

November 3, 2025

Dawn DiPrince, President and CEO
History Colorado
1200 Broadway
Denver, CO 80203

Sent via email to dawn.diprince@state.co.us

Dear Ms. DiPrince,

As organizations dedicated to upholding freedom of thought, inquiry, and expression, the National Coalition Against Censorship (NCAC), the Foundation for Individual Rights and Expression (FIRE), and the American Civil Liberties Union of Colorado (ACLU-CO) are deeply concerned to learn of History Colorado Center's recent decision to censor an artwork intended for display in its galleries. We urge History Colorado to take steps towards returning the censored work to its intended exhibition—with public acknowledgement of its error and a public apology to the artist.

The censored artwork, created by Madalyn Drewno, was commissioned by Colorado Asian Pacific United (CAPU) for presentation at History Colorado Center (HCC), as part of *Big Dreams in Denver's Little Saigon*, which opened on October 20. Responding to the exhibition's themes celebrating the community of Little Saigon, Drewno created three paintings. One of the paintings, titled *None of Us Are Free Until All of Us Are Free*, shows two community members against a backdrop of chrysanthemums, lanterns, and lion dancers collaged between images of immigrants detained by ICE, prominent activists, protests, and unflattering portrayals of two U.S. Senators and the state's governor.

Following the completion of her loan agreements with HCC and the delivery of the paintings to the Center, the artist was informed on October 16, just days before the exhibition opening, that HCC would not show the final painting in the series. In defense of its decision, HCC representatives suggested that the painting's critical portrayal of current political figures would represent a violation of Fair Campaign Practices Act (FCPA). Correspondence delivered to Drewno suggests that her painting could "influence voters," thereby putting HCC at legal risk. This is not a credible legal argument, and would permit public institutions to broadly censor critical or political art in violation of the First Amendment.

The FCPA indicates that the government may not make direct or indirect contributions to a candidate running for office. For a gift or an action to be considered a contribution, it would need to be an item "of value, given directly or indirectly, to a candidate for the purpose of promoting the candidate's nomination, retention, recall, or election." For many reasons, the argument that Drewno's painting violates FCPA is not credible. The artwork was not given, directly nor indirectly, to any particular

candidate. Nor was the artwork submitted or chosen for the purpose of promoting any particular candidate's campaign. The mere display of an artwork that is critical of public officials—regardless of whether or not they seek future election—cannot be understood as a campaign “contribution” favoring a specific political candidate. If FCPA precluded the display of art commenting on current political issues or criticizing public officials from being exhibited in a public museum, artistic freedom would be in shreds.

Rather than a concerted effort to ensure compliance with election campaign finance laws, History Colorado Center's attempt to suppress the display *None of Us Are Free Unless All of Us Are Free* seems more likely related to the pointed political sentiments present in the background of the painting. Imagery includes depictions of Palestinian, Congolese, and Sudanese flags; images of people who have been targeted for their advocacy in support of Palestine; immigrants who have been detained and or deported by ICE; and Latine, Chicano, Indigenous, and Vietnamese performers. There are also images of Coloradoan elected officials: Senator Hickenlooper is shown with green dollar signs over his eyes; Senator Bennet is framed by text asserting he “funds genocide,” and Governor Polis is shown with a red hand-print over his mouth—the symbol for the Missing and Murdered Indigenous Women and Children Movement. The First Amendment provides the highest protection for critique of political officials—in art as in any other expression—and HCC's seemingly pretextual invocation of FCPA as a reason to silence Drewno's political speech and artistic freedom would appear to be in staunch violation of the First Amendment.

In light of the above, NCAC, FIRE, and ACLU-CO urge History Colorado Center to take steps to rectify its constitutional harms to Ms. Drewno. We urge HCC to issue a public acknowledgement of its error and a public apology to the artist, and then to re-invite Madalyn Drewno's commissioned triptych of paintings for display within *Big Dreams in Denver's Little Saigon*, so that audiences retain their ability to access their work as originally intended. Such steps should also include a dialogue with the artist, and practical measures to return the work to HCC. Please let us know what action you will take to reaffirm the History Colorado Center's responsibility to uphold freedom of expression, and how we can support you in this commitment.

Sincerely,

Elizabeth Larison
Director, Arts and Culture Advocacy Program
National Coalition Against Censorship

Aaron Terr
Director of Public Advocacy
Foundation for Individual Rights and Expression

Sara Neel
Senior Staff Attorney|Managing Attorney
American Civil Liberties Union of Colorado

CC:

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Kelly Jean Brough, Vice
Chair, Board of Directors, History Colorado
Jared Polis, Governor, State of Colorado