

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

DRAFT
3/26/25

DRAFT

LLS NO. R25-0984.01 Rebecca Bayetti x4348

Joint Resolution

SENATE SPONSORSHIP

(None),

HOUSE SPONSORSHIP

(None),

BILL TOPIC: Sand Creek Massacre Memorial

COMMITTEE JOINT RESOLUTION

101 **CONCERNING THE INSTALLATION ON THE STATE CAPITOL GROUNDS OF**
102 **A MEMORIAL TO THE VICTIMS OF THE SAND CREEK MASSACRE**
103 **OF NOVEMBER 29, 1864.**

1 WHEREAS, Colorado is the traditional homeland of the Cheyenne
2 and Arapaho people; and

3 WHEREAS, In 1864, bands of Cheyenne and Arapaho people
4 were directed to move to a camping location on Big Sandy Creek, also
5 known as Sand Creek, which was within their ratified treaty lands near
6 present-day Eads, Colorado; and

7 WHEREAS, Cheyenne and Arapaho Chiefs had engaged in peace
8 talks with the United States government, and the approximately 750
9 Cheyenne and Arapaho people at Sand Creek, including the camps of

*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words indicate deletions from existing law.*

1 Chiefs Black Kettle, White Antelope, and Left Hand, believed that they
2 would not come to harm where they were settled at Sand Creek; and

3 WHEREAS, On November 29, 1864, as approximately 675 United
4 States Colorado Volunteer soldiers approached the encampment at Sand
5 Creek, Chief Black Kettle raised an American flag and a white flag of
6 peace on a lodge pole, as he had been instructed to by military leaders;
7 and

8 WHEREAS, Despite assurance to the Cheyenne and Arapaho
9 people that they would be safe under the American flag, and despite the
10 symbols of peace displayed by Chief Black Kettle, United States soldiers
11 from the 1st Colorado Volunteer Cavalry and the 3rd Colorado Volunteer
12 Cavalry, commanded by Colonel John Chivington, attacked the
13 encampment at Sand Creek; and

14 WHEREAS, Colonel Chivington ordered his troops to take no
15 prisoners, killing about 230 Cheyenne and Arapaho people, mostly
16 women, children, and the elderly; and

17 WHEREAS, After the massacre, Colonel Chivington and his
18 troops paraded scalps and other mutilated body parts through downtown
19 Denver; and

20 WHEREAS, Captain Silas Soule of the 1st Colorado Volunteer
21 Cavalry was so disturbed by what he witnessed at Sand Creek that he
22 wrote a letter to his superior that played a pivotal role in investigations led
23 by a military commission, a Special Joint Committee, and the
24 Congressional Joint Committee on the Conduct of War, leading to
25 condemnation of the Sand Creek Massacre at all three hearings; and

26 WHEREAS, The Sand Creek Massacre of November 29, 1864,
27 forever altered the Cheyenne and Arapaho way of life; severely impacted
28 the traditional knowledge, language, social structures, ceremonies, songs,
29 language, and governing councils of the Cheyenne and Arapaho people;
30 and profoundly influenced United States-tribal relations; and

31 WHEREAS, In 1909, almost 50 years after the Sand Creek
32 Massacre, the state erected and unveiled a monument entitled "On Guard"
33 and commonly known as the "Union Soldier" or the "Civil War
34 monument", dedicated to Colorado soldiers who fought in the Civil War;
35 and

1 WHEREAS, Designed by Captain John D. Howland, a frontier
2 artist and veteran of the Union Army, the Civil War monument consists
3 of a bronze statue of a Civil War soldier standing on a stone base with
4 bronze plaques that reference facts and dates about Colorado Territory
5 and statehood, the names and dates of Colorado soldiers who died in the
6 Civil War, and Colorado's military organizations in the Civil War,
7 including the dates and names of battles and engagements in 1864; and

8 WHEREAS, For many years, there have been differences in how
9 groups and individuals have interpreted the meaning of the Civil War
10 monument because, although Union cavalry fought and lost their lives to
11 end slavery and famously thwarted Confederate troops at the Battle of
12 Glorieta Pass in New Mexico in 1862, the Civil War monument also
13 includes Sand Creek among the battles and engagements listed on one of
14 its bronze plaques and it memorializes some of the same cavalry units,
15 including those of Colonel Chivington, who perpetrated the Sand Creek
16 Massacre; and

17 WHEREAS, members of the Colorado General Assembly
18 consulted with tribal leaders and enacted Colorado Senate Joint
19 Resolution 99-017, which added an interpretive plaque to the Civil War
20 monument explaining the mischaracterization of the Sand Creek
21 Massacre as a battle and the struggle of the people of Colorado to
22 interpret and take responsibility for this past; and

23 WHEREAS, The Civil War monument was severely damaged
24 when, on June 25, 2020, the "Union Soldier" statue was toppled, the
25 statue and base were defaced, and the soldier's saber was stolen; and

26 WHEREAS, Since the "Union Soldier" statue was toppled, History
27 Colorado has displayed the damaged statue as part of a larger exhibit
28 considering the role of statues in remembering history; and

29 WHEREAS, There is genuine concern that, if the state returns the
30 "Union Soldier" statue to its original location, it would again be
31 vandalized; and

32 WHEREAS, The former location of the "Union Soldier" statue on
33 the west grounds of the state capitol is an appropriate location for a
34 memorial of the Sand Creek Massacre to respect and memorialize the
35 Cheyenne and Arapaho people and their ancestors, promote cross-cultural
36 understanding, and educate the public about the massacre and the events

1 surrounding it to foster healing; and

2 WHEREAS, In the tradition of such educational and interpretive
3 efforts, the National Park Service established, by an act of Congress, the
4 Sand Creek Massacre National Historic Site in 2007 to preserve the
5 massacre site to enhance public awareness and understanding and to assist
6 in preventing similar tragedies from occurring in the future; and

7 WHEREAS, The Northern Cheyenne Tribe of Montana, the
8 Northern Arapaho Tribe of Wyoming, and the Cheyenne and Arapaho
9 Tribes of Oklahoma organized the annual Sand Creek Massacre Spiritual
10 Healing Run in 1999 that begins in Eads, Colorado, and ends on the
11 western steps of the state capitol, to remember what the Cheyenne and
12 Arapaho people endured and to honor those killed; and

13 WHEREAS, Senate Joint Resolution 17-016 approved the
14 placement of a Sand Creek Massacre memorial on the grounds of the state
15 capitol, pending approval of the final design and specific location; and

16 WHEREAS, In 2020, the Capitol Building Advisory Committee
17 approved an initial design and recommended that it be placed on the west
18 plaza of the state capitol grounds, but in 2022, the artist withdrew that
19 design from consideration; and

20 WHEREAS, The Sand Creek Massacre Memorial Committee,
21 which is made up of representatives from the Northern Cheyenne Tribe
22 of Montana, the Northern Arapaho Tribe of Wyoming, and the Cheyenne
23 and Arapaho Tribes of Oklahoma, artists, a historian, an architectural
24 advisor, a sculptor, and a project manager, recommended a new design
25 for a Sand Creek Massacre memorial that was submitted to the Capitol
26 Building Advisory Committee for review in accordance with state law;
27 and

28 WHEREAS, On November 25, 2024, the Capitol Building
29 Advisory Committee unanimously approved the new design of the Sand
30 Creek Massacre memorial and recommended that it be placed on the west
31 grounds of the state capitol and, in accordance with state law, submitted
32 the proposal to the Capital Development Committee and the governor for
33 consideration; and

34 WHEREAS, the Capital Development Committee also approved
35 the design and location of the Sand Creek Massacre memorial and,

1 pursuant to legislative custom and practice, requested a Joint Resolution
2 of the general assembly to formalize the approval and location of the
3 Sand Creek Massacre memorial and the long-term loan of the "Union
4 Soldier" to the Department of Military and Veterans Affairs; now,
5 therefore,

6 *Be It Resolved by the [REDACTED] of the Seventy-fifth General Assembly*
7 *of the State of Colorado, the [REDACTED] concurring herein:*
8

9 That we, the members of the Colorado General Assembly,
10 acknowledge the devastation caused by the Sand Creek Massacre and
11 seek to raise public awareness about this tragedy and to memorialize the
12 victims of the massacre and honor the Cheyenne and Arapaho people; and

13 That we, the members of the Colorado General Assembly, approve
14 of the plan recommended by the State Capitol Building Advisory
15 Committee, the Capital Development Committee, and the governor for
16 the installation of the Sand Creek Massacre memorial on the west
17 grounds of the state capitol and for the long-term loan of the "Union
18 Soldier" statue to the Department of Military and Veterans Affairs for
19 public display on the department's campus or another appropriate
20 location.

21 *Be It Further Resolved,* That copies of this Joint Resolution be
22 transmitted to the governor, the State Capitol Building Advisory
23 Committee, the Capital Development Committee, the Sand Creek
24 Massacre Foundation, the Sand Creek Massacre Memorial Committee,
25 the Northern Cheyenne Tribe of Montana, the Northern Arapaho Tribe of
26 Wyoming, the Cheyenne and Arapaho Tribes of Oklahoma, History
27 Colorado, the Department of Military and Veterans Affairs, and the
28 Department of Personnel.