

SENATE BILL 776

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By: **Senator Smith**

Introduced and read first time: February 6, 2026

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Commission on the House of Reformation and Instruction for Colored**
3 **Children – Establishment**

4 FOR the purpose of establishing the Commission on the House of Reformation and
5 Instruction for Colored Children; and generally relating to the Commission on the
6 House of Reformation and Instruction for Colored Children.

7 BY adding to

8 Article – State Government

9 Section 6–1001 to be under the new subtitle “Subtitle 10. The Commission on the
10 House of Reformation and Instruction for Colored Children”

11 Annotated Code of Maryland

12 (2021 Replacement Volume and 2025 Supplement)

13 Preamble

14 WHEREAS, The State of Maryland established the House of Reformation and
15 Instruction for Colored Children (also known under various historical names) in Prince
16 George’s County for over a century as a detention and reformatory institution for youth;
17 and

18 WHEREAS, Recent reports and historical records have brought to light the existence
19 of a neglected cemetery on the grounds of the former institution containing the unmarked
20 graves of hundreds of deceased children, primarily African American boys, who died while
21 in the care and custody of the State; and

22 WHEREAS, The condition of this burial ground represents a profound and
23 long-standing failure of the State to provide dignity in death to children for whom it had
24 assumed responsibility in life, and this neglect has hidden a painful chapter of Maryland’s
25 history from public view and accountability; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



WHEREAS, The State of Maryland has a solemn moral and civic duty to the deceased, their families, and all its citizens to uncover the full truth of what occurred at the House of Reformation and Instruction for Colored Children, to account for every child buried in unmarked graves, and to understand the system that allowed such a tragedy to occur; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – State Government

**SUBTITLE 10. THE COMMISSION ON THE HOUSE OF REFORMATION AND
INSTRUCTION FOR COLORED CHILDREN.**

6–1001.

**(A) THERE IS A COMMISSION ON THE HOUSE OF REFORMATION AND
INSTRUCTION FOR COLORED CHILDREN.**

(B) THE PURPOSE OF THE COMMISSION IS TO:

**(1) RESEARCH THE HISTORY, OPERATIONS, AND RESIDENT DEATHS
AT THE HOUSE OF REFORMATION AND INSTRUCTION FOR COLORED CHILDREN;**

**(2) PROVIDE A COMPLETE AND PUBLIC ACCOUNTING OF THE
CHILDREN WHO DIED AND WERE BURIED ON THE GROUNDS OF THE HOUSE OF
REFORMATION AND INSTRUCTION FOR COLORED CHILDREN;**

**(3) PROMOTE HEALING AND RECONCILIATION THROUGH
TRUTH–TELLING, ACKNOWLEDGMENT, AND RECOMMENDATIONS FOR SYSTEMIC
REFORM; AND**

**(4) ENSURE DESCENDANT AND COMMUNITY VOICE THROUGHOUT
THE INVESTIGATION AND RECONCILIATION PROCESS.**

(C) THE COMMISSION CONSISTS OF:

**(1) ONE MEMBER APPOINTED BY THE PRESIDENT OF THE SENATE OF
MARYLAND;**

**(2) ONE MEMBER APPOINTED BY THE SPEAKER OF THE HOUSE OF
DELEGATES;**

1 (3) THE ATTORNEY GENERAL, OR THE ATTORNEY GENERAL'S
2 DESIGNEE;

3 (4) THE DIRECTOR OF THE MARYLAND HISTORICAL TRUST, OR THE
4 DIRECTOR'S DESIGNEE;

5 (5) THE SECRETARY OF VETERANS AND MILITARY FAMILIES, OR THE
6 SECRETARY'S DESIGNEE;

7 (6) THE CHAIR OF THE PRINCE GEORGE'S COUNTY PLANNING
8 BOARD OF THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING
9 COMMISSION, OR THE CHAIR'S DESIGNEE;

10 (7) THE SECRETARY OF JUVENILE SERVICES, OR THE SECRETARY'S
11 DESIGNEE;

12 (8) THE CHIEF ARCHAEOLOGIST OF THE MARYLAND DEPARTMENT
13 OF TRANSPORTATION'S STATE HIGHWAY ADMINISTRATION, OR THE CHIEF
14 ARCHAEOLOGIST'S DESIGNEE;

15 (9) THE STATE ARCHIVIST, OR THE STATE ARCHIVIST'S DESIGNEE;

16 (10) THE SECRETARY OF GENERAL SERVICES, OR THE SECRETARY'S
17 DESIGNEE;

18 (11) THE CHAIR OF THE MARYLAND COMMISSION ON AFRICAN
19 AMERICAN HISTORY AND CULTURE, OR THE CHAIR'S DESIGNEE;

20 (12) THE EXECUTIVE DIRECTOR OF THE GIBSON-BANKS CENTER FOR
21 RACE AND LAW AT THE UNIVERSITY OF MARYLAND FRANCIS KING CAREY SCHOOL
22 OF LAW, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

23 (13) THE PRINCE GEORGE'S COUNTY EXECUTIVE, OR THE COUNTY
24 EXECUTIVE'S DESIGNEE; AND

25 (14) UP TO SIX MEMBERS OF THE GENERAL PUBLIC APPOINTED BY THE
26 ATTORNEY GENERAL THAT SHALL INCLUDE:

27 (i) AT LEAST ONE DESCENDANT OF A CHILD BURIED AT THE
28 SITE, A FORMER RESIDENT OF THE HOUSE OF REFORMATION, OR A FORMER
29 JUSTICE-INVOLVED YOUTH;

(II) AT LEAST ONE ACADEMIC EXPERT IN FORENSIC ANTHROPOLOGY, ARCHAEOLOGY, AFRICAN AMERICAN HISTORY, OR OTHER RELATED DISCIPLINES;

(III) AT LEAST ONE REPRESENTATIVE FROM A HISTORICALLY BLACK COLLEGE OR UNIVERSITY IN THE STATE;

(IV) AT LEAST ONE REPRESENTATIVE FROM A CIVIL RIGHTS ORGANIZATION; AND

(V) ANY OTHER COMMUNITY LEADER, ADVOCATE, OR EXPERT THE ATTORNEY GENERAL DETERMINES APPROPRIATE.

(D) (1) THE ATTORNEY GENERAL SHALL SERVE AS CHAIR OF THE COMMISSION.

(2) THE COMMISSION SHALL ELECT A VICE CHAIR FROM AMONG ITS MEMBERS.

(E) MEMBERS APPOINTED BY THE ATTORNEY GENERAL SHALL SERVE AT THE PLEASURE OF THE ATTORNEY GENERAL.

(F) (1) A MEMBER OF THE COMMISSION:

(I) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE COMMISSION; BUT

(II) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

(2) THE OFFICE OF THE ATTORNEY GENERAL MAY PROVIDE STIPENDS TO DESCENDANT, FORMER RESIDENT, AND COMMUNITY MEMBERS TO SUPPORT THE PARTICIPATION IN THE COMMISSION, SUBJECT TO AVAILABLE FUNDS.

(G) THE OFFICE OF THE ATTORNEY GENERAL SHALL PROVIDE STAFF FOR THE COMMISSION.

(H) THE COMMISSION SHALL:

(1) DIRECT AND OVERSEE THE INVESTIGATION OF THE HOUSE OF REFORMATION AND INSTRUCTION FOR COLORED CHILDREN BY CONTRACTING

1 WITH QUALIFIED PROFESSIONAL EXPERTS, INCLUDING UNIVERSITIES, RESEARCH
2 INSTITUTIONS, AND INDEPENDENT PRACTITIONERS, TO CONDUCT:

3 (I) FORENSIC ANTHROPOLOGY, ARCHAEOLOGICAL SURVEYS,
4 AND HISTORICAL RESEARCH TO THE HIGHEST ETHICAL AND PROFESSIONAL
5 STANDARDS;

6 (II) LOCATION AND DOCUMENTATION OF ALL GRAVES USING
7 MODERN ARCHAEOLOGICAL AND FORENSIC METHODS;

8 (III) IDENTIFICATION OF INDIVIDUALS BURIED AT THE SITE
9 THROUGH HISTORICAL RECORDS, FORENSIC ANALYSIS, DNA TESTING, AND
10 GENEALOGICAL RESEARCH;

11 (IV) RECONSTRUCTION OF INSTITUTIONAL CONDITIONS,
12 POLICIES, AND PRACTICES THROUGHOUT THE FACILITY'S HISTORY;

13 (V) DOCUMENTATION OF DEATHS, INCLUDING
14 CIRCUMSTANCES, CAUSES, AND STATE RESPONSES; AND

15 (VI) ANALYSIS OF SYSTEMIC FAILURES THAT ALLOWED HARMS
16 TO OCCUR;

17 (2) REVIEW AND APPROVE RESEARCH METHODOLOGIES, WORK
18 PLANS, AND FINDINGS PRODUCED BY CONTRACTED EXPERTS;

19 (3) WHEN APPROPRIATE AND APPROVED BY THE COMMISSION,
20 AUTHORIZE CONTRACTED EXPERTS TO CONDUCT EXHUMATION AND FORENSIC
21 ANALYSIS OF REMAINS IN ACCORDANCE WITH BEST PRACTICES IN FORENSIC
22 ANTHROPOLOGY AND BIOETHICS;

23 (4) DIRECT CONTRACTED EXPERTS TO ESTABLISH A DNA DATABASE
24 FOR DESCENDANT MATCHING AND PURSUE GENEALOGICAL RESEARCH TO LOCATE
25 AND NOTIFY DESCENDANTS;

26 (5) FACILITATE MEANINGFUL ENGAGEMENT WITH DESCENDANTS,
27 AFRICAN AMERICAN COMMUNITIES, AND OTHERS WITH HISTORICAL, FAMILIAL, OR
28 CULTURAL CONNECTIONS TO THOSE INTERRED AT THE SITE;

29 (6) PROVIDE OPPORTUNITIES FOR DESCENDANTS, SURVIVORS,
30 FORMER RESIDENTS, AND COMMUNITY MEMBERS TO SHARE TESTIMONY AND
31 PARTICIPATE IN PUBLIC ACKNOWLEDGMENT;

1 **(7) ESTABLISH PROTOCOLS FOR DESCENDANT NOTIFICATION,**
2 **REBURIAL, AND CULTURALLY APPROPRIATE TREATMENT OF HUMAN REMAINS IN**
3 **CONSULTATION WITH CONTRACTED EXPERTS AND COMMUNITY STAKEHOLDERS;**

4 **(8) OVERSEE CONTRACTED WORK FOR RESTORATION AND**
5 **PRESERVATION OF THE CEMETERY GROUNDS;**

6 **(9) RECOMMEND THE DESIGN AND THE IMPLEMENTATION OF A**
7 **PERMANENT MEMORIAL AT THE SITE;**

8 **(10) ENSURE LONG-TERM MAINTENANCE AND ACCESSIBILITY OF THE**
9 **PERMANENT MEMORIAL DESCRIBED UNDER ITEM (9) OF THIS SUBSECTION;**

10 **(11) RECOMMEND EDUCATIONAL INITIATIVES TO INCORPORATE THE**
11 **HISTORY OF THE HOUSE OF REFORMATION AND INSTRUCTION FOR COLORED**
12 **CHILDREN INTO THE STATE'S CURRICULUM;**

13 **(12) DOCUMENT AND DISSEMINATE LESSONS LEARNED FOR**
14 **EDUCATIONAL PURPOSES AND TO INFORM FUTURE STATE-LED RESTORATIVE**
15 **HISTORY INITIATIVES;**

16 **(13) MAKE FINDINGS REGARDING INSTITUTIONAL FAILURES AND**
17 **STATE ACCOUNTABILITY BASED ON RESEARCH CONDUCTED BY CONTRACTED**
18 **EXPERTS UNDER THIS SECTION;**

19 **(14) DEVELOP RECOMMENDATIONS FOR SYSTEMIC REFORM, WHICH**
20 **MAY INCLUDE:**

21 **(I) OFFICIAL STATE ACKNOWLEDGMENT AND FORMAL**
22 **APOLOGY;**

23 **(II) REPARATIVE MEASURES FOR DESCENDANTS AND**
24 **SURVIVORS;**

25 **(III) REFORMS TO PREVENT FUTURE DEATHS IN CUSTODY AND**
26 **IMPROVE CURRENT JUVENILE JUSTICE POLICIES;**

27 **(IV) ONGOING COMMEMORATION AND EDUCATION INITIATIVES;**
28 **AND**

29 **(V) ANY OTHER MEASURE THE COMMISSION DEEMS**
30 **APPROPRIATE TO PROMOTE HEALING AND RECONCILIATION; AND**

1 **(15) PERFORM OTHER DUTIES AND RESPONSIBILITIES NECESSARY TO**
2 **ACCOMPLISH THE COMMISSION'S PURPOSES.**

3 **(I) (1) THE OFFICE OF THE ATTORNEY GENERAL MAY PROCURE GOODS**
4 **AND SERVICES ON BEHALF OF THE COMMISSION.**

5 **(2) THE EXECUTION OF A MAJOR CONTRACT REQUIRES APPROVAL BY**
6 **VOTE OF THE COMMISSION.**

7 **(J) (1) ALL STATE AGENCIES, UNITS OF STATE GOVERNMENT, AND**
8 **POLITICAL SUBDIVISIONS OF THE STATE SHALL COOPERATE AND COMPLY WITH**
9 **INFORMATION REQUESTS FROM THE COMMISSION AND ITS CONTRACTED**
10 **RESEARCHERS AND SHALL PROVIDE ACCESS TO FACILITIES, RECORDS, AND**
11 **LOGISTICAL SUPPORT NECESSARY TO CONDUCT THE INVESTIGATION.**

12 **(2) THE COMMISSION, THROUGH THE ATTORNEY GENERAL, MAY**
13 **ISSUE SUBPOENAS FOR DOCUMENTS AND TESTIMONY RELEVANT TO THE**
14 **INVESTIGATION.**

15 **(K) (1) (I) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE**
16 **COMMISSION AND ITS CONTRACTORS ARE AUTHORIZED TO CONDUCT**
17 **ARCHAEOLOGICAL SURVEYS AND TEST EXCAVATIONS AND CARRY OUT THE**
18 **DISINTERMENT OF HUMAN REMAINS ON THE GROUNDS OF THE HOUSE OF**
19 **REFORMATION AND INSTRUCTION FOR COLORED CHILDREN WITHOUT SEPARATE**
20 **AGENCY PERMITS.**

21 **(II) THE COMMISSION SHALL CONSULT WITH THE MARYLAND**
22 **HISTORICAL TRUST AND THE MARYLAND DEPARTMENT OF HEALTH REGARDING**
23 **METHODS AND SAFETY FOR ACTIONS AUTHORIZED UNDER SUBPARAGRAPH (I) OF**
24 **THIS PARAGRAPH.**

25 **(2) TITLE 17 OF THE CRIMINAL PROCEDURE ARTICLE REQUIRING**
26 **JUDICIAL AUTHORIZATION AND A SWORN AFFIDAVIT REGARDING A SUSPECTED**
27 **HOMICIDE DOES NOT APPLY TO A FORENSIC GENETIC GENEALOGICAL DNA**
28 **ANALYSIS AND A SEARCH CONDUCTED BY THE PRINCIPAL INDEPENDENT**
29 **INVESTIGATOR, IF:**

30 **(I) THE SEARCH IS CONDUCTED EXCLUSIVELY FOR THE**
31 **HUMANITARIAN PURPOSE OF IDENTIFYING THE DECEASED AND NOTIFYING**
32 **DESCENDANTS;**

33 **(II) BIOLOGICAL SAMPLES ARE NOT USED TO SCREEN FOR**
34 **MEDICAL CONDITIONS OR TRAITS; AND**

(III) ALL DNA DATA IS DESTROYED ON THE CONCLUSION OF THE INVESTIGATION.

(3) (I) NOTWITHSTANDING § 3-8A-27 OF THE COURTS ARTICLE OR THE MARYLAND PUBLIC INFORMATION ACT, THE COMMISSION AND THE COMMISSION'S CONTRACTORS ACTING IN FURTHERANCE OF THE DUTIES SPECIFIED UNDER THIS SECTION SHALL HAVE FULL, UNRESTRICTED ACCESS TO ALL SEALED OR OTHERWISE CONFIDENTIAL JUVENILE RECORDS, MEDICAL RECORDS, AND ADMINISTRATIVE FILES RELATED TO THE HOUSE OF REFORMATION AND INSTRUCTION FOR COLORED CHILDREN.

(II) 1. SUBJECT TO SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, THE COMMISSION SHALL MAINTAIN THE CONFIDENTIALITY OF ANY LIVING INDIVIDUAL MENTIONED IN THE RECORDS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

2. THE COMMISSION MAY DISCLOSE THE NAMES AND CIRCUMSTANCES OF DECEASED INDIVIDUALS FOR THE PURPOSES OF REPORTS AND MEMORIALIZATION.

(4) THE EXEMPTIONS TO GENERAL LAWS GRANTED IN THIS SECTION ARE DETERMINED BY THE GENERAL ASSEMBLY TO BE NECESSARY DUE TO THE UNIQUE HISTORICAL NATURE OF THE SITE FOR WHICH GENERAL LAWS ARE INAPPLICABLE.

(L) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, FUNDING FOR THE COMMISSION SHALL BE AS PROVIDED IN THE STATE BUDGET.

(2) THE ATTORNEY GENERAL MAY PURSUE FEDERAL GRANTS AND OTHER FUNDING SOURCES TO SUPPLEMENT STATE APPROPRIATIONS, SUBJECT TO COMMISSION APPROVAL OF GRANT APPLICATIONS.

(3) THE ATTORNEY GENERAL SHALL ADMINISTER FUNDING FOR THE COMMISSION, INCLUDING STATE APPROPRIATIONS, FEDERAL GRANTS, AND PRIVATE DONATIONS DESIGNATED FOR THIS PURPOSE.

(M) (1) ON OR BEFORE DECEMBER 31, 2027, THE COMMISSION SHALL SUBMIT AN INITIAL REPORT DOCUMENTING THE PROGRESS OF THE INVESTIGATION AND INCLUDING ANY PRELIMINARY RECOMMENDATIONS TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THIS ARTICLE, THE GENERAL ASSEMBLY.

1 **(2) ON OR BEFORE DECEMBER 31, 2029, THE COMMISSION SHALL**
2 **SUBMIT A FINAL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257**
3 **OF THIS ARTICLE, THE GENERAL ASSEMBLY ON:**

4 **(I) THE COMPLETE FINDINGS OF THE COMMISSION'S**
5 **RESEARCH;**

6 **(II) ALL IDENTIFIED INDIVIDUALS AND THE CIRCUMSTANCES**
7 **OF THEIR DEATHS;**

8 **(III) HISTORICAL ANALYSIS OF INSTITUTIONAL POLICIES AND**
9 **PRACTICES;**

10 **(IV) RECOMMENDATIONS FOR ACKNOWLEDGMENT, MEMORIAL,**
11 **REBURIAL, REPARATIVE MEASURES, AND POLICY REFORMS; AND**

12 **(V) AN ACCOUNTING OF THE COMMISSION'S EXPENDITURES.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
14 1, 2026. It shall remain effective for a period of 4 years and, at the end of June 30, 2030,
15 this Act, with no further action required by the General Assembly, shall be abrogated and
16 of no further force and effect.