

SENATE BILL 776

E3

6lr1133

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.



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

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
7 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.

11 6-1001.

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

14 (B) THE PURPOSE OF THE COMMISSION IS TO:

20 (3) PROMOTE HEALING AND RECONCILIATION THROUGH
21 TRUTH-TELLING, ACKNOWLEDGMENT, AND RECOMMENDATIONS FOR SYSTEMIC
22 REFORM; AND

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

25 (C) THE COMMISSION CONSISTS OF:

26 (1) ONE MEMBER APPOINTED BY THE PRESIDENT OF THE SENATE OF
27 MARYLAND:

28 (2) ONE MEMBER APPOINTED BY THE SPEAKER OF THE HOUSE OF
29 DELEGATES:

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

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

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

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;

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

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

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

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

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

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

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

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

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

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

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

28 (H) THE COMMISSION SHALL:

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;

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;

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:

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

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

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.

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

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

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

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

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

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

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

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

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

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.