



**Testimony of Matthew Campbell
Deputy Director, Native American Rights Fund
Regarding CO SB 23-202 A Bill Concerning the Wearing of
Traditional Native American Regalia at Graduation Ceremonies**

April 3, 2023

Good afternoon, Madam Chair and members of the Committee. Thank you for allowing me to testify on CO SB 23-202. My name is Matthew Campbell, and I am the Deputy Director at the Native American Rights Fund (“NARF”). I grew up in Colorado and I am also an enrolled member of the Native Village of Gambell in Alaska. I would like to thank Senators Danielson and Lewis for sponsoring this bill. We at NARF are greatly appreciative of it and we support it.

Colorado has a particularly rich Native American history with many Tribal Nations that have historical connections to Colorado, and two federally recognized Tribal Nations surrounded by Colorado’s current borders. That history, however, was not without tragedy. One of the low points for Native Americans in U.S. history was the 1864 Sand Creek massacre, which occurred in Colorado. In that massacre, United States’ troops killed approximately “230 Cheyenne and Arapaho people composed mostly of women, children, and the elderly.”¹ These actions resulted in the marginalization of Colorado’s Tribal Nations, which manifests itself today by inadvertently limiting educational opportunities

¹ National Park Service, *Sand Creek Massacre History and Culture*, NPS.GOV, <http://www.nps.gov/sand/historyculture/index.htm> (last visited Mar. 31, 2023).

for Colorado’s Native American students. Unfortunately, Native American youth have one of the lowest graduation rates of any demographic in the United States.² This is in part tied to the 100-plus years of federal Indian policy aimed at destroying indigenous identity and forcing Native Americans to assimilate into American culture.³

In the 1870s, the United States began taking Native American children from their parents and shipping them to boarding schools where they were forcibly stripped of their culture, tradition, and language. A clearly stated purpose of these schools was to “kill the Indian . . . and save the man.”⁴ Native American children in boarding schools were forced to cut their hair, remove and discard their traditional regalia, and were punished for speaking their own language. Many children died or ran away. These forced assimilative practices for Native American youth did not end until the 1970s. Today, many Native American adults are survivors of boarding schools and are now raising their own children. The full impact of the intergenerational trauma caused by the federal Indian boarding school era remains unknown.

Colorado was not immune to the boarding school era. In 2022, the United States Department of the Interior published an extensive report detailing the brutality of federal Indian boarding schools. The report identified 408 federal Indian boarding schools across 37 states, including at least five operated in Colorado.⁵ Indeed, Governor Polis signed into law the Federal Indian Boarding School Research Program Act, HB 22-1327, just last year.

² National Congress of American Indians, *Resolution # SD-15-006 In Support of Allowing Native Students to Wear Eagle Feathers at High School Graduation*, NCAI.ORG (Oct. 23, 2015), https://www.ncai.org/attachments/Resolution_HbagAuSKnphEdkdCOEBsZFOvRqiiouBqVfVmvxtmvkHdGBKeGmv_SD-15-006.pdf.

³ See Lakota Law, *Right to Regalia: Let Those Feathers Fly at Graduation*, LAKOTA PEOPLE’S LAW PROJECT (June 3, 2019), <https://www.lakotalaw.org/news/2019-06-03/right-to-regalia>.

⁴ *Id.*

⁵ Assistant Secretary – Indian Affairs, *Federal Indian Boarding School Initiative Investigative Report*, BUREAU OF INDIAN AFFAIRS (Apr. 1, 2022), https://www.bia.gov/sites/default/files/dup/inline-files/bsi_investigative_report_may_2022_508.pdf.

That act established the Native American boarding school research initiative and directed History Colorado to investigate and promote public understanding of the lived experiences of the children at federal Indian boarding schools in Colorado, including the Fort Lewis Indian School in Hesperus, which operated from 1891 to 1911. History Colorado's research report uncovered five additional Colorado schools that served as federal Indian boarding schools for out of area Native American children.⁶ This further evidenced Colorado's role in perpetuating the harm of federal Indian boarding schools at a national level. Further research called for in that act is still under way.⁷

As a result of this history, high school graduation is a deeply significant event for Native Americans. Many native students are honored with eagle feathers or plumes for their graduation every year. These items are often gifted through traditional ceremonies to students to recognize their great educational achievements. "An eagle feather, for instance, signifies the strength it took to reach this milestone and the resilience it will take to continue into the next stages of life."⁸ Feathers or beaded caps are often given to native students "in times of great honor," such as during a graduation ceremony.⁹ For some Native students, wearing an eagle feather or other regalia may be just as important as receiving the actual diploma.¹⁰

This bill will confirm that our students have the right to wear these traditional, cultural, and spiritual items during graduation ceremonies. In this day and age, we should

⁶ HOLLY NORTON, NATIVE AMERICAN BOARDING SCHOOL RESEARCH PROGRAM: QUARTERLY REPORT TO COLORADO COMMISSION ON INDIAN AFFAIRS (2022), available at: https://drive.google.com/drive/folders/1bB8RtOmxABogaP9RjlfMw-rqEzid_V5S.

⁷ Courtney Ellis, *History Colorado Reports to Colorado Commission of Indian Affairs on Progress of Native American Boarding School Research*, HISTORY COLORADO (Sept. 8, 2022), <https://www.historycolorado.org/press-release/2022/09/08/history-colorado-reports-colorado-commission-indian-affairs-progress>.

⁸ See Lakota Law, *supra*, note 3.

⁹ *Waln v. Dysart Sch. Dist.*, 54 F.4th 1152, 1156 (9th Cir. 2022).

¹⁰ *Id.*

be celebrating our native students and the perspectives they bring to our schools. We should be lifting up their desire to reconnect and express their cultural beliefs. The reintegration of native culture for our youth is a tool to counter many different obstacles, including substance abuse and historical trauma.¹¹ This bill is a step in the right direction to lift up our students and recognize their importance.

Many schools permit Native students to wear eagle feathers or other regalia at graduation, recognizing that commencement ceremonies are an appropriate setting for Native graduates to wear these items with dignity.¹² There are still some schools, however, that do not allow it. Every year we at NARF get calls from students that are not permitted to wear their regalia to graduation. Many states have passed legislation to address this issue and ensure our students are allowed to wear these important items.¹³ We are glad to see Colorado moving to become one of those states, and we wholeheartedly support this bill.

In conclusion, NARF supports SB 23-202. We are happy to help address any concerns or questions regarding SB 23-202, and to ultimately see it through the legislative process and become law. Thank you for the opportunity to address the Committee today.

¹¹ Sharece N. Tyer, *Prevention and Recovery Newsletter*, SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION, https://www.samhsa.gov/sites/default/files/programs_campaigns/tloa/prevention-recovery-special-edition-spring-2015.pdf (last visited Mar. 31, 2023) (Native communities have learned to counter these challenges and “are bringing people back” with traditional cultural practices as part of a larger healing process).

¹² National Congress of American Indians, *supra*, note 2.

¹³ Native American Rights Fund (NARF), *Wearing Eagle Feathers And Regalia At Graduation*, NARF.ORG, <https://narf.org/cases/graduation/> (last visited Mar. 31, 2023).