

Testimony of Dr. Marsha Coleman
Member of Bethesda African Cemetery Coalition

TO: Senate Finance Committee
RE: SB 233 and SB 234

January 30, 2026

Thank you for the opportunity to testify before the Maryland Senate Finance Committee today. My name is Dr. Marsha Coleman, a resident of Bethesda, Maryland and a founding member of the Bethesda African Cemetery Coalition (BACC).

BACC, a coalition of concerned citizens, was organized about 10 years ago to protect and preserve the Moses Cemetery and end the continued desecration of this historic cemetery on River Road in Bethesda MD. Moses Cemetery was organized by White's Tabernacle, a benevolent African American institution, to bury Black people post emancipation. Following the emancipation, a resilient and vibrant African American community was established and built homes and businesses on River Road. They were stone masons and farmers. They funded the Colored Wing in Suburban Hospital and the bunker under the White House. They established the Macedonia Baptist Church in 1920.

Spanning several years from World War II through the 1960s, KKK violence and public sector discrimination displaced the African American community. Many of them had to surrender ownership of their homes and land and fled the community. The cemetery passed into the hands of developers who built apartment building and commercial enterprises on top of Moses African Cemetery. Macedonia Baptist Church, the only black institution that survived the organized displacement continues to bear witness to the atrocity committed against our people on River Road.

Currently, BACC is involved in litigation against Montgomery County's Housing Opportunities Commission (HOC). HOC seeks to sell the Westwood Towers apartments to a developer. The Maryland State Supreme Court affirmed that hundreds of bodies are beneath the apartment complex and its parking lot. The Supreme Court remanded the case to the Circuit Court which is expected to render a decision soon. Meanwhile, BACC sued 1784 Holdings over its construction of a storage facility on an ancient burial ground in the immediate vicinity of the Moses African Cemetery. In the process of the construction funerary objects and possible human remains were excavated, steamed and crushed and dumped in a landfill in Germantown. Possible human remains were transported and stored in a Warehouse in Gainesville, Virginia since 2020.

In this context, BACC believes that the protections in SB 233 regarding the sale and transfer of cemeteries is vital for the fight against desecration. BACC has had

to struggle in the court system for years to persuade the courts to hear the case. In contrast, SB 233 would create an expeditious process. It would provide a right of private action for a descendant community and persons of interest to bring a case before the courts. A court of equity would be required to hear the case and render a decision. The court could allow the sale and transfer or prohibit it. It could require a transfer of a cemetery to a descendant community or require negotiation between the parties in the litigation.

SB 233 does not guarantee any outcome but it provides a fair opportunity for all parties to have their day in court. It increases the chances for equitable solutions and the cessation of desecration. It is modeled on the Fair Housing Act and other civil rights laws empowering historically disenfranchised communities to go to court.

SB 234 is similar but applies in the case of abandoned cemeteries. The owners of these cemeteries have ceased operations for a variety of reasons including bankruptcy. In the case of abandoned cemeteries, a local government can acquire the cemetery for the purposes of transferring it to a descendant community or other persons of interest. If a person of interest believes the local government is not acting in good faith, the bill would allow the person of interest to file a lawsuit. However, the bill in its current form needs to be amended to require a court to render a decision.

BACC wants to maintain Moses as a cemetery and to build a museum and memorial. This would not only benefit the descendant community but would be of immense educational benefits to the wider community. It would teach them the history of a resilient community that suffered violent discrimination but has persevered and wants to share its story of the indomitable human spirit. These bills would provide BACC and similar communities better opportunities to pursue these sacred missions.

Thanks for the opportunity to testify.