

SB0616-Criminal Law-Human Remains, Pet Remains, and Cemeteries-Penalties-OPP

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I do not believe this bill goes far enough either in length of time or to allow for different types of penalties for different levels of destruction. Although the title suggests this applies to pet burials as well, the wording throughout the document appears to apply only to humans. The bill also does not address destruction to destructive changes to landscape such as knocking down bushes and creating ruts by driving vehicles into the cemetery. It is costly to repair damages within cemeteries and there is little set aside for anything other than basic maintenance since the majority of cemeteries lack perpetual care.

I work with a large diverse group of cemetery advocates and am on boards of both the Anne Arundel Genealogical Society and the Coalition to Protect Maryland Burial Sites. I work closely with Anne Arundel County's Cultural Resources to monitor cemeteries and consult with various groups on issues such as desecration.

There are many types of vandalism. Vandals spray paint graffiti on tombstones. They knock down Jewish tombstones and Confederate graves are defaced. Impaired drivers and road conditions cause drivers to plow into cemetery headstones, walls, fences, and alter landscapes.

One local cemetery has three various types of desecration. Many of the tombstones were broken into fragments. Later, someone believed to be a relative, removed the one existing intact tombstone, presumably for safekeeping, without informing anyone. More recently, chain link fencing was knocked down to allow nearby fast-food workers to take their breaks on a log in the cemetery and leave their trash behind.

A couple young women decided to photograph tombstones and place the photos on an online cemetery website. They scrubbed only the names and dates on the stones creating a zebra-like look to stones in an historic cemetery which alters their original appearance.

A documented tombstone from a cemetery on federal land had been missing for over 25 years. It was recently discovered twenty miles from its original location. The stone was recovered and returned but the spouse's stone has never been found.

A developer in Howard County had grave markers and possibly bodies moved so that he can develop a portion of the cemetery. He made no attempt to notify family members and, trying to unsuccessfully have local funeral homes move the bodies, finally finding a Virginia funeral home to carry out his mission. These dis-interments were approved without questioning by the state's attorney's office.

There is a Maryland law regarding penalties (MD Criminal Law Code §10-401) but that law needs to be expanded and penalties and fines strengthened. I recommend various levels of punishment be initiated depending on the severity of destruction and types of repairs needed. Also, listing these penalties as felony charges would alert police that the destruction requires serious attention than as misdemeanors.

Thank you for your time.

