

SENATE BILL 776

E3

6lr1133

By: ~~Senator Smith~~ **Senators Smith, Charles, Ferguson, Folden, Harris, Henson,
James, Love, McKay, Muse, Sydnor, Waldstreicher, and West**

Introduced and read first time: February 6, 2026

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: February 21, 2026

CHAPTER _____

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 graves of hundreds of deceased children, primarily African American boys, who died while
2 in the care and custody of the State; and

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

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

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

14 **Article – State Government**

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

17 **6-1001.**

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

20 **(B) THE PURPOSE OF THE COMMISSION IS TO:**

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

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

26 **(3) PROMOTE HEALING AND RECONCILIATION THROUGH**
27 **TRUTH-TELLING, ACKNOWLEDGMENT, AND RECOMMENDATIONS FOR SYSTEMIC**
28 **REFORM; AND**

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

31 **(C) THE COMMISSION CONSISTS OF:**

- 1 (1) ONE MEMBER APPOINTED BY THE PRESIDENT OF THE SENATE OF
2 MARYLAND;
- 3 (2) ONE MEMBER APPOINTED BY THE SPEAKER OF THE HOUSE OF
4 DELEGATES;
- 5 (3) THE ATTORNEY GENERAL, OR THE ATTORNEY GENERAL'S
6 DESIGNEE;
- 7 (4) THE DIRECTOR OF THE MARYLAND HISTORICAL TRUST, OR THE
8 DIRECTOR'S DESIGNEE;
- 9 (5) THE SECRETARY OF VETERANS AND MILITARY FAMILIES, OR THE
10 SECRETARY'S DESIGNEE;
- 11 (6) THE CHAIR OF THE PRINCE GEORGE'S COUNTY PLANNING
12 BOARD OF THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING
13 COMMISSION, OR THE CHAIR'S DESIGNEE;
- 14 (7) THE SECRETARY OF JUVENILE SERVICES, OR THE SECRETARY'S
15 DESIGNEE;
- 16 (8) THE CHIEF ARCHAEOLOGIST OF THE MARYLAND DEPARTMENT
17 OF TRANSPORTATION'S STATE HIGHWAY ADMINISTRATION, OR THE CHIEF
18 ARCHAEOLOGIST'S DESIGNEE;
- 19 (9) THE STATE ARCHIVIST, OR THE STATE ARCHIVIST'S DESIGNEE;
- 20 (10) THE SECRETARY OF GENERAL SERVICES, OR THE SECRETARY'S
21 DESIGNEE;
- 22 (11) THE CHAIR OF THE MARYLAND COMMISSION ON AFRICAN
23 AMERICAN HISTORY AND CULTURE, OR THE CHAIR'S DESIGNEE;
- 24 (12) THE EXECUTIVE DIRECTOR OF THE GIBSON-BANKS CENTER FOR
25 RACE AND LAW AT THE UNIVERSITY OF MARYLAND FRANCIS KING CAREY SCHOOL
26 OF LAW, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;
- 27 (13) THE PRINCE GEORGE'S COUNTY EXECUTIVE, OR THE COUNTY
28 EXECUTIVE'S DESIGNEE; ~~AND~~
- 29 (14) THE SECRETARY OF HUMAN SERVICES, OR THE SECRETARY'S
30 DESIGNEE;

1 **(15) THE STATE SUPERINTENDENT OF SCHOOLS, OR THE**
2 **SUPERINTENDENT'S DESIGNEE; AND**

3 ~~(14)~~ **(16) UP TO** SIX MEMBERS OF THE GENERAL PUBLIC APPOINTED
4 BY THE ATTORNEY GENERAL THAT SHALL INCLUDE:

5 (I) ~~AT LEAST~~ ONE DESCENDANT OF A CHILD BURIED AT THE
6 SITE, A FORMER RESIDENT OF THE HOUSE OF REFORMATION, OR A FORMER
7 JUSTICE-INVOLVED YOUTH;

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

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

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

15 (V) ~~ANY OTHER COMMUNITY LEADER, ADVOCATE, OR EXPERT~~
16 ~~THE ATTORNEY GENERAL DETERMINES APPROPRIATE~~ **TWO INDIVIDUALS WITH**
17 **EXPERIENCE IN CIVIL RIGHTS ADVOCACY AND LITIGATION.**

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

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

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

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

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

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

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

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

7 **(H) THE COMMISSION SHALL:**

8 **(1) DIRECT AND OVERSEE THE INVESTIGATION OF THE HOUSE OF**
9 **REFORMATION AND INSTRUCTION FOR COLORED CHILDREN BY CONTRACTING**
10 **WITH QUALIFIED PROFESSIONAL EXPERTS, INCLUDING UNIVERSITIES, RESEARCH**
11 **INSTITUTIONS, AND INDEPENDENT PRACTITIONERS, TO CONDUCT:**

12 **(I) FORENSIC ANTHROPOLOGY, ARCHAEOLOGICAL SURVEYS,**
13 **AND HISTORICAL RESEARCH TO THE HIGHEST ETHICAL AND PROFESSIONAL**
14 **STANDARDS;**

15 **(II) LOCATION AND DOCUMENTATION OF ALL GRAVES USING**
16 **MODERN ARCHAEOLOGICAL AND FORENSIC METHODS;**

17 **(III) IDENTIFICATION OF INDIVIDUALS BURIED AT THE SITE**
18 **THROUGH HISTORICAL RECORDS, FORENSIC ANALYSIS, DNA TESTING, AND**
19 **GENEALOGICAL RESEARCH;**

20 **(IV) RECONSTRUCTION OF INSTITUTIONAL CONDITIONS,**
21 **POLICIES, AND PRACTICES THROUGHOUT THE FACILITY'S HISTORY;**

22 **(V) DOCUMENTATION OF DEATHS, INCLUDING**
23 **CIRCUMSTANCES, CAUSES, AND STATE RESPONSES; AND**

24 **(VI) ANALYSIS OF SYSTEMIC FAILURES THAT ALLOWED HARMS**
25 **TO OCCUR;**

26 **(2) REVIEW AND APPROVE RESEARCH METHODOLOGIES, WORK**
27 **PLANS, AND FINDINGS PRODUCED BY CONTRACTED EXPERTS;**

28 **(3) WHEN APPROPRIATE AND APPROVED BY THE COMMISSION,**
29 **AUTHORIZE CONTRACTED EXPERTS TO CONDUCT EXHUMATION AND FORENSIC**
30 **ANALYSIS OF REMAINS IN ACCORDANCE WITH BEST PRACTICES IN FORENSIC**
31 **ANTHROPOLOGY AND BIOETHICS;**

1 **(4) DIRECT CONTRACTED EXPERTS TO ESTABLISH A DNA DATABASE**
2 **FOR DESCENDANT MATCHING AND PURSUE GENEALOGICAL RESEARCH TO LOCATE**
3 **AND NOTIFY DESCENDANTS;**

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

7 **(6) PROVIDE OPPORTUNITIES FOR DESCENDANTS, SURVIVORS,**
8 **FORMER RESIDENTS, AND COMMUNITY MEMBERS TO SHARE TESTIMONY AND**
9 **PARTICIPATE IN PUBLIC ACKNOWLEDGMENT;**

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

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

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

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

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

22 **(12) DOCUMENT AND DISSEMINATE LESSONS LEARNED FOR**
23 **EDUCATIONAL PURPOSES AND TO INFORM FUTURE STATE-LED RESTORATIVE**
24 **HISTORY INITIATIVES;**

25 **(13) MAKE FINDINGS REGARDING INSTITUTIONAL FAILURES AND**
26 **STATE ACCOUNTABILITY BASED ON RESEARCH CONDUCTED BY CONTRACTED**
27 **EXPERTS UNDER THIS SECTION;**

28 **(14) DEVELOP RECOMMENDATIONS FOR SYSTEMIC REFORM, WHICH**
29 **MAY INCLUDE:**

30 **(I) OFFICIAL STATE ACKNOWLEDGMENT AND FORMAL**
31 **APOLOGY;**

1 (II) REPARATIVE MEASURES FOR DESCENDANTS AND
2 SURVIVORS;

3 (III) REFORMS TO PREVENT FUTURE DEATHS IN CUSTODY AND
4 IMPROVE CURRENT JUVENILE JUSTICE POLICIES;

5 (IV) ONGOING COMMEMORATION AND EDUCATION INITIATIVES;
6 AND

7 (V) ANY OTHER MEASURE THE COMMISSION DEEMS
8 APPROPRIATE TO PROMOTE HEALING AND RECONCILIATION; AND

9 (15) PERFORM OTHER DUTIES AND RESPONSIBILITIES NECESSARY TO
10 ACCOMPLISH THE COMMISSION'S PURPOSES.

11 (I) (1) ~~THE~~ SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION,
12 THE OFFICE OF THE ATTORNEY GENERAL MAY PROCURE GOODS AND SERVICES ON
13 BEHALF OF THE COMMISSION.

14 (2) THE EXECUTION OF A MAJOR CONTRACT REQUIRES APPROVAL BY
15 VOTE OF THE COMMISSION.

16 (3) TO THE EXTENT PRACTICABLE AND CONSISTENT WITH STATE AND
17 FEDERAL LAW, THE OFFICE OF THE ATTORNEY GENERAL SHALL PROCURE GOODS
18 AND SERVICES FROM MARYLAND INSTITUTIONS AND HISTORICALLY BLACK
19 COLLEGES AND UNIVERSITIES IN THE STATE.

20 (J) (1) ALL STATE AGENCIES, UNITS OF STATE GOVERNMENT, AND
21 POLITICAL SUBDIVISIONS OF THE STATE SHALL COOPERATE AND COMPLY WITH
22 INFORMATION REQUESTS FROM THE COMMISSION AND ITS CONTRACTED
23 RESEARCHERS AND SHALL PROVIDE ACCESS TO FACILITIES, RECORDS, AND
24 LOGISTICAL SUPPORT NECESSARY TO CONDUCT THE INVESTIGATION.

25 (2) THE COMMISSION, THROUGH THE ATTORNEY GENERAL, MAY
26 ISSUE SUBPOENAS FOR DOCUMENTS AND TESTIMONY RELEVANT TO THE
27 INVESTIGATION.

28 (K) (1) (I) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE
29 COMMISSION AND ITS CONTRACTORS ARE AUTHORIZED TO CONDUCT
30 ARCHAEOLOGICAL SURVEYS AND TEST EXCAVATIONS AND CARRY OUT THE
31 DISINTERMENT OF HUMAN REMAINS ON THE GROUNDS OF THE HOUSE OF
32 REFORMATION AND INSTRUCTION FOR COLORED CHILDREN WITHOUT SEPARATE
33 AGENCY PERMITS.

1 (II) THE COMMISSION SHALL CONSULT WITH THE MARYLAND
2 HISTORICAL TRUST AND THE MARYLAND DEPARTMENT OF HEALTH REGARDING
3 METHODS AND SAFETY FOR ACTIONS AUTHORIZED UNDER SUBPARAGRAPH (I) OF
4 THIS PARAGRAPH.

5 (2) TITLE 17 OF THE CRIMINAL PROCEDURE ARTICLE REQUIRING
6 JUDICIAL AUTHORIZATION AND A SWORN AFFIDAVIT REGARDING A SUSPECTED
7 HOMICIDE DOES NOT APPLY TO A FORENSIC GENETIC GENEALOGICAL DNA
8 ANALYSIS AND A SEARCH CONDUCTED BY THE ~~PRINCIPAL INDEPENDENT~~
9 ~~INVESTIGATOR~~ COMMISSION, IF:

10 (I) THE SEARCH IS CONDUCTED EXCLUSIVELY FOR THE
11 HUMANITARIAN PURPOSE OF IDENTIFYING THE DECEASED AND NOTIFYING
12 DESCENDANTS;

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

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

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

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

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

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

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

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

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

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

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

16 **(I) THE COMPLETE FINDINGS OF THE COMMISSION'S**
17 **RESEARCH;**

18 **(II) ALL IDENTIFIED INDIVIDUALS AND THE CIRCUMSTANCES**
19 **OF THEIR DEATHS;**

20 **(III) HISTORICAL ANALYSIS OF INSTITUTIONAL POLICIES AND**
21 **PRACTICES;**

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

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

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
26 1, 2026. It shall remain effective for a period of 4 years and, at the end of June 30, 2030,
27 this Act, with no further action required by the General Assembly, shall be abrogated and
28 of no further force and effect.