

Testimony Concerning House Bill 552
Independent Investigation of the House of Reformation and Instruction for Colored
Children
Position: Favorable

To: Delegate Melissa Wells, Chair
Delegate Kenneth Kerr, Vice Chair
Members of the Government, Labor, and Elections Committee

From: Erika Lewis, Ereik L. Barron Fellow, Monique L. Dixon, Executive Director and Michael Pinard, Faculty Director, Gibson-Banks Center for Race and the Law

Date: February 17, 2026

On behalf of the Gibson-Banks Center for Race and the Law (“Gibson-Banks Center” or “Center”) at the University of Maryland Francis King Carey School of Law,¹ we appreciate the opportunity to submit written testimony in support of House Bill 552 (“HB 552”), which would, among other things, launch an Independent Investigation to uncover the history and operations of the House of Reformation and Instruction for Colored Children, currently known as the Cheltenham Youth Detention Center (“House of Reformation” or “Cheltenham”), and investigate the circumstances surrounding the deaths of the hundreds of children discovered in marked and unmarked graves near Cheltenham. We urge the Committee to issue a favorable report because the bill would: (1) confront and address Maryland’s history of racial segregation in youth incarceration, and the unique harms visited upon Black children and youth in the state’s youth detention and committed facilities; (2) similar to efforts undertaken in other states, investigate and address the harm done to children and youth who were abused or died in state-run youth facilities; and (3) uplift the dignity of children who died under state supervision and provide opportunities for redress for their families.

The Center urges a favorable vote for the bill as written. But, because one cannot anticipate what the Independent Investigation will uncover, we respectfully ask the Committee to consider adding one additional catchall recommendation that the Independent Investigation could make, such as, “any additional measure(s) the Independent Investigation deems appropriate.”

¹ This written testimony is submitted on behalf of the Gibson-Banks Center and not on behalf of the University of Maryland Francis King Carey School of Law, the University of Maryland, Baltimore, or the University System of Maryland.

The Gibson-Banks Center works collaboratively to re-imagine and transform institutions and systems of racial inequality, marginalization, and oppression. Through education, advocacy, and research, the Center examines and addresses racial inequality, including the intersection of race with sex, gender, or disability, and advances racial justice in a variety of issue areas, including the youth justice system. It is with this background that we support HB 552, which is a long overdue step towards uncovering the truth behind the treatment of Black children and youth who died while in state custody at the House of Reformation and addressing any harm done to these children and their descendants.

HB 552 Requires Maryland to Confront its History of Racial Segregation in its Youth Justice System and Address the Harms Done to Black Children and Youth in its Youth Facilities

Last year, Maryland Department of Juvenile Services (“DJS”) officials and state legislators rediscovered the marked and unmarked graves located near Cheltenham and vowed to investigate what happened to the young people buried there.² This commitment is much delayed considering that this is not the first time elected officials discovered the gravesite.³ Maryland officials, policymakers, and community members must illustrate the dynamics within its youth justice system that allowed hundreds of Black children to die in state custody and also acknowledge that this dynamic still exists, albeit in different forms.⁴

Maryland has a sordid history of racial segregation. After Maryland abolished slavery in 1864, Black residents remained oppressed.⁵ Black Marylanders were stifled by Jim Crow laws that mandated racial division in almost every aspect of life, including marriage, voting, housing, public transportation, schools, libraries, restrooms, drinking fountains, and restaurants.⁶

The legacies of slavery, Jim Crow, and other forms of racial discrimination are akin to Maryland’s youth and criminal legal systems, which have continuously marginalized Black children.⁷ In 1855, Maryland opened the House of Refuge for white children. Two decades

² William J. Ford, *Lawmakers Vow to Reclaim, Redeem Forgotten Cemetery for Black Youth*, MARYLAND MATTERS (Sept. 23, 2025), <https://marylandmatters.org/2025/09/23/lawmakers-vow-to-reclaim-restore-forgotten-cemetery-for-black-youth/>.

³ Katie Mettler & Michael Brice-Saddler, *230 Dead Black Boys. A 'Secret Cemetery.' Officials Knew and Didn't Act*, THE WASHINGTON POST (Sept. 22, 2025), <https://www.washingtonpost.com/dc-md-va/2025/09/22/house-of-reformation-graveyard/>.

⁴ For instance, Maryland charges more children as adults than any other state per capita aside from Alabama, and nearly 80 percent of those children charged as adults are Black. Press Release, *Over 1,000 Kids Charged as Adults Last Year – Maryland Senate Weighs Major Reform*, SENTENCING PROJECT (Feb. 4, 2026), <https://www.sentencingproject.org/press-releases/over-1000-kids-charged-as-adults-last-year-maryland-senate-weighs-major-reform/>; Katie Mettler et. al, *Maryland Revives Years-Long Debate Over Whether to Charge Kids as Adults*, WASHINGTON POST (Feb. 26, 2025), <https://www.washingtonpost.com/dc-md-va/2025/02/26/maryland-juvenile-justice-adult-court/>.

⁵ 107 Op. Att’y’s Gen. Md. 140, 141 (2022), <https://oag.maryland.gov/resources-info/Documents/pdfs/Opinions/2022/107oag140.pdf>.

⁶ *Id.*

⁷ See, e.g., MARYLAND EQUITABLE JUSTICE COLLABORATIVE, *Breaking the 71%: A Path Toward Racial Equity in the Criminal Legal System* 68 (2025) (noting that “Black youth face systemic disparities at every stage of Maryland’s youth justice system”); JUSTICE POLICY INSTITUTE, *Rethinking Approaches to Over Incarceration of Black Young Adults in Maryland* 15 (2019), https://justicepolicy.org/wp-content/uploads/justicepolicy/documents/Rethinking_Approaches_to_Over_Incarceration_MD.pdf (“Maryland has

would pass until Maryland opened a separate facility for Black children, the House of Reformation, in 1873.⁸ During this time gap, Black children, some only five-years-old, were housed in adult prisons.⁹ Children subsequently committed to the House of Reformation were reportedly mistreated and abused.¹⁰ Some of these children died under circumstances that must be investigated.¹¹

According to investigative news reports, the House of Reformation practiced convict leasing.¹² Children were leased to Maryland farms under conditions that replicated slavery.¹³ They were forced to work six days a week to help pay for the House of Reformation's operating expenses.¹⁴ Some Black children worked in dangerous on-site factories, described as "veritable firetrap[s]," tasked with making brooms, shoes, and furniture while others were "paroled to service" and sent to work for private families until they turned twenty-one years old.¹⁵

In 1934, a young Black man who was formerly committed at the House of Reformation described it as "a place not fit for a dog."¹⁶ In stark contrast, the House of Refuge was more education-centric, offering white children a "home" to shield themselves "from the contaminating influence of evil and corrupt companions."¹⁷

The House of Refuge and House of Reformation remained formally segregated until 1961 when the Supreme Court of Maryland, in *State Board of Public Welfare v. Myers*, declared that

the most extreme racial disparities for those incarcerated for long terms in the United States . . . These disparities are rooted in policing practices that target communities of color, a lack of investment and opportunity in historically disadvantaged neighborhoods, and an overly punitive sentencing, parole, and corrections system that focuses on punishment with insufficient attention given to programming and rehabilitative services that have been proven to improve public safety outcomes.").

⁸ Md. State Archives Guide to Special Collections, *Moses McAllister Jr. Collection* <https://speccol.msa.maryland.gov/pages/speccol/collection.aspx?speccol=6374> (last accessed Feb. 14, 2026); Nicole Ramos, 'Not fit for a dog': Maryland Reformatory Boys Died Through Years of Disease, Neglect, CAPITAL NEWS SERVICE (Dec. 10, 2025), https://cnsmaryland.org/2025/12/10/cheltenham_mainbar/.

⁹ See House of Reformation and Instruction for Colored Children, Act of Incorporation, MD. GEN. ASSEMBLY ch. 392, 3 (1870) ("A visit to our Penitentiary reveals the fact that 'four hundred and fifteen colored persons are incarcerated therein, and of this number eleven are children under twelve years of age, and one of them but five years old, so small as to be able to creep through the prison bars.'"), <https://damscdn.mdhistory.org/resource/12200/file/12200-5350-file.pdf>; see also Vincent Schiraldi & Marc Schindler, *Unburying the Segregationist History of Maryland's Youth Justice System*, MARYLAND MATTERS (Nov. 11, 2025), <https://marylandmatters.org/2025/11/11/unburying-the-segregationist-history-of-marylands-youth-justice-system/>.

¹⁰ *Id.*

¹¹ *Id.*

¹² Megan Sayles, *Cheltenham's Lost Graves Spark Push for Juvenile Justice Reform*, AFRO NEWS (Aug. 7, 2025), <https://afro.com/cheltenham-unmarked-graves-black-children/>.

¹³ *Id.*; For a detailed discussion of convict leasing in the adult context, see generally DAVID M. OSHINSKY, "WORSE THAN SLAVERY" PARCHMAN FARM AND THE ORDEAL OF JIM CROW JUSTICE (1997).

¹⁴ Megan Sayles, *Cheltenham's Lost Graves Spark Push for Juvenile Justice Reform*, AFRO NEWS (Aug. 7, 2025), <https://afro.com/cheltenham-unmarked-graves-black-children/>; Nicole Ramos, 'Not fit for a dog': Maryland Reformatory Boys Died Through Years of Disease, Neglect, CAPITAL NEWS SERVICE (Dec. 10, 2025), https://cnsmaryland.org/2025/12/10/cheltenham_mainbar/.

¹⁵ Nicole Ramos, 'Not fit for a dog': Maryland Reformatory Boys Died Through Years of Disease, Neglect, CAPITAL NEWS SERVICE (Dec. 10, 2025), https://cnsmaryland.org/2025/12/10/cheltenham_mainbar/.

¹⁶ *Id.*

¹⁷ See House of Reformation and Instruction for Colored Children, Act of Incorporation, MD. GEN. ASSEMBLY ch. 392, 3 (1870), <https://damscdn.mdhistory.org/resource/12200/file/12200-5350-file.pdf>.

the institutions' mandated segregation violated the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution.¹⁸ The court likened the youth facilities' segregated educational components to the type of discriminatory conduct that the U.S. Supreme Court struck down seven years earlier in *Brown v. Board of Education*.¹⁹

Today, a large portion of the identified burial grounds are positioned in a shadowed tree-covered area adjacent to the well-manicured Cheltenham Veterans Cemetery.²⁰ The striking juxtaposition of the neglected and forgotten grave site of Black children nestled directly next to a tidily groomed veterans' cemetery symbolizes the state's long-standing failure to acknowledge the Black children buried there and investigate the circumstances that led to their deaths. HB 552 calls for an independent investigation to both honor the children and youth buried at the gravesite and determine the cause of their deaths.

HB 552 Will Align Maryland with Other Jurisdictions that have Discovered Unmarked Graves at Youth Detention Centers and Committed Facilities

Sadly, Maryland is not the only state where there are unmarked graves of children and youth who died while at state-run youth facilities. Florida's Arthur G. Dozier School for Boys ("Dozier School") and the Okeechobee School parallel the House of Reformation in that they were racially segregated youth detention centers and committed facilities with numerous unmarked graves near the properties.²¹ The U.S. Department of Justice and the Florida Department of Law Enforcement investigated conditions of abuse at the schools, and the University of South Florida led forensic excavations of the unmarked graves.²² The U.S. Department of Justice found that the Dozier and Okeechobee Schools engaged in unconstitutional practices that exposed children to undue harm, like severe physical and sexual abuse.²³

In 2017, the Florida legislature formally recognized the horrors that occurred in the Dozier and Okeechobee Schools, apologized to the victims, and expressed its commitment to protect children in state care.²⁴ In 2024, the Florida legislature granted the surviving victims

¹⁸ *State Bd. of Public Welfare v. Myers*, 224 Md. 246, 254-55 (1961). Notably, the lead lawyer on *Myers* was Juanita Jackson Mitchell, the first Black woman graduate of University of Maryland Francis King Carey School of Law and the first Black woman admitted to the Maryland bar. See Juanita Jackson Mitchell (1913 – 1992), *Archives of Maryland* (Md. State Archives), <https://msa.maryland.gov/megafile/msa/speccol/sc3500/sc3520/002300/002306/html/2306bio.html> (last updated Oct. 2001).

¹⁹ *Myers*, 224 Md. at 254.

²⁰ See *supra* note 15.

²¹ The Okeechobee School opened in 1955 due to overcrowding at the Dozier School and is reported to have allowed both the physical and sexual abuse of the children in its care, like the Dozier School. The Okeechobee School was racially segregated until 1967. Fla. H.R. Comm. on Judiciary, Staff Analysis, CS/HR 1335 (Arthur G. Dozier School for Boys) 2 (Apr. 7, 2017), <https://www.flsenate.gov/Session/Bill/2017/1335/Analyses/h1335.JDC.PDF>. The Dozier School was segregated from 1900-1967. *Abuse, Racism Revisited at Florida Reform School*, EQUAL JUSTICE INITIATIVE (Feb. 27, 2014), <https://eji.org/news/abuse-racism-at-dozier-school-for-boys-florida/>.

²² Fla. H.R. Comm. on Judiciary, Staff Analysis, CS/HR 1335 (Arthur G. Dozier School for Boys) 2-3 (Apr. 7, 2017), <https://www.flsenate.gov/Session/Bill/2017/1335/Analyses/h1335.JDC.PDF>.

²³ See *id.* ("As early as 1901, reports surfaced of children being chained to walls in irons, brutal whippings, and peonage (involuntary servitude).").

²⁴ *Id.*

\$20,000,000 in reparations for the abuses they experienced.²⁵ The Gibson-Banks Center urges Maryland to lead the same type of initiative.

Maryland must shed light on the departed souls of Cheltenham to honor the children who died under the eye of the state, provide opportunities for repair and redress to their families, promote dignity, and unveil the truth to ensure that history does not repeat itself. The Independent Investigation proposed in HB 552 is a promising method to begin the processes of memorialization, truth-telling, healing, and learning.

For these reasons, we ask for a favorable report on HB 552.

²⁵ FLA. STAT. ANN. § 16.63 (West 2024).