizens in supporting the future of a Monument Avenue of which we could all be proud. From a practicality standpoint, I see no issue with locating additional monuments in the corridor's grassy median, surrounding existing monuments such as General Lee, or on significant cross streets intersecting Monument Avenue such as Allen Avenue and Davis Avenue.

### **Karen Schwartzkopf**

Message: Thank you for initiating this process and taking this important step for Richmond. My vision for Monument Avenue includes vignettes of the lives of enslaved people in the grassy medians along Monument Avenue, in between the existing statues.

These bronze slightly larger-than-life sculptures will be similar in presentation to the Korean War Veterans Memorial. Rich, bronze figures (in striking and purposeful contrast to the ostentatious white statues) will share the truths of slave life: children sold and separated from their parents; whippings and other tortures that were so common; attempted escapes and man hunts; humans sold at auction block; a woman being ravaged by a white man; working in the fields; Gabrielle Prosser planning the rebellion.

With each vignette, an interpretive placard will share facts about the history and lives of enslaved people in Virginia and Richmond. Since I moved to Richmond in 1988, I have been driving up and down Monument Avenue and bringing visitors to our city to see the statues along the street. This thoughtful and historically accurate addition to the medians along the road will give people a reason to park, get out of the car, and walk up and down the median, reading the stories and facts on the placards and looking at the expressions on the faces of the people depicted in the vignettes. I also see these bronze figures traveling the "Slave Trail" on the city's streets near Brown's Island and in Shockoe Bottom near Lumpkin's Jail.

Seeing these significant representations (versus footprints on the sidewalk) would encourage parents to talk to their children about the horrors of slavery. Ultimately, a substantial historical project like this would do wonders for economic development and growth in Richmond's tourism industry. Again, thank you for forming this important commission.

### **John Moser**

Another dominant feature is that the Monument Avenue experience is largely a "driving in your car" experience, so that, whatever is done to improve the experience should consider whether or not the improvements can be appreciated from a moving car. I definitely support the addition of new historical markers that would bring new perspective to the Monument Avenue message, however, typical historical markers, unless executed at billboard scale (I'm not recommending putting up

billboards, just making an example) will be overlooked by people in cars.

One way to address the issue of scale and the "driving in cars" aspect may be to design experiences that occupy a lower field of view I'll call the "windshield zone." Long, low, linear objects that can be appreciated from a moving car without introducing safety concerns for driving should be considered.

Adding new monuments, statuary or even contemporary sculpture to the avenue is something I would definitely like to see. Also worth considering is the development of the medians into a pedestrian interpretive experience. This would, of course be best done if the pedestrian nature of the avenue can be enhanced with better access.

### **Carter Tucker**

**Message:** My hope is that the changes to Monument Avenue will be a reflection of a new, forward looking and united Richmond that is positive in its message and promotes healing rather than division. I believe Richmond has made significant progress as a city in the past few years and, consequently, is now viewed much more favorably by its citizens and outsiders than it used to be. I hope this momentum can be continued. I would suggest a new monument on Monument Avenue that shows the progress that African Americans have made since the end of the Civil War. A monument that shows slaves breaking the bonds of slavery and then, with their new-found freedom, producing great business and political leaders, educators, scientists, physicians, clergy, etc. is the type of thing I would like to see. I would be opposed to monuments or signage that unreasonably deepens long-simmering divisions. Now is the time for healing and uniting, and I hope this committee will move Richmond in that direction with its decisions about Monument Avenue. Thank you for your consideration of my comments.

### **Rick Carr**

**Message:** If not already familiar please take a look at the works by James Loewen on this very subject. In his book "Lies Across America" one of the main points I took away from reading it is that there are three time frames associated with monuments and historical markers. The time being commemorated, the time the monument was constructed and the time we are viewing it. For example this may be 1865, 1930 and 2017 for a statue on Monument Avenue. Please consider this approach to adding context to the monuments.

I personally do not think the statues should be removed but they sorely need something like the above. If the community decides to remove them then I would support that.

Many thanks for your dedication to this project. We the people of the RVA metropolitan area have another unique opportunity here to help the USA make steps toward recognition and reconciliation for some of our worst history.

### **Panayotis Giannakouros, Ph.D.**

**Message:** Dear commission members, While I am not a Richmond resident, I have been presenting research on the Readjuster movement of the 1880s and am interested in learning from and sharing in your process. The Readjuster movement which governed Virginia for four years threatened the foundations of white supremacy. Erasing its memory and the example it set was a key goal of the monument movement.



### **Harold Adams**

**Message:** I would like to share a recent experience that I hope may contribute to this discussion. In May my wife and I visited the site of Custer's Last Stand in Montana. A memorial to Custer and his men was erected there in 1881. In 1991 the U. S. Congress authorized the construction of an Indian memorial, which was dedicated in 2003, and the name of the battlefield was changed from Custer Battlefield National Monument to Little Bighorn Battlefield National Monument. While touring the Indian memorial, we met a man who was showing the area to his son and sharing his family history. We learned he was a former federal law enforcement officer of Sioux, Crow and Irish descent and that his great grandfather was a warrior killed in the battle. It was a fascinating conversation and an experience showing that our common American history is ultimately more important than what divides us. We made two friends. This would not have happened if the park at Little Bighorn still told only one side of the story. Little Bighorn might serve as an example of what might be done to put Monument Ave. in broader context. <https://www.nps.gov/libi/indian-memorial.htm>

The Richmond area shares much in common with places like Little Bighorn and Gettysburg. You could really consider our entire region as a battlefield and use that concept to expand the context of Monument Ave. We need to create a richer dialogue about our shared history to facilitate the kind of experience my wife and I had at Little Bighorn for both residents and visitors.

As a Richmond area resident since 1957 and descendant of at least three Confederate veterans I therefore support changes to Monument Avenue that would retain the historic character of the street while more broadly and comprehensively reflecting the city's history. Today it is important for the city to tell the whole story and to recognize the contributions African-Americans have made to our history. I support a memorial in honor the slaves who had no choice but nevertheless helped build the city and the south. I also suggest a memorial to honor the many Union soldiers who fought and died around Richmond in addition to the Confederate statues. This parallels the approach at Little Bighorn and Gettysburg. We have many visitors from northern states and a memorial to honor the Union sacrifice would be in keeping with the character of Monument Ave. and would help extend a welcome to tourists. Perhaps the street could take on an expanded formal educational role in some way within the regional Civil War park system.

This is an opportunity to move forward that the city should not miss. I look forward to the recommendations of the commission.

### **Robert Hopper**

**Message:** I think that history of the Civil War and Virginia's participation in it is more complicated than taught. It was about both states right and slavery. Virginia's who fought for the South were both traitors to the USA and patriots to their States. In teach about the South and the Civil War a broader and more complicated approach should be taken and Mon. Ave. can be used.

Changes I'd make in Mon. Ave. First, on context of The Civil War and Virginia, I'd get rid of Jefferson Davis, not a Virginian. Second, I'd add two Civil War themed monuments; one, for the larger deaths and destruction to the state and the heroics of the civilian survivors and, two, to Virginias who choose loyalty to the USA and fought for the Union.

After, those changes to the Civil War aspect of Mon. Ave. I'd make a few other changed and additions to broaden and improve it. First, I love Arthur Ashe but feel his monument is buried in the back and doesn't stand up to the others. Improvements to it need to be made.

Monuments I'd add. One for Jefferson's Virginian Statue on Freedom of Religion. One for Richard & Mildred Loving. One for the Native Americans of Virginia. One for the importance of Virginia and the history of transport locally and nationally (Canals, Trains, Street Cars, Automobiles, Planes and Aerospace.)

Monument Ave is important to Richmond, both symbolically and as a tourist attraction. We need to respect that and help it do its job here in the community. It is important that any new monuments meet the standards of the old monuments or it belittles the subject matter and belittles the importance of Mon. Ave.

To help expand its educational use downloadable audio podcast files can be created. And as people walk Mon. Ave. and enjoy the monuments and buildings they can listen to the history as the do the walking tour. A central walkway can be created with more trees, bushes and flowers planted to enhance the enjoyment. Think NYC's new High Line park but incorporating a broad range of Richmond's and Virginia's history with a beautiful landscape park.

### **Public Notice from the Virginia Division Sons of Confederate Veterans**

**August 9, 2017**

At the very last moment, the Mayor, City Council, and the Virginia Historical Society have placed a number of restrictive rules on a public meeting to be held this evening. The meeting involves the fate of Monument Avenue. These eleventh hour restrictions are to say the least highly questionable. The so called committee and those who serve on it, is questionable in and of itself.

Several of these issues may even be unconstitutional. ie: the limitations on freedom of speech.

Even holding the meeting in the Virginia Historical Society building may not be proper. These concerns should be addressed before proceeding forward.

Therefore, the Virginia Division Sons of Confederate Veterans calls for an immediate cancellation of this evening's meeting. It should be rescheduled at a time when all the issues are resolved.

B. Frank Earnest, Heritage Defense Coordinator for Commander Anthony Griffin and the Virginia Division Sons of Confederate Veterans

### **Virginia Defenders**

**Message:** Open Letter to the  
Monument Avenue Commission

As Richmonders who have long called for the removal of the Confederate statues on Richmond's Monument Avenue, we would like to express our views on this matter as your commission begins its

process of public engagement.

Our concerns focus on three issues: The limited mandate of the mayor's commission; the commission's composition; and the artificial separation of the issues of memorializing Confederate figures while failing to commit to properly memorialize the history of Richmond's Shockoe Bottom, once the epicenter of the U.S. domestic slave trade.

When Mayor Stoney established the commission, he said that taking down the monuments was not an option: "I wish these monuments had never been built, but like it or not they are part of our history in this city, and removal will never wash away that stain." (Richmond Times-Dispatch, June 22, 2017)

Limiting the mission of the commission to merely providing "context" to the statues of slavery-defending figures is unacceptable. These monuments were erected to rehabilitate the image of the slavery-defending Confederacy and so culturally re-establish the principle of white supremacy during the worst post-slavery period for Black people in U.S. history.

The statues on Monument Avenue were only the grandest part of this nearly 100-year campaign to turn the former capital of the Confederacy into a virtual shrine to the Lost Cause mythology.

Richmond's first Confederate memorial, to Gen. "Stonewall" Jackson, was erected in 1874, in Capitol Square - just nine years after the end of the Civil War. Reconstruction in most of the South lasted 11 years, but was ended much sooner in Richmond.

It would be another 16 years before the towering statue of Gen. Robert E. Lee would be unveiled on what would become Monument Avenue, but others followed in rapid succession: Gen. William Carter Wickham in Monroe Park (1891); Gen. A.P. Hill at Laburnum & Hermitage (1892); Richmond Howitzers at Harrison, Park and Grove (1892); Confederate Soldiers and Sailors at Libby Hill (1894); Gen. William "Extra Billy" Smith in Capitol Square (1906); and Gen. J.E.B. Stuart (1907), President Jefferson Davis (1907), Gen. "Stonewall" Jackson (1919) and Admiral Matthew Fontaine Maury (1929), all on Monument Avenue. Finally, just to let everyone know that nothing had changed, Gen. Fitzhugh Lee in Monroe Park (1955).

And then there are the city's many streets, squares, bridges and buildings named after Confederate figures.

Mayor Stoney had it right when he described the Confederate statues on Monument Avenue as "Equal parts myth and deception ... a false narrative etched in stone and bronze more than 100 years ago — not only to lionize the architects and defenders of slavery, but to perpetuate the tyranny and terror of Jim Crow and reassert a new era of white supremacy."

Clearly, statues and monuments are created to honor a person or cause. And they are taken down when those in power no longer want to continue that honor. This is why there are no statues of Adolf Hitler in Germany. In fact, it's illegal to display even a fascist symbol in either Germany or Italy.

Other U.S. cities understand this: New Orleans, Orlando, Tampa, St. Louis, Charlottesville all have taken down or are in the process of taking down their Confederate statues. Other cities are renaming streets, parks and buildings. But not Richmond. Richmond wants to add “context.”

What is most revealing is how Richmond deals with its brief, three-and-a-half-year Confederate past as opposed to its three decades as the epicenter of the U.S. domestic slave trade. It took a nearly 10-year community struggle to force the state of Virginia to remove a Virginia Commonwealth University parking lot from the city’s African Burial Ground. It took a bitter two-year community campaign to stop former Mayor Dwight Jones and the powerful business coalition Venture Richmond from building a baseball stadium in the heart of the Shockoe Bottom slave-trading district. (Jones also is on record as opposing taking down the statues.) That fight forced Jones to begin a project to memorialize just one of nearly 100 slavery-related sites in the Bottom, but the present mayor is resisting the overwhelming community demand for a more inclusive - and less expensive - nine-acre Shockoe Bottom Memorial Park.

The most disturbing thing about the way the City is handling these related issues is its utter insensitivity to the Black community. What kind of compromise can be reached between those who still honor the men who defended slavery and the descendants of those who were enslaved? Do you really think that some signage will make it less painful for the descendants to walk, cycle or drive past those tributes to the men who fought for the right to keep their ancestors enslaved? Whose sensitivities matter more here? Whose matter at all?

The mission of the Monument Avenue Commission as it now exists is unacceptable. It begins with a decision to compromise on the question of what to do about the Confederate-honoring / Lost Cause Mythology-promoting statues on the avenue before any public meetings have taken place. The mayor has said that taking the statues down is off the table. Not one of the commission’s 10 members has publically called for their removal. Several previously supported the effort to put a stadium in the Bottom. And the commission is preparing to shepherd a discussion about Monument Avenue while apparently ignoring the parallel issue of Shockoe Bottom.

Therefore, we are calling on the members of the commission to do the following, before their first public hearing, scheduled for Aug. 9:

- 1 - Publicly declare that taking down the statues is one of the options to be considered.
- 2 - Invite onto the commission Richmonders who already have called for the statues to be removed.
- 3 - Invite New Orleans Mayor Mitch Landrieu to speak at the first public hearing. His eloquent statement on why his city has taken down its Confederate monuments has become a classic argument for their removal.

Sincerely,

Ana Edwards - Chair, Sacred Ground Historical Reclamation Project  
Phil Wilayto - Editor, The Virginia Defender

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**To:** **From:** Brooks Godwin

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**Fax:** 18046467987 **Pages:**

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**Re:** Thank you, Mayor Stoney **Date:** 8/16/2017 1:31:45 PM EDT

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**Comments:**

This is a personal note thanking you for creating the Monument Avenue Commission to preserve and redefine this historic street in Richmond. I wholeheartedly agree that the monuments should be placed in historical context, removing any indication that the statues are there to glorify the confederacy. Eliminate the glorification of bigotry not what happened in our history and what Richmond has learned from it. This avenue has so much potential to tell the history of our city. It is my hope that we put up more monuments on the avenue glorifying our diversity, our growing wisdom and compassion and our embrace of Richmond's future, like the statue of Margaret Walker and the proposed Women's statues (Voices from the Garden). There is more history in VA than in any other state in our country. Instead of tearing down, let's build instead. And if the old monuments need to come down, so be it. Don't let them be destroyed. Place them in a museum. I think folks, especially our older generation, can live with that. Art is art. Censoring history never works. Thank you for reading my thoughts on this topic. I appreciate all that you are doing for Richmond. I imagine you read President Obama's tweet on the Charlottesville violence but I will end with his words of wisdom.

"No one is born hating another person because of the color of his skin or his background or his religion..." Obama's tweet read.

The quote is from former South African president Nelson Mandela's autobiography, Long Walk to Freedom.

I always knew that deep down in every human heart, there is mercy and generosity. No one is born hating another person because of the color of his skin, or his background, or his religion. People must learn to hate, and if they can learn to hate, they can be taught to love, for love comes more naturally to the human heart than its opposite.

Brooks Godwin

August 17, 2017

To Whom It May Concern:

I am writing to you in an urgent appeal to use reason and careful deliberation in deciding the fate of the statues on Monument Avenue. Although I do not live there now, Richmond is my home and has been my family home for 120 years. I was not only born and raised there but also earned two degrees and met my husband of 25 years at the University of Richmond. Most importantly to this matter, I was literally born and raised on Monument Avenue. I have deeply personal reasons for wanting these statues to remain but also harbor grave concerns for the future of Richmond if they are removed.

On a briefly personal note I will say that I cannot look at those statues without thinking of my late mother. She loved them and as often as we drove past them for 15 years to take me to ballet she never once failed to tell me and my brother to look out the window at them. The immediate image that comes to mind when I hear the word Richmond is that beautiful section of the city with its amazing architecture, the tree lined streets, and the falling leaves swirling around near those statues. Please, please do not take that away. They have always been there and are always supposed to be there.

I recognize and respect that these statues represent different things to different people. Mayor Stoney has made his personal feelings quite clear but I urge you all to respect the feelings of the decent citizens of Richmond who do not share his opinion. He is Mayor to all of Richmond, not just those who may be offended by the statues, and those statues belong to everyone. To the good and honorable citizens of Richmond, I assure you that these statues are not symbols of hate. Never in my lifetime has this been what they are. Regardless of what side of the fence you are on, the historical significance of Richmond and these men cannot be discounted. The beauty of Monument Avenue and these sculptures should not be destroyed because of the ugliness in the hearts of people who are outsiders looking for an opportunity to advance their hateful agenda. Just as Islamic extremists have twisted and misrepresented the Muslim faith, hate groups have twisted and misrepresented these statues. **We are frequently reminded that not all Muslims are terrorists, and I urge you to realize that all white southerners are not racists. Just as we are not punishing the good Muslims by tearing down their Mosques, it would be profoundly wrong and unjust to punish all of us by tearing down these statues.**

The fact that hate groups have hijacked and commandeered these statues in support of their wretched agenda is disgusting. Please do not be fooled by what they are doing. While some may feel that removing the statues will remove the racial problems that are currently so prominent, this is not the case and the issues are being misconstrued and confused. What do these statues have to do with Nazis and white supremacists? Absolutely nothing except that

these groups are using them to manipulate everyone. They are using them as pawns in their attempt to create more problems and I beg you not to play into their hands.

**Make no mistake about it: removing these statues on Monument Avenue is exactly what these hate groups want you to do.** To do so would cause a divide so deep that it will never be repaired and that is playing exactly into the hands of these loathsome people. Dylan Roof said that he set out to start a race war in Charleston and that is what will happen. Do not be their puppets. Please do not let the hate groups win.

Sincerely,

Donna Fugett Jeter

## Appendix I- MAC PowerPoint Presentation May 10 and 19, 2018

### Monument Avenue Commission

Presentation and Public Comment Meeting  
May 10, 2018

#### The Commission's Mandate

- “make recommendations to the mayor’s office on how to best tell the real story of our monuments.”
- Provide interpretation to contextualize the monuments
- Consider new statues for inclusion
- The Scope: Monument Avenue

#### Revision of the Commission's Mandate

“While we had hoped to use this process to educate Virginians about the history behind these monuments, the events of the last week may have fundamentally changed our ability to do so by revealing their power to serve as a rallying point for division and intolerance and violence.”—*Richmond Mayor Levar Stoney*



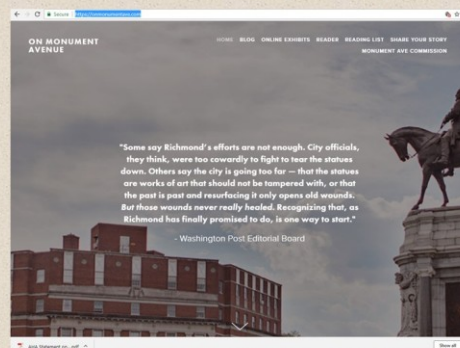
## Meetings Held

- Commission Public Meeting, Virginia Historical Society, Aug. 9, 2017
- Multiple listening sessions with community organizations including the Unitarian Universalist Church, the Richmond Peace Education Center, The Defenders, Sons of Confederate Veterans, and others, January-April, 2018
- This meeting and upcoming public meeting on May 19, 2018

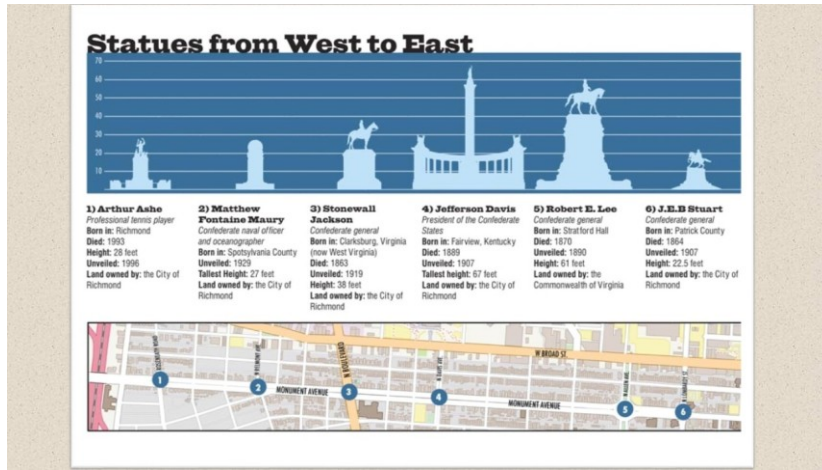
## Legal Status: Opinion of the Richmond City Attorney

- The Lee Statue and the surrounding circle are owned by the Commonwealth of Virginia, and “the City has no legal authority to take action on or with respect to that property” unless authorized to do so by the Commonwealth.
- There is ongoing litigation regarding other Confederate monuments in the state and whether they fall under the state code regarding “war memorials.”
- The city attorney ruled that various modes of interpretation that do not interfere with the monuments are legal.
- The legal landscape is fluid and likely to shift in the near future.

## A Brief History Recap



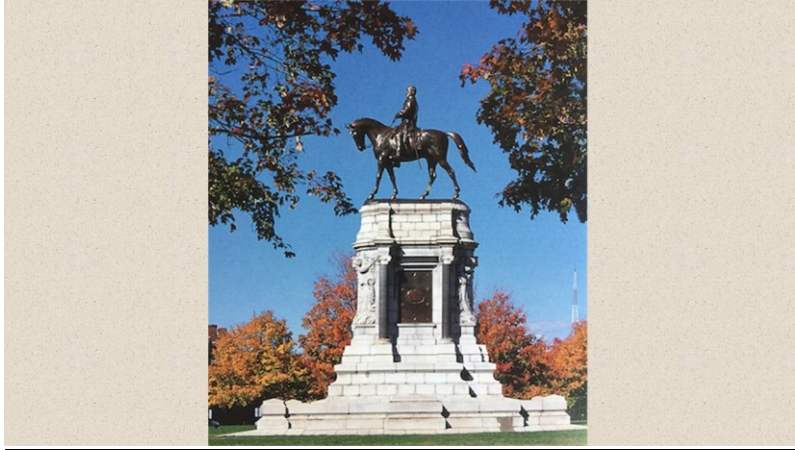
<https://onmonumentave.com>



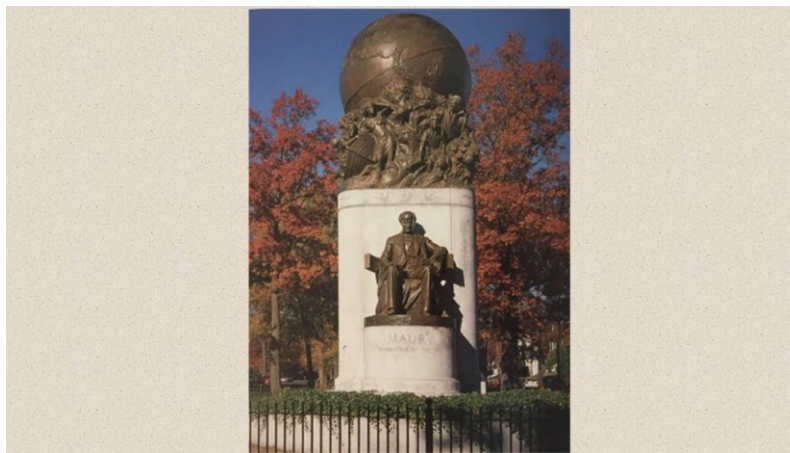
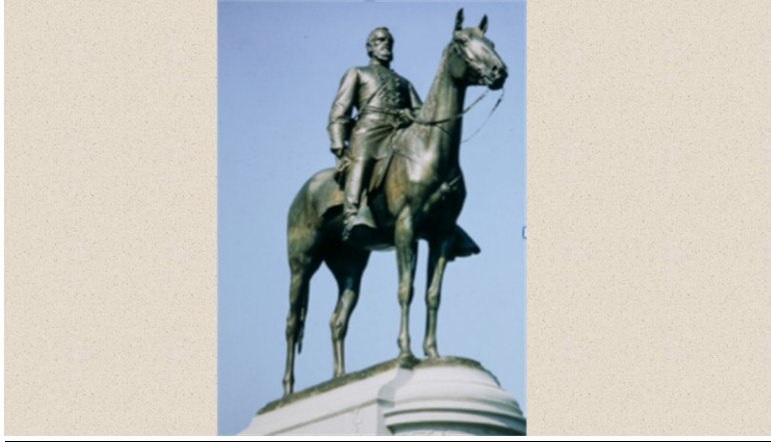
## Monument Avenue's Significance

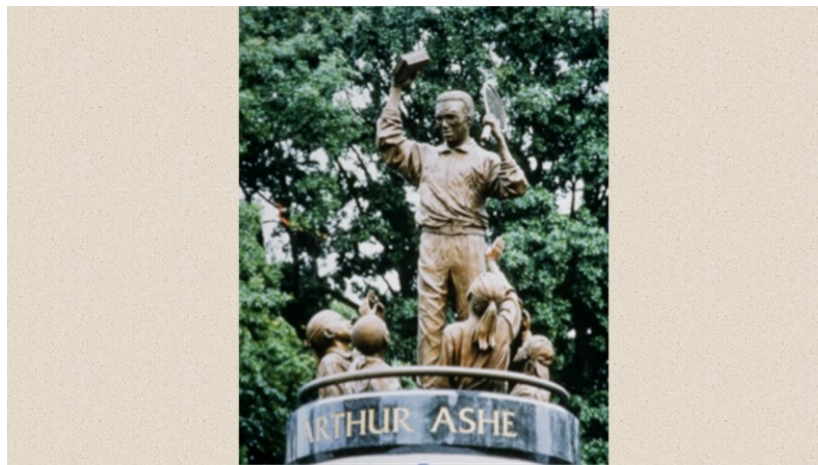
- The first street ever designated a **National Historic Landmark**. A unique combination of planning, commemoration and architecture.
- The only monumental boulevard in the US with a theme, whether or not it was intended.
- The most visible reminder of the Confederacy in the Capital of the Confederacy
- It functions as a part of the city, not a ceremonial space set aside for special events or visits.
- While the street eventually developed thematic coherence around the Confederacy, this was never the original intent; in fact, several of the monuments were not originally intended to be in their current location.











Public Comment

## Historical Context

“Rather than seeking to provide definitive answers to the questions posed by individual monuments, the AHA emphasizes the imperative of understanding historical context in any consideration of removing or recontextualizing monuments, or renaming public spaces.”—*American Historical Association Statement on Confederate Monuments (August 2017)*

The AHA *Statement* was endorsed by 24 historical organizations, including:

- American Association for State and Local History
- Berkshire Conference of Women Historians
- National Council on Public History
- Organization for American Historians
- Southern Historical Association
- Western History Association
- World History Association

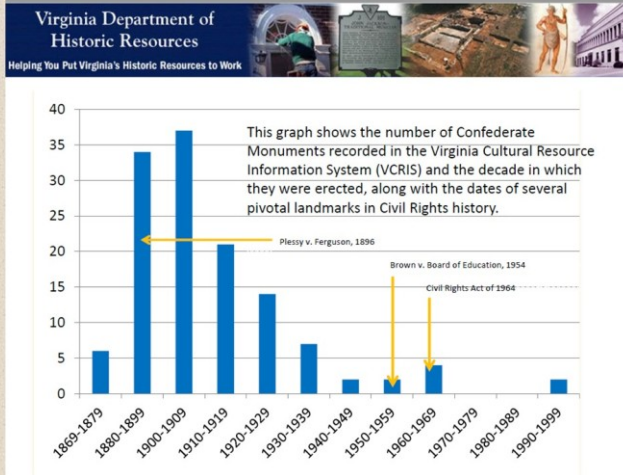
Another important statement: The Association for the Study of African American Life and History

<https://asalh.org/document/asalhs-position-on-confederate-monuments/>

“To remove such monuments is neither to ‘change’ history nor ‘erase’ it. What changes with such removals is what American communities decide is worthy of civic honor.”—*American Historical Association Statement on Confederate Monuments*



*War Memorials and Monuments in Virginia: Report prepared by the Virginia Department of Historic Resources, 2016*



“168 War Memorials in Virginia are currently recorded in the Virginia Cultural Resource Information System (VCRIS) maintained by DHR. Of this total, 81 percent pertain to Confederate participants in the American Civil War.” — *War Memorials and Monuments in Virginia: Report prepared by the Virginia Department of Historic Resources, 2016*

“Nearly all monuments to the Confederacy and its leaders were erected without anything resembling a democratic process. . . . African Americans had no voice and no opportunity to raise questions about the purposes or likely impact of the honor accorded to the builders of the Confederate States of America.” — *American Historical Association Statement on Confederate Monuments*

The vote required by the constitution was recorded as follows:

**YEAS**—Messrs. Speaker, Allen, Anderson, Armstrong, Bagwell, Barnes, Beaton, Brooks, Brown, Campbell, J. A. Carter, Jack Carter, Cecil, A. I. Clark, Cockerille, Coghill, Crank, Critz, Davis, Dooley, Fitzpatrick, Flood, Foster, Franklin, Fulkerson, Gaines, P. Gibson, T. S. Gibson, Gilman, Graves, Haden, Hale, Henderson, Hoenniger, Holbrook, Wm. Hoskins, Howard, Hudgin, Hunter, James, Jordan, Koener, J. H. Lacy, Lamkin, Lewis, Lightner, Lipps, Lougley, Lovell, Lovenstein, Loving, Lucas, Lybrook, Magruder, Massey, McMullan, Montague, Moore, Morris, J. L. Nash, Norton, O’Neal, Ould, Pannill, Pendleton, Poplam, Powell, Rains, Riddlebarger, Rogers, Round, Scruggs, Sellers, Sheets, Shumate, Spratt, Stowall, Strother, Stuart, Swann, Taliaferro, Taylor, Turner, Wallace, Wharton, Williams, Winn, Withers, and Yager—89.

**NAYS**—Messrs. Bickings, P. J. Carter, Matt Clark, Cox, Gilliam, Goodwyn, Hamilton, Harris, Hill, R. S. Jones, May, Moss, Whittaker, and Young—14.

House of Delegates vote on appropriation for receiving and placing the Thomas J. Jackson statue in 1875



## Controlling the Narrative

Reject a book that calls the Confederate soldier a traitor or rebel, and the war a rebellion.

Reject a book that says the South fought to hold her slaves.

Reject a book that speaks of the slaveholder of the South as cruel and unjust to his slaves.

Reject a text-book that glorifies Abraham Lincoln and villifies Jefferson Davis, unless a truthful cause can be found for such glorification and villification before 1865.

Reject a text-book that omits to tell of the South's heroes and their deeds when the North's heroes and their deeds are made prominent.

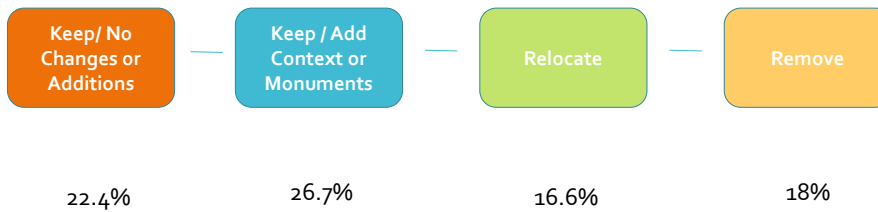
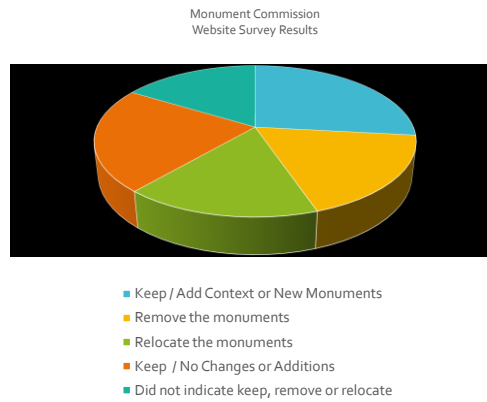
Mildred Lewis Rutherford, *Measuring Rod to Test Text Books and Reference Books in Schools, Colleges, and Libraries* (1919)

## Public Comment

## Monument Commission Online Results

<b>Total Respondents</b>	<b>1,718</b>	<b>100.0%</b>
Keep / Add Context or New Monuments	459	26.7%
Remove the Monuments	310	18.0%
Relocate the Monuments	285	16.6%
Keep / No Changes or Additions	384	22.4%
Did not indicate keep, remove or relocate	280	16.3%

## Monument Commission Online Results



Keep/No Changes  
or Additions

#### THE MONUMENTS...

- Represent my heritage
- Are a sacred space akin to a burial ground
- Represent war heroes
- Should not be erased as ISIS would do
- Are not about slavery
- Removal would have negative economic impact (tourism, national boycott of RVA)
- Do not bother anyone
- Removal will further divide our population
- Should not incur expense of removal so money can be used for schools, crime, etc.
- Should not have additional context because everyone knows what they are
- Should not share the space with other monuments. Put them beyond this space or in another part of town (Shockoe Bottom for slave remembrances)

Keep/Add  
Context or  
Monuments

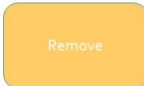
#### THE MONUMENTS...

- Should be kept as a teaching tool
- Must be preserved as symbols of hate so no one ever forgets
- Should contain context of when, by whom, and why they were erected
- Should be considered for forgiveness
- Should tell an inclusive story of all the people of that period –slaves, women, spies, union, fallen soldiers
- Should represent the ideas of all the people of a society if they are on public land
- Context or new monuments must be as large and imposing as these to be effective
- Should include a monument to the enslaved people who were freed because of the Civil War
- Should be part of the greater conversation about the important history of America which happened in Richmond
- Should be integrated into all museum/historical sites in our city
- Context should include placards, other statues, smart phone apps for stories and connecting other sites in RVA
- Could be altered to show more inclusive ideas about the Civil War
- Could be creatively altered to represent today's ideas not the Lost Cause

Relocate

#### THE MONUMENTS...

- Should be in a place where you choose to see them and learn about them
- Placed on Monument Avenue inherently prevent a broader context because of grandiosity and place of honor
- Could be put in a "Fallen Monuments" Parks as other countries have done
- Make it difficult for large corporations to attract employees from other areas because of Confederate adoration
- Are appropriate for a cemetery or a battlefield
- Should be in a Jim Crow Museum
- Removal would be the first step in repairing relations in our city
- Could be altered to show how they are viewed in the 21<sup>st</sup> Century



THE MONUMENTS...

- Are a painful reminder to a large portion of Richmond's population of the history of enslaved people
- Have no place in a city of the future
- Must be judged as statues of the Jim Crow era when they were erected (1890-1920s)
- Are relics of white supremacy
- Were formalized a racist symbols after the Alt-Right rallies
- Were erected to rewrite the past and bolster the Lost Cause narrative
- Normalize oppression of minorities
- Should be destroyed, auctioned or at least placed on private, not public, lands
- Should not be how we learn our history. It must be done thoroughly through schools and museums with many points of view.
- Our best street should have monuments to ideas we all believe in
- At the very least Jefferson Davis should go because the statue celebrates the Lost Cause and how the people who fought will be vindicated. It does not celebrate a Virginian.
- Descendants of Lee, Maury and Jackson have written to say take them down; Lee didn't want statues
- Represent men who fought to keep people enslaved
- Represent traitors to our country

Survey Results:  
410  
Respondents  
offered new  
monument  
ideas to  
individual  
people



Survey Results:  
or to Groups or  
Ideas



## Preservation, Stewardship, and Public Discourse

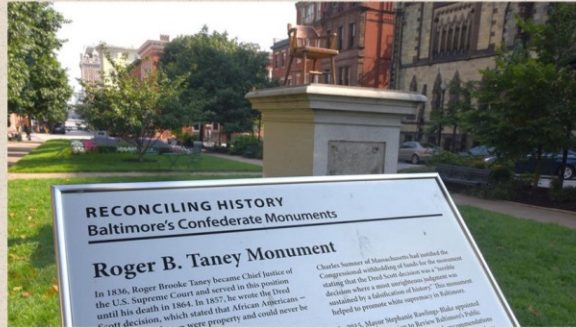
“The fundamental goal of decision making about historically significant commemorative works should be to balance stewardship responsibilities for publicly-owned commemorative works with recognition of the sensibilities, cultural responses, and emotions over memorialization and remembrance of difficult chapters in the nation’s history.”—*Statement by the Advisory Council on Historic Preservation*

## Preservation and Stewardship: Where Would These Artifacts Go?

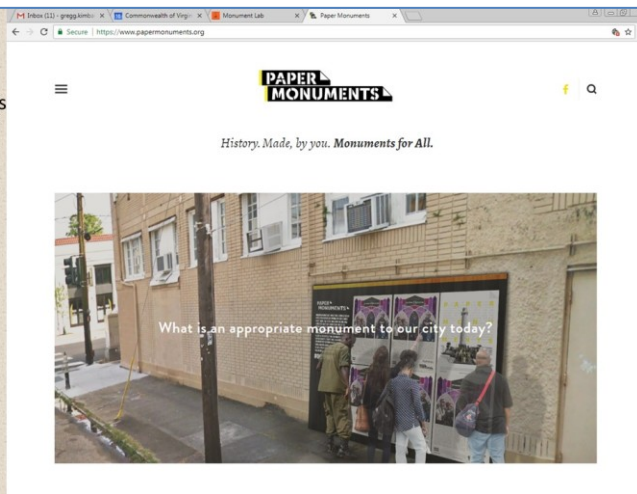
“We would argue that the ‘put them in a museum’ response to Confederate memorials reflects a misunderstanding of what museums are for—and an effort to sidestep conversations that we really need to have.”—*“Are Museums the Right Home for Confederate Monuments?” Smithsonian Magazine, 2017*

## Other Interpretation and Projects

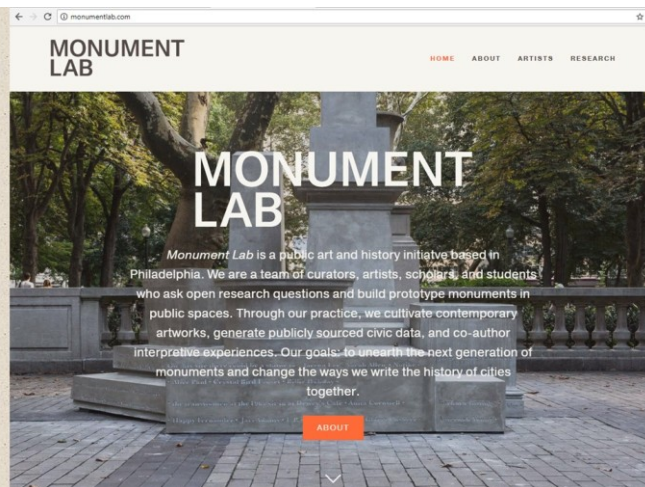
The Baltimore Commission on Monuments made recommendations leading to removal and interpretive panels with empty plinths (bases)



New Orleans: Paper Monuments, a series of opportunities and events to elevate the people of New Orleans and honor erased histories.



Philadelphia's Monument Lab: a series of temporary public art interventions to address and unearth the next generation of monuments and change the ways we write the history of cities together.



## Richmond Efforts Underway

Storefront for Community Design in collaboration with Middle of Broad held a competition for proposals to change Monument Avenue.

The competition "Monument Avenue: General Demotion/General Devotion" will call for entries from now through September 15 for artists to propose ways to expand the conversation about Monument Avenue.

There will be an exhibit at the Valentine Museum next year, and prizes will be awarded November 19, 2019.

Appendix J- Dialectrix Report of Public Engagement  
Sessions May 10 and 19, 2018  
[18 pages]



# Monument Avenue Commission

## Public Meeting Report

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Dialectix Consulting

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<http://dialectixconsulting.com>



# Monument Avenue Commission Public Meeting Report

The Monument Avenue Commission held two public meetings on the evening of May 10<sup>th</sup> at the main branch of the Richmond Public Library, and the morning of May 19<sup>th</sup>, 2018 at Martin Luther King, Jr., Middle School. The purpose of these meetings was to report to the public their legal and historical research, how other cities have handled monuments to the Confederacy, and solicit one more round of public input before the commissioners crafted their final recommendations.

## Meeting Design

In order to facilitate public input, the May 10<sup>th</sup> meeting used audience response technology, allowing participants to anonymously record their views on a variety of multiple-choice questions. The May 19<sup>th</sup> meeting was unable to use the same technology due to technology challenges at the school. The audience was asked a selection of the polling questions asking for a show of hands. These results were counted by hand, but should be considered slightly less secure due to the introduction of possible human error in the counting and recording, and the lack of anonymity that introduced possible social pressure to answer in certain “socially acceptable” ways.

In addition to the audience polling, participants were invited to submit comments on three separate questions on index cards that were collected. These comments were then submitted directly to the commission.

The meeting agenda, and the presented results below, followed this agenda:

**MEETING AGENDA:**

Segment 1: Who is here? - polling

Segment 2: History of the monuments:

What the commission has learned so far about the history of the monuments

Public responses to commission's narrative:

Polling

Written cards

Segment 3: Processes to Date

The commission's public process to date:

The processes used for input

The diversity of perspectives gathered

Public response to the public input collected

Polling

Written cards

Segment 4: Innovations in other places

What the commissions has learned about innovative ideas from other cities

Public responses

Written cards

Segment 5: Additional public comment

Open mic – 2 minutes each on anything relevant

Closing comments by commission

## Results Comparison

At the beginning of the meeting, participants were polled on their opinion of what should happen with the monuments on Monument Avenue. The same question was posed at the end of the meeting, enabling a comparison between initial and final views of participants. Additionally, keypad polling allows analysis of votes by demographic category, if participants chose to respond to those questions. The following tables include comparisons of the pre- and post-meeting polling on May 10<sup>th</sup>, as well as disaggregation of *final* poll results by self-reported jurisdiction, race, and age. These results are merely presented below without analysis for statistical relevance of any differences. Also, please note the total number of votes (“n=”) in the final row of each table. For the demographic questions in particular, the total of the two columns does not always add up to the total number of votes; participants who chose not to answer the earlier demographic questions are not counted.

	Percent- Initial Poll	Percent – Final Poll
Keep the existing monuments just as they are, make no changes	23.81%	18.06%
Keep existing monuments as they are, but add context and/or new ones	31.75%	44.44%
Relocate the monuments to a different place	14.29%	12.50%
Remove the monuments from Monument Avenue	22.22%	22.22%
I am not sure what is best.	7.94%	2.78%
<b>Total Respondents</b>	N=63	N=72

FINAL POLL	Percent- City Residents	Percent – Non-City Residents
Keep the existing monuments just as they are, make no changes	15.63%	25.00%
Keep existing monuments as they are, but add context and/or new ones	40.63%	37.50%
Relocate the monuments to a different place	18.75%	12.50%
Remove the monuments from Monument Avenue	18.75%	25.00%
I am not sure what is best.	6.25%	0.00%
<b>Total Respondents</b>	<b>N=32</b>	<b>N=16</b>

FINAL POLL	Percent- White	Percent – People of Color
Keep the existing monuments just as they are, make no changes	19.57%	0.00%
Keep existing monuments as they are, but add context and/or new ones	43.48%	28.57%
Relocate the monuments to a different place	15.22%	28.57%
Remove the monuments from Monument Avenue	19.57%	28.57%
I am not sure what is best.	2.17%	14.29%
<b>Total Respondents</b>	<b>N=46</b>	<b>N=7</b>

FINAL POLL	Percent- 45 and under	Percent – Over 45
Keep the existing monuments just as they are, make no changes	5.26%	23.53%
Keep existing monuments as they are, but add context and/or new ones	21.05%	52.94%
Relocate the monuments to a different place	15.79%	17.65%
Remove the monuments from Monument Avenue	52.63%	2.94%
I am not sure what is best.	5.26%	2.94%
<b>Total Respondents</b>	N=19	N=34

## Meeting Results

Below are the polling results from the May 10<sup>th</sup> meeting. A total of 78 individuals voted as measured by the voting software, though no single question registered 78 votes. Questions indicated as “Multiple Choice – Multiple Response” will add up to more than 78 votes as participants could choose more than one. Percentages listed on those questions indicate the percentage of votes each answer received. For the questions asked by show of hand on the May 19<sup>th</sup> meeting, those results are included in an additional column or table.

The first set of questions is about who came to the meeting, and includes demographic questions about race, age, geographic location, etc.

The next set of questions is about participants’ views on the relevant issues, followed by responses to the commission’s report, and final polling on views and satisfaction with the meeting.

## Demographics of Attendees

**AGE: How many times have you traveled around the sun?**

Responses				
	May 10th Percent	May 10 <sup>th</sup> Count	May 19 <sup>th</sup> Percent	May 19 <sup>th</sup> Count
29 or fewer	13.33%	8	25.71%	9
30 to 45	20.00%	12	11.43%	4
46 to 60	33.33%	20	37.14%	13
61 or better	33.33%	20	25.71%	9
<b>Totals</b>	<b>100%</b>	<b>60</b>	<b>100%</b>	<b>35</b>

**GENDER: Which of these best describes your gender?**

Responses				
	May 10th Percent	May 10 <sup>th</sup> Count	May 19 <sup>th</sup> Percent	May 19 <sup>th</sup> Count
Female	46.88%	30	31.43%	11
Male	50.00%	32	68.57%	24
Gender non-conforming /that binary thang don't work	3.13%	2	0%	0
<b>Totals</b>	<b>100%</b>	<b>64</b>	<b>100%</b>	<b>35</b>



**RACE: Which of these best describes how you identify on race and ethnicity?**

Responses		
	May 10th Percent	Count
African-American/black	6.06%	4
Asian-American/Pacific Islander	3.03%	2
Hispanic/Latino	0.00%	0
White/Caucasian	75.76%	50
Native American/American Indian	1.52%	1
Other	4.55%	3
Mixed race	9.09%	6
<b>Totals</b>	<b>100%</b>	<b>66</b>

**RACE: Recognizing that all of this is a social construct, which of these comes closest to describing your “of color” status?**

Responses				
	May 10th Percent	May 10 <sup>th</sup> Count	May 19 <sup>th</sup> Percent	May 19 <sup>th</sup> Count
Person of color	17.91%	12	26.67%	8
White person	82.09%	55	73.33%	22
<b>Totals</b>	<b>100%</b>	<b>67</b>	<b>100%</b>	<b>30</b>

***SEXUAL ORIENTATION: Which of these best describes your orientation?***

Responses			
	May 10th Percent	May 10th Count	May 19th Count
LGBTQ+	17.19%	11	1
Non-LGBTQ+	82.81%	53	
<b>Totals</b>	<b>100%</b>	<b>64</b>	

***POLITICAL IDEOLOGY: Which of these best describes your political ideology most of the time?***

Responses		
	May 10th Percent	May 10th Count
Hard left	17.39%	12
Left	23.19%	16
Left leaning	20.29%	14
Right leaning	7.25%	5
Right	13.04%	9
Hard right	2.90%	2
Left on some issues, right on some issues.	15.94%	11
<b>Totals</b>	<b>100%</b>	<b>69</b>

	May 19th Percent	May 19th Count
Left of Center	44.44%	16
Right of Center	5.56%	2
Left of Some Issues, Right on Some	50.00%	18
<b>Total</b>	<b>100%</b>	<b>36</b>

**LOCATION: Which of these best describes where you live now?**

Responses		
	May 10th Percent	Count
Northside , in the city	13.85%	9
Southside in the city in city	10.77%	7
Eastside in the city	6.15%	4
Westend, in the city	35.38%	23
Northside in suburbs	1.54%	1
Southside in suburbs	4.62%	3
Eastside, in the suburbs	3.08%	2
Westend, in the suburbs	7.69%	5
Other	16.92%	11
<b>Totals</b>	<b>100%</b>	<b>65</b>

	May 19 <sup>th</sup> Count	May 19 <sup>th</sup> Percent
City resident	24	66.67%
Non-city resident of the region	11	30.56
Outside of the region	1	2.78%
<b>Total</b>	<b>36</b>	<b>100%</b>

**PREVIOUS ENGAGEMENT: How engaged have you been with the Monuments commission before tonight (Multiple Choice - Multiple Response)**

Responses		
	May 10th Percent	Count
This is my first meeting	19.15%	27
Been to meetings like this before	23.40%	33
Answered a survey	14.89%	21
Submitted written comments	21.28%	30
Spoke to commission staff or officers	21.28%	30
<b>Totals</b>	<b>100%</b>	<b>141</b>

	May 19 Count	May 19 <sup>th</sup> Percent
First meeting	20	50%
Previous Engagement	20	50%
<b>Total</b>	<b>40</b>	<b>100%</b>

# Initial Participant Views

***Which two of these is closest to your motivation for being here. (Multiple Choice - Multiple Response)***

	Responses	
	May 10th Percent	Count
My concern about Richmond's national/international reputation	29.57%	34
I want to make sure the true history is told	35.65%	41
The chance to express my point of view	13.04%	15
The chance to protect my ancestors' heritage.	10.43%	12
To hear other people's point of view	8.70%	10
I heard there might be some drama, and I like drama	2.61%	3
<b>Totals</b>	<b>100%</b>	<b>115</b>

**How much has your opinion changed in the last 18 months about what should happen with the monuments?**

Responses				
	May 10th Percent	May 10 <sup>th</sup> Count	May 19 <sup>th</sup> Percent	May 19 <sup>th</sup> Count
It has changed a lot	13.24%	9	17.95%	7
It has changed some	13.24%	9	23.08%	9
It has changed a little	25.00%	17	23.08%	9
It has not changed at all.	48.53%	33	35.90%	14
<b>Totals</b>	<b>100%</b>	<b>68</b>	<b>100%</b>	<b>39</b>

**If you had to choose between these options, which do you think is the best option for the city and region.**

Responses				
	May 10th Percent	May 10 <sup>th</sup> Count	May 19 <sup>th</sup> Percent	May 19 <sup>th</sup> Count
Keep the existing monuments just as they are, make no changes	23.81%	15	9.09%	4
Keep existing monuments as they are, but add context and/or new ones	31.75%	20	36.36%	16
Relocate the monuments to a different place	14.29%	9	20.45%	9
Remove the monuments from Monument Avenue	22.22%	14	18.18%	8
I am not sure what is best.	7.94%	5	2.27%	1
Other/Combination	N/A	N/A	13.63%	6
<b>Totals</b>	<b>100%</b>	<b>63</b>	<b>100%</b>	<b>44</b>

**How much understanding do you have of the point of view of folks who want a different solution to the monuments issue than you?**

	Responses	
	May 10th Percent	May 10 <sup>th</sup> Count
I have a good understanding of their point of view	64.62%	42
I have a partial understanding of their point of view	29.23%	19
I have little understanding of their point of view, but am somewhat curious about it.	1.54%	1
I have little understanding of their point of view, and am not curious about it.	4.62%	3
<b>Totals</b>	<b>100%</b>	<b>65</b>

**I can envision adjustments to my preferred solution that accommodate people who see the history very differently.**

	Responses			
	May 10th Percent	May 10 <sup>th</sup> Count	May 19 <sup>th</sup> Percent	May 19 <sup>th</sup> Count
Yes, it is easy for me to see such adjustments to my preferred solution.	36.36%	24	51.51%	17
I think there might be some, but I can't think of them now.	30.30%	20	45.45%	15
I don't think there are any, but I feel bad about that.	3.03%	2	0%	0
I don't think there are any, and I don't care about that.	30.30%	20	0%	0
<b>Totals</b>	<b>100%</b>	<b>66</b>	<b>100%</b>	<b>33</b>

## Responses to the Commission’s Work

***How does the current narrative about how the monuments came to be compare to your sense of this history.***

Responses				
	May 10th Percent	May 10 <sup>th</sup> Count	May 19 <sup>th</sup> Percent	May 19 <sup>th</sup> Count
They really got it right.	45.76%	27	60.00%	24
They mostly got it right	25.42%	15	32.50%	13
The partly got it right.	10.17%	6	2.50%	1
They mostly got it wrong.	18.64%	11	5.00%	2
<b>Totals</b>	<b>100%</b>	<b>59</b>	<b>100%</b>	<b>40</b>

***Did that narrative include any relevant facts that you previously did not know?***

Responses				
	May 10th Percent	May 10 <sup>th</sup> Count	May 19 <sup>th</sup> Percent	May 19 <sup>th</sup> Count
Yes, many	22.22%	16	23.68%	9
Yes, some	25.00%	18	42.11%	16
Yes, a few	25.00%	18	15.79%	6
No	27.78%	20	18.42%	7
<b>Totals</b>	<b>100%</b>	<b>72</b>	<b>100%</b>	<b>38</b>



# Final Polling

***If you had to choose between these options, which do you think is the best option for the city and region.***

	Responses			
	May 10th Percent	May 10 <sup>th</sup> Count	May 19th Percent	May 19 <sup>th</sup> Count
Keep the existing monuments just as they are, make no changes	18.06%	13	7.5%	3
Keep existing monuments as they are, but add context and/or new ones	44.44%	32	35.00%	14
Relocate the monuments to a different place	12.50%	9	12.50%	5
Remove the monuments from Monument Avenue	22.22%	16	22.50%	9
I am not sure what is best.	2.78%	2	0%	0
Other/Combination			22.50%	9
<b>Totals</b>	<b>100%</b>	<b>72</b>	<b>100%</b>	<b>40</b>

**What is the level of learning you experienced tonight?**

Responses		
	May 10th Percent	May 10 <sup>th</sup> Count
A lot.	10.87%	5
A good amount	19.57%	9
Some	43.48%	20
A little	17.39%	8
None/very little	8.70%	4
<b>Totals</b>	<b>100%</b>	<b>46</b>

**How satisfied were you with tonight’s opportunities for input?**

Responses		
	May 10th Percent	May 10 <sup>th</sup> Count
very satisfied	54.35%	25
Satisfied	36.96%	17
Mostly not satisfied	6.52%	3
Not at all satisfied	2.17%	1
<b>Totals</b>	<b>100%</b>	<b>46</b>

End of Report