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STATE OF NORTH CAROLINA
DEPARTMENT OF ADMINISTRATION

ROY COOPER
GOVERNOR

MACHELLE SANDERS, SECRETARY
JOHN F. MADDREY, GENERAL COUNSEL

August 17, 2020

Dr. Kevin Cherry
Deputy Secretary and State Historic Preservation Officer
Department of Natural and Cultural Resources
4601 Mail Service Center
Raleigh, North Carolina 27699-4610

Re: Petition to Determine Appropriate Status of State-Owned Monuments

Dear Dr. Cherry:

Enclosed please find a "Petition to Determine Appropriate Status of State-Owned Monuments" addressed to the North Carolina Historical Commission. The Petition seeks a determination by the Commission concerning the future of three state-owned monuments—the 1895 Confederate Monument, the Henry Lawson Wyatt Monument, and the North Carolina Women of the Confederacy Monument. As you may recall, these monuments were the subject of a previous petition that was filed with the Commission on September 8, 2017.

We look forward to receiving notice of when this Petition will be set for consideration by the Commission. Please let me know if I can provide any additional information or assistance concerning this matter.

Sincerely,

Machelle Sanders, Secretary
Department of Administration

Enclosure

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**PETITION TO DETERMINE APPROPRIATE STATUS OF STATE-
OWNED MONUMENTS**

This is a petition (the "Petition") submitted to the North Carolina Historical Commission requesting a determination of a location for placement of monuments on State property pursuant to N.C. Gen. Stat. 100-2 or whether such items are appropriate for accession, exhibit or study pursuant to N.C. Gen. Stat. 121-7.

Parties

1. Petitioner, Machel Sanders, is the Secretary of the North Carolina Department of Administration.
2. The North Carolina Department of Administration is charged with maintaining grounds and buildings belonging to the State of North Carolina. N.C. Gen. Stat. 143-341(8)(a).
3. The North Carolina Department of Natural and Cultural Resources operates certain properties within the State that have historical and cultural significance. *See* N.C. Gen. Stat. 143B-51(a).
4. The North Carolina Historical Commission (the "Commission") generally evaluates and approves the State's plans for historic preservation, N.C. Gen. Stat. 143B-62. The Commission has the specific duty to approve a proposed location before a "monument" may be "placed in or upon . . . any property belonging to the State." N.C. Gen. Stat. 100-2. The Commission additionally has the specific duty to "classify, accession, preserve, and where feasible exhibit" or make available for study "historical materials relating to the history and heritage of North Carolina." N.C. Gen. Stat. 121-7(a).

Properties

5. The 1895 Confederate Monument is property owned by the State of North Carolina.
6. The Henry Lawson Wyatt Monument is property owned by the State of North Carolina.

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7. The North Carolina Women of the Confederacy Monument is property owned by the State of North Carolina.
8. On June 19, 2020, the 1895 Confederate Monument was damaged by the violent removal of two metal statues from the structure. Additionally, various messages were spray-painted on the monument.
9. On June 19, 2020, the North Carolina Women of the Confederacy Monument was damaged when a message was spray-painted on the monument.
10. On June 20, 2020, the Henry Lawson Wyatt Monument and the North Carolina Women of the Confederacy Monument were removed from the State Capitol grounds following a determination that their presence posed a threat to public safety.
11. On June 26, 2020, removal of the 1895 Confederate Monument from the State Capitol grounds was completed following a determination that its presence posed a threat to public safety.

Requested Relief

The Petitioner respectfully requests direction by the Commission as to the future of these monuments. The Petitioner prays that the Commission, pursuant to its statutory powers and duties, undertake an appropriate review of the circumstances presented and determine whether each monument should be accessioned as an artifact by the Office of Archives and History and made available for exhibit or study. Alternatively, the Petitioner respectfully requests a determination by the Commission whether each monument should permanently be placed on property belonging to the State and, if so, the specific location for the placement of each monument.

This the 18th day of August, 2020.

NORTH CAROLINA DEPARTMENT OF ADMINISTRATION

Machelle Sanders

Machelle Sanders, Secretary