

Candy Warden, President

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## HB 1003 Testimony: FAVORABLE WITH AMENDMENTS

Sponsor: Delegates Simmons and Young,

My name is Candy Warden. I am President of the Rosa Bonheur Society, Inc., a volunteer, nonprofit group formed in 2007 to protect and preserve the Rosa Bonheur Memorial Park, a Maryland human and pet cemetery with thousands of burials. The people with loved ones resting at our cemetery span across all the counties of Maryland.

In December 2023, the week before Christmas, the Rosa Bonheur Memorial Park suffered catastrophic removal and desecration of human and pet remains.

Graves were desecrated with human remains being exhumed and relocated without the permission of families and without the direction of a funeral services professional. Pet graves were also wantonly destroyed that surrounded the human graves.

The families that suffered disinterment(s) have never been notified of the location of their loved ones' remains by the desecrator(s). Are the human remains still extant? Have they been dumped in a mass grave somewhere? Have they been thrown away? Were the remains only partially exhumed or churned into the ground? Only the desecrator(s) know the answers to these questions.

Although families paid significant amounts of money for plots, caskets, vaults, memorial markers, and other services for human and pet burials and received deeds for their plots they have been victimized by their loved ones being violated.

Who is responsible for this desecration and damage? Our group met with a developer for three years in an effort to reach a mutual agreement to protect the cemetery. The developer believes that removing the human remains will make it possible for him to build on the cemetery grounds. The pet burials would just be plowed under even though the majority of the people that have loved ones buried there are still alive. The developer is hiding behind LLCs, which even the Maryland Office of Cemetery Oversight (OCO) has yet to untangle. It has been over a year since these

tragic events were perpetrated and the person(s) responsible have not been legally identified; just the LLCs.

How could such a tragedy occur? There is ambiguity in the existing legislation that may be interpreted two ways: 1) All human remains are legally protected; and 2) Human remains in a pet cemetery are not protected. The second interpretation does not take into account that people and their pets were not buried in the same casket, but each have their own deeded plots, caskets, and markers. The people are buried in their own plot with their pet's plot is next to them. This gray area needs to be addressed in our legislation. as human remains are human remains regardless of what type of cemetery they are buried in.

### Benefits of HB 1003

- Our State's cemetery experts, OCO, would be involved during the entire process of the relocation and reinterment of human remains.
- Requirements and procedures would be established for an application of authorization to relocate human remains.
- The OCO would be empowered to delay authorization for the relocation of human remains under certain circumstances.
- Pertinent fines and fees would be remitted to the Cemetery Oversight Fund, which would serve to defray costs of implementation and administration of the relocation authorization process.

### What is the Cost of Not Enacting HB 1003

- The issues and deficits resulting from the current legislation will remain the same with State's Attorney offices issuing approvals for uninvestigated requests by unverified individual(s) with no follow up for the relocation of human remains.
- Chicken carcasses in Maryland grocery stores will continue to receive more scanning and tracking of their locations and statuses than human remains in the process of relocation.

### Suggested Amendments to HB 1003

- The proposed legislation does not specifically mention human remains interred in pet cemeteries. Consequently, ambiguity would continue to leave the legislation open to subjective interpretation as to whether human remains buried in a pet cemetery would or would not be subjected to the relocation authorization process.
- Pet remains are not addressed by the proposed legislation. People are paying approximately \$4,400.00 for a pet burial. 70% of American households have pets. 95% of people worldwide consider their pets as members of the family. For these reasons pet burials need to be subject to the relocation authorization process. Developers should not be able to take it for granted that they can destroy expensive, cherished burial sites of loved ones with impunity.

Both human and pet remains interred in a cemetery must at all times be treated with honor, dignity, and respect. These beliefs are normative and widely held by constituents across Maryland. Cemetery legislation is critical to protect all Maryland gravesites.

Thank you for your attention, and consideration of this testimony.

Sincerely,

Candy Warden

Rosa Bonheur Society, Inc. (founded May 2007)

2010 Periwinkle Award Winner, Coalition to Protect Maryland Burial Sites