

Making Colorblind and Colorful Colorado in Denver

Associate Professor of Law, Sturm College of Law
Affiliate Faculty, Department of History in the College of Arts,
Humanities and the Social Sciences

Director - IRISE

Associate Provost of IE Research and Curricular Initiatives at the
University of Denver

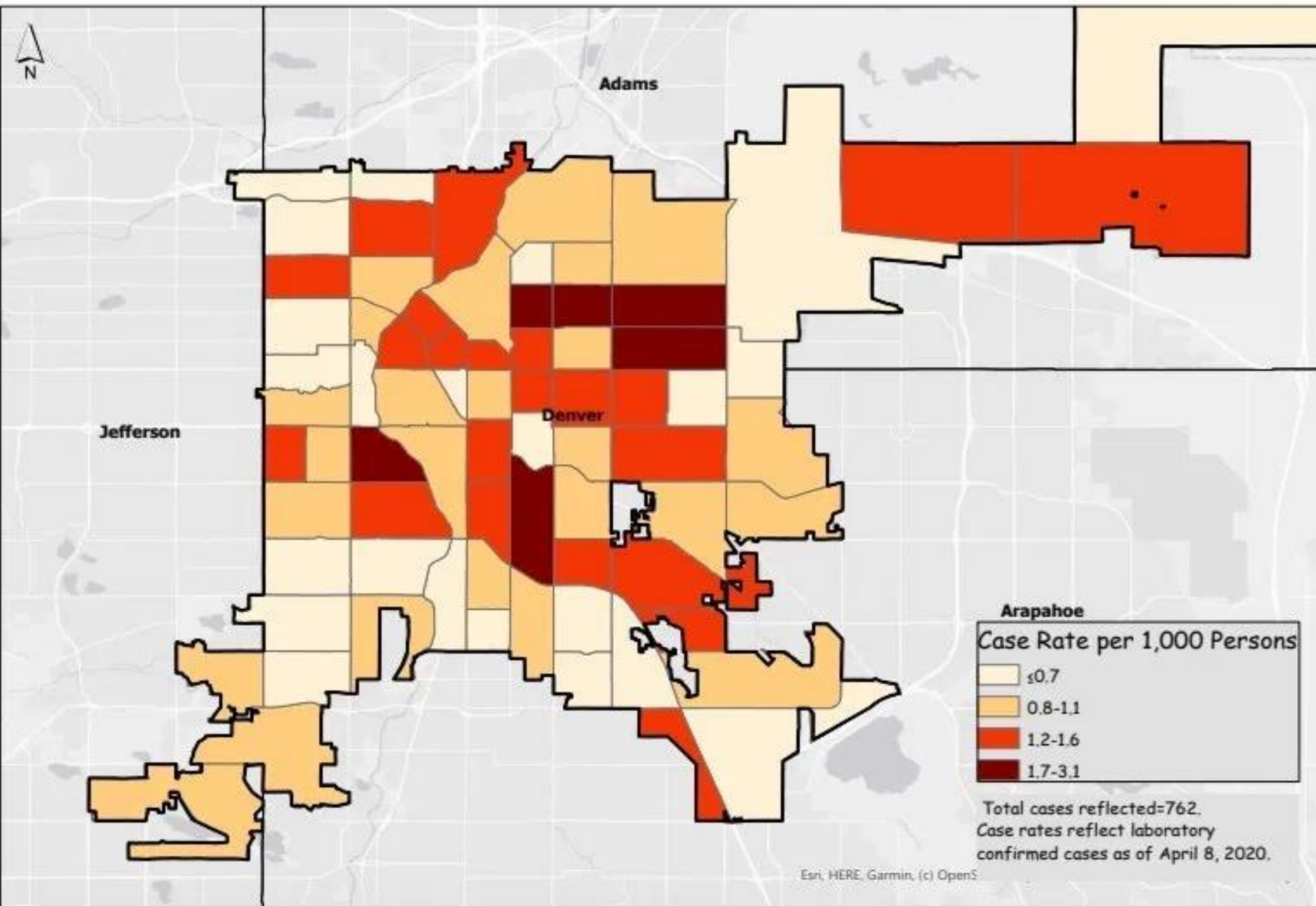
July 1st Interim Vice Chancellor of Diversity, Equity and Inclusion



UNIVERSITY *of*
DENVER

THE INTERDISCIPLINARY RESEARCH INSTITUTE
FOR THE STUDY OF (IN)EQUALITY

COVID-19 Cases Rates by Neighborhood





Adapted from: Healthy People 2020



WELCOME TO
COLORFUL
COLORADO

- Colorado (and Denver) as Incomparable Color(blind) space
- Constructing “Colorful” Colorado & Denver
- Managing the Color Line in The Most Color-Blind of Ways
- Back to the Future

A few notes on terminology

Race

A social and historical construct based on ideas, attitudes, consciousness, identity, ideology, and most importantly, power.

Color

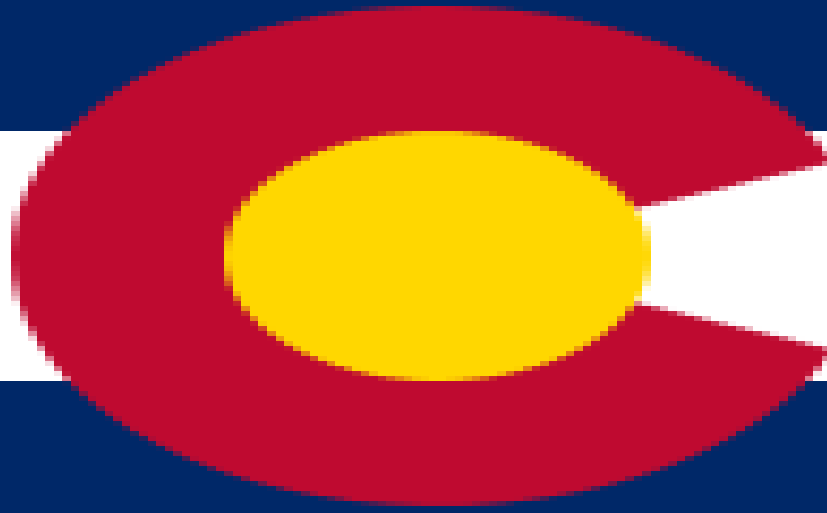
A legal and extra-legal category that is used to extend or deny countless resources, rewards, and benefits.

Color Consciousness

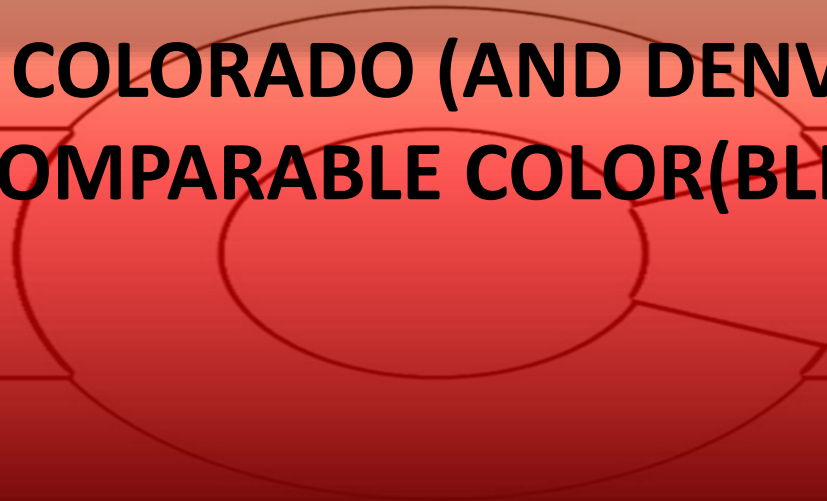
Understanding that many institutional settings—politics, schools, neighborhoods, and workplaces, are structured on the needs and experiences of dominant groups despite seeming inclusion of diverse racial groups.

Color Blindness

Ways of talking and thinking that affirm our belief in individualism without recognizing the many remaining barriers to equality. The end result is that it removes racism, past or present, as explanatory factors for disparities.



**COLORADO (AND DENVER) AS
INCOMPARABLE COLOR(BLIND) SPACE**



THE TOWN OF DEARFIELD

WELD COUNTY



DEARFIELD INN

*A
Valley
Resort*



DEARFIELD LUNCH ROOM

Now that we have the best of accommodations here, the next thing is "Where shall we go for a little recreation and a good country lunch or dinner?"



BLENDING STATION



DEARFIELD IS THE PLACE!

LOCATED about 70 miles east of Denver on the Lincoln Highway 38, paved road all the way, this beautiful little town is an ideal spot for a summer outing. A beautiful 2-hour drive from Denver through many interesting towns and the finest farming section of Colorado. You can order your dinner in advance by phoning Weldona 66-R-5, and it will be ready when you arrive. After a splendid dinner you can—

FISH



BARN PAVILLION

DANCE

at the
BARN PAVILLION

GOOD MUSIC



FUEL, OIL AND AUTO SERVICE

GAME

If you care to fish or hunt in season, you will find this territory well adapted to these sports. If you care for a swim, there are many lakes and ponds close at hand. If you are on your vacation you can find no better place to stop. FREE camp grounds, camp cottages for rent; and everything to make your outing enjoyable. Fine drives on every hand—through beautiful farming communities and the famous Eastern Colorado Oil Fields.

Soft Drinks
Sandwiches
Ice Cream



DENVER BRANCH REMOUNTATION, 70 E. 100 AVE.

Cigars
Cigarettes
Candy

DEARFIELD is just an old-fashioned country visiting place of interest in Colorado. Don't miss a trip to Dearfield. You'll find a true western welcome awaiting you here!

O. T. JACKSON and MINERVA J. JACKSON, Proprietors
Postoffice Address: Dearfield, Masters, Colorado Phone Weldona 66-R-5

"There is no better location in the U.S. than Colorado to try on the garment of self-government."

Fort Morgan
Museum Collection



Member of the Klu Klux Klan at
Overland Park in Denver

Images courtesy Western History
Collection, Denver Public Library

Burned cross outside
the home and offices of
a prominent African
American Doctor



Imagine a great city. . .



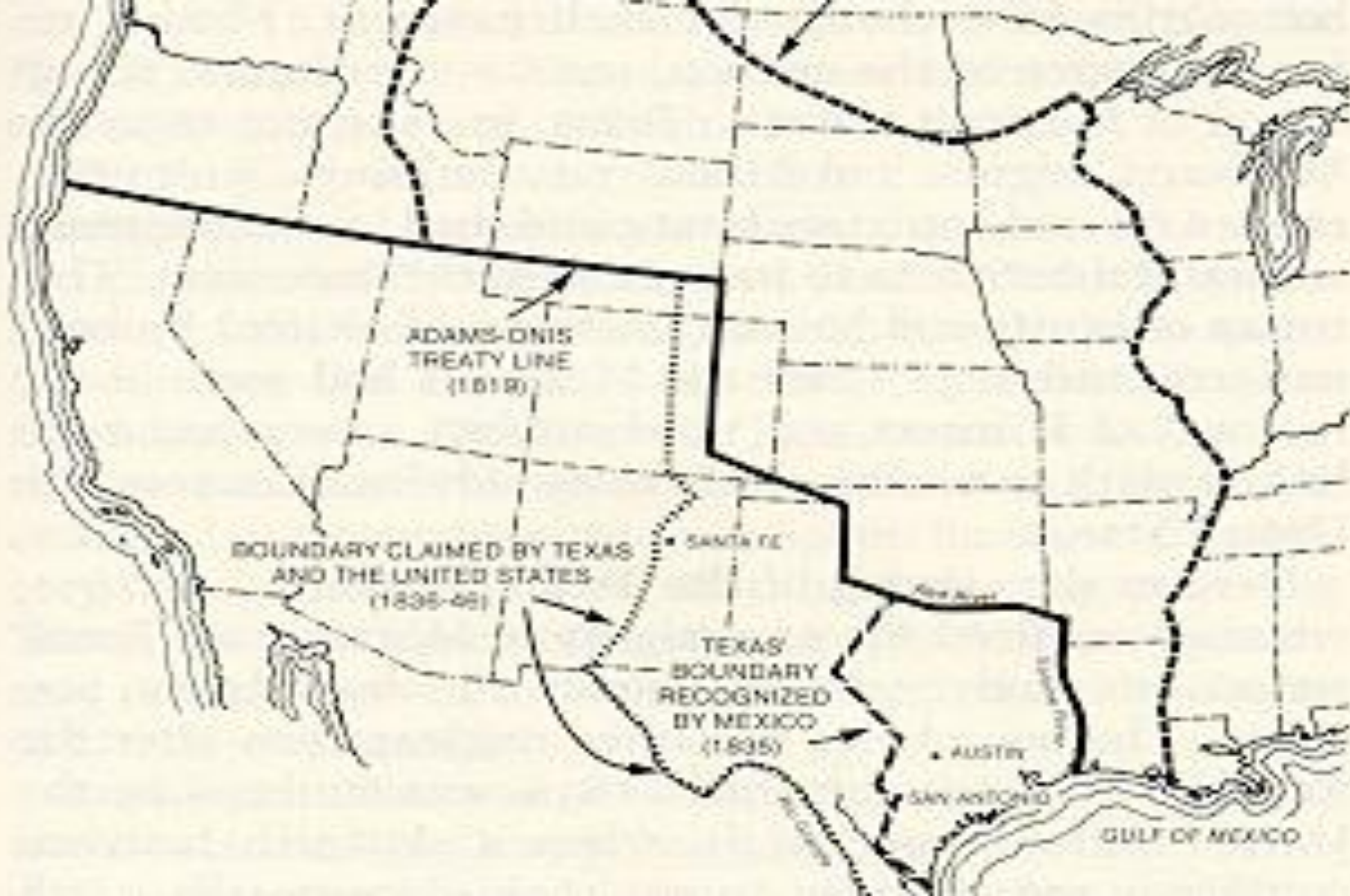
Peña for Denver. We can make it happen.

Peña for Denver, Tom Nambaum, Treasurer, 1360 Speer Blvd., Denver, CO, 80204, 893-1983, Photo by Ann Bingham.

*Postcard from Federico Peña's campaign for mayor
History Colorado*



Graffiti Painted on Northeast Denver Home,
Denver Post, March 5, 2019



A State Forged out the Crucible of Racialized Wars



JOHN C. FREMONT.

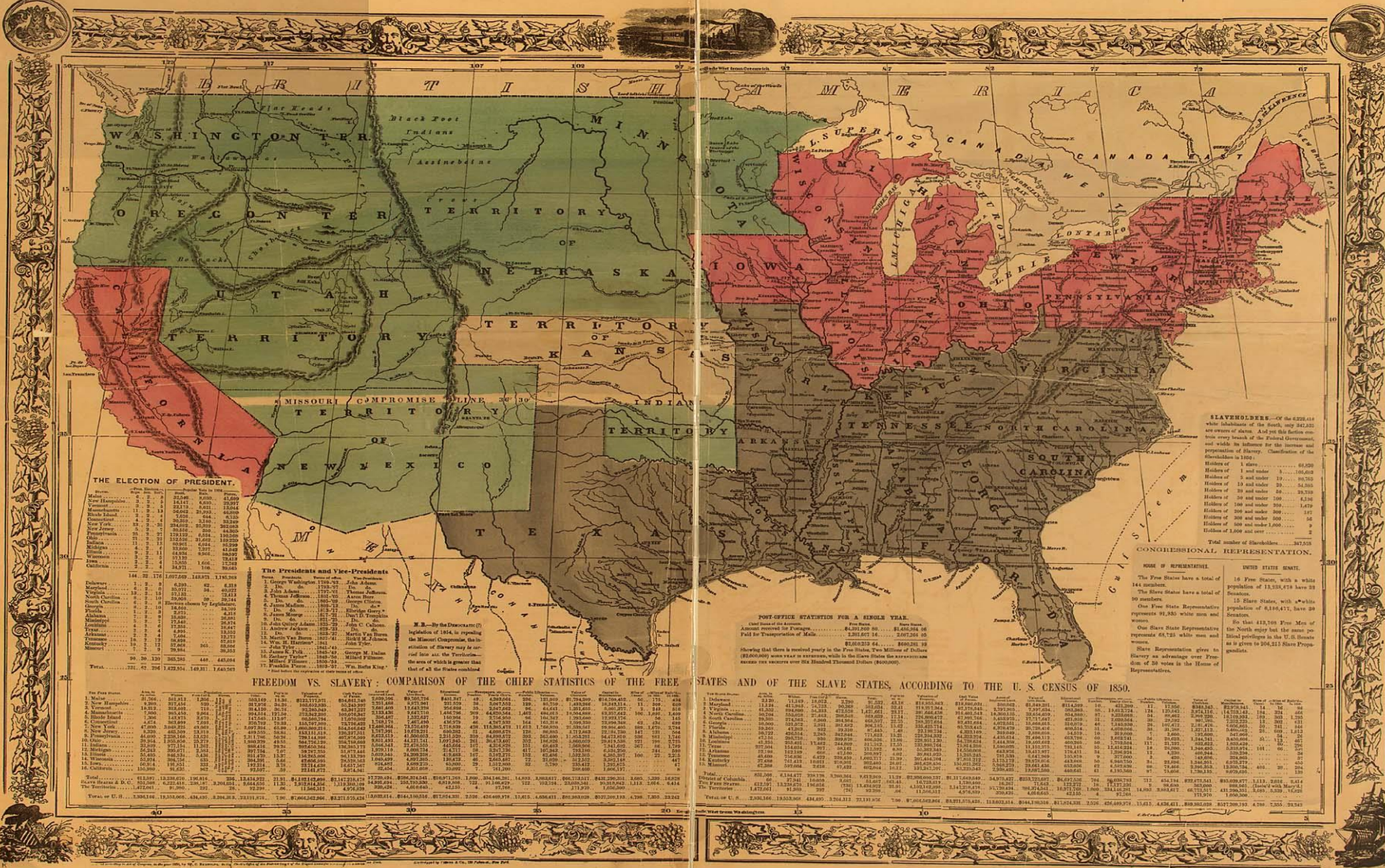
REYNOLDS'S POLITICAL MAP OF THE UNITED STATES,

DESIGNED TO EXHIBIT THE COMPARATIVE AREA OF THE FREE AND SLAVE STATES, AND THE TERRITORY OPEN TO SLAVERY OR FREEDOM BY THE REPEAL OF THE MISSOURI COMPROMISE. WITH A COMPARISON OF THE PRINCIPAL STATISTICS OF THE FREE AND SLAVE STATES, FROM THE CENSUS OF 1850.

NEW YORK: Published by WM. C. REYNOLDS, No. 195 Broadway, and J. C. JONES, No. 1 Spruce Street. CHICAGO: RUFUS BLANCHARD, No. 52 La Salle Street.



WM. L. DAYTON.



THE ELECTION OF PRESIDENT.

State	Electors	For Fremont	For Fremont & Fremont	For Fremont & Fremont	For Fremont & Fremont
Alabama	10	10			
Arkansas	10	10			
California	9	9			
Delaware	3	3			
Florida	10	10			
Georgia	11	11			
Illinois	12	12			
Indiana	11	11			
Iowa	11	11			
Kansas	11	11			
Kentucky	12	12			
Louisiana	10	10			
Maine	11	11			
Massachusetts	12	12			
Michigan	11	11			
Minnesota	11	11			
Mississippi	10	10			
Missouri	12	12			
Montana	11	11			
Nebraska	11	11			
Nevada	3	3			
New Hampshire	11	11			
New Jersey	12	12			
New York	36	36			
North Carolina	12	12			
Ohio	23	23			
Oregon	3	3			
Pennsylvania	26	26			
Rhode Island	8	8			
South Carolina	10	10			
Tennessee	12	12			
Texas	10	10			
Vermont	11	11			
Virginia	12	12			
Washington	3	3			
Wisconsin	11	11			
Wyoming	3	3			
Total	531	531			

The Presidents and Vice-Presidents

Year	President	Vice-President
1789	George Washington	John Adams
1801	Thomas Jefferson	Aaron Burr
1805	James Madison	Elbridge Gerry
1817	James Monroe	James Spotswood
1821	James Monroe	Elbridge Gerry
1825	Andrew Jackson	Andrew Jackson
1829	Andrew Jackson	George Thompson
1837	Martin Van Buren	Richard Mentor Johnson
1841	Martin Van Buren	Richard Mentor Johnson
1845	James K. Polk	George M. Dallas
1849	Franklin Pierce	Cassius M. Chase
1853	Franklin Pierce	Cassius M. Chase
1857	James Buchanan	John C. Fremont
1861	Abraham Lincoln	Andrew Johnson
1865	Abraham Lincoln	Andrew Johnson
1869	Ulysses S. Grant	Schuyler Colfax
1873	Ulysses S. Grant	Schuyler Colfax
1877	Rutherford B. Hayes	Andrew Johnson
1881	Rutherford B. Hayes	Andrew Johnson
1885	James A. Garfield	Chester A. Arthur
1889	James A. Garfield	Chester A. Arthur
1893	Benjamin Harrison	William H. Hunt
1897	William McKinley	Theodore Roosevelt
1901	William McKinley	Theodore Roosevelt
1905	Theodore Roosevelt	Theodore Roosevelt
1909	William Howard Taft	Chester A. Arthur
1913	Woodrow Wilson	Thomas R. Marshall
1917	Woodrow Wilson	Thomas R. Marshall
1921	Warren G. Harding	Coxey R. Rosen
1925	Warren G. Harding	Coxey R. Rosen
1929	Herbert Hoover	Charles McNary
1933	Franklin D. Roosevelt	Theodore Roosevelt
1937	Franklin D. Roosevelt	Theodore Roosevelt
1941	Franklin D. Roosevelt	Theodore Roosevelt
1945	Dwight D. Eisenhower	Richard M. Nixon
1949	Dwight D. Eisenhower	Richard M. Nixon
1953	Dwight D. Eisenhower	Richard M. Nixon
1957	John F. Kennedy	Lyndon B. Johnson
1961	John F. Kennedy	Lyndon B. Johnson
1965	Lyndon B. Johnson	Hubert H. Humphrey
1969	Richard M. Nixon	Hubert H. Humphrey
1973	Richard M. Nixon	Hubert H. Humphrey
1977	Gerald R. Ford	Nelson A. Rockefeller
1981	Ronald Reagan	George H. W. Bush
1985	Ronald Reagan	George H. W. Bush
1989	George H. W. Bush	Michael Dukakis
1993	Bill Clinton	Al Gore
1997	Bill Clinton	Al Gore
2001	George W. Bush	Kerry L. Johnson
2005	George W. Bush	Kerry L. Johnson
2009	Barack Obama	Mitchell Romney
2013	Barack Obama	Mitchell Romney
2017	Donald Trump	Mike Pence
2021	Joe Biden	Kamala Harris

NOTE BY THE DELEGATE.
 Legislation of 1854 in regard to the Missouri Compromise, the extension of slavery may be argued from the Territories, the area of which is greater than that of all the States combined.

FREEDOM VS. SLAVERY: COMPARISON OF THE CHIEF STATISTICS OF THE FREE STATES AND OF THE SLAVE STATES, ACCORDING TO THE U. S. CENSUS OF 1850.

State	Area	Population	Free	Slave	Total
Alabama	50,784	1,000,000	500,000	500,000	1,000,000
Arkansas	50,784	1,000,000	500,000	500,000	1,000,000
California	50,784	1,000,000	500,000	500,000	1,000,000
Delaware	50,784	1,000,000	500,000	500,000	1,000,000
Florida	50,784	1,000,000	500,000	500,000	1,000,000
Georgia	50,784	1,000,000	500,000	500,000	1,000,000
Illinois	50,784	1,000,000	500,000	500,000	1,000,000
Indiana	50,784	1,000,000	500,000	500,000	1,000,000
Iowa	50,784	1,000,000	500,000	500,000	1,000,000
Kansas	50,784	1,000,000	500,000	500,000	1,000,000
Kentucky	50,784	1,000,000	500,000	500,000	1,000,000
Louisiana	50,784	1,000,000	500,000	500,000	1,000,000
Maine	50,784	1,000,000	500,000	500,000	1,000,000
Massachusetts	50,784	1,000,000	500,000	500,000	1,000,000
Michigan	50,784	1,000,000	500,000	500,000	1,000,000
Minnesota	50,784	1,000,000	500,000	500,000	1,000,000
Mississippi	50,784	1,000,000	500,000	500,000	1,000,000
Missouri	50,784	1,000,000	500,000	500,000	1,000,000
Montana	50,784	1,000,000	500,000	500,000	1,000,000
Nebraska	50,784	1,000,000	500,000	500,000	1,000,000
Nevada	50,784	1,000,000	500,000	500,000	1,000,000
New Hampshire	50,784	1,000,000	500,000	500,000	1,000,000
New Jersey	50,784	1,000,000	500,000	500,000	1,000,000
New York	50,784	1,000,000	500,000	500,000	1,000,000
North Carolina	50,784	1,000,000	500,000	500,000	1,000,000
Ohio	50,784	1,000,000	500,000	500,000	1,000,000
Oregon	50,784	1,000,000	500,000	500,000	1,000,000
Pennsylvania	50,784	1,000,000	500,000	500,000	1,000,000
Rhode Island	50,784	1,000,000	500,000	500,000	1,000,000
South Carolina	50,784	1,000,000	500,000	500,000	1,000,000
Tennessee	50,784	1,000,000	500,000	500,000	1,000,000
Texas	50,784	1,000,000	500,000	500,000	1,000,000
Vermont	50,784	1,000,000	500,000	500,000	1,000,000
Virginia	50,784	1,000,000	500,000	500,000	1,000,000
Washington	50,784	1,000,000	500,000	500,000	1,000,000
Wisconsin	50,784	1,000,000	500,000	500,000	1,000,000
Wyoming	50,784	1,000,000	500,000	500,000	1,000,000
Total	5,000,000	10,000,000	5,000,000	5,000,000	10,000,000

SLAVERS. OF THE 422,419 white population of the South, only 24,222 are owners of slaves. And yet the latter exercise every branch of the Federal Government and wield an influence for the increase and perpetuation of slavery. Character of the Slaveholders in 1850:
 Masters of 1 slave 1,100,000
 Masters of 2 and under 19,000,000
 Masters of 10 and under 20,000,000
 Masters of 50 and under 20,000,000
 Masters of 100 and under 20,000,000
 Masters of 500 and under 20,000,000
 Masters of 1,000 and over 20,000,000
 Total number of Slaveholders 3,172,525

CONGRESSIONAL REPRESENTATION.
 STATE OF REPRESENTATION: The Free States have a total of 144 members. The Slave States, with a white population of 8,136,471, have 28 Senators.
 STATE REPRESENTATION: The Free State Representatives represent 61,721 white men and women. The Slave State Representatives represent 61,721 white men and women. Slave Representatives give to Slavery an advantage over Freedom of 28 votes in the House of Representatives.

POST-OFFICE STATISTICS FOR A SINGLE YEAR.

State	Free	Slave
Alabama	1,000,000	1,000,000
Arkansas	1,000,000	1,000,000
California	1,000,000	1,000,000
Delaware	1,000,000	1,000,000
Florida	1,000,000	1,000,000
Georgia	1,000,000	1,000,000
Illinois	1,000,000	1,000,000
Indiana	1,000,000	1,000,000
Iowa	1,000,000	1,000,000
Kansas	1,000,000	1,000,000
Kentucky	1,000,000	1,000,000
Louisiana	1,000,000	1,000,000
Maine	1,000,000	1,000,000
Massachusetts	1,000,000	1,000,000
Michigan	1,000,000	1,000,000
Minnesota	1,000,000	1,000,000
Mississippi	1,000,000	1,000,000
Missouri	1,000,000	1,000,000
Montana	1,000,000	1,000,000
Nebraska	1,000,000	1,000,000
Nevada	1,000,000	1,000,000
New Hampshire	1,000,000	1,000,000
New Jersey	1,000,000	1,000,000
New York	1,000,000	1,000,000
North Carolina	1,000,000	1,000,000
Ohio	1,000,000	1,000,000
Oregon	1,000,000	1,000,000
Pennsylvania	1,000,000	1,000,000
Rhode Island	1,000,000	1,000,000
South Carolina	1,000,000	1,000,000
Tennessee	1,000,000	1,000,000
Texas	1,000,000	1,000,000
Vermont	1,000,000	1,000,000
Virginia	1,000,000	1,000,000
Washington	1,000,000	1,000,000
Wisconsin	1,000,000	1,000,000
Wyoming	1,000,000	1,000,000

STATISTICS FOR A SINGLE YEAR.

State	Free	Slave
Alabama	1,000,000	1,000,000
Arkansas	1,000,000	1,000,000
California	1,000,000	1,000,000
Delaware	1,000,000	1,000,000
Florida	1,000,000	1,000,000
Georgia	1,000,000	1,000,000
Illinois	1,000,000	1,000,000
Indiana	1,000,000	1,000,000
Iowa	1,000,000	1,000,000
Kansas	1,000,000	1,000,000
Kentucky	1,000,000	1,000,000
Louisiana	1,000,000	1,000,000
Maine	1,000,000	1,000,000
Massachusetts	1,000,000	1,000,000
Michigan	1,000,000	1,000,000
Minnesota	1,000,000	1,000,000
Mississippi	1,000,000	1,000,000
Missouri	1,000,000	1,000,000
Montana	1,000,000	1,000,000
Nebraska	1,000,000	1,000,000
Nevada	1,000,000	1,000,000
New Hampshire	1,000,000	1,000,000
New Jersey	1,000,000	1,000,000
New York	1,000,000	1,000,000
North Carolina	1,000,000	1,000,000
Ohio	1,000,000	1,000,000
Oregon	1,000,000	1,000,000
Pennsylvania	1,000,000	1,000,000
Rhode Island	1,000,000	1,000,000
South Carolina	1,000,000	1,000,000
Tennessee	1,000,000	1,000,000
Texas	1,000,000	1,000,000
Vermont	1,000,000	1,000,000
Virginia	1,000,000	1,000,000
Washington	1,000,000	1,000,000
Wisconsin	1,000,000	1,000,000
Wyoming	1,000,000	1,000,000



- **GENERAL LAWS, MEMORIALS AND PRIVATE ACTS PASSED AT THE THIRD SESSION OF THE LEGISLATIVE ASSEMBLY OF THE TERRITORY OF COLORADO 83 (1864)**
- “all marriages between [N]egroes or mulattoes of either sex, and [W]hite persons are declared to be absolutely void.... nothing in this section shall be so construed as to prevent the people living in that portion of the state acquired from Mexico from marrying according to the custom of that country.”

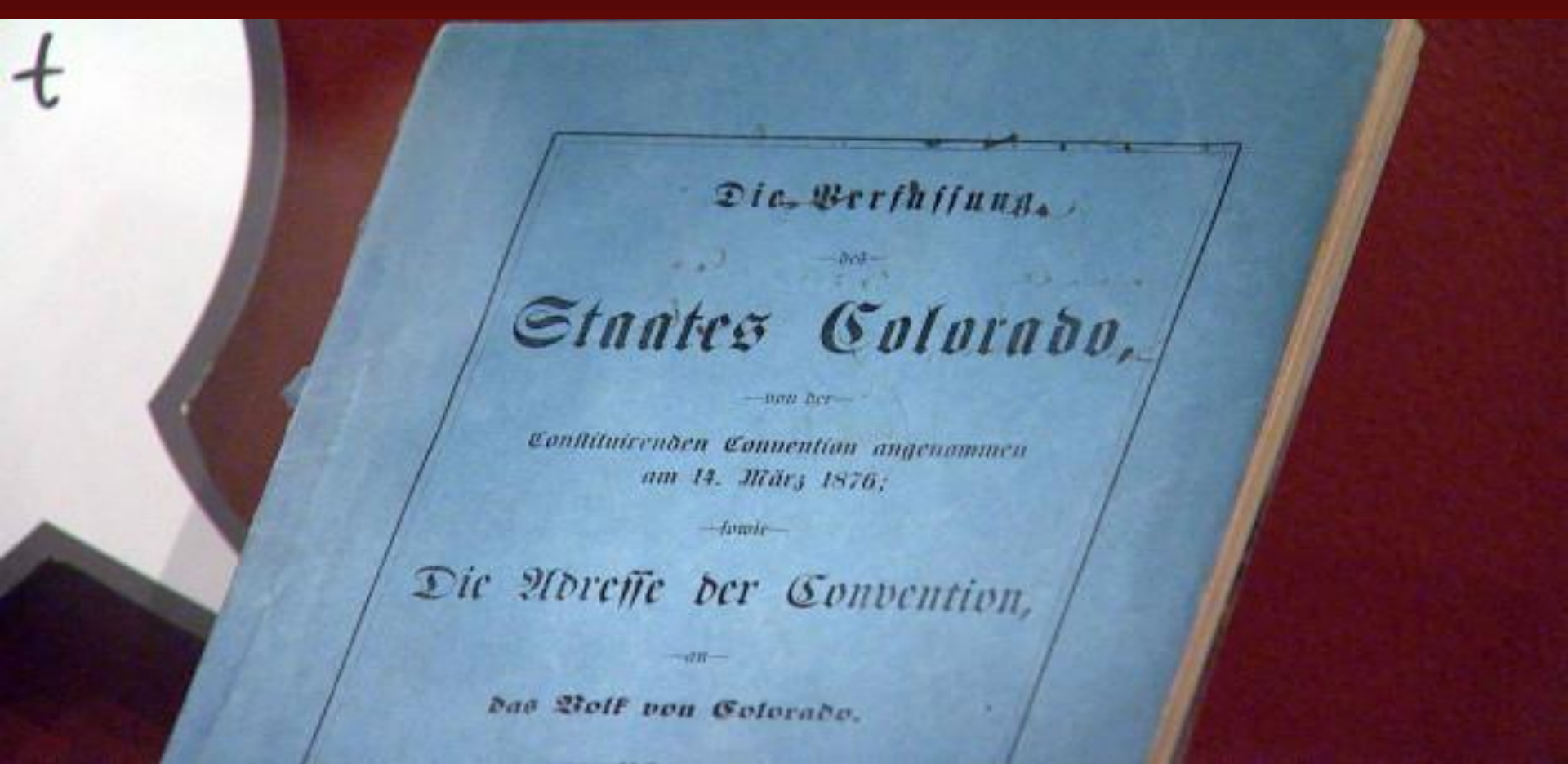
- **GENERAL LAWS, MEMORIALS AND PRIVATE ACTS PASSED AT THE FIFTH SESSION OF THE LEGISLATIVE ASSEMBLY OF THE TERRITORY OF COLORADO 83 (1866)**
- “The secretary shall keep a separate list of all colored persons in the district, between the ages of five (5) and twenty-one (21) years, . . . and shall report the same to the president, who shall issue warrants on the treasurer in favor of such colored persons . . . for educational purposes.”.



© Colorado Historical Society

Robert Lindneux
1936

Robert Lindneaux Painting of the Sand Creek Massacre – Courtesy, History Colorado



1876 Colorado Constitution, In German (and Spanish)

Courtesy History Colorado

Article 22

- Section 26. *Slavery prohibited.* There shall never be in this state either slavery or involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted.
- Section 27. *Property rights of aliens.* Aliens, who are or may hereafter become bona fide residents of this state, may acquire, inherit, possess, enjoy and dispose of property, real and personal, as native born citizens.

The background features a stylized mountain range. The top section is a dark blue sky with a bright yellow sun. Below the sky are two white mountain peaks. The middle section is a red-to-orange gradient, representing a sunset or sunrise. The bottom section is a dark red gradient. The text "CONSTRUCTING DENVER'S COLOR LINES" is centered in the middle section.

CONSTRUCTING DENVER'S COLOR LINES

Through Property Law...

It is the public policy of the State of Colorado to recognize that “a person who owns a tract of land . . . may prefer to have as neighbors persons of the [W]hite, or Caucasian race.”

-Chandler v. Ziegler et al, 291 P. 822 (Colo. 1930)

Denver, Colo.,

Feb. 17 1940

**Does Colorado Constitution Permit
Race and Color Jim-Crow? Our
Supreme Court Says, Yes. Let Us Help
U.S. Supreme Ct. To Decide. Remember
This Is Only The Beginning. Hit Now**

670295

of

PROTECTIVE COVENANTS

WILLIAM FRANKLIN L. BURNS, JOAN BURNS DEPART, T.

MITCHELL BURNS, DANIEL FOSTER BURNS, ANSEL WILSON AND ARDWAY
DEWITT are the owners of the entire subdivision known as "Burns
Brentwood Subdivision Filing No. 2", situate in the City and
County of Denver and State of Colorado; and

WHEREAS it is desired to maintain said real property
as a high class residential district;

TOW THEREFORE said owners do hereby declare, im-
pose and establish conditions and protective covenants with
respect to said real property as follows:

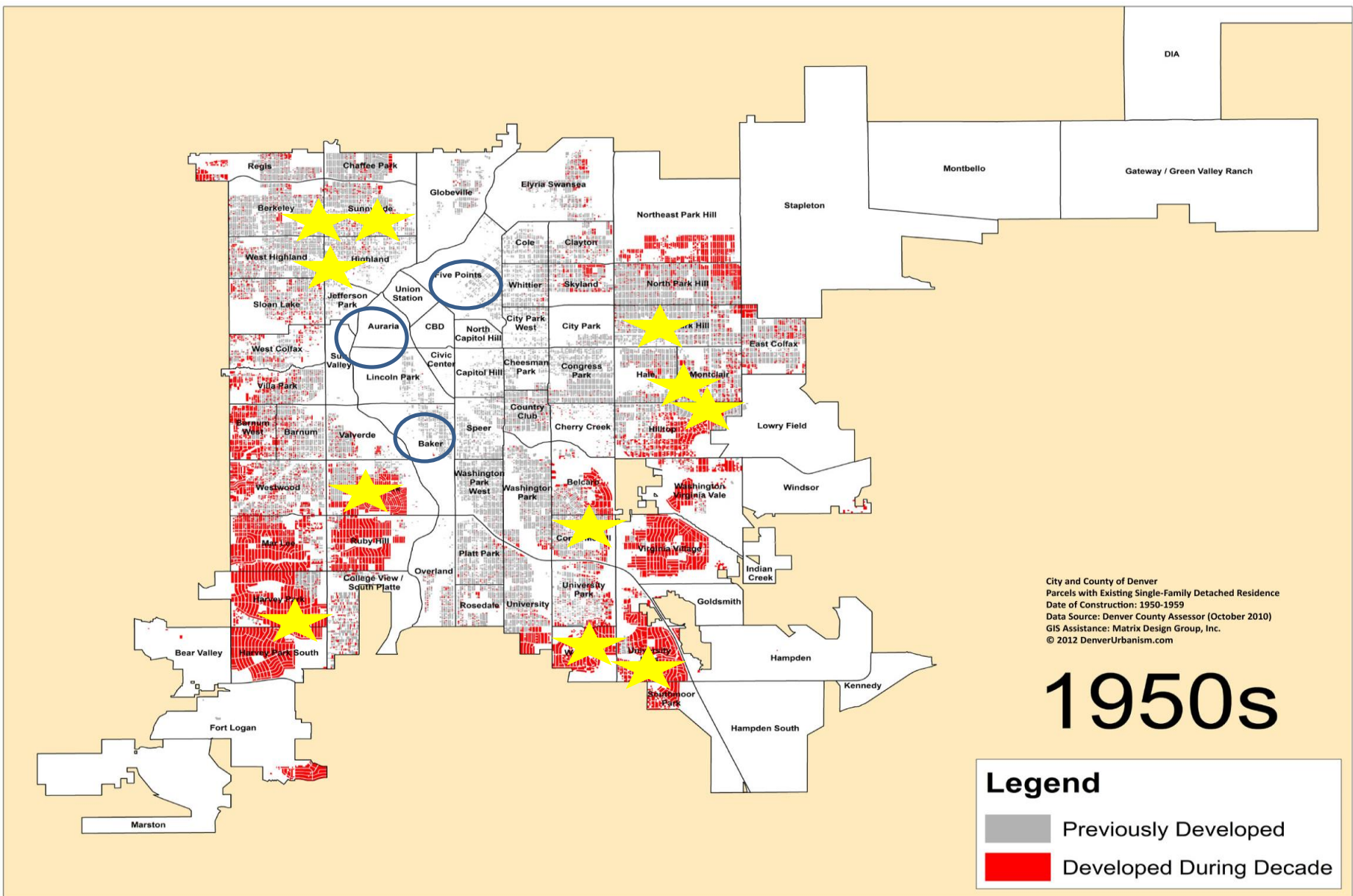
1. Only persons of the Caucasian race shall own, use or
occupy any dwelling or residence erected upon said lots or tracts;
provided, however, that occupancy by persons of another race who
are employed as domestic servants by the occupying owner or
occupying tenant shall not constitute a violation of the pro-
tective covenant.

2. All lots or tracts of land included in the above de-
scription shall be used for residential purposes only, and no more
than one detached single family dwelling shall be built on a
residential building plot. A residential building plot shall
consist of an area of not less than 6,000 sq. ft. and shall not
be less than 50 ft. wide at the front set-back line. The dwelling
erected thereon shall not exceed two and one-half stories in
height. There may also be a private garage erected thereon for
no more than two cars.

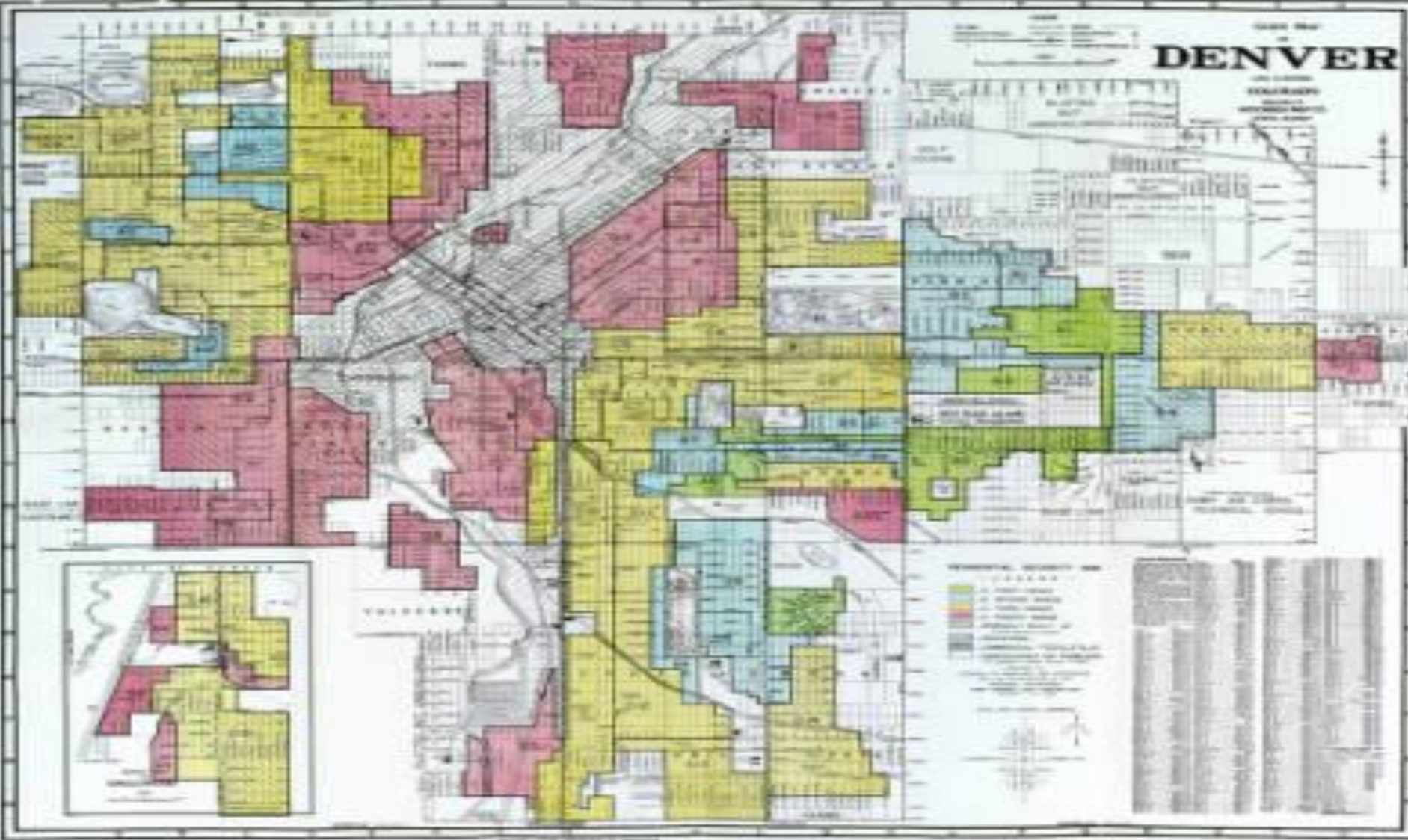
3. The ground area of such residence shall not be less than
375 sq. ft. for a one-story building and not less than 500 sq. ft.
for residences from one and one-half stories to two and one-half
stories in height.

Only persons of the Caucasian race shall own, use, or occupy any dwelling or residence erected upon said lots or tracts, provided, however, that occupancy by persons of another race who are employed as domestic servants by the occupying owner or occupying tenant shall not constitute a violation of the protective covenant.

-Burns Brentwood Subdivision
Filing No. 2, 1949

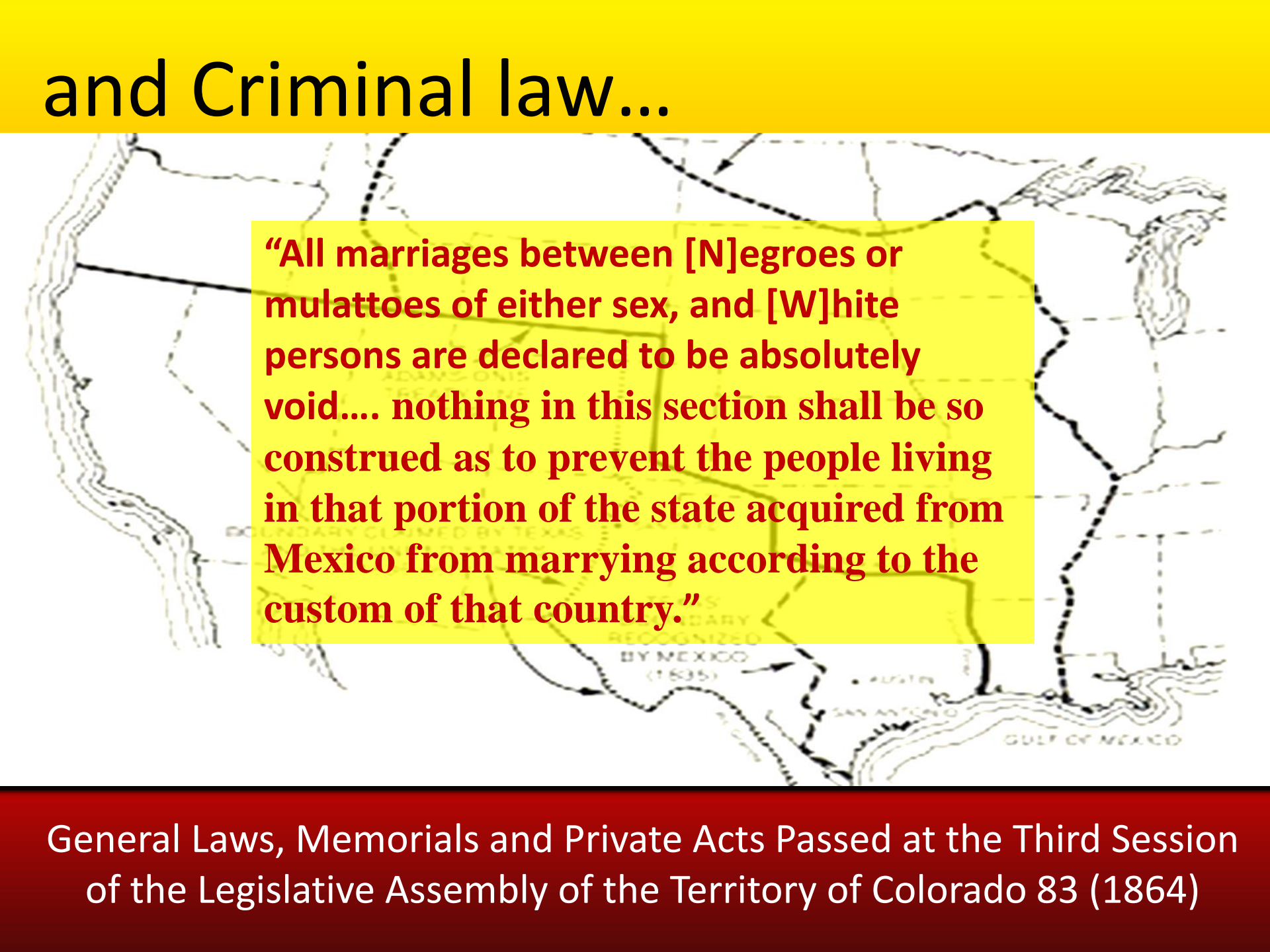


Nearhoods with highest concentration of African Americans, Mexican Americans, Japanese Americans, and American Indians



**REDLINING “GUIDE MAP TO DENVER AND SUBURBS”
HOME OWNERS LOAN CORP (1938),
DENVER PUBLIC LIBRARY DIGITAL COLLECTION**

and Criminal law...

A map of Texas with a yellow rectangular overlay. The map shows the state's outline, major cities like Austin and San Antonio, and the Gulf of Mexico to the south. A dashed line indicates a boundary, with text below it reading "BOUNDARY RECOGNIZED BY MEXICO (1835)".

“All marriages between [N]egroes or mulattoes of either sex, and [W]hite persons are declared to be absolutely void.... nothing in this section shall be so construed as to prevent the people living in that portion of the state acquired from Mexico from marrying according to the custom of that country.”

General Laws, Memorials and Private Acts Passed at the Third Session of the Legislative Assembly of the Territory of Colorado 83 (1864)

Interracial Marriage in Colorado



1881 – Lee Chin, Chinese, marries Mary Lee, Mexican; marriage held legal because statute didn't apply to couple

1884 - Black man and White woman charged with violation of marriage statute; marriage held legal because he was a Quadroon

1885 - Judge marries Black man and White woman to escape prosecution for illegal cohabitation

1913 – Woman stands trial to prove she is Black so she can marry her partner

Jackson v. City and County of Denver (1942)

- Lydia Brethauer, a White woman, and James Jackson, a Black man, become common law spouses in 1939
- In 1941, Police enter the Jackson home (in the Five Points) at midnight and arrest the couple for “vagrancy” (illegal cohabitation)
- The judge finds the couple’s marriage is invalid under Colorado’s anti-miscegenation statute. He convicts and fines them \$300 each

State of Colorado ss In the Municipal Court.
City and County of Denver

City and County of Denver Plaintiff
vs
LYDIA JACKSON Defendant

C O M P L A I N T

The above named defendant to The City and County of Denver, Dr. To 300 00/100 Dollars for a violation of the Municipal Code of the City and County of Denver, Sections 1345 & 1346, Article VI, Chapter XLVIII, passed and approved the 26th day of July, A.D. 1927, in this, to wit:

That said above named defendant did violate said section of said chapter and article of said ordinance VAGRANCY in the City and County of Denver and State of Colorado on or about, to wit, the 16th day of March, A.D.1941, against the form of the ordinance in such case provided.

Geo. A. Farrar

Subscribed and sworn to before me this 18th day of March, A.D. 1941.
C.H.Ater
Clerk of Municipal Court.

Endorsement:
No. 74058 Municipal Court. Complaint for Vagrancy
The City and County of Denver vs Lydia Jackson
Witnesses: Colburn - Farrar - Preuitt
Filed in this Court this 18th day of March, 1941.
C. H. Ater, Clerk Municipal Court.

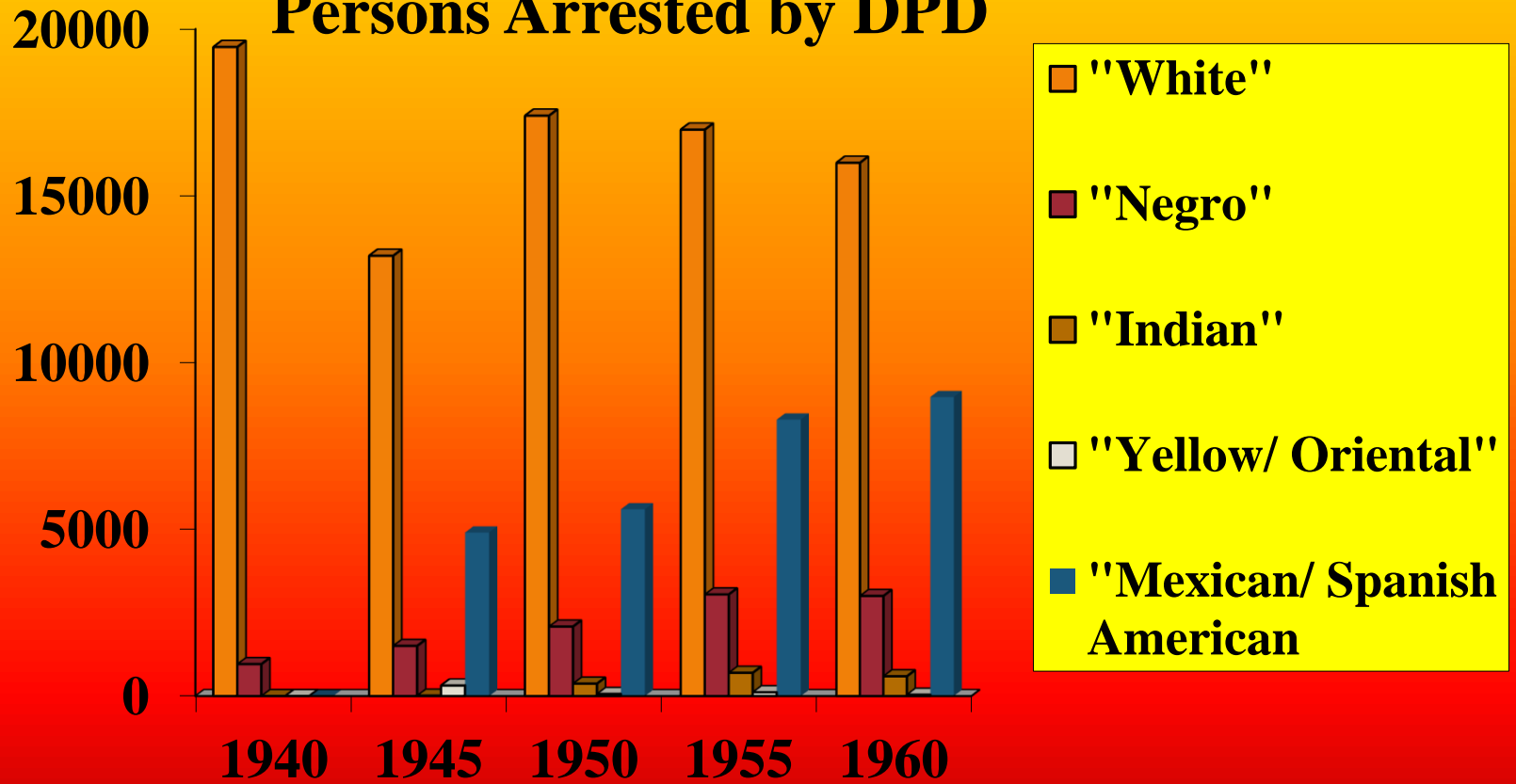
Supreme Court Upholds Marriage Ban

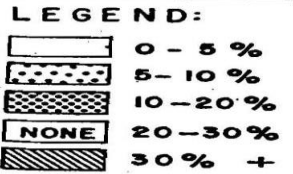
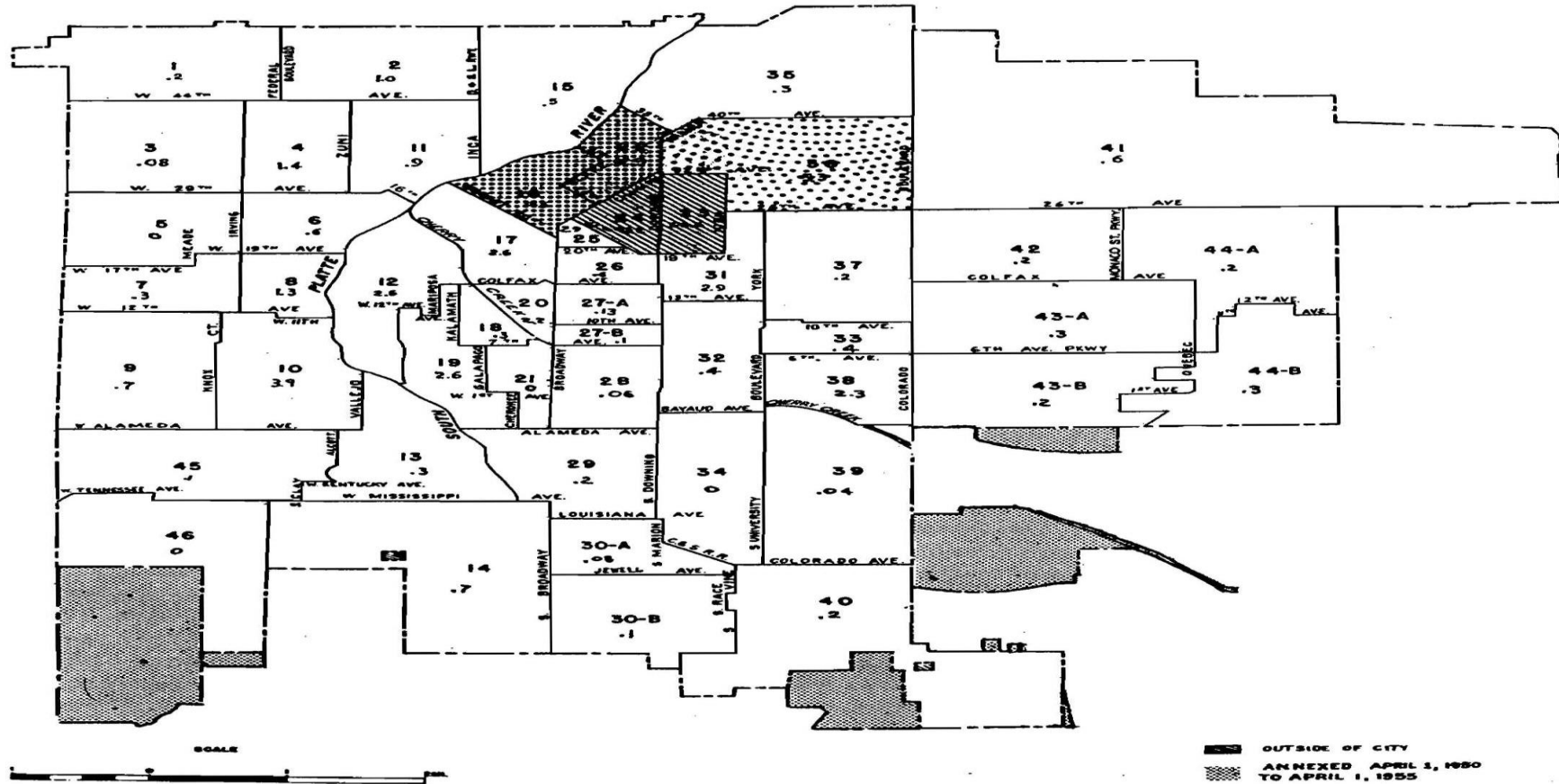
- Colorado's marriage ban is not unconstitutional because ban applies equally to black & white persons
- Jurisdictional exception to statute is legal because states may create special legal jurisdictions
- Statute is not vague or ambiguous because couple testified unequivocally about their race

SUPREME COURT DECISIONS

Lydia Jackson and James W. Jackson vs. City and County of Denver. Error to the county court of Denver. En banc. On application for super-sedeas, judgment affirmed in a case in which Lydia Jackson and James W. Jackson were convicted in justice of the peace court of vagrancy. They appealed to the county court, which again convicted them and fined them \$150 each. The defendants, a Negro and a white women, contended the statute under which they were convicted discriminated against the Negro race. In affirming, the supreme court found no basis for such a contention. Opinion by Justice Burke; Justice Otto Bock and Justice Hilliard dissent.

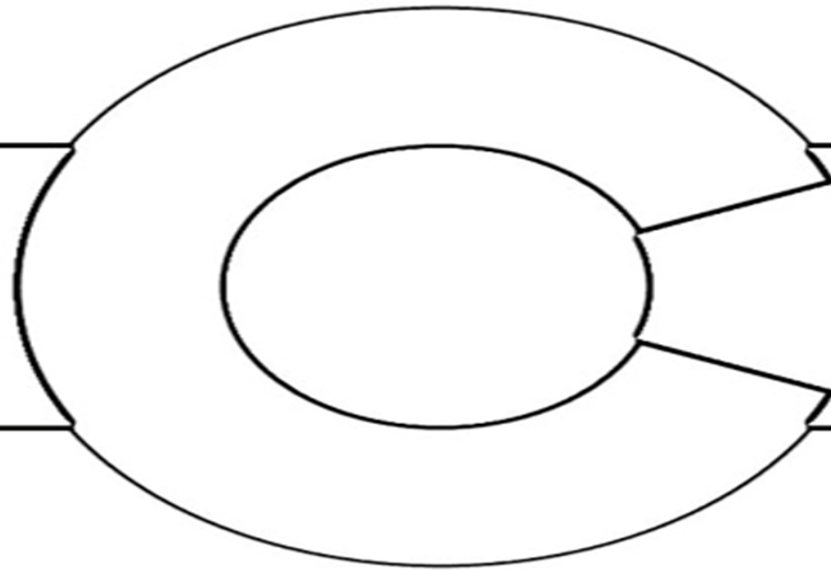
Persons Arrested by DPD



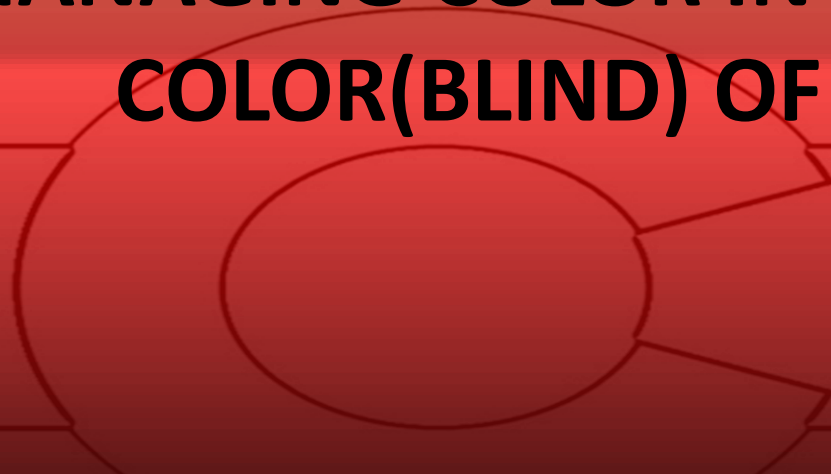


OUTSIDE OF CITY
ANNEXED APRIL 1, 1950
TO APRIL 1, 1955

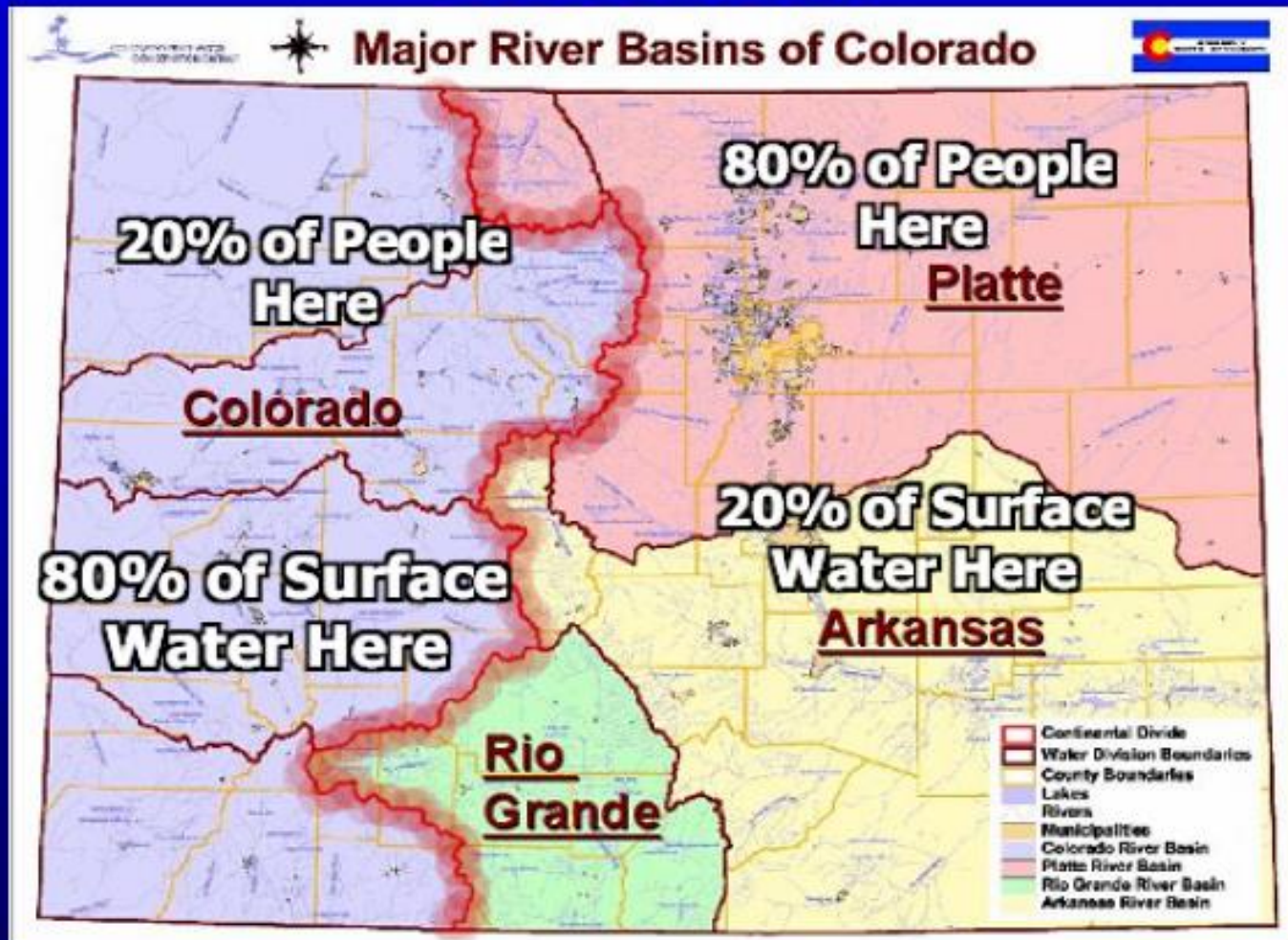
Percent "Non-White" taken from The Police and Human Relations: A Handbook for Denver Police Department Recruits (1957)



**MANAGING COLOR IN THE MOST
COLOR(BLIND) OF WAYS**



80:20 Rule



Colorado River District

Protecting Western Colorado Water Since 1937

The "Great and Growing City"

What the Project Means to Metropolitan Denver

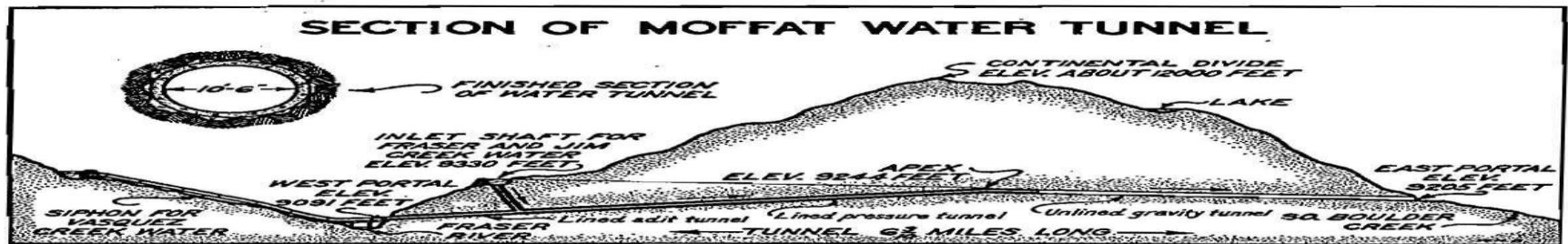
Realization that no human ingenuity could enable Denver to grow without a reasonable water supply makes it apparent that the project is well worth the cost. Through Government grants and cooperation, the City gains a \$9,000,000 project at a cost of \$5,400,000. *Denver's water problem is being solved because the necessary greater supply now is in sight.* Future development may be planned from this time forward with absolute water security. The pioneer spirit lives and leads on to new achievements.

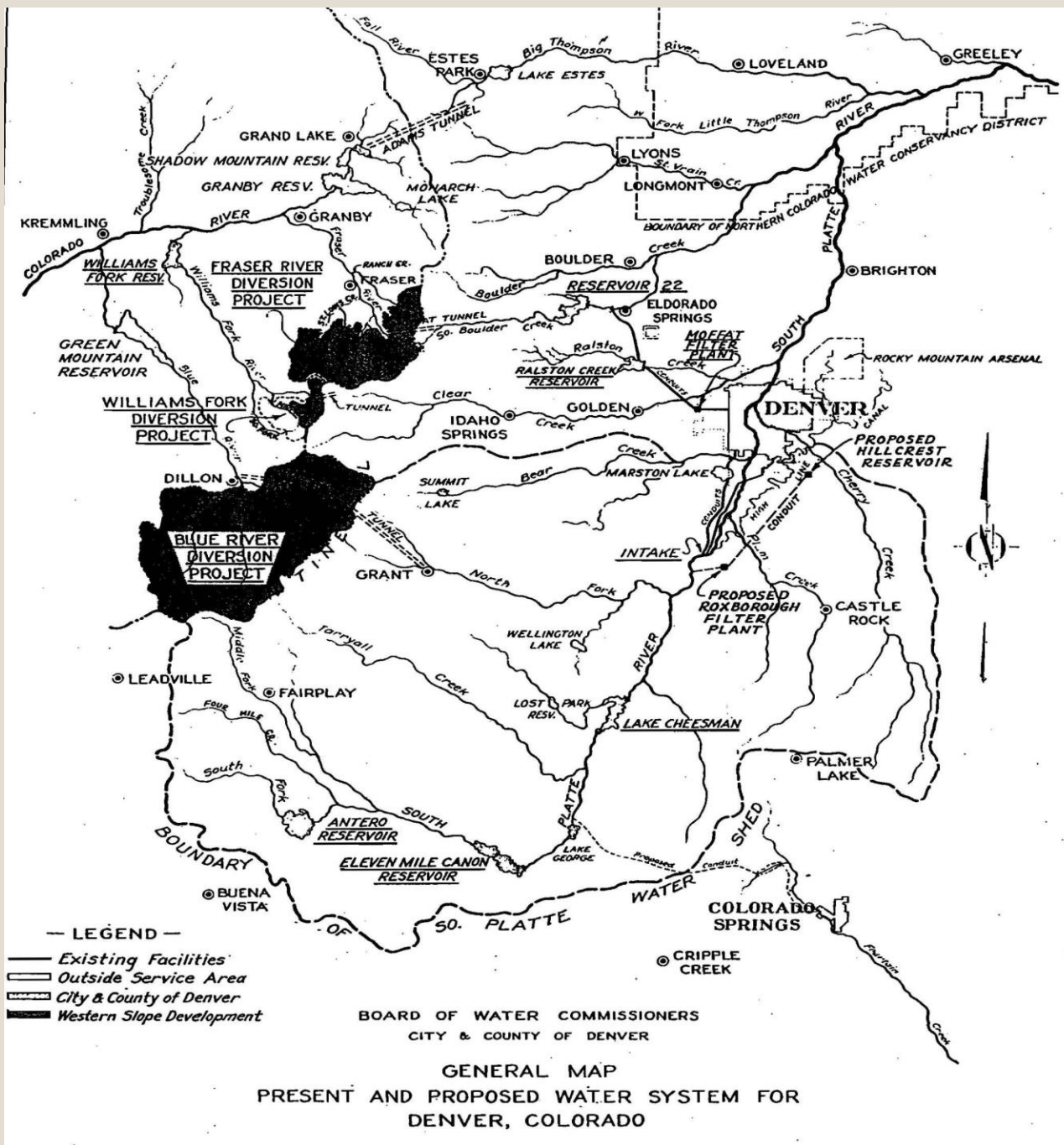
The water that comes from the Western Slope is soft water, much softer than that from the South Platte River. It is clear, clean and cold. It will eliminate high level pumping in the Ashland district. Next year, the remaining half of the present transmountain diversion will be complete, with an added supply of purified water of first quality flowing into City faucets. The mountain barriers which brought death and destruction to many who sought to subdue them, will bring life-giving water to Denver and the arid eastern plains.

Denver now ranks high by every standard of water value—unusual purity, crystal clarity, refreshing coolness, priceless healthfulness, and now a more abundant supply. All these make Denver a better place in which to live, to invest, to make one's home. They enhance business and enrich life.

Good water truly is a wonderful asset!

YOUR COOPERATION IS APPRECIATED AND NECESSARY.



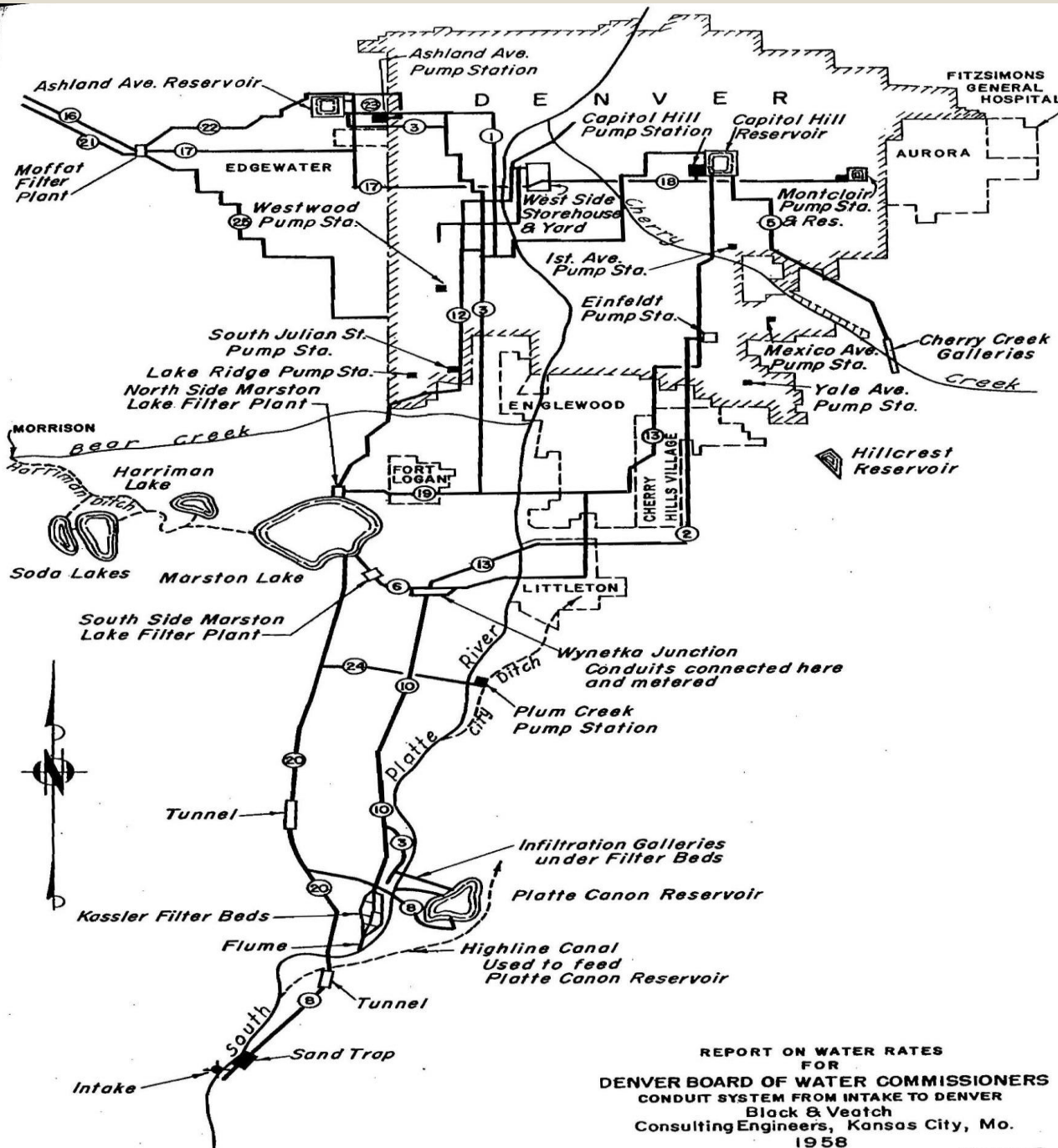


Water System of the Denver Water Board
An independent agency of the City and County of Denver.

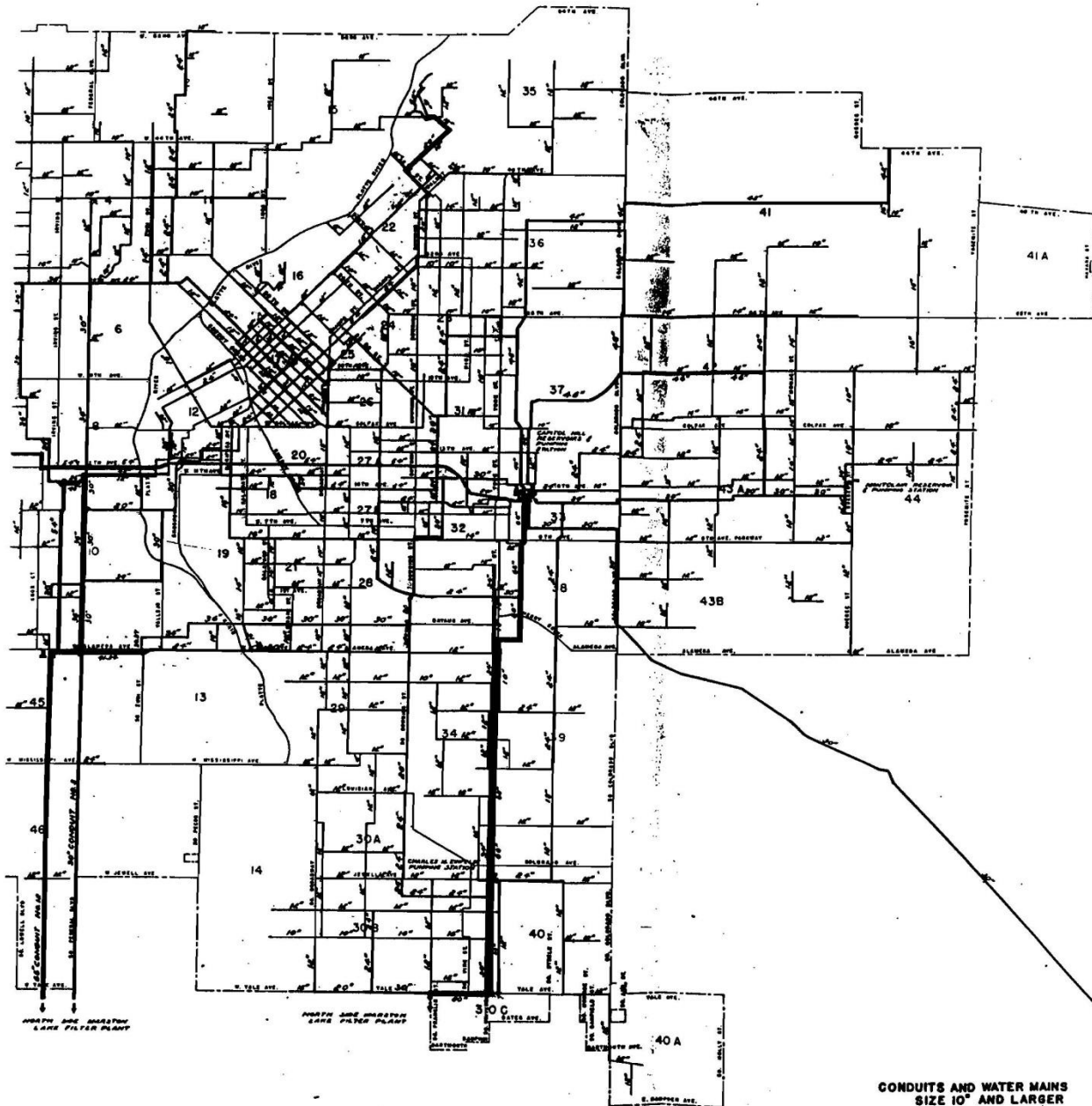
Supported by user charges and directed by a Board appointed to six-year terms by Denver's Mayor.

Largest supplier of water in the Metropolitan area.

Water Delivery System in Denver Metropolitan Area



REPORT ON WATER RATES
FOR
DENVER BOARD OF WATER COMMISSIONERS
CONDUIT SYSTEM FROM INTAKE TO DENVER
Black & Veatch
Consulting Engineers, Kansas City, Mo.
1958

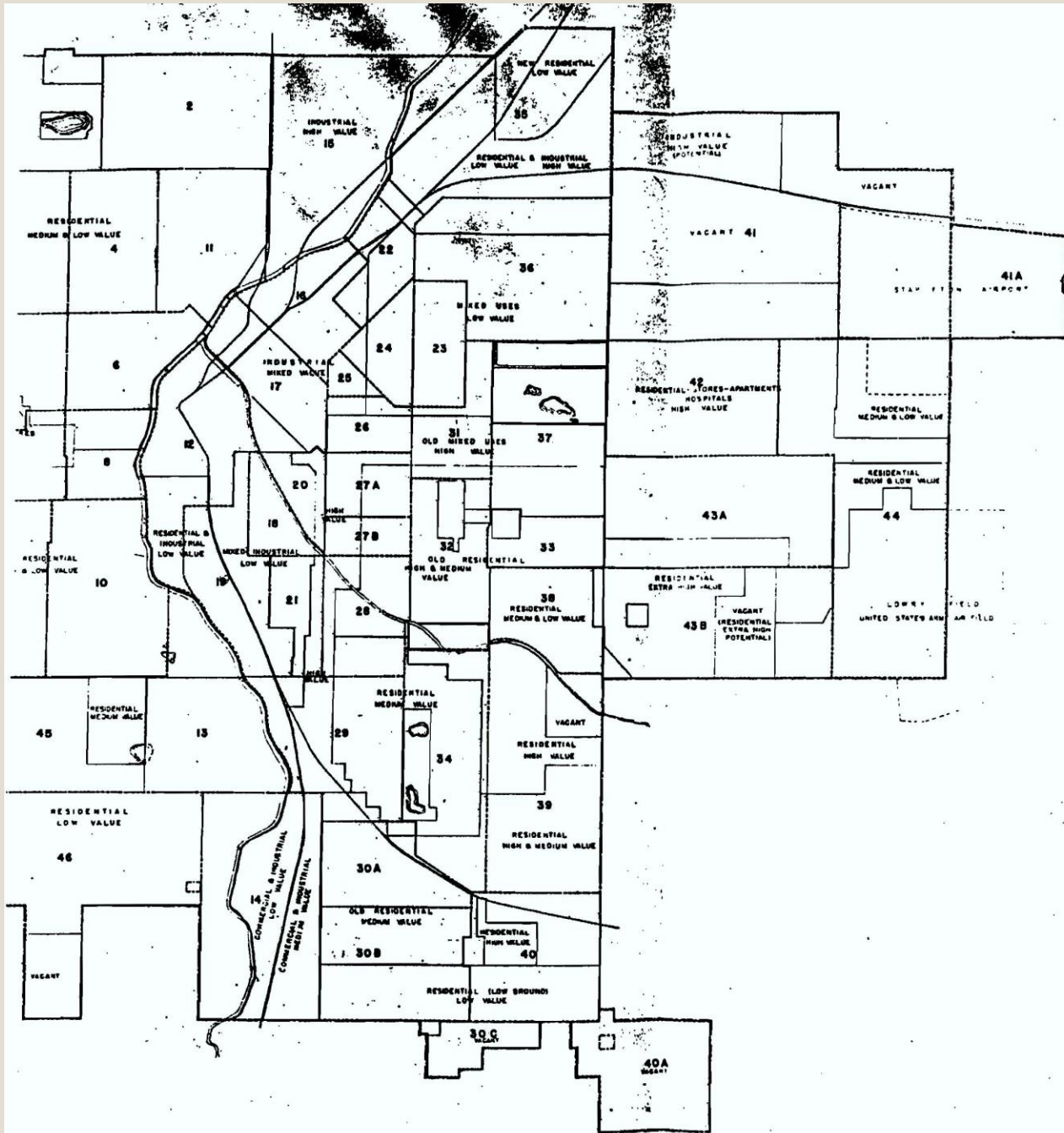


Water Conduits and
Water Mains size 10"
and larger.

Source: Preliminary
Report, Sites for Low-
Cost Housing Projects

Denver Planning
Commission (1949)

CONDUITS AND WATER MAINS
SIZE 10" AND LARGER
REDRAWN FROM THE DENVER MUNICIPAL WATER W
By
THE DENVER PLANNING OFFICE
Feb. 16, 1949

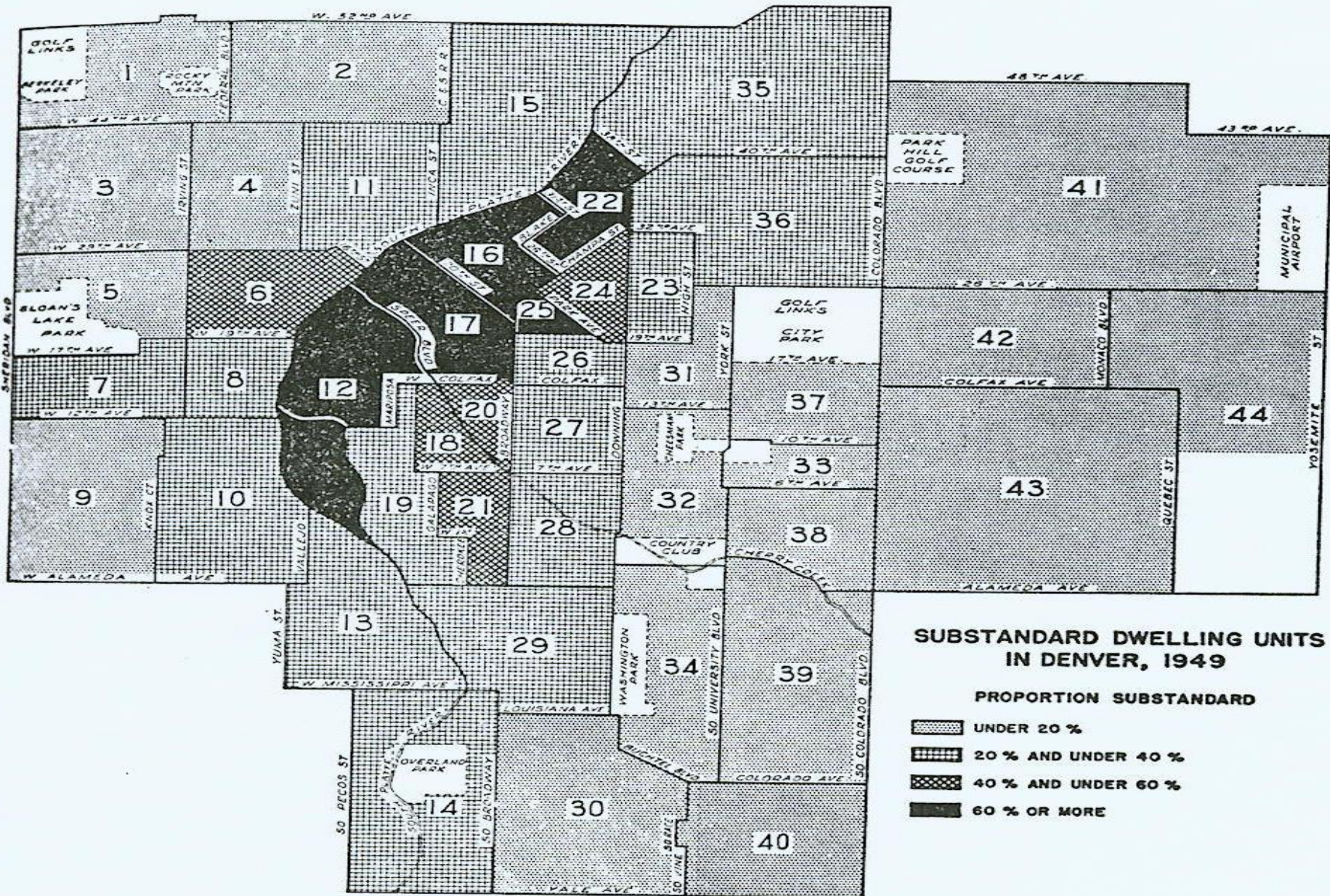


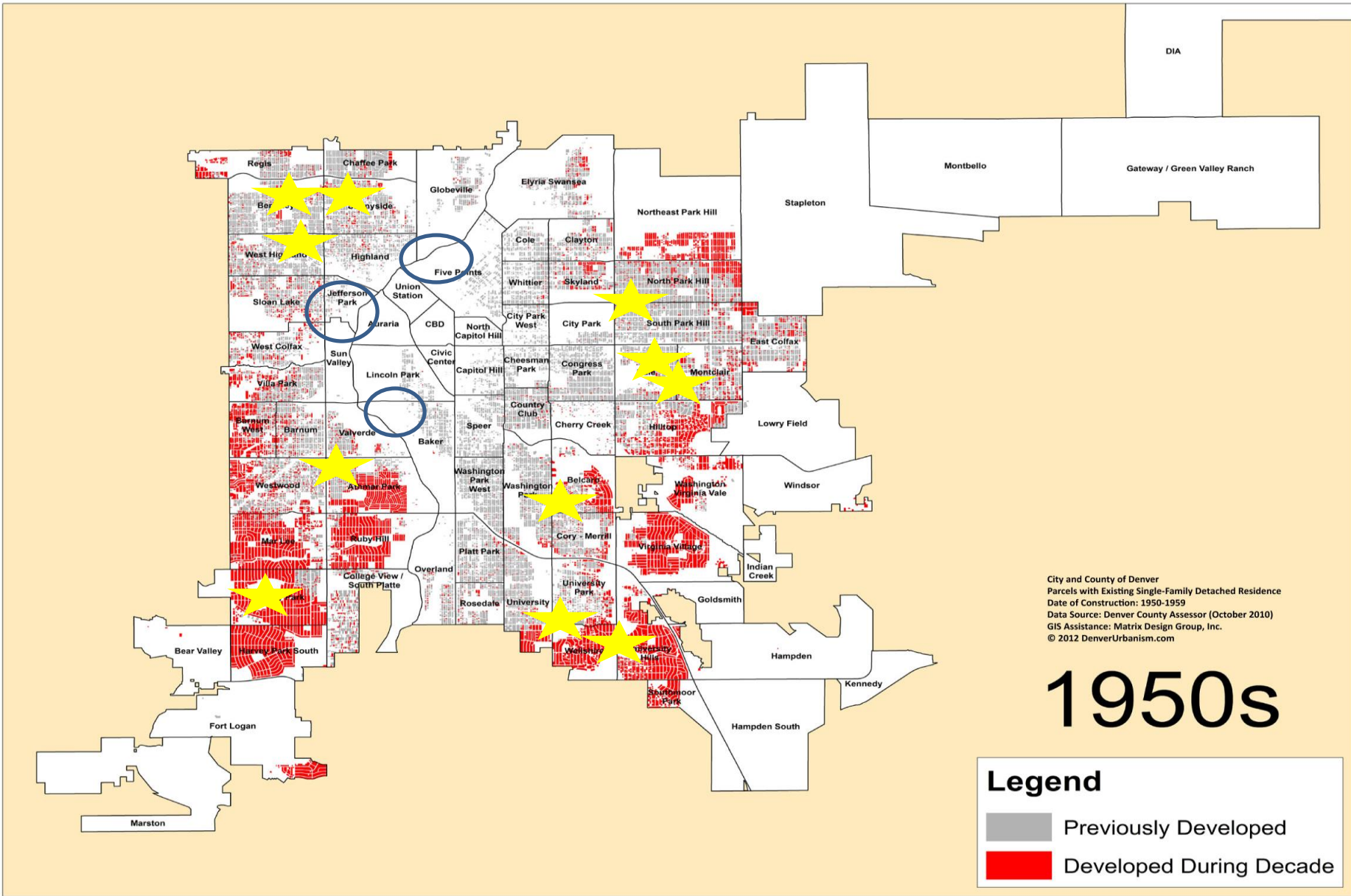
Land Use and Valuation Map

Source: Preliminary Report, Sites for Low-Cost Housing Projects

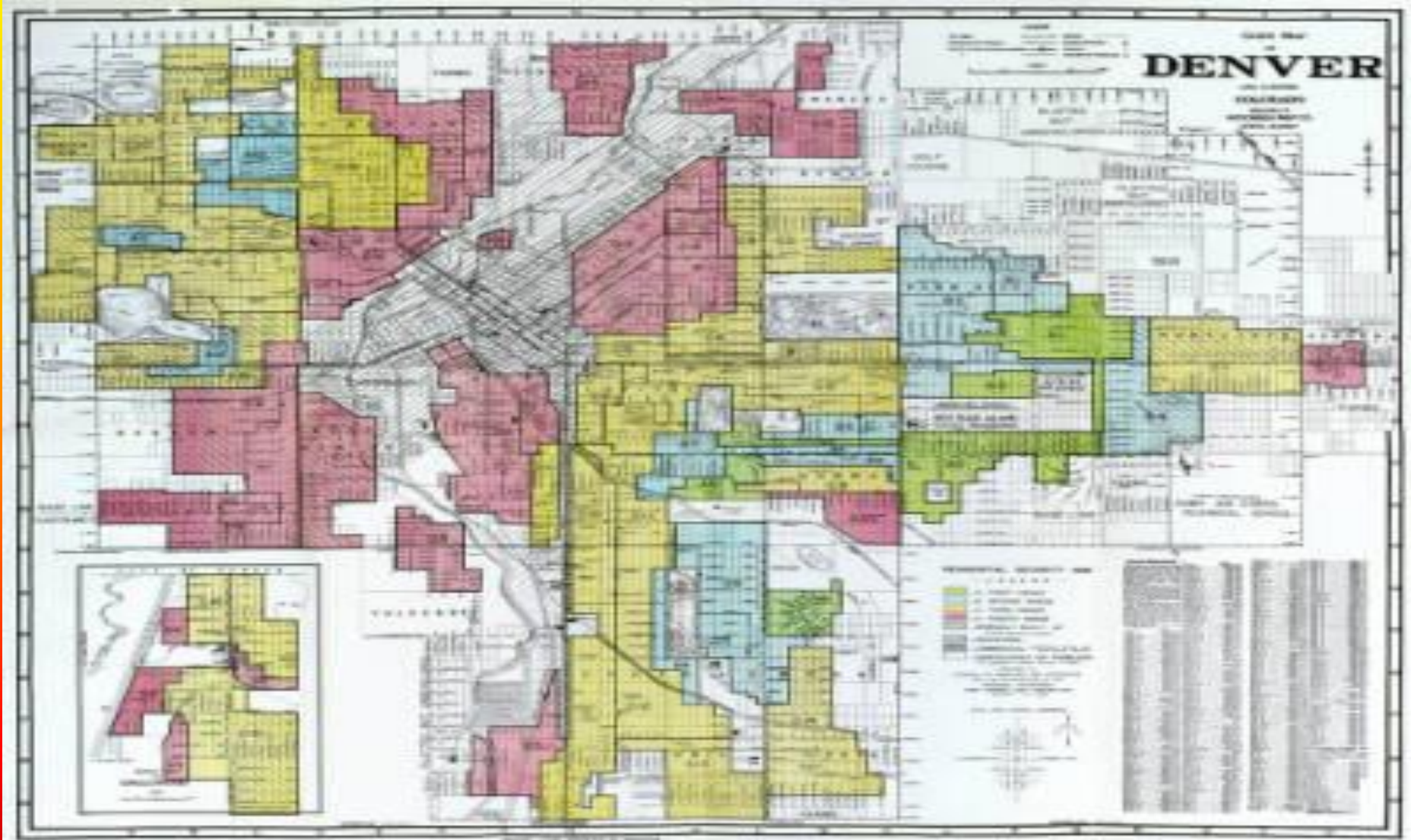
Denver Planning Commission (1949)

MAP IV



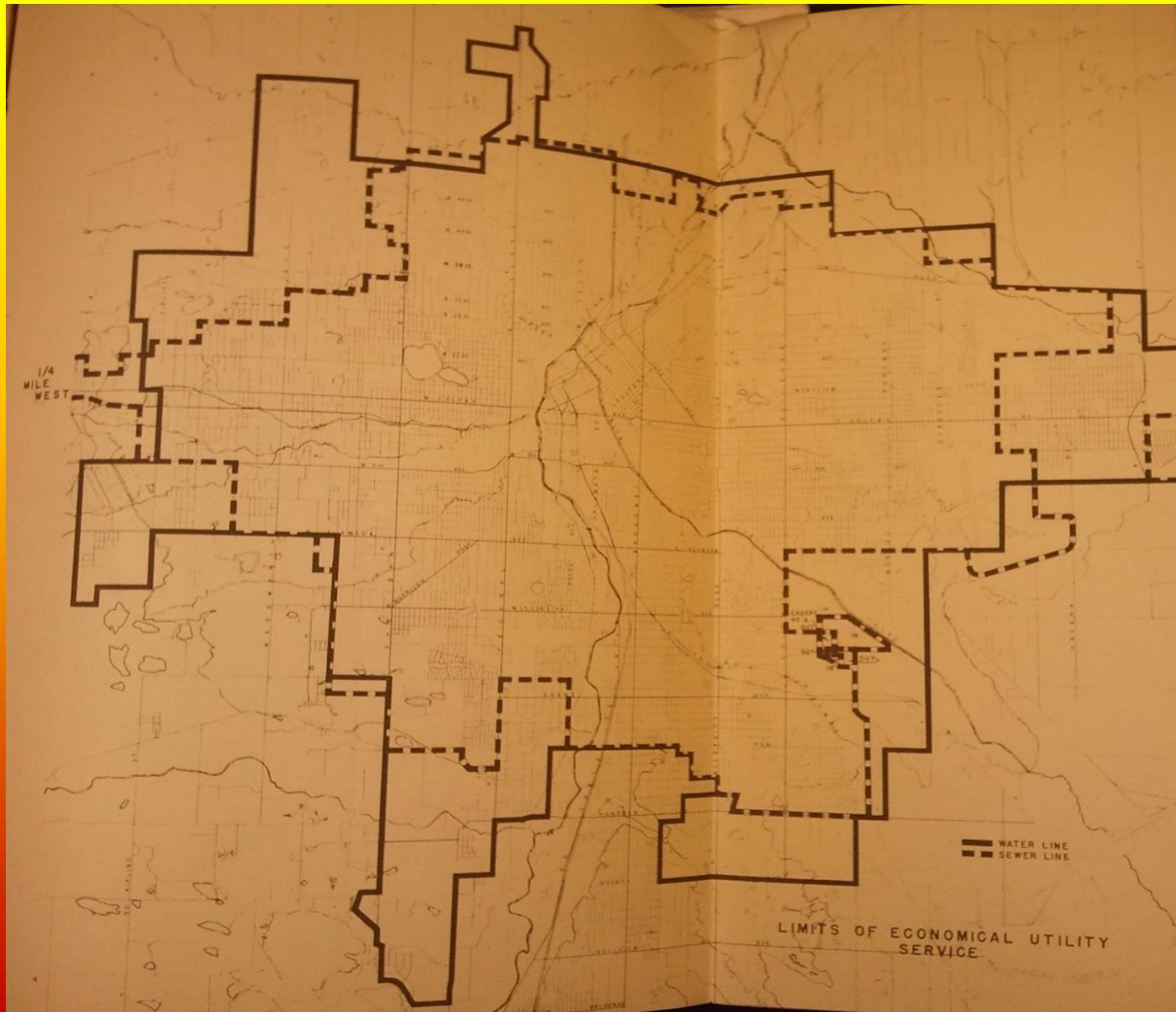


Nearhoods with highest concentration of African Americans, Mexican Americans, Japanese Americans, and American Indians



**REDLINING "GUIDE MAP TO DENVER AND SUBURBS"
HOME OWNERS LOAN CORP (1938),
DENVER PUBLIC LIBRARY DIGITAL COLLECTION**

THE DENVER WATER BOARD “BLUE” AND “BROWN” LINE CIRCA 1950



Source: Urbanized
Denver and the
Metropolitan Area:
A Basis For Our
Policy Decision on
our Utilities, Major
Streets, and
Annexation

Denver Planning
Commission (1953).

Monthly Usage/Gallons	Inside City	Outside City
5,000	\$1.51	\$2.35
10,000	\$2.66	\$4.10
25,000	\$5.71	\$8.96
100,000	\$19.96	\$31.04
500,000	\$82.46	\$133.04

Rates for Metered Water Service Inside and Outside Corporate Limits of City and County of Denver, 1952-1958

-Black and Veatch, Consulting Engineers, Report on Water Rates for the Denver Board of Water Commissioners (1958)

'WATER' RUNS TRACTORS

Fuel Contaminating Wells in Adams County

Nick Pohlit, sanitarian for the Adams county tri-county health department, said that a bucket of "water" from the Kramer irrigation ditch tested 99.9 pct. refined gasoline.

"There are three or four refineries, a storage tank farm and a filling station in a five-mile radius in that area," J. D. Torrey, industrial hygienist for the state health department, pointed out. "And there is underground contamination of the water supply by both gasoline and petroleum.

Pohlit said his office received its first complaint of gas in well water "approximately three years ago."

Numerous meetings have been held—and are still being held—with farmers of the area and engineers from the petroleum industries, he said.

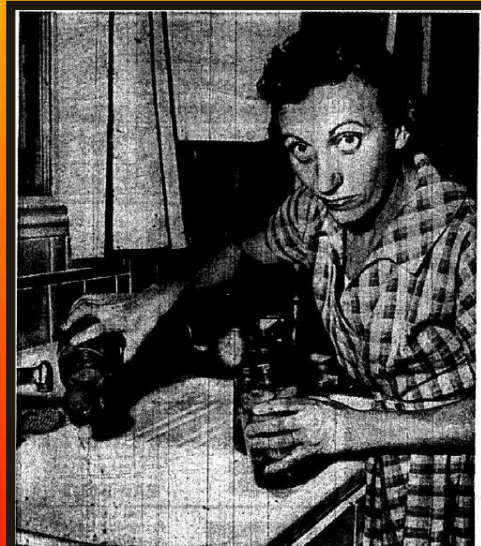
"We don't think the first recourse is court," Pohlit explained. "We've tried an educational approach.

"If a large company loses 10 to 20 gallons of gas or petroleum a day—well, it's hardly worth bothering to record.

"But it could ruin the water strata in the whole area."

Eva Hodges, *Fuel Contaminating Wells in Adams County*, DENVER POST, Aug. 24, 1954, at 19.

Water Crisis Strikes Fear Among Residents



Mrs. Elroy Humery of 16504 Brighton rd. dumps a quart of home-canned peaches down the garbage disposal. Mrs. Humery, who used contaminated shallow well water during the canning season, plans to dispose of all the fruit and vegetables she put up during the summer. The well is one of many believed to have been contaminated by wastes from the Rocky Mountain Arsenal.

—Rocky Mountain News Photo by Bob Talkin.

Water Crisis Strikes Fear Among Residents

ROCKY MOUNTAIN
NEWS, Nov. 12, 1959,
at 5.

ARMY STILL SILENT

Secret Probe Begun During '54 in Region Of Water Pollution

By LEONARD LARSEN
Denver Post Staff Writer



Denver Post Photos by Albert Neidiger

Water Trucked to Contamination Area

Mrs. Barbara Mahon, 23, a resident of frontdale Trailer Camp in Adams County north of Denver, watches as National Guardsmen Mayo Cox (on tank) and Ray J. Geron (on truck) fill a 2,000-gallon tank with water trucked in by the guard. The camp is in the area where water pollution has spread from the Rocky Mountain Arsenal. In photo at left, Joe Cusack, sanitarian of the Tri-County Health Dept., takes a water sample from the camp's well to see if there has been any change. (See story on page 1).

DENVER Post, Nov. 13,
1959, at 1.

Arsenal Cited As Key Source Of Pollution

By BILL MILLER
Rocky Mountain News Writer

Bill Miller,
ROCKY
MOUNTAIN
NEWS, Nov. 10,
1959, at 6.

70 residents attend 'non-meeting' on water problems

Henry Raybuck Jr., president of the Town and Country Water Board, put it in no uncertain terms. "This is not a meeting," he told about 70 residents of Commerce City gathered in the municipal building to discuss their water problems.

Although the residents came bent on discussing means to clear up the long-term problem, Raybuck made it clear at the start that he was unhappy with how the "meeting" was turning out.

He first demanded that all nonstockholders leave (All residents in the subdivision hold stock in the water district). De-

spite protest from stockholders, he demanded that a News reporter leave the room and asked for police assistance in the face of refusal.

Following the protest of Tim Medina, who said, "We have nothing to hide and all want to work together for the same purpose," the meeting was opened to the public.

And apparently the board had

heard that advice many times before. This is the third time we've been through it," said Loren Woods, board maintenance head. "Everytime we get a few new residents, we have to go through it again."

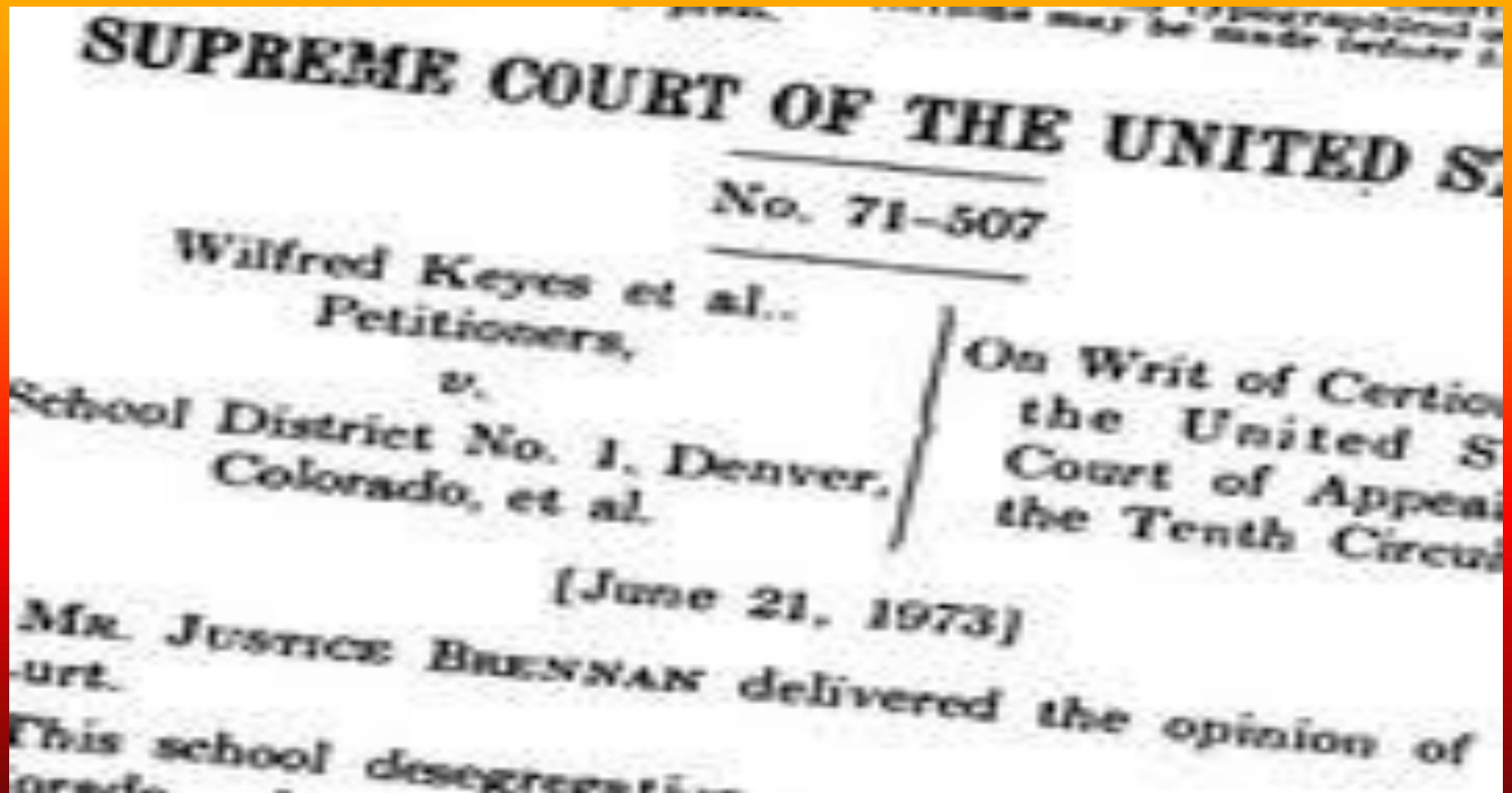
No one denies the water problem. It's just a question of solving it. In the end, it always comes down to the high cost of digging a deeper well or hooking up with another water system, such as Denver or South Adams County.

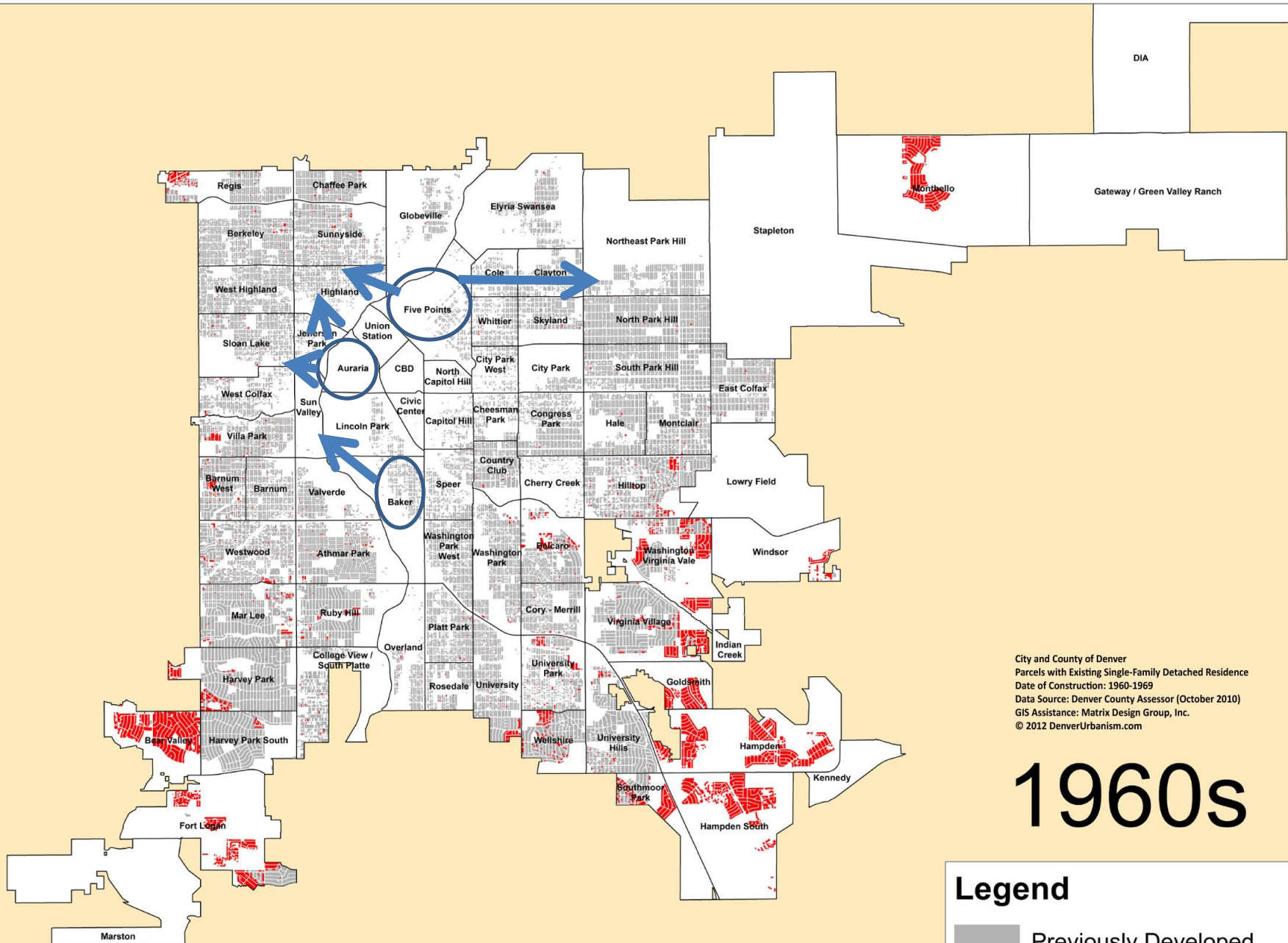
"If you don't like the water, you have the privilege of moving out," said Woods.

"We also have the privilege of trying to change things," a resident countered.

ROCKY MOUNTAIN NEWS,
Dec. 12, 1973, at 102.

Keyes v. School Board No. 1 (1969) and the “Tri-Ethnic” or Multiracial Order





City and County of Denver
 Parcels with Existing Single-Family Detached Residence
 Date of Construction: 1960-1969
 Data Source: Denver County Assessor (October 2010)
 GIS Assistance: Matrix Design Group, Inc.
 © 2012 DenverUrbanism.com

1960s

Legend

- Previously Developed
- Developed During Decade

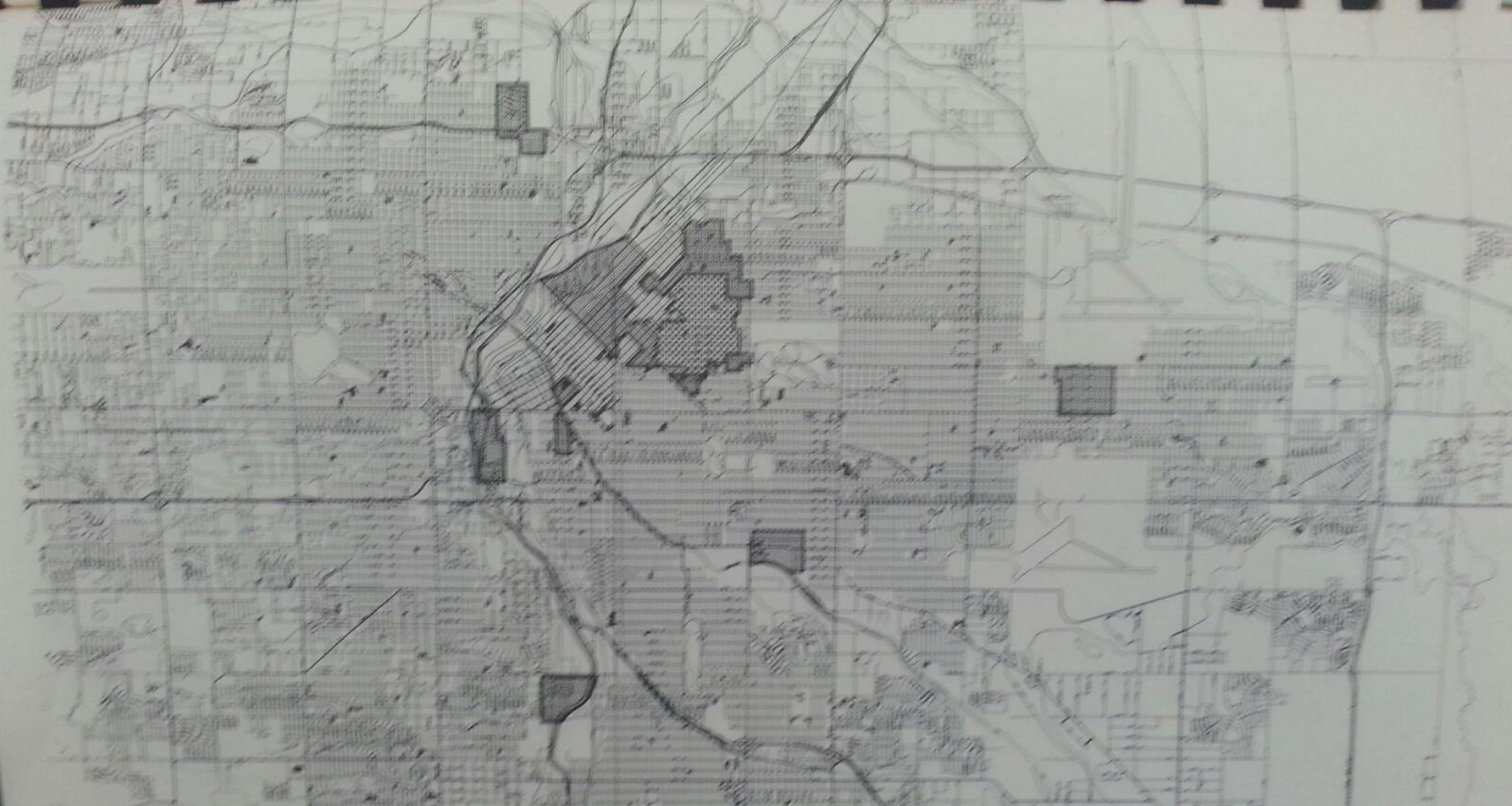
**“[T]HIS IS A SUBTLE TYPE OF
DISCRIMINATION THAT IS
DIFFICULT TO PUT YOUR
FINGER ON, BUT WE KNOW IT
EXISTS”**

Sam Menin. Lawyer for the Local Chapter of the
NAACP and ACLU

“ACLU Holds Off on Race Suit,” *Denver Post*,
October 30, 1956 at 15.

“IT SOON BECAME APPARENT THAT THE MAIN ACTORS IN THE ‘DRAMA’ WERE NOT THE HUMAN WITNESSES BUT THE SILENT TESTIMONY OF SOME 200 MAPS, CHARTS, OVERLAYS, PRINTOUTS AND OTHER MATERIAL INTRODUCED BY THE PLAINTIFFS.”

Frederick D. Watson, *Removing the Barricades from the Northern Schoolhouse Door*, Ph.D. Dissertation
(1993)



**CONCENTRATION OF NEGRO POPULATION
BY ENUMERATION DISTRICT - CITY AND COUNTY OF DENVER - 1950**

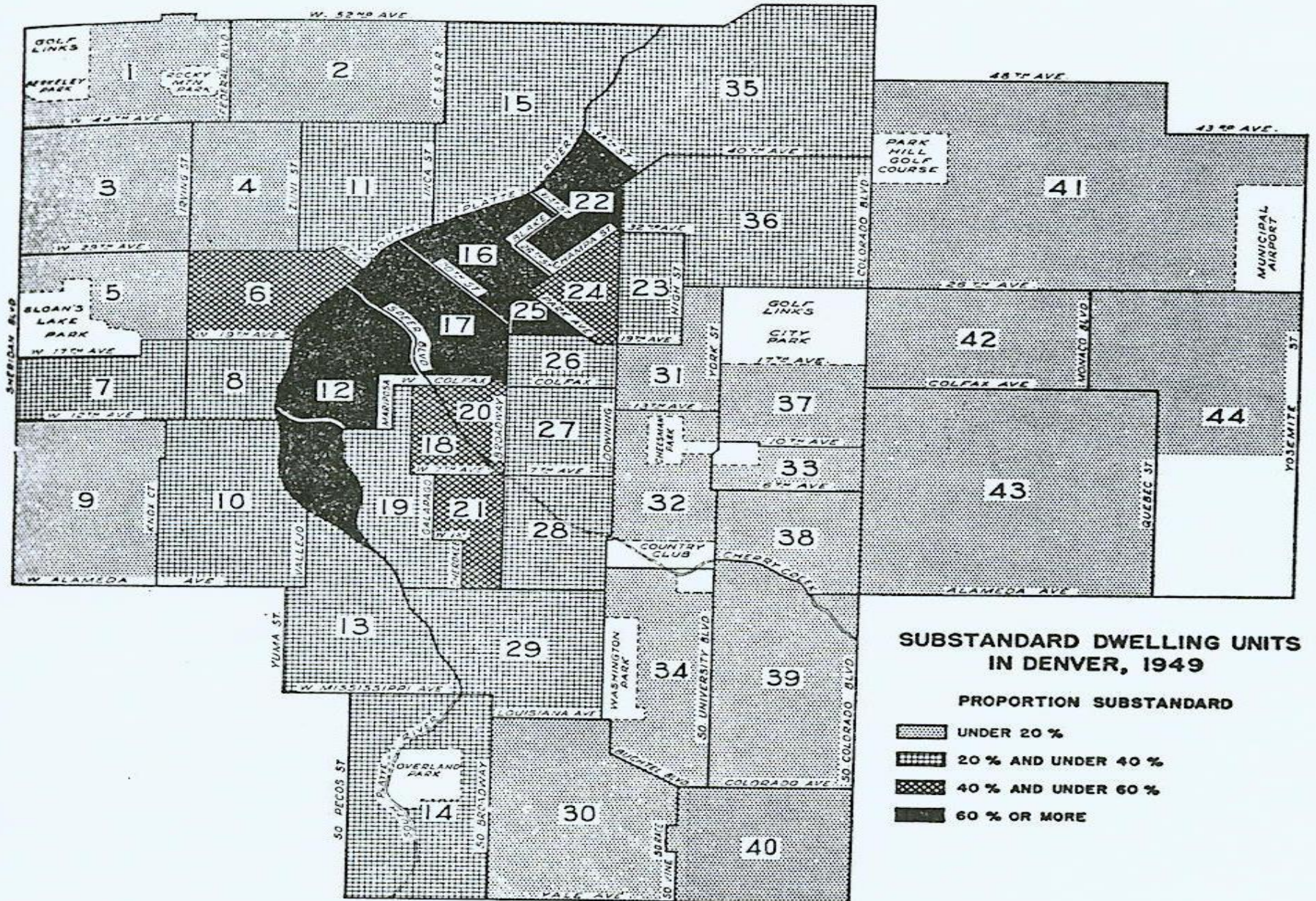
SOURCE: ENUMERATION DISTRICT TABULATIONS,
U.S. CENSUS 1950

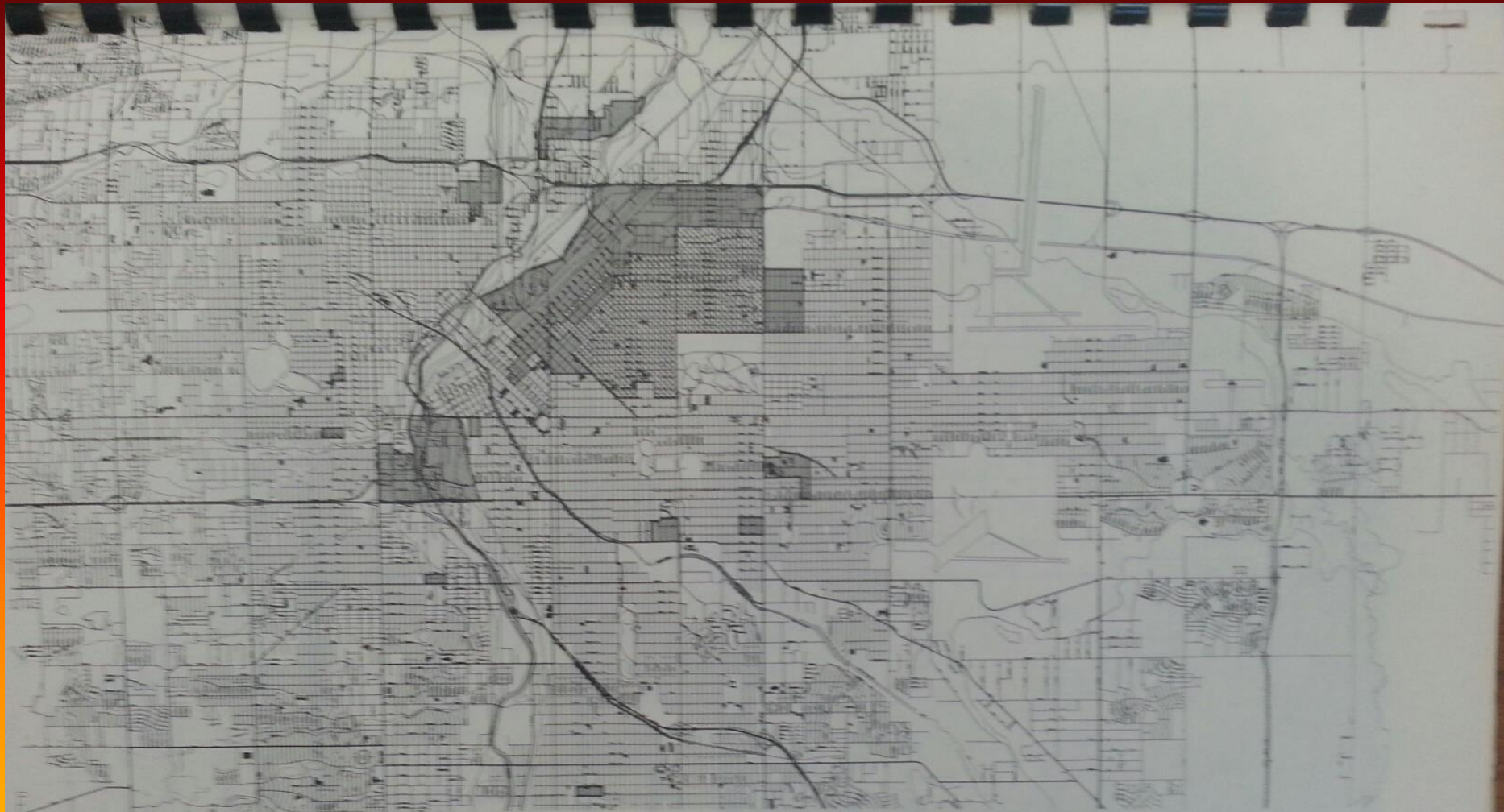
25% or more Negro
5-24% Negro



2A

MAP IV





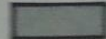
CONCENTRATION OF NEGRO POPULATION
BY ENUMERATION DISTRICT - CITY AND COUNTY OF DENVER - 1960

SOURCE: ENUMERATION DISTRICT TABULATIONS,
U.S. CENSUS 1960

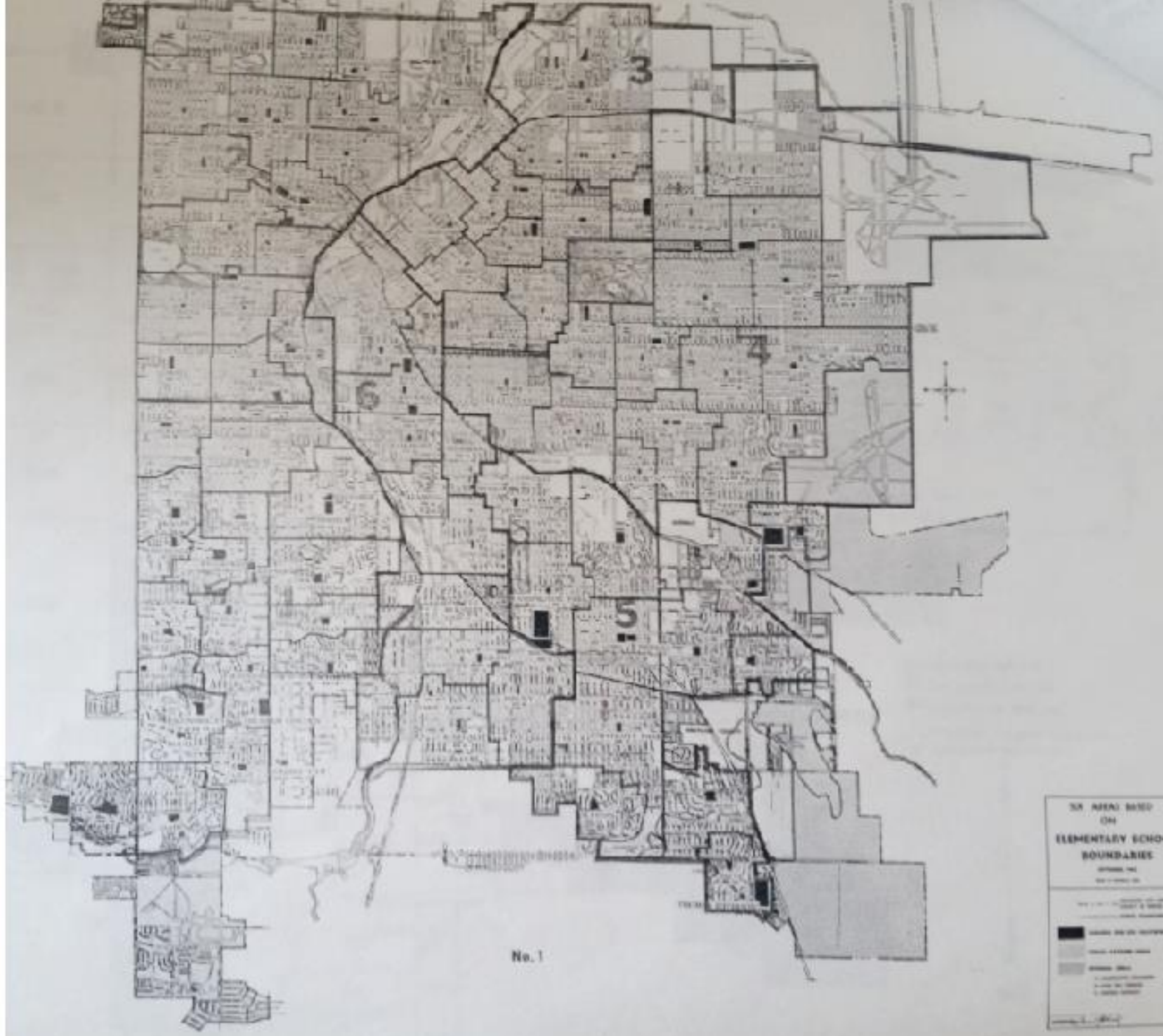
25 % or more Negro



5-24 % Negro



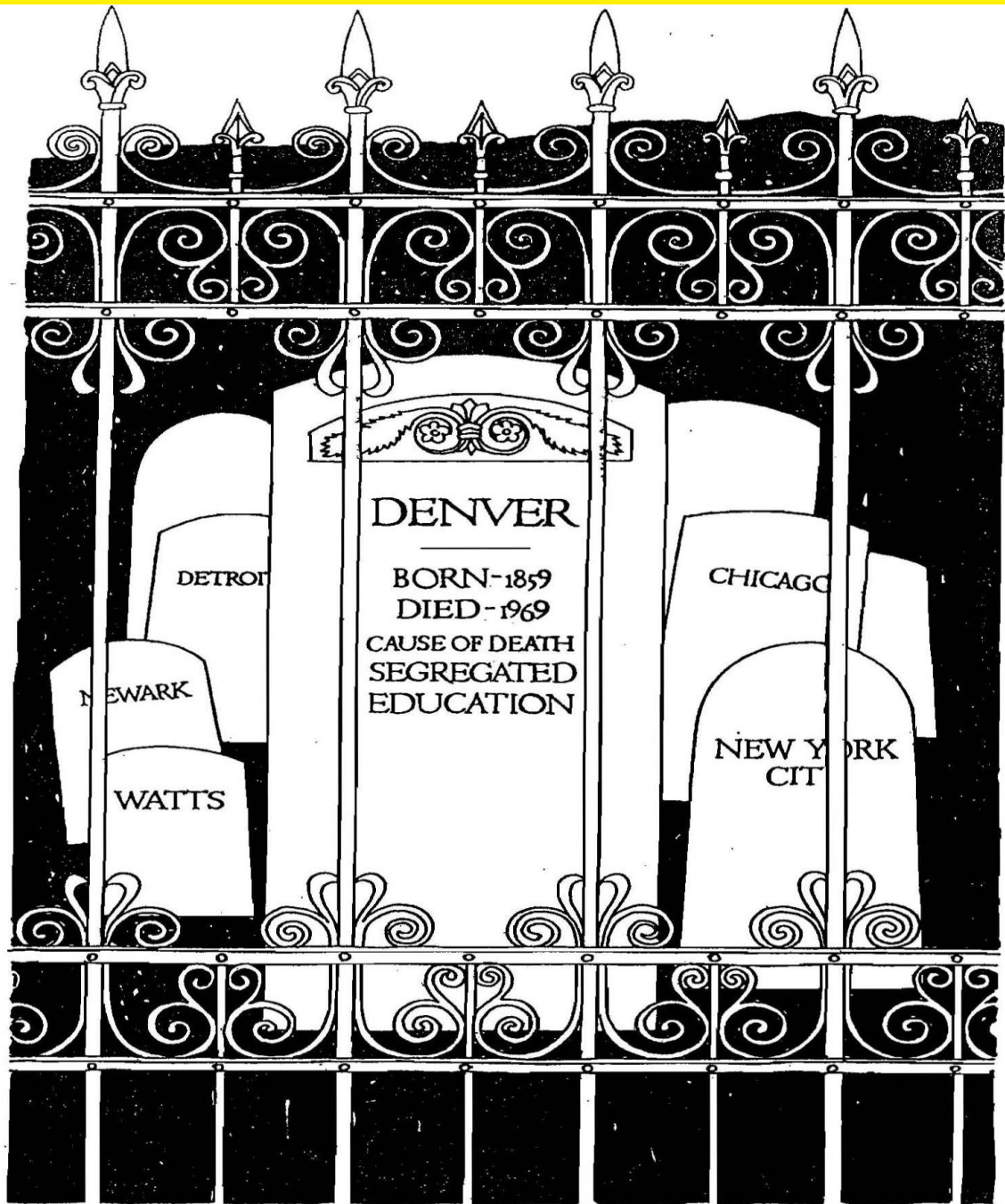
2 B



No. 1

SIX AREA BOARD
 OF
 ELEMENTARY SCHOOL
 BOUNDARIES
 CLEVELAND, OHIO
 MAY 1, 1950

LEGEND
 ■ SCHOOL BOUNDARY
 — ROAD
 — RAILROAD
 — WATERWAY
 — UNINCORPORATED AREA
 — UNINCORPORATED AREA
 — UNINCORPORATED AREA

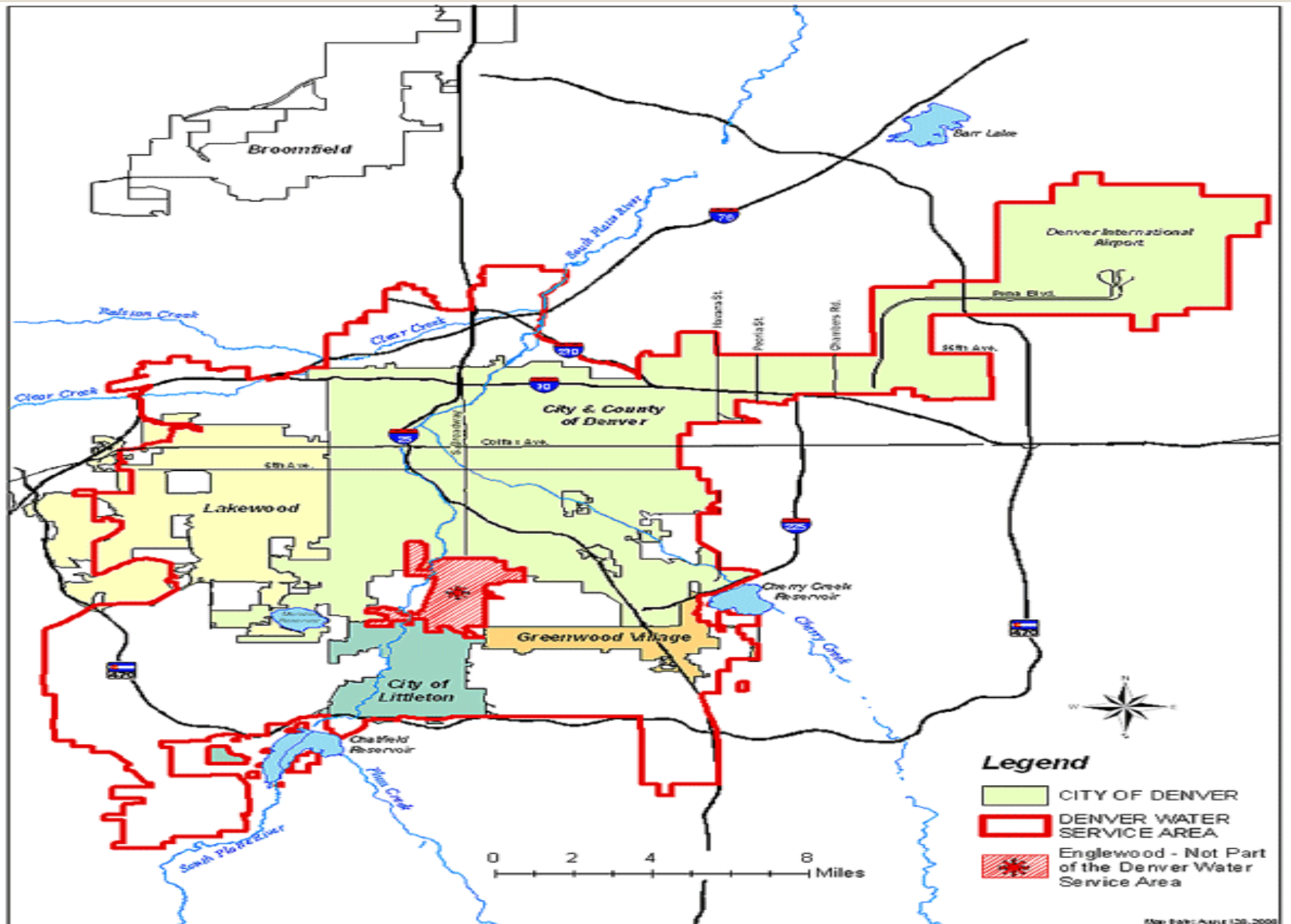


**“Here could
lie a
potentially
great city!”**

Memo to Industries-
Denver Business and
Industrial Community

From Denver
Chamber of
Commerce (undated)

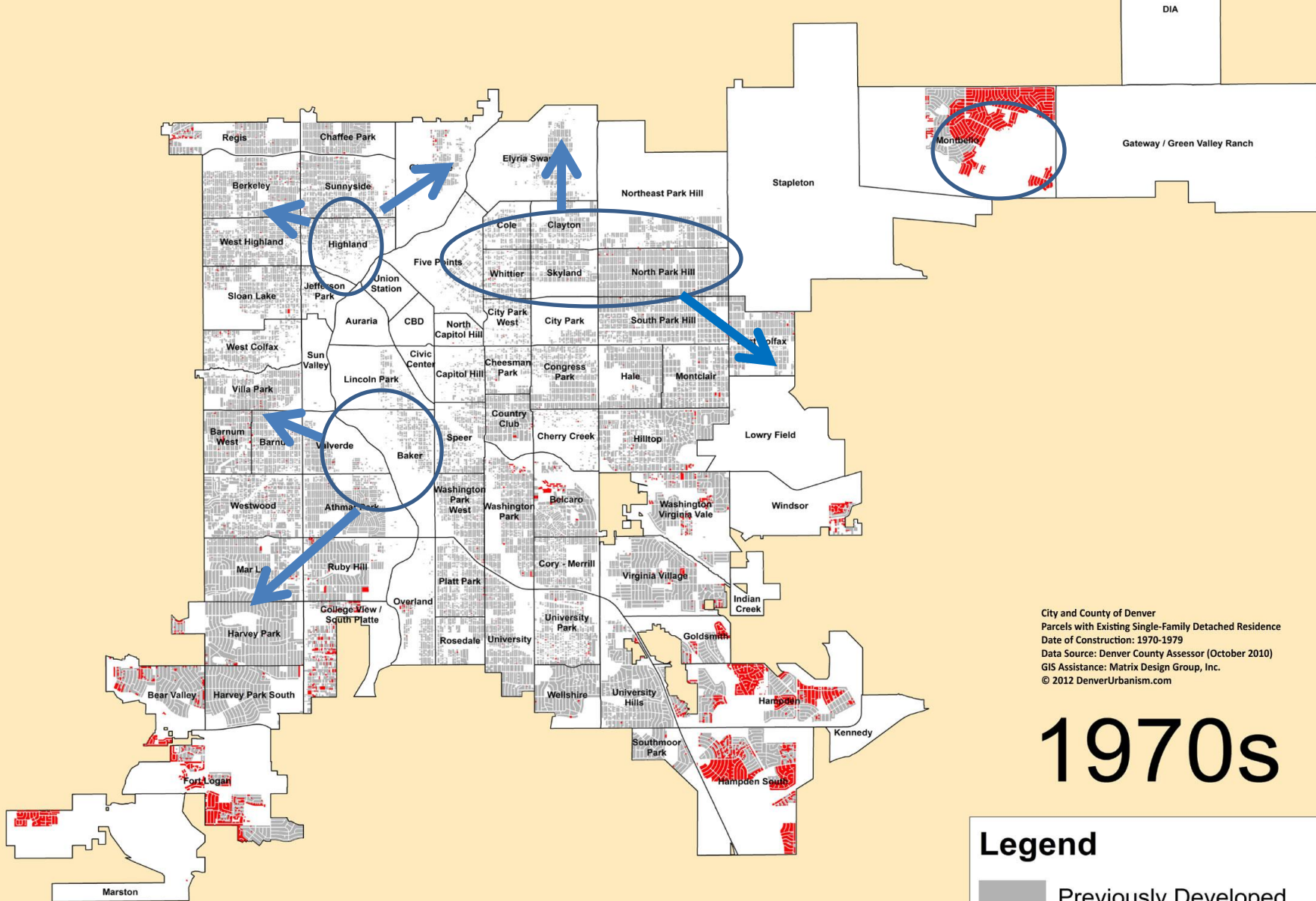
Anti-Defamation
League Collection,
University of Denver
Archives
Box 17, FF 9



Legend

- CITY OF DENVER
- DENVER WATER SERVICE AREA
- Englewood - Not Part of the Denver Water Service Area





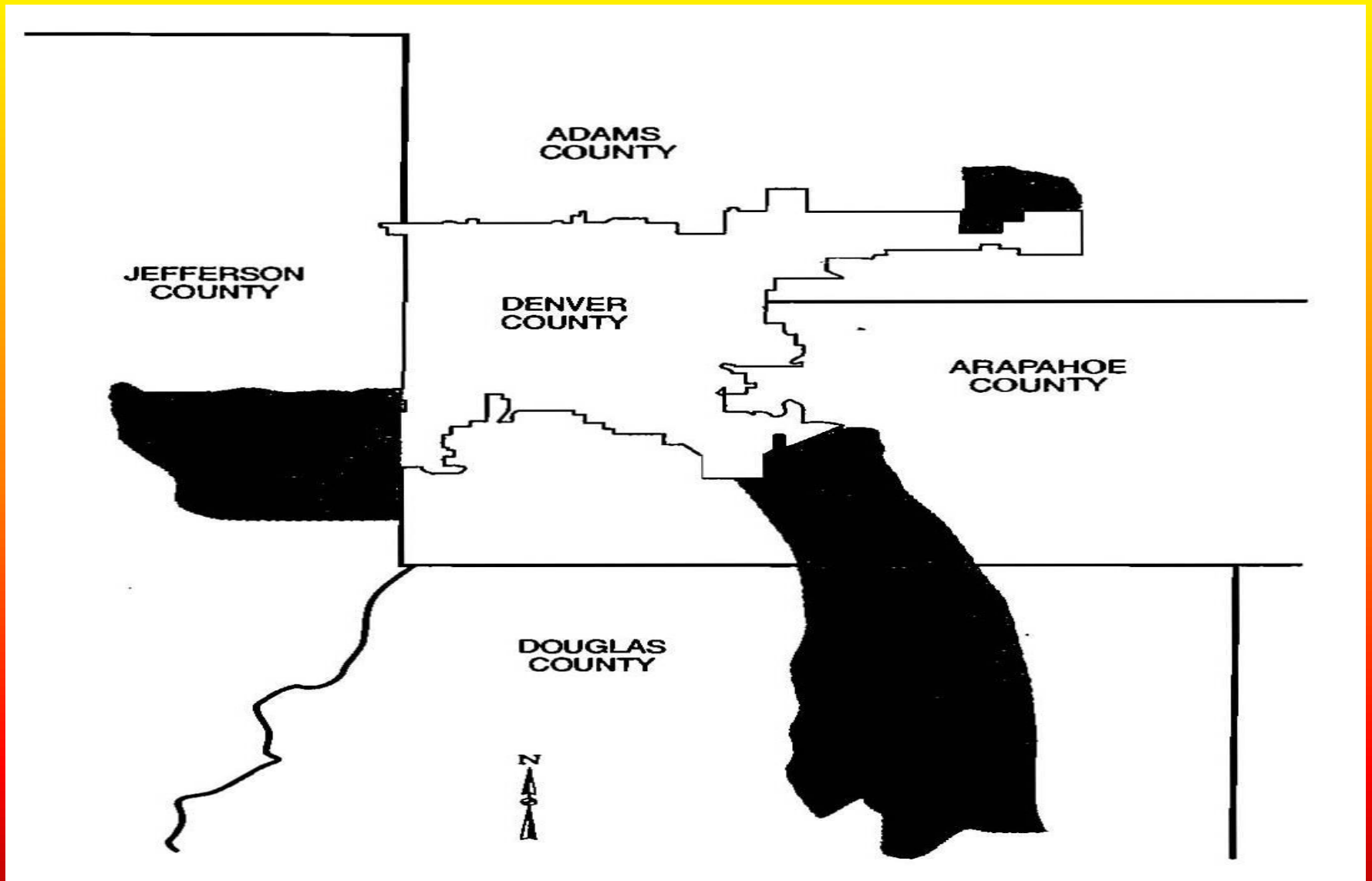
DIA

City and County of Denver
 Parcels with Existing Single-Family Detached Residence
 Date of Construction: 1970-1979
 Data Source: Denver County Assessor (October 2010)
 GIS Assistance: Matrix Design Group, Inc.
 © 2012 DenverUrbanism.com

1970s

Legend

- Previously Developed
- Developed During Decade



Areas Considered for Annexation by the City and County of Denver during school integration litigation (1969-1973).

The Poundstone “Amendment”

- An act to amend Articles XIV and XX of the Constitution of the State of Colorado, concerning the annexation of property by a County or City and County, and prohibiting the striking off of any territory from a County without first submitting the question to a vote of the qualified electors of the County and without an affirmative vote of the majority of those electors.

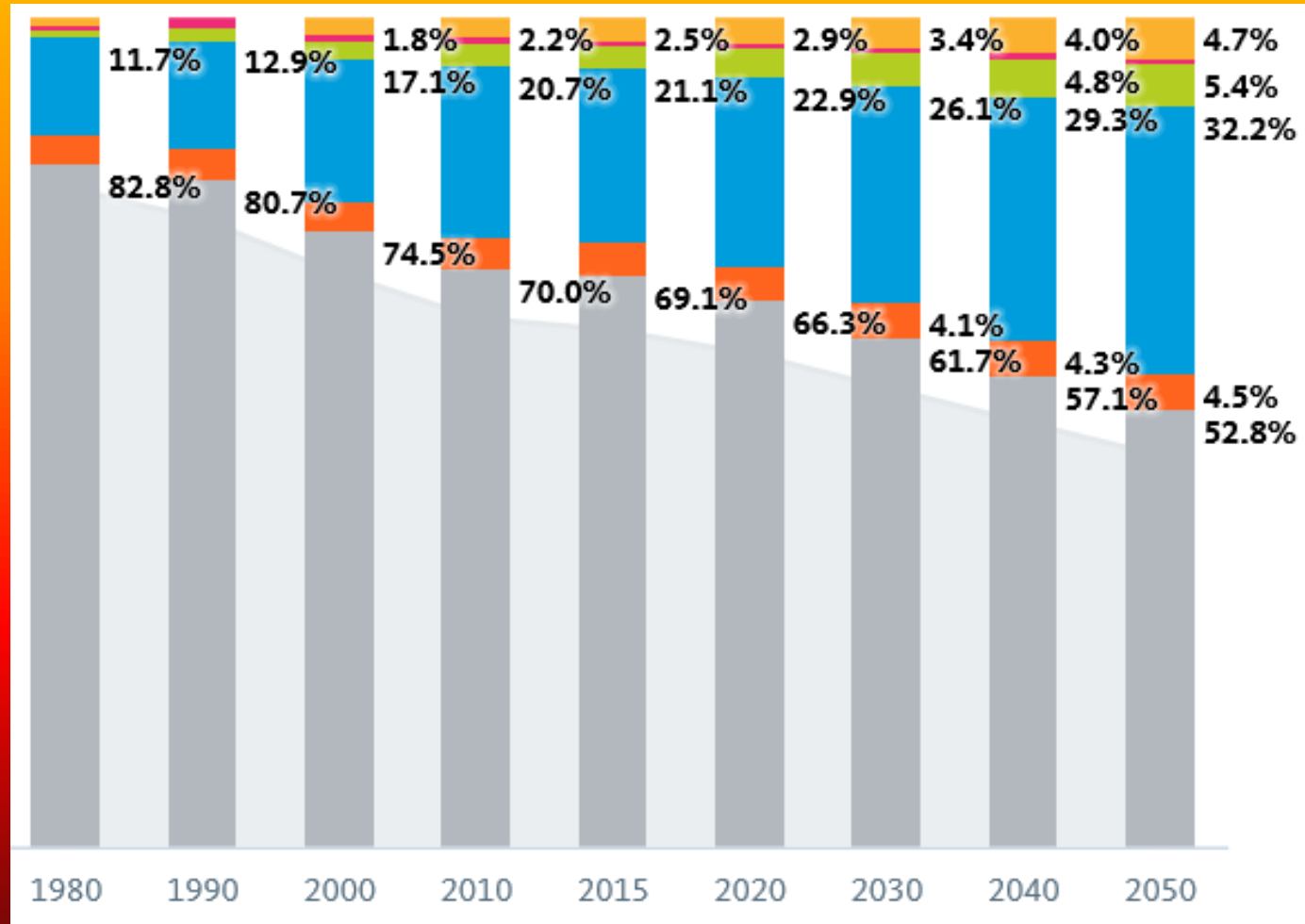
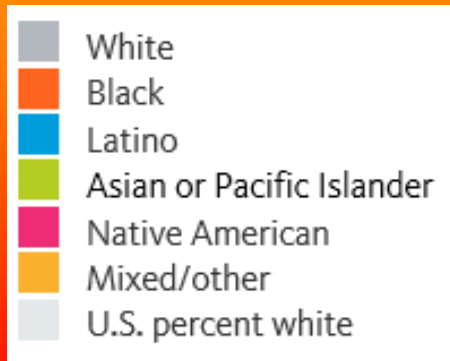
“It is, I think, right to suppose that the primary reason for the easy passage of the Poundstone Amendment was the suburbs fear of busing. If, in other words, there is to be a ghetto, and busing is to relieve the pressures and injustice of the ghetto, let it all be within the City and County—and school district—of Denver.”

-John Bromley, Denver Post, November 18, 1974

The image features a stylized landscape with two grey mountain peaks outlined in white. A grey oval representing the sun or moon is positioned between the peaks. The lower half of the image is a red gradient with a white zigzag pattern. The text "BACK TO THE FUTURE" is centered in the red area.

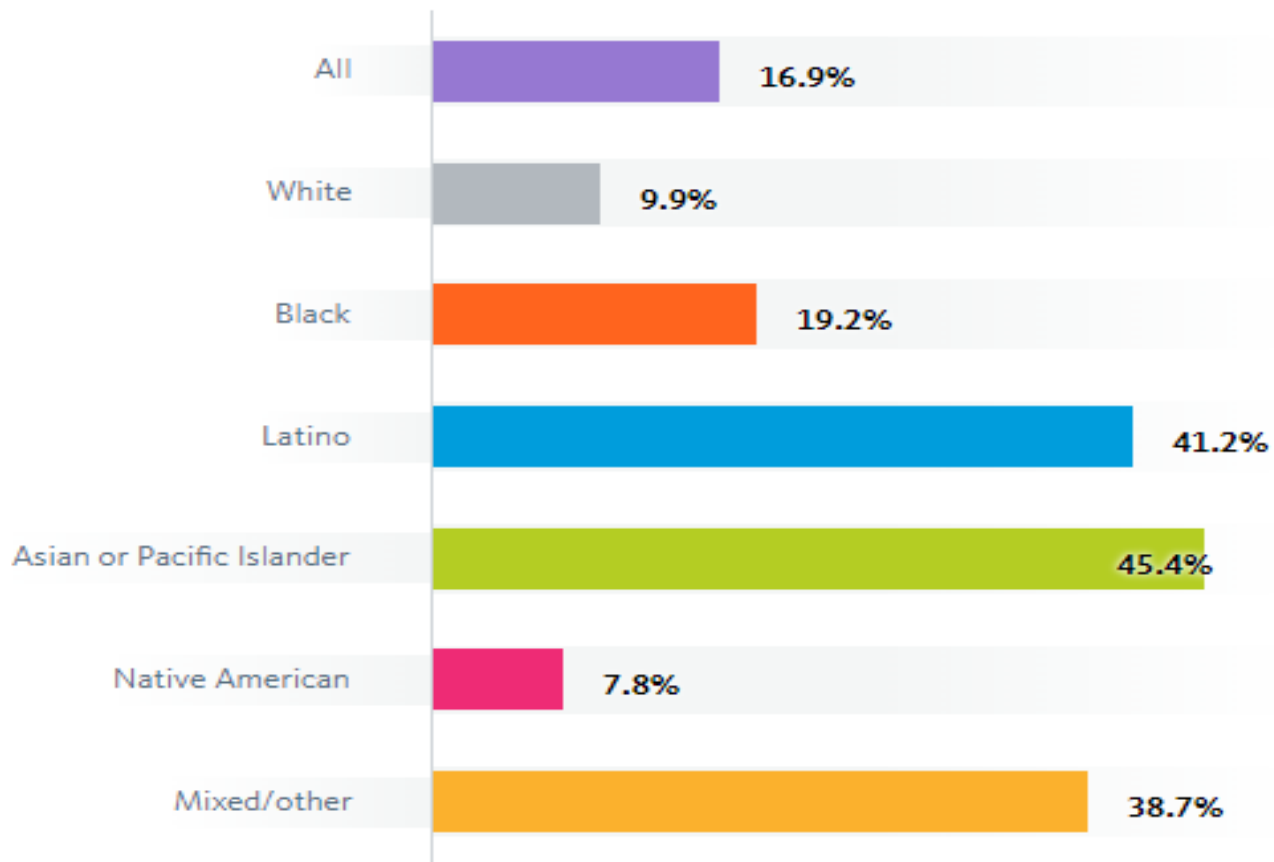
BACK TO THE FUTURE

Demographic change in Colorado 1980-2050



Source: PolicyLink

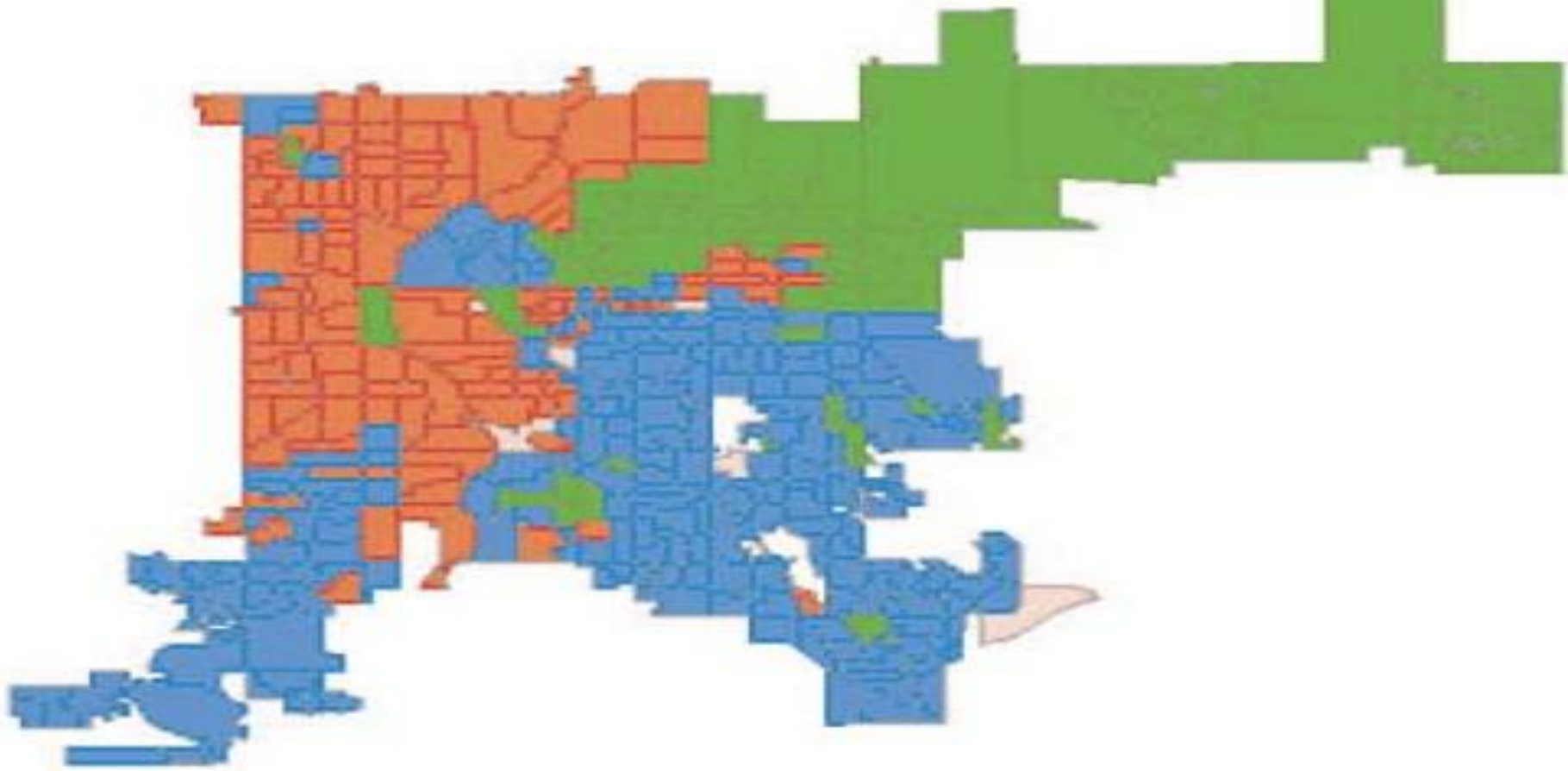
Percent change in population: Colorado, 2000-2010



National Equity Atlas

<http://nationalequityatlas.org/data-summaries/Colorado/>

Hancock Meija Romer



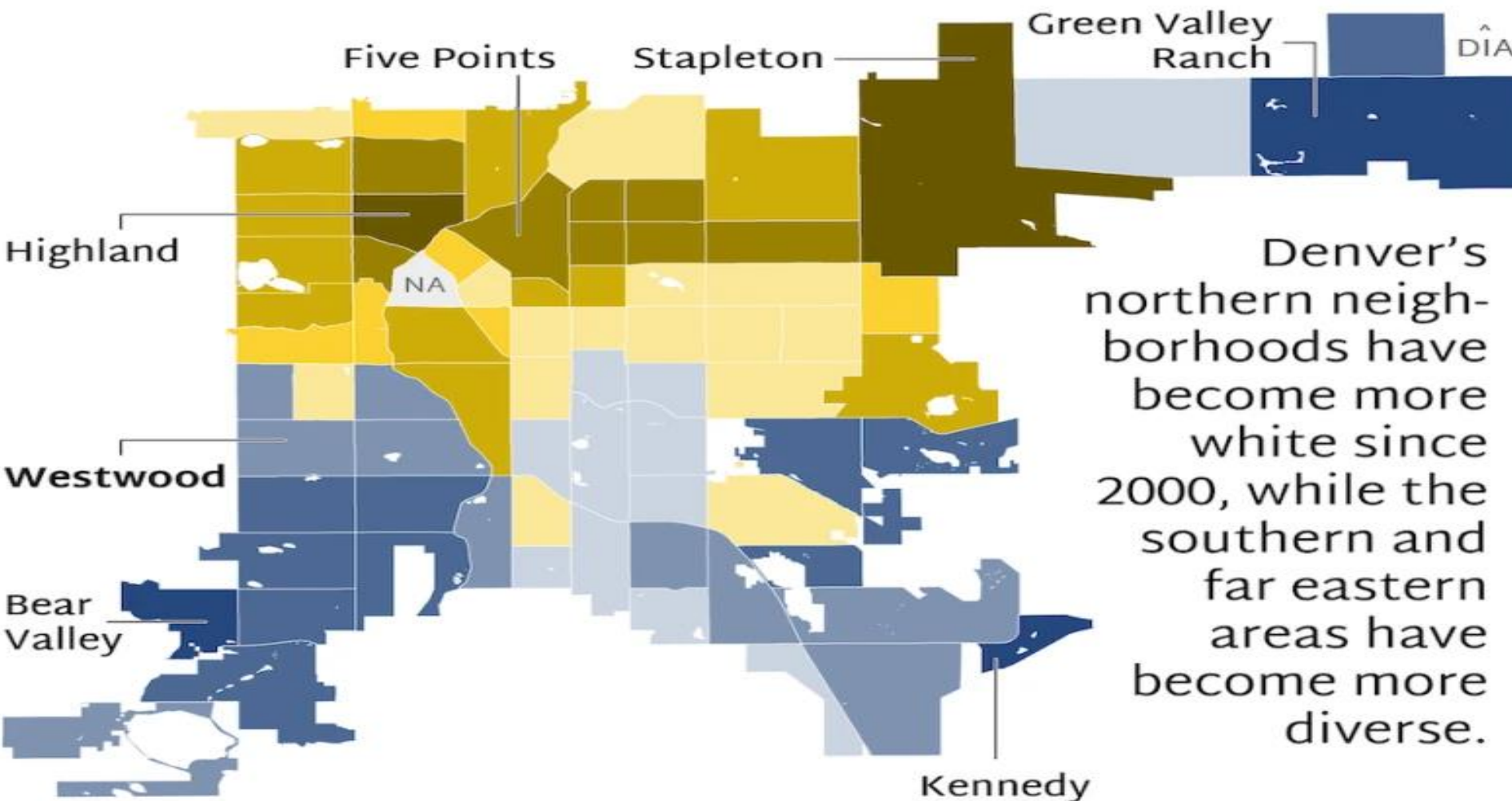
Source: Denver Elections Division

2011 City and County of Denver Mayoral Election

Change in percentage of population, 2000-16

Non-white increase

White, non-Hispanic increase

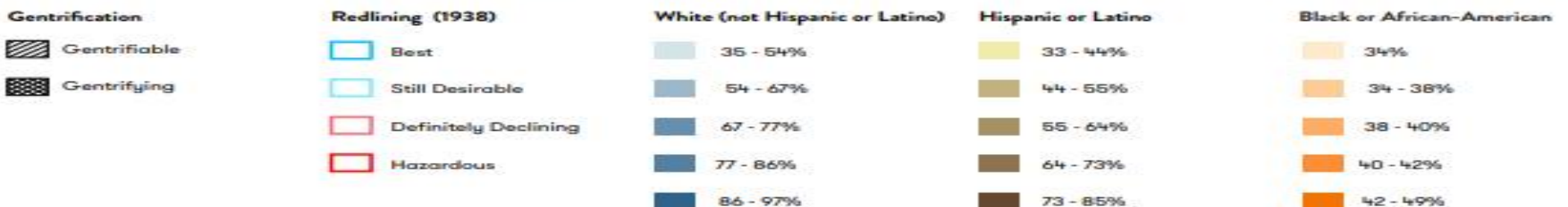
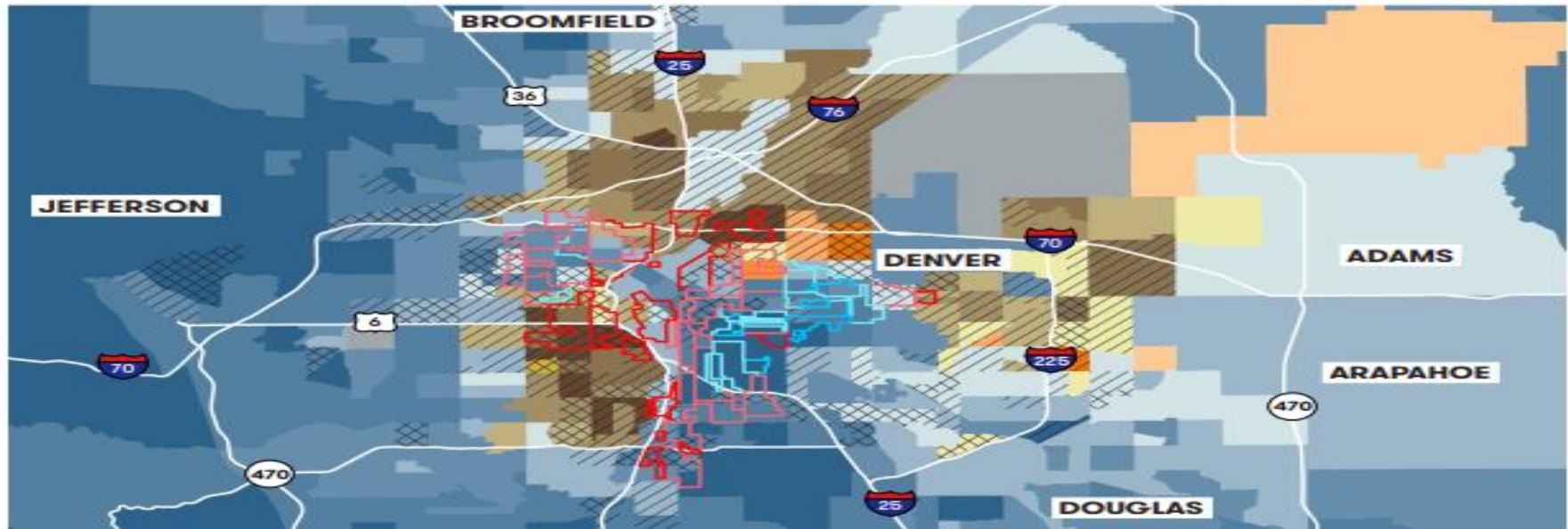


Denver's northern neighborhoods have become more white since 2000, while the southern and far eastern areas have become more diverse.

2000: Census; 2016: American Community Survey (ACS) 5-Year Estimates; NA: Not available

Gentrification Trends in 2016

The map below shows the areas in 2016 that were gentrifying and vulnerable to gentrification, as well as the racial and ethnic plurality of those areas. The 1938 redlining is also shown for historical context. This map shows the continued spread of gentrification to suburban areas. While gentrification in 2000 was more of an urban issue—concentrated in redlined areas with dense Hispanic and African-American populations—it has evolved into a regional issue, outside redline boundaries.



<https://www.shiftresearchlab.org/projects/gentrification-a-recent-history-in-metro-denver-copy-4>



Denver Coffee Shop Sparks Fury,
The Guardian, Nov 23, 2017



“In a racist society, it is not enough to be non-racist, we must be anti-racist.”

ANGELA Y. DAVIS

Homeownership while black

The devaluation of assets in black neighborhoods



In U.S. metropolitan areas, **10 percent** of neighborhoods are **majority black**

50% LESS

homes in **majority-black neighborhoods** are **undervalued** compared to homes in neighborhoods with **no black residents**



Majority-black neighborhoods at a glance:

- **37% of the U.S. black population** live in these communities
- **\$609 billion** in owner-occupied housing assets
- **10,000** public schools
- **3 million** businesses

Differences in **home** and **neighborhood quality** do **not** fully explain the devaluation of homes in majority-black neighborhoods



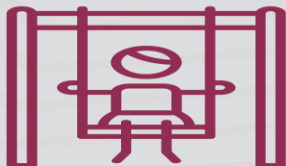
\$48,000 average loss in home market value



Amounting to **\$156 billion** in cumulative losses

Homes of similar quality in neighborhoods with similar amenities are worth **23% less** in majority-black neighborhoods

Metropolitan areas with **greater devaluation** of black neighborhoods are **more segregated**



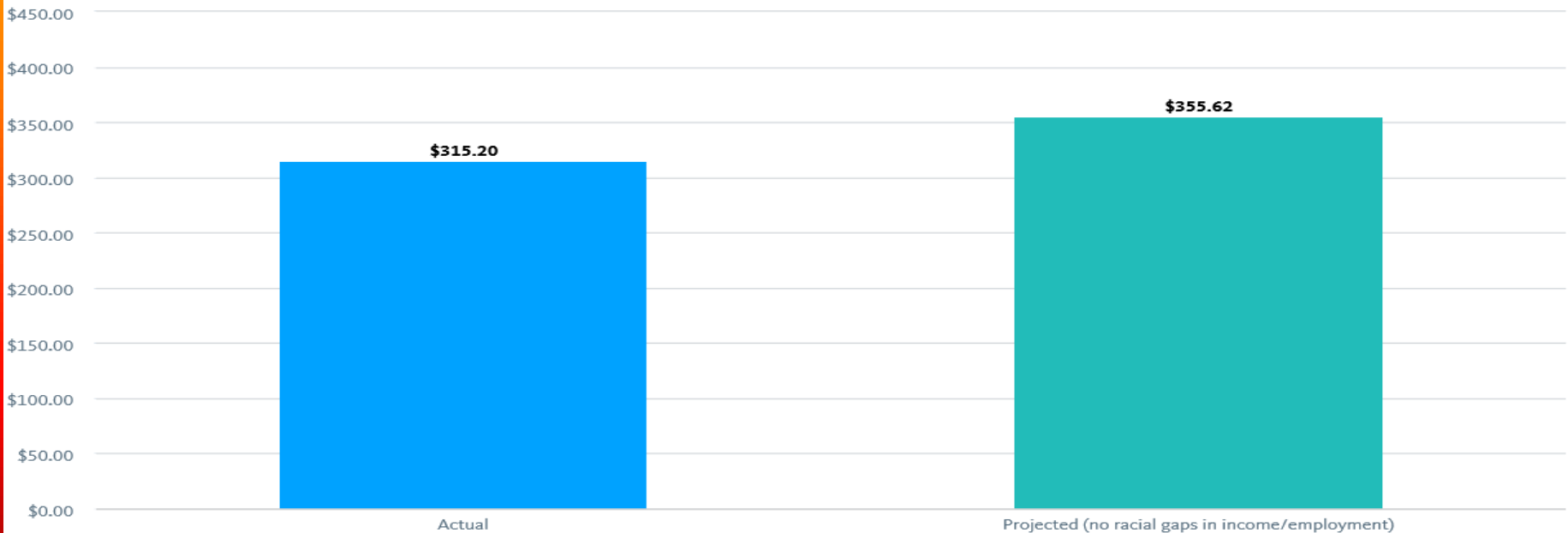
Black children who grow up in those communities have **less upward mobility**

Economic benefit of addressing racial equity in Colorado

GDP gains with racial equity • Colorado

Breakdown:

Actual GDP and estimated GDP with racial equity in income (billions): Colorado vs. CO, 2015



Bureau of Economic Analysis; IPUMS



"La Memoria de Nuestra Tierra: Colorado"
by Judith F. Baca. © 2000 10' x 55' Digital Mural on Aluminum
Substrate. At one time located in the Central Terminal of the
Denver International Airport.

Thank You!

tromero@law.du.edu