



February 9, 2025

TO: Members of the Judicial Proceedings and Finance Committees

SUBJECT: SB624 - Support Relocation of Human Remains – Authorization Process

Good morning. My name is Mark Edwards, and I am a member of the Maryland Cemetery Legislative Advocates (MCLA) and a member of the Board of Directors of Montgomery Preservation, Inc. Before I retired 3 years ago, I worked for over 46 years in the heritage preservation and cultural resource management field, including 18 years at the Maryland Historical Trust. I reside in Silver Spring, Montgomery County, Maryland.

Following the 2024 Maryland General Assembly session, advocates involved with cemeteries began meeting to share information about problems and challenges, review existing law, and to agree upon priorities for legislative changes to propose to the 2025 General Assembly. The working group includes individuals active in cemetery preservation, care, and maintenance as well as descendants, genealogists, and nonprofit organizations. These initiatives follow the survey and study requested by the Joint Chairmen and reported to the Maryland General Assembly on June 30, 2022. See the *Report on Historic African American Cemeteries to the Chairmen of the Senate Budget and Taxation Committee and House Appropriations Committee* submitted on June 30, 2022, by the Maryland Commission on African American History & Culture and the Maryland Historical Trust.

SB624 changes the Criminal Code and amends 10-402 to involve the Office of Cemetery Oversight (OCO) in non-criminal cases, leaving criminal cases to the State's Attorneys with improved notice to descendants. This legislation involves disinterment (removal of a dead human or pet body from the ground after burial) and reinterment (the act of reburying and/or re-intombing a body). A change in existing legislation is needed because current law does not require either the State's Attorney or the Health Department to investigate whether descendants have been notified and does not give the descendants a voice in the process. The current law is inadequate because it only requires pro forma public notices. Imagine the shock and sadness when relatives arrive at the cemetery to visit their loved ones and find their grave empty, and then are told that on a particular date on a particular page of the Baltimore Sun, there was a notice published. Also, the lack of required monitoring of compliance with the law results in complaints that the State's Attorney and Health departments must address although the current law does not assign responsibility for monitoring the processes and results of disinterments and reinterments.

The Maryland Office of Cemetery Oversight (OCO), as the expert authority on all aspects and issues concerning cemeteries and burials would, in non-criminal cases, thoroughly investigate a disinterment request and provide the State's Attorney their approval or disapproval. A variety of benefits would derive from this legislation. A few of these are:

- Expanded requirements and the inclusion of the term “persons in interest” in addition to that of “family” offer recognition of the complexities of modern relationships by more accurately describing people that should be notified of impending disinterment and increasing the likelihood of proper notification.
- Monitoring by the OCO would reduce the number of complaints received and provide the State’s Attorney with the ability to refer people to OCO for expert assistance.
- Fees for OCO research would reimburse OCO for their expenses incurred.
- Verification of the identity and/or purpose of the requestor.
- Disinterment, reinterment, and/or relocation records would be retained and be accessible.

For these reasons, I request that you support SB624. Thank you for your consideration of my request.

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