

## **Testimony in Support of HB0892-Cemeteries for Sale, Transfer or Alternate Use**

### **To the House Economic Matters Committee**

#### **Greetings**

My name is Robert Alex Stubblefield and I am a poet, lay minister, and activist-organizer with groups such as the Bethesda African Cemetery Coalition and I am writing in full support of House Bill 0892 -Cemeteries-Actions for Sale, Transfer or Alternate use. My reasons are explained below.

I support this bill because it is inspired by the Bethesda African Cemetery Coalition's victory at the Maryland Supreme Court which gave descendant communities in Maryland not only the right to bring suit against developers and/or government agencies but also that descendant communities have the right to seek equitable relief. What this bill does is that helps continue empower descendant communities. For instance, even though it helps put in place a process in which even if a sale or transfer goes before the Office of Cemetery Oversight, that descendant communities can during the process seek judicial relief. This is important because sometimes the OCO director may or may not make the right decision on behalf of the descendant communities and judicial recourse is necessary just in case the process either stalls or becomes hostile.

The second reason why I support this bill is because it places the burden of proof on the seller of the cemetery. Often times, when developers, agencies even other church communities want to sell a property that contains a cemetery, they often times sell it without any regards to descendants. What this does is that it places the burden of proof that ensures that the seller engages in an actual effort of descendant community engagement in terms of what they want done with the cemetery, whether that is re-internment of the bodies, a memorial plaque or some sort of relief and requires a court of law to take certain actions. This is vital with the court because quite frankly courts have been the one way descendants have been able to receive some sort of justice.

In closing, this bill is necessary for descendant communities to continue to be empowered in this process in protecting the dead.

Thank you

