

# **RBS HB 1000 February 2025.pdf**

Uploaded by: candy warden

Position: FAV

Candy Warden, President

Rosa Bonheur Society, Inc.

10240 Harvest Fields Drive

Woodstock, MD 22163

February 05, 2025

HB 1000 Testimony: FAVORABLE

Sponsor: Delegates Simmons, Ghrist, Jones, Long, Schmidt, Woods, 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.

Constituents in every jurisdiction are aghast at what happened at just one cemetery. It is happening at other cemeteries all over Maryland. In December 2023, the week before Christmas, the Rosa Bonheur Memorial Park suffered catastrophic removal and desecration of human and pet remains from multiple sites. These sites are owned by deed holders who invested in perpetual care. Heavy equipment damage in numerous locations! A backhoe dug up graves! Removed and plowed under human and pet remains, damaged memorial markers, and grave goods! Where are the remains!

Stronger penalties must be enacted to deter the increasing disregard for the respect and honor of cemeteries and cemetery remains. Those causing damage must pay for ALL the damage and consequences of abhorrent misbehavior. Damages must include all proper procedures for interment, damage to markers, damage to cemetery grounds, administrative costs incurred by the Office of Cemetery Oversight, and ongoing costs of new protections. Extending the statute of limitations is essential for providing adequate time to effectively research and prosecute people that desecrate cemeteries.

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.

### **A Case in Point**

At the Rosa Bonheur Memorial Park 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? A developer that our group met with for three years in an effort to come to a mutual agreement to protect the cemetery. The developer is hiding behind LLCs, which even the Maryland Office of Cemetery Oversight 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.

### **Benefits of HB 1000**

- Broadening the criteria for prosecution, time frame for prosecution, and penalties necessary for the deterrence and/or punishment of people that would desecrate cemeteries, such as, those who seek to hide behind LLC smokescreens to avoid identification and prosecution.
- Offers crucial support and reinforcement for existing legislation making it more effective.
- Provides necessary legal protections for families and their diverse social, cultural, ethical, and religious beliefs and how they choose to honor their dead.
- Both human and pet remains would be legally protected.
- Increased trust and confidence in governmental agencies to effectively address sensitive cemetery related issues, which encompass a broad spectrum of social, cultural, religious, ethical, and religious beliefs.
- Supports the cemetery industry by offering stronger legislation and making cemeteries less desirable targets for desecration.

HB 1000 will provide all of these benefits for the constituents of the State of Maryland.

Thank you for your kind consideration of this testimony, which is greatly appreciated.

Sincerely,

Candy Warden

Rosa Bonheur Society, Inc. (founded May 2007)

2010 Periwinkle Award Winner, Coalition to Protect Maryland Burial Sites

## **4 penalties testimony.pdf**

Uploaded by: Christine Simmons

Position: FAV

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

Christine Simmons  
521 West Drive  
Severna Park, MD 21146  
410-978-7167

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.



# **Cemetery Desecration at the Rosa Bonheur Memorial**

Uploaded by: David Zinner

Position: FAV

# Cemetery Desecration at the Rosa Bonheur Memorial Park in Howard County Maryland

## **Desecration**

At noon on Saturday, December 23, 2023, members and friends of the Rosa Bonheur Society gathered at the Rosa Bonheur Memorial Park to view the significant desecration that occurred on or about December 19, 2023.

In this 87-year-old cemetery, which has both pet and human burials, human grave markers were removed and piled up, eight to ten human graves were dug up and bodies removed, surrounding graves were churned up, other nearby grave stones were damaged, and muddy ruts were abundant.

For years Friends of Rosa Bonheur has been trying, without success, to work with the developer from the adjoining property to get an agreement to protect the cemetery. The developer denies knowing who caused the damage to the cemetery.

## **History**

Rosa Bonheur Cemetery is located at 7239 Washington Boulevard on Washington Blvd in Elkridge, Howard County across the road from the Meadowridge Memorial Park. In 1979 humans began to be buried at the cemetery. Burials of humans and pets continued until 2004 when the cemetery was closed to new burials although there was room left for thousands of additional burials. There are at least 24 humans buried and 4,000 confirmed animal burials at the cemetery. Many markers for both the human and pet burials are annually decorated for Christmas and other Holidays.

## **What We Observed**

On December 20 & 21, 2023, two Rosa Bonheur Society volunteers, and a society member whose family has plots dating back to 1946, observed the cemetery status. They reported desecration of burials, memorials, and the



grounds. They provided photos of the damage they witnessed. All three reported deep holes, markers strewn about, damage to the graves surrounding the holes, human remains missing from graves, and the exposure of other remains.

Robert Mosko, of Mosko Cemetery Monument Services, spent an hour assessing the damage. He confirmed that the soil indicated that the vandalism has occurred in the last two days, because the dirt is still fresh, that the area was heavily dug up probably using a backhoe. He noted tractor tracks. At least 3 sites were exhumed with evidence of probing. Graves were blindly destroyed, and human and animal markers strewn around and in piles. He said it was easy to tell what the desecrators did.

No notice of proposed disinterment was given to the families whose loved ones are buried at Rosa Bonheur. These disrespectful actions, the damage done, and lack of any attempt to repair that damage, make it evident that no professional funeral director and/or staff was present.

Memorial LLC had contacted the State's Attorney for Howard County, Rich Gibson, almost three years ago for permission to disinter remains. Gibson approved the request, despite the families objecting. Two funeral homes contacted to conduct the disinterment refused to proceed because no families had been notified or given permission. The Rosa Bonheur Society also has not been contacted regarding these disinterments.

### **Unanswered questions**

1. Who did this?
2. Why was no notice given to the families?
3. Why didn't the States Attorney require permission from the families?
4. Why didn't a funeral director guide the work?
5. What is the responsibility of the Maryland Office of Cemetery Oversight?
6. Was the Maryland Historic Trust contacted, as required by Maryland State Law?
7. And where are the bodies???

# **HB1000 - zinner testimony.pdf**

Uploaded by: David Zinner

Position: FAV

## HB1000 and its companion bill SB616

I'm David Zinner, Coordinator for the Maryland Cemetery Legislative Advocates (MCLA). Our group has extensive experience with cemetery issues.

I am also a consumer representative on Maryland's Advisory Council on Cemetery Operations, but I am not representing the Council or the Office of Cemetery Oversight.

MCLA believes that the proposed changes reflected in this bill are needed to address cemetery desecration. Here are eight examples of cemetery desecration in Maryland:

- In 2024, families were saddened to find the headstones of 59 loved ones pushed over at North East Cemetery in Cecil County.
- In 2024 a dozen human burials were dug up in the Rosa Bonheur Cemetery in Howard County.
- In 2023 antisemitic vandalism was discovered at Lubawitz Nusach Ari/Ner Tamid Cemetery in Rosedale in Baltimore County.
- In 2021 in Somerset County, Md., the Princess Anne Police Department is investigating a case of gravesite vandalism at St. Andrew's Episcopal Church
- In 2021 at All Hallows Episcopal Chapel in Davidsonville, Anne Arundel County, experienced the destruction of over 160 gravestones ... a defacement both unsightly and physically damaging to the century-old stones.
- In 2021 thirteen gravesites in a Dundalk, Baltimore County Jewish cemetery were vandalized with swastikas
- In 2021 a man took plastic wreaths from three or more burial plots, placing them on an access road and lighting them on fire at the Cedar Lawn Memorial Park cemetery in Hagerstown, Washington County.

- In 2017, more than 20 headstones in the St. Thomas Episcopal Parish Cemetery in Prince George's County, were pushed over or damaged, devastating families who have loved ones buried there.
1. SB616 amends 10-402 and 10-402.1 which currently address removing or attempting to remove human remains from a burial site by adding “tamper with human remains” and by adding “damage, desecrate, mutilate, store, traffic, transport human remains”.  
Regretfully this is needed because of cemetery desecration that we have witnessed.
  2. This bill increases fines and penalties “from up to 5” to “up to 10 years” of imprisonment and from “up to \$10,000” to “at least \$20,000” and then states that penalties escalate for repeated violations.
  3. In 10-404 our bill enlarges upon the current “disorderly conduct” violation to add “malicious and abusive activities.”
  4. Our bill proposes that any cemetery desecration violation is a felony, not a misdemeanor removing the need to have an expiration date on statute of limitations because felonies have no statute of limitations. [Smallwood v. State, 51 Md. App. 463 (1986)]. We also note that felonies are investigated by police more thoroughly than misdemeanors and that moving from misdemeanor to felony does not automatically impact the size of the penalty.
  5. Our bill provides for denial of a license (for example a real estate license) if convicted of tampering with or removal of bodies in a cemetery.
  6. We propose allowing for a civil action in court to recover damages.
  7. 10-627 we’ve added unauthorized removal of pet remains.

## **MCLA.pdf**

Uploaded by: David Zinner

Position: FAV



MCLA is a new group, formed in July of 2024. We've met weekly to discuss Maryland cemetery laws and how we can bring our real world experience to proposing improvements to those laws. We drafted language for seven bills that are in the legislative process in the House and Senate.

We are not professional lobbyists, nor are we paid for our work in Maryland's cemeteries. We have no paid staff. We don't even have a bank account. What we do have is passion and a belief that cemeteries show respect for the deceased, and that cemeteries are our history and our gift to future generations.

We are twelve Maryland citizens devoted to care, preservation, documentation and protection of all of Maryland's cemeteries. Our MCLA team represents hundreds of years of advocacy and hands-on cemetery care. We are multicultural, spanning ethnicities and religions. Our members have widespread and diverse experience and backgrounds, are bi-partisan, and come from different counties across the State.

MCLA puts a special emphasis on identification, preservation, care and when needed, restoration, of African American cemeteries. Our members are actively working with individual African American cemeteries or sections of cemeteries. We bring incarcerated citizens to learn about cemetery care, and participate in cemetery cleanups. We help identify African American cemeteries for grants.

MCLA members understand the importance of genealogy and actively work to document cemetery records and markers across the State. Our members work with statewide organizations to provide advice to Maryland's cemetery regulator and to educate Maryland citizens about the importance of cemeteries.

Maryland citizens can make a difference when they are actively involved in the legislative process. We are so grateful to our bill sponsors, three Republicans and four Democrats. And we are appreciative of the hearing process that allows us to explain the importance, need and impact of the bills that we initiated. Thank you for supporting legislation this session that will benefit all cemeteries in Maryland.

# **Testimony in Support of HB1000.pdf**

Uploaded by: Gary Simmons

Position: FAV



GARY SIMMONS  
Legislative District 12B  
Anne Arundel County

Judiciary Committee  
Subcommittees

Criminal Law and Procedure  
Family and Juvenile Law



The Maryland House of Delegates  
6 Bladen Street, Room 152  
Annapolis, Maryland 21401  
410-841-3581 • 301-858-3581  
800-492-7122 Ext. 3581  
Gary.Simmons@house.state.md.us

THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

February 14, 2025

Re: Testimony in Support of HB1000

Dear members of Judiciary and Health and Government Operations

I write to you today to express my strong support for HB1000, a bill that seeks to protect the dignity of human remains, safeguard burial sites, and ensure that cemeteries—whether publicly or privately owned—are respected under the law. The proposed legislation strengthens penalties for acts of desecration and clarifies the definition of a “permanent cemetery” to include those owned by families or religious organizations, reinforcing the fundamental principle that all final resting places deserve protection.

Throughout history, burial sites have been regarded as sacred spaces, serving as places of remembrance, respect, and mourning for the deceased and their loved ones. Unfortunately, incidents of grave tampering, desecration, and the illicit handling of human remains have become distressingly common. These acts are not only violations of public trust but also cause irreparable emotional harm to families and communities. By prohibiting individuals from mutilating, tampering with, trafficking, or improperly storing human remains, HB1000 establishes a clear legal framework to prevent such egregious offenses and to hold violators accountable.

Additionally, the inclusion of pet remains within this legislation acknowledges the importance of animal companions in many people's lives. Families deserve the right to honor their beloved pets in a manner free from the risk of desecration or theft. Extending legal protections to pet burial sites further upholds the values of respect and dignity that this bill seeks to enshrine.

The enhanced penalties proposed by HB1000 will serve as a strong deterrent against individuals who would otherwise engage in these heinous acts. By reinforcing criminal prohibitions against the disturbance of human and pet remains, Maryland will join other states in ensuring that the sanctity of burial sites remains intact.

I urge the committee to pass HB1000 and send a clear message the state of Maryland values and protects the final resting places of its residents. Thank you for your time and consideration. I respectfully request a favorable report on this critical piece of legislation.

Sincerely,

  
Delegate Gary Simmons



# **HB1000\_ FAV\_Jennifer Johnson\_ Testimony (1).pdf**

Uploaded by: Jennifer Johnson

Position: FAV

**Required Information**

HB1000 Criminal Law - Human Remains, Pet Remains, and Cemeteries - Prohibitions

Support FAV

Jennifer Elsie Johnson

Founder Friends of St. Peter's Cemetery

Cemetery Address: 1301 Moreland Ave Baltimore MD 21216

Email: friendsofstpeterscemetery1851@gmail.com

Phone: 410- 929- 2544

**Written Testimony**

My name is Jennifer Johnson and in 2023 I started the Friends of St. Peter's Cemetery. The cemetery was founded in 1851 and is the hallowed ground for approximately 15,000 individuals who worked and lived in West Baltimore.

While, I am thankful St. Peter's Cemetery has not suffered much intentional desecration, although it certainly suffers from many years of neglect. However, I have heard the horror stories of the intentional desecration that has occurred at many other cemeteries.

Desecration of any cemetery is wrong and should face harsh penalties and punishment. This law will enforce the protection of cemeteries and punish those who decide to do harm to the sacred spaces.

Please support Criminal Law – Human Remains, Pet Remains, and Cemeteries – Prohibitions HB1000.

Thanks for your time and consideration.

Sincerely,

*Jennifer Johnson*

Jennifer Johnson

Founder Friends of St. Peter's Cemetery

# **MGA Testimony Supporting on HB1000.pdf**

Uploaded by: John Brantley

Position: FAV

# Testimony Concerning House Bill 1000, “Human Remains, Pet Remains and Cemeteries - Prohibitions”

This testimony is in SUPPORT of the Bill (FAV)

I’m submitting testimony in my role as Treasurer of the *Granite Historical Society*. Within the Granite community there are 15 family cemeteries (that we know of) situated on private land. A few of these cemeteries have just one grave marker standing; others have more than thirty. Most are totally neglected and seriously overgrown with trees, vines and weeds. Some have been vandalized over the years. Our organization is currently engaged in putting together a database – property owners, condition of the cemeteries and who is buried there, etc. Most burials in these cemeteries date to the 19<sup>th</sup> century, a few to the 18<sup>th</sup> century. Some of the burials were unmarked to begin with; in other cases, markers were removed or have disappeared into the ground. We know who was buried in some of these unmarked graves; for others, we don’t know, and maybe never will. Our plan is to keep the database updated with annual visits to the sites and ongoing research.

Three years ago our organization restored one of the larger cemeteries – we call it *The Quaker Hill Cemetery* – in coordination with the current landowner and with the help of some grant money from the Patapsco Heritage Greenway. We installed a sign with a QR code with which visitors can access information about the burials. A few of our members volunteer to keep the grass mowed on a continuing basis. We’re now planning to tackle another restoration at the *Dorsey Family Cemetery*. That cemetery is located on a plot of ground originally named “Scotchman’s Desire” settled by Francis Dorsey in 1732 - Francis was the son of the famed Marylander, Colonel Edward Dorsey.

In testifying I’d like to encourage legislative action that might counteract the neglect and desecration of these private cemeteries endure. Such legislation might enact tax credits to encourage landowners to be more responsible stewards of cemeteries located on their property, or it might enact legal penalties for landowners who engage in desecration or look the other way while others do so. I would also encourage that some thought given to allowing public access to these historic sites. I’ll offer three scenarios here in Granite to illustrate my point:

1 – *The Worthington Family Cemetery*. Over 30 graves, the first of which dates to the 1784. Located on a land-locked piece of ground owned by a gynecologist who practices in Philadelphia. To date, he has not answered any of our phone calls or any mail sent to him.

2 – *Hamilton Family Cemetery*. Over 20 graves (that we know of), the first of which dates to 1824. Located on a 120-acre farm which was part of William Hamilton’s 1752 patent called “East Lothian”. In addition to Hamilton family members, workers at the largest of Granite’s quarries, “The Waltersville Quarry”, are also buried there. Our organization did a clean-up of that cemetery about 30 years ago but the current farm-owner now refuses any access.

3 – *Walters-Blunt Cemetery*. Almost 30 graves, the first of which dates to 1786. This was the family which owned that “Waltersville Granite Quarry”. This property changed hands a few years ago and the current owner will not give our organization access to view the cemetery or the rest of the property. Ironically, this property is listed with the Maryland Historical Trust, but our pleas to the Trust haven’t resulted in any action either.

My Contact Information: John Brantley, 9807 Old Court Rd, Windsor Mill, MD 21244.

Voice: 410-9221-1908. Cell Phone: 443-602-5103. Email: [treasurer@granitehistoricalsociety.org](mailto:treasurer@granitehistoricalsociety.org)

# **HB1000 letter to Judiciary and Health and Governme**

Uploaded by: Mark Edwards

Position: FAV



February 10, 2025

**TO:** Members of the Senate Judicial Proceedings Committee

**SUBJECT: Support HB1000: Criminal Law – Human Remains, Pet Remains and Cemeteries - Prohibitions**

Good afternoon. 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.

HB1000 is beneficial because it strengthens the protection of human and pet remains, as well as the sanctity of cemeteries, by expanding the definition of a permanent cemetery to include those owned by families or religious organizations. It establishes stricter prohibitions and graduated civil and financial penalties deriving from, tampering with, desecrating, or damaging human and pet remains, funerary objects, landscaping, and cemetery structures. This should, in turn, result in a reduction in disrespectful or harmful actions within cemeteries. By addressing trafficking, mutilation, and improper storage or transportation of remains, the legislation also ensures that cemeteries remain places of reverence and respect. Perhaps most importantly this legislation upholds the dignity of burial sites and reinforces ethical standards for their maintenance, protection, and preservation.

**For these reasons, I request that you support HB1000.** Thank you for your consideration of my request.

Mark Edwards  
1204 Edgevale Road  
Silver Spring, MD 20910  
[Mark\\_edwards1@verizon.net](mailto:Mark_edwards1@verizon.net)  
(301) 758-8867

# **HB 1000 02-18-2025\_MCCA\_FWA.pdf**

Uploaded by: John Stierhoff

Position: FWA

John R. Stierhoff, Esquire  
(410) 244-7833  
jrstierhoff@venable.com

February 18, 2025

The Honorable Luke Clippinger, Chair  
House Judiciary Committee  
101 Taylor House Office Building  
6 Bladen Street  
Annapolis, Maryland 21401

Re: House Bill 1000 – Criminal Law – Human Remains, Pet Remains, and Cemeteries -  
Prohibitions

Dear Chair Clippinger:

I am writing on behalf of the Maryland Cemetery and Cremation Association (“MCCA”) in Support with Amendments of House Bill 1000.

House Bill 1000 extends the provisions of Section 10-401 of the Criminal Law Article of the Code to cemeteries owned by a family or a religious organization; prohibits the tampering of human remains in a cemetery; and creates a private right of action for a family member or decedent who suffers damages for a violation of these provisions among other things.

MCCA condemns the removal or tampering with human or pet remains in a cemetery, and agrees that these acts should be considered a felony. However, we believe that clarifying language should be added to House Bill 1000 stating that these provisions do not prohibit a cemetery from enforcing its rules and regulations pertaining to the removal of funeral decorations.

Founded in 1916, MCCA represents the shared interests and concerns of professionals across the spectrum of Maryland’s “death care” industries.

The Maryland Cemetery and Cremation Association respectfully requests the House Health & Government Operations Committee to Support House Bill 1000 with Amendments.

Sincerely,

John R. Stierhoff

cc: Members, House Judiciary Committee



# **HB1000-JUD-FAV.pdf**

Uploaded by: Nina Themelis

Position: FWA



**BRANDON M. SCOTT**  
MAYOR

*Office of Government Relations  
88 State Circle  
Annapolis, Maryland 21401*

**HB 1000**

February 18, 2025

**TO:** Members of the Judiciary Committee

**FROM:** Nina Themelis, Director of Mayor's Office of Government Relations

**RE:** House Bill 1000 – Criminal Law - Human Remains, Pet Remains, and Cemeteries - Prohibitions

**POSITION: Support with Amendment**

Chair Clippinger, Vice Chair Bartlett, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports with amendment** House Bill (HB) 1000.

This bill will strengthen protections for historic cemeteries, as the bill includes increased legal and monetary consequences for the removal of human remains and damage or removal of cemetery features (headstones, tombs, fencing, etc.) It also expands the definition of a “permanent cemetery” in Section 10–401 (d). Currently, the term only applies to cemeteries owned by three types of entities: a cemetery company regulated under Title 5 of the Business Regulation 27 Article, a non-profit organization, or the State; this bill adds “a family” or “religious organization” to the list of owners.

The BCA proposes an amendment to Section 10–401 (d) that adds “local government or municipality” as an additional owner of a “permanent cemetery.”

There are several historic cemeteries located on property owned by the Mayor and City Council of Baltimore. These historic resources are vulnerable to damage and looting. This amendment will ensure that historic cemeteries owned by local governments or municipalities gain these additional protections.

For the above stated reasons, the BCA respectfully request a **support with amendment** report on HB 1000.

## **hb1000.pdf**

Uploaded by: Will Vormelker

Position: UNF

HON. STACY A. MAYER  
CIRCUIT COURT  
JUDGE  
BALTIMORE COUNTY  
CHAIR

HON. RICHARD SANDY  
CIRCUIT COURT  
JUDGE  
FREDERICK COUNTY  
VICE-CHAIR



KELLEY O'CONNOR  
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SUZANNE PELZ, ESQ.  
SNR. GOVT. RELATIONS AND  
PUBLIC AFFAIRS OFFICER  
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## MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

### MEMORANDUM

**TO:** House Judiciary Committee  
House Health and Government Operations

**FROM:** Legislative Committee  
Suzanne D. Pelz, Esq.  
410-260-1523

**RE:** House Bill 1000  
Criminal Law – Human Remains, Pet Remains, and Cemeteries -  
Prohibitions

**DATE:** February 5, 2025  
(2/18)

**POSITION:** Oppose

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The Maryland Judiciary opposes House Bill 1000.

The Judiciary has no position on the policy aims of this legislation but is opposed to the mandatory minimum sentencing provisions only. The Judiciary traditionally opposes legislation that includes mandatory provisions. The Judiciary believes it is important for judges to weigh the facts and circumstances for each individual case when imposing a sentence. Provisions that place restrictions on the judge prevent the judge from considering factors unique to the case. Recognizing that lawmakers are responsible for enacting penalties for crimes, judges are mindful of various mitigating factors in crafting a sentence that most appropriately fits the individual defendant and the crime.

cc. Hon. Gary Simmons  
Judicial Council  
Legislative Committee  
Kelley O'Connor

# **HB1000 - SHA - LOI - Criminal Law - Human Remains,**

Uploaded by: Patricia Westervelt

Position: INFO

February 18, 2025

The Honorable Luke Clippinger  
Chair, Judiciary Committee  
100 Taylor House Office Building  
Annapolis, MD 21401

***RE: Letter of Information – HB 1000 – Criminal Law – Human Remains, Pet Remains, and Cemeteries – Prohibitions***

Dear Chair Clippinger and Committee Members:

The Maryland Department of Transportation (MDOT) takes no position and offers the following information for the committee's consideration of House Bill 1000.

HB 1000 alters the definition of permanent cemetery to include a cemetery owned by a family or religious organization. Further, the bill prohibits a person from 1) tampering with human remains interred in a cemetery; 2) damaging, desecrating, mutilating, storing, tampering with, trafficking, or transporting human remains; 3) willfully destroying landscaping or engaging in malicious, abusive, or disorderly activities; 4) damaging, desecrating, mutilating, storing, tampering with, trafficking or transporting pet remains, subject to a certain exception; or 5) removing or attempting to remove pet remains from a cemetery without the permission of the owner of the pet or of the cemetery.<sup>1</sup>

The Maryland State Highway Administration (SHA) coordinates hundreds of transportation projects around the State every year. In accordance with federal laws, SHA's cultural resource team – which includes architectural historians and archaeologists that evaluate proposed construction impacts on buildings, historic districts, roadway structures, and archaeological sites. This ensures adverse impacts are avoided whenever possible and minimized or mitigated if impacts are unavoidable.

When the SHA cultural resource team discovers unmarked graves, they work with descendants and members of the interested public to ensure all remains are treated with the utmost respect.

HB 1000 introduces the issue of managing pet remains. As written, the definitions of “pet remains” and “cemetery”<sup>2</sup> is unclear. Without additional clarification and given 1) the diverse types of animals buried, 2) the widely varying practices associated with those burials, and 3) the numerous underground animal remains encountered, this bill would cause confusion for the SHA and add time and expense to highway projects.<sup>3</sup> For example, archaeologists in Maryland have found at least one chicken buried as

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<sup>1</sup> HB 1000 makes all these actions and others currently in law a felony and sets the penalties for the prohibited actions. Additionally, the bill authorizes certain units of State government to deny the application for or revoke an occupational license or certificate for a violation of the prohibited actions and creates a certain civil action in response to some of these activities.

<sup>2</sup> For “cemetery”, the term is undefined in the context of pet remains.

<sup>3</sup> It should also be noted that, in some cases, animal burials are ambiguous. Animals are not generally buried in coffins, and preservation of their smaller bones and grave goods like food, collars, blankets, and toys varies depending on age and other factors. Recognizable funerary markers (headstones) are unusual outside of pet

The Honorable William C. Smith, Jr.  
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part of a cultural ceremony, and it is unclear if these types of animals would be required to be reinterred. As for the definition of “cemetery” in the context of pet remains, it is unclear if family-owned land where a dog, cat, horse, or other animal is buried (but no humans are interred) is considered a permanent cemetery or if the bill is directed at formal pet cemeteries, like Rosa Bonheur Memorial Park in Elkridge, Oakleigh Pet Cemetery in Parkville, or Aspin Hill in Silver Spring, and (human) family cemeteries where animal companions are also interred. The SHA has also encountered elaborate and relatively recent pet burials in parks, woods, and other places, sometimes close to State roads. SHA notes that the fiscal impact of conducting additional analysis, coordination, and relocation and reburial for pets on archaeological sites could add between \$5,000 and \$10,000 to a project, per animal and depending on the size of the animal.<sup>4</sup>

The Maryland Department of Transportation respectfully requests the Committee consider this information during their deliberations of House Bill 1000.

Respectfully submitted,

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cemeteries. It's also unusual to have a faunal analyst available in the field to determine whether a burial might have been a traditional companion animal or not.

<sup>4</sup> Overall, it is estimated that project delays and risk associated with HB 1000 could account for more than \$200,000 on a project where potential cemeteries or animal remains are involved.