

Oral Testimony of David Zinner at the Maryland Senate Finance Committee on SB0224  
January 24, 2024 at 1:30 pm  
[DavidZinner26@gmail.com](mailto:DavidZinner26@gmail.com) 410-733-3700

My name is David Zinner. I'm a consumer representative on the Maryland Advisory Council for Cemetery Oversight, but my testimony today is not as a member of that Advisory Council. I also consult and advise the Rosa Bonheur Society.

I'll start with an easy question. What is a grave matter? My answer is grave matters are things that we should take seriously. And even more seriously if the grave matter involves graves.

I am saddened to report to this committee a grave matter. On Saturday, December 23, 2023, members and friends of the Rosa Bonheur Society gathered at the Rosa Bonheur Memorial Park to view the significant cemetery desecration that occurred on or about December 19, 2023.

In this 87-year-old cemetery, which has both pet and human burials, eight graves were dug up and remains of bodies were disinterred. They appear to have been relocated elsewhere in the cemetery and apparently buried in a mass grave, but we're not sure because their footstone markers were under a tree and not placed on the re-burial site. Nearby grave stones were damaged, and muddy ruts were abundant throughout the cemetery.

Was this the result of vandalism? Certainly not the usual kind of graffiti and toppled monuments. This desecration required heavy equipment like back hoes and tractors.

Was this approved by the descendants of those buried or were they given a notice of the disinterment? No, quite the opposite. Descendants had previously written that they did not approve or give permission. But the only notice required is a one-time publication in a local newspaper.

Was this legal? In part. The disinterment was approved by the Howard County State's attorney. But the re-burial probably broke numerous laws, including professional oversight and ignored common decency, such as individual burials with their original markers.

This bill, SB 224, already refers to an additional disinterment requirement to obtain a health department permit. But there are giant gaps in Maryland law concerning disinterments. For example, Maryland Criminal law requires approval for disinterment by a State's Attorney. Yet permission or notification of descendants is not required. And no one seems to be responsible to see that the re-burial is done properly.

I believe the proposed amendments to SB 224 offers the opportunity to amend current Maryland law to close significant legal gaps.

My written testimony proposes amendments that will accomplish 4 things:

1. Remove authority from the State's Attorneys for disinterment that is not part of a criminal investigation and give the authority to consider disinterments to the Director of the Office of Cemetery Oversight.
2. Expand the disinterment rules to require more effective notice to descendants
3. Clarify responsibility for supervision of disinterments.
4. Enable and establish penalties for violation of this law.

I've submitted written testimony suggesting language for these amendments.

I'm available for questions.

Thank you for attention to this grave matter.