

Charles Martin

Bethesda African Cemetery Coaliton (BACC)

HB 1354: Testimony for Amendments

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Thank you for the opportunity to submit testimony on this pressing bill—HB1354, Cemeteries, Requirements for Sale or Transfer or Government Acquisition. I also wish to extend gratitude to the bill's co-sponsor, Delegate Gary Simmons, for introducing multiple bills committed to restoring and protecting cemeteries susceptible to desecration, an act we have seen erase key facets of our history.

HB1354 will play a critical role in keeping the public informed and ensuring descendent communities are central in conversations regarding the future of their ancestral locations. The bill intends to form a process in which cemetery owners planning to sell their property must consult with the public and descendant groups before initiating a sale.

Additionally, the bill asserts that a county could acquire an abandoned burial ground and transfer it to either a descendent community or a nonprofit organization—keeping these sacred spaces in the hands of their rightful owners. If no such community or organization can be found, the county or city would find a separate, established cemetery and re-inter any remains there. The Director of Cemeteries, a state agency, would play a vital role in this process: it would oversee the sale of cemeteries, disposition of abandoned burial sites, and mandate a new disposition if it is determined a prospective sale or disposition was not in the community's interest.

While HB1354 will involve the community, there are not adequate community protections in the bill; some cemetery directors would act fairly, while others may not uphold the public's desires. The necessary safeguard for this bill is judicial oversight, which will enable descendent communities or nonprofit organizations to advocate their case to a larger set of individuals and perspectives. This proposed safeguard has been a key factor in the continuous success of my organization, the Bethesda African Cemetery Coalition (BACC).

I am a student leader of the BACC, a group that has been fighting to stop the desecration of the historic Moses African Cemetery in Bethesda, Maryland for over eight years. I've been a Montgomery County Public School student since kindergarten and am currently a senior at Walt Whitman High School. Despite being in this community for my entire academic life, I've heard very little about the abundance of Black history in the area. I got involved with the BACC after a friend invited me to a meeting several years ago, and the educational, political, and social experiences I've accumulated have been indispensable. The history of such a local sacred space and the stories it holds are not topics found in textbooks; the fight to save the cemetery from desecration is not an action taught in school presentations.

As a student and member of this generation's youth, causes like ours are foundational to building a pro-democratic wave of citizens. We need to understand our local histories if we hope to develop empathy and compassion, traits that contribute to fostering communities rooted in mutual understanding and progress. The state and country's future isn't just dependent on the

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youth. It is dependent on a youth that can recognize injustice and tirelessly work to amend those instances.

Without judicial oversight, our cause and likely many others would not have been able to empower the youth perspective. The BACC has met with elected officials from all levels and agencies; yet, the responses have ranged from relative indifference to hostility. The ability to take our cause to court has kept our fight and the descendent community's hope alive. Given our experience, we believe that the Director of Cemeteries should not have the last word; that power must lie in the hands of elected jurors who bring a diverse array of beliefs into these issues.

It is our understanding that Delegate Simmons supports an amendment to his bill that would implement judicial oversight and court consideration of a cemetery sale or disposition of an abandoned cemetery when the descendent community believes the Director of Cemeteries has issued an inequitable decision regarding a burial ground. This amendment must be implemented into this bill to ensure the support of the BACC.

I thank you for consideration of my views in this important matter,

Charles Martin

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