

September 3, 2018

Vice Mayor Magdalena Carrasco  
200 E. Santa Clara Street  
San Jose, CA 95113  
district5@sanjose.ca.gov

Dear Vice Mayor Magdalena Carrasco:

As a longtime resident of San Jose, I was deeply upset to learn that the Mural de La Raza was painted over last week. Although it is currently unclear whether this was mere negligence on the part of the new owner of the building or an intentional disregard for the rights of the artist, it is abundantly clear that this is a grave loss to the community.

Public art has a way of developing and fostering a sense of community. Artists depict their observations of the times and memorialize pivotal moments in history. Public art, such as artist Jose Mesa Velasquez's piece, acknowledged a group. It validated my community. Growing up, I don't recall having books available to read about Mexican American culture in elementary school. It was important to see reminders of my culture and heritage, such as this mural. I didn't realize what an impact this art had on me until I learned what happened earlier this week.

We have a man in the White House who reached that position by vilifying our community. His administration effectively removed Spanish language content from the White House website. Similarly, other murals throughout the Eastside have gradually disappeared. In the age of alternative facts and historical revisionism at the extreme, I urge our leaders – especially local public servants - to stand against such conduct and proactively fight and preserve our history, our roots.

Mr. Velasquez and the other muralists involved with creating the mural have rights under the California Art Preservation Act. Under California law, the artists should have been notified before the mural was painted over. It does not appear they received advanced notice. But the legislature, in recognizing that there is a “public interest in preserving the integrity of cultural and artistic creations,” also permits someone acting in the public interest to step into the artist's shoes and seek an order from the court to preserve the art.

I am disappointed that nobody stood up in the public interest to protect this mural. The risk of losing this mural was known before the sale of the property to A7 Story LLC was finalized last week. According to what I read in the press, it seems the wall was painted before the new deed was recorded with the Santa Clara County recorder's office. Is that correct? Why weren't earlier cries of community activists responded to by the previous owner? Why didn't

community leaders and public servants do more to prevent this from happening? In a Facebook post, you express sentiment about the loss. So, why wasn't more done by your office? Why didn't your office step in on behalf of the artist to get the court to issue an order to stop this from happening? Were attempts made to contact the previous owner or Suong Le, the new owner's, A7 Story LLC, agent for service of process?

Mr. Velasquez and the other muralists will probably have their day in court. Damages may be awarded. And hopefully, a new mural can be resurrected to replace the one lost. But it is clear that as a community, we need to take preemptive measures to preserve the remaining art in San Jose, to respect the artists' work and point of view. To ensure this does not happen again, especially when this loss was preventable in a swift legal process.

I am hopeful for one thing. The events that took place sparked an outrage in the community, outrage that I hope will lead to action. Art has a way of bringing people together and fostering dialogue. Let's use this momentum to foster, grow, and preserve the strong heritage our local artists have worked to create.

Sincerely,



Enedina S. Cardenas

Cc: Mercury News, Editor  
San Jose Inside, Editor